



The Law Society of
Upper Canada

Barreau
du Haut-Canada

February 10, 2015

His Excellency President Vladimir Putin
Office of the President of the Russian Federation
23, Ilyinka Street
Moscow, 103132, Russia

Office of the Treasurer

Osgoode Hall
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Your Excellency:

tel 416-947-3415
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Re: The assassinations of lawyers Vitaliy Moiseyev and Tatiana Akimtseva

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the assassinations of Vitaliy Moiseyev and Tatiana Akimtseva. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Vitaliy Moiseyev and Tatiana Akimtseva were both lawyers in Moscow who represented Sergey Zhurba, a deputy of the regional council of the Odintsovo region, who was a key witness in a case of a significant number of killings by members of the Orekhovskaya gang. The Orekhovskaya gang is a criminal organization that was particularly active in Moscow during the 1990s.

Reports indicate that, on 23 September 2014, Tatiana Akimtseva was shot and killed after receiving threats from unknown individuals. Her driver, the eyewitness to her murder, was also killed. There are no reports indicating that any arrests were made related to these crimes. It is unknown whether an investigation is currently taking place.

The verdict in the Orekhovskaya gang case was released on 23 October 2014. Dmitry Belkin, head of the gang, and his accomplice Oleg Pronin, were found guilty of committing 22 murders and 11 attempted murders, including a number of other crimes.

On 24 October 2014, Moscow Police confirmed with media that Vitaliy Moiseyev and his wife Elena Moiseyeva were found dead from gunshot wounds in a car near Moscow. The two were reportedly shot at least 30 times as they were driving away from their home.

Vitaliy Moiseyev's assassination occurred hours before he was scheduled to testify in court in respect to a different case against other leaders of the Orekhovskaya gang. There are no reports indicating any arrests have been made pertaining to these crimes.

Temur Shakirov, a Legal Adviser with the International Commission of Jurists, issued the following statement in relation to the assassinations of Sergey Zhurba's lawyers: "These killings are reprehensible for the deprivation of life of victims and the anguish cause [sic] to their families [...] But they also inflict more general harm on the rule of law in the country, where

lawyers come under lethal attack merely for representing their clients and discharging their professional functions.”

The Law Society of Upper Canada is deeply concerned about the current state of the rule of law in Russia and the safety of lawyers discharging their duties. The Law Society would like to remind Your Excellency of Principles 16 and 17 of the United Nations *Basic Principles on the Role of Lawyers*. Principle 16 states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Principle 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Human rights groups believe that these lawyers were killed as a result of fulfilling their legitimate legal duties and are calling upon the government of the Russian Federation to adhere to the *Basic Principles on the Role of Lawyers*, to provide adequate protection for lawyers, judges, witnesses, and investigative authorities, and bring those responsible for these crimes to justice.

The Law Society urges the government of the Russian Federation to:

- a. thoroughly investigate the deaths of Vitaliy Moiseyev and Tatiana Akimtseva and to ensure that the perpetrators of these acts of violence are tried fairly and are brought to justice;
- b. ensure that all lawyers can carry out their peaceful and legitimate activities without fear of physical violence or other human rights violations;
- c. put an end to all acts of harassment and intimidation of human rights defenders in Russia; and
- d. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Janet E. Minor

Treasurer

**The Law Society of Upper Canada is the governing body for more than 47,000 lawyers and 6,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.

cc:

H.E. Mr. Alexander Ivanovich Bastrykin
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H.E. Ambassador Extraordinary and Plenipotentiary Alexander N. Darchiev
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Alex Neve, Secretary General, Amnesty International Canada

Mary Lawlor, Executive Director, Front Line Defenders

Vincent Forest, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers Rights Watch Canada

Yves Berthelot, President, Observatory for the Protection of Human Rights

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the High Commissioner for Human Rights

Gabriella Knaul, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Sarah Smith, Human Rights and Rule of Law Policy Adviser, The Law Society of England and Wales

Genri Reznik, Chairman, Moscow City Bar Association (MCBA)

Evgeny Semenyako, President, Federal Chamber of Lawyers of the Russian Federation