

STATEMENT

Paris, September 2, 2021

**All Acts of Harassment against Russian Lawyer Ivan Pavlov,
Including at the Judiciary Level, Must Immediately Cease**

UIA-IROL expresses its grave concerns about the ongoing judicial prosecution of prominent Russian human rights lawyer, Ivan Pavlov.

The head litigator of Team 29 - a collective of human rights lawyers and journalists that recently dissolved for fear of persecution and reprisal - Mr. Pavlov has worked on most sensitive and high-profile cases of human rights abuses, including cases of activists, academics, and ordinary citizens wrongly charged with treason, espionage, and extremism. Mr. Pavlov is the recipient of the 2015 Moscow Helsinki Group Award, awarded for defending human rights in court, and the recipient of the 2018 [Alison Des Forges Award for Extraordinary Activism](#).

On April 30, 2021, Mr. Pavlov was briefly detained by the Federal Security Service (FSB), following raids on his hotel room in Moscow, his apartment and the Team 29's office in St. Petersburg, and his summer cottage in the Leningrad Region. The raids came just a few days after Team 29 announced it would be representing the Anti-Corruption Foundation (FBK) of the Russian opposition leader, Alexey Navalny, in a case requesting that Foundation be labelled as an "extremist" organization.

Later the same day, Mr. Pavlov was interrogated by the Investigative Committee of the Russian Federation and charged with "disclosure of the data of a preliminary investigation", under Article 310 of the Criminal Code of the Russian Federation, facing up to 3 months of detention. The charges are related to Mr. Pavlov's defense of another client, former journalist Ivan Safronov, who was accused of high treason. It is UIA-IROL's understanding that while Mr. Pavlov shared with journalists Safronov's charge sheet to protect his client's interest, the charges appear to be groundless, since no "confidential case information" was disclosed in the document.

In addition, the Basmanny District Court of Moscow ordered restrictive measures against Mr. Pavlov, banning him from using almost all means of communication, including the internet. Mr. Pavlov appealed these measures, but the Moscow City Court rejected his appeal on July 19, 2021.

The prosecution against Mr. Pavlov appears to be clearly related to his exercise of the legal profession and further intended to prevent him from freely and independently fulfilling his professional functions.

Mr. Pavlov's lawyers also appealed the April 30 searches, arguing that FSB officers reportedly seized equipment and documents that were not related to the investigation against Mr. Pavlov and that contained confidential communications between lawyer and client. The Moscow City court rejected these arguments and refused the appeal on July 8, 2021.

UIA-IROL recalls that the recognition and respect of confidentiality of all communications and consultations between lawyers and their clients within their professional relationship is legally protected, under international¹ and domestic² law. The European Court of Human Rights has, under Article 8 of the ECHR, afforded strengthened protection to exchanges between lawyers and their clients. The Court has repeatedly recalled that “persecution and harassment of members of the legal profession strikes at the very heart of the Convention system. Therefore the searching of lawyers’ premises should be subjected to especially strict scrutiny”³, and adequate and sufficient safeguards must be attached to the procedure.

UIA-IROL further notes with great concern that the Department of the Ministry of Justice in St. Petersburg recently filed a lawsuit to challenge the decision of the St. Petersburg Bar Association, which, despite a government request, refused to disbar Mr. Pavlov for an alleged disciplinary offense. A hearing on this case initially scheduled for August 24, was postponed at the request of the Ministry of Justice. Notably, Mr. Pavlov was not summoned to appear at this August 24 hearing.

As UIA-IROL has repeatedly affirmed, no lawyer should suffer prosecution - including disciplinary measures - for any legitimate activities undertaken in the performance of his or her professional duties. UIA-IROL therefore condemns the improper use of the criminal justice system against Mr. Pavlov, as such improper use represents a serious threat to the independence and freedom of the legal profession in Russia in general. UIA-IROL is extremely concerned about the chilling effect Mr. Pavlov’s prosecution may have on other lawyers in the country.

In addition to the prosecution against Mr. Pavlov, on July 16, 2021, the Federal Service for Supervision of Communications, Information Technology and Mass Media – Roskomnadzor – blocked the website of Team 29 upon the request of the Prosecutor General of the Russian Federation based on the organisation’s alleged links with a Czech, non-governmental organization which had been declared “undesirable” in Russia. Team 29 denied the accusation but, fearing the imminent risks of criminal or administrative prosecution of its members and supporters, it decided to shut down the organization on July 18, 2021, after nearly seven years of taking on some of Russia’s most difficult political prosecutions.

UIA-IROL recalls that, according to Principle 16 of the Basic Principles on the Role of Lawyers, governments must ensure that lawyers “... are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; [...] 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”. Further, lawyers shall not be identified with their clients, or their clients causes, while performing their profession functions (Principle 18).

UIA-IROL urges Russian authorities to take urgent steps to dismiss all unfounded pending criminal and disciplinary complaints against Mr. Pavlov and to lift all restrictive measures imposed on him, notably those that undermine his capacity to practice as a lawyer.

UIA-IROL further calls upon Russian authorities to ensure that all lawyers in the Russian Federation are able to carry out their legitimate professional activities without intimidation, harassment, improper interference or reprisals, including by preventing any use of prosecution or threat of prosecution as a tool to silence the legal profession and/or curtail its independence in Russia.

¹ See for instance, the Basic Principles on the Role of Lawyers, Principle 22 and the Recommendation R. No. (2000) 21 of the Committee of Ministers of the Council of Europe to Member States on the freedom of exercise of the profession of lawyers. Principle I, 6.

² See Federal Law "On the practice of law and the legal profession in the Russian Federation", Article 8.

³ See for example, [Kolesnichenko v. Russia, no. 19856/04](#), § 31, 9 April 2009

UIA-IROL takes this opportunity to express its support of and solidarity with all Russian lawyers and bar associations who stand and defend the core values of the legal profession and its main role in the defense of the rule of law and human rights.

More about UIA-IROL

The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL) promotes the Rule of Law and supports and defends, in particular, (1) lawyers, judges and human rights defenders who are harassed, threatened and/or persecuted in the exercise of their professions, (2) the independence of the legal and judicial professions, and (3) the UN Basic Principles on the Role of Lawyers, especially in defense of human rights.

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