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Mr Thomas Hammarberg
Commissioner for Human Rights
Council of Europe

Dear Commissioner

Recently I have been informed about the murder of Mr Stanislav Markelov, a lawyer tirelessly fighting against impunity of people responsible for violating human rights in Chechnya and the murder of Mrs Anastasia Baburova, a journalist. This tragic news proves that standing up for fundamental human rights may still mean a giving the greatest of all the sacrifices – the sacrifice of one's own life. I hope that the statement issued by Terry Davis, Secretary General of the Council of Europe and Mr Dick Marty, a member of the Parliamentary Assembly of the Council of Europe who is responsible for monitoring human rights front in the Northern Caucasus, will elicit an adequate reaction from the Russian authorities.

International community is too often confronted with similar cases, which frequently serve as a symptom of permanent practice of substantial violation fundamental human rights taking place in many parts of the world. Information of this sort invariably causes sorrow and indignation, on the other hand however it spurns us to intensify our activities which may prevent such things from happening in the future.

Member states of the Council of Europe, by ratifying a number of conventions elaborated within the framework of the organization, especially the European Human Rights Convention, commit themselves to establishing and observing the accepted standards of human rights on their territories. In numerous documents concerning the conclusions drawn from monitoring of exercising these legal-international obligations, the gravest accusations concern the Russian Federation. Already in the letters of 20 December 2007 and 4 February 2008 I have tried to direct your attention to the problem and appealed that the Council of Europe take measures to induce the Russian Federation to respect individual rights. The range of the reported human rights violations justifies taking up a resolute intervention, especially in the case of weaknesses of the internal

social control mechanisms, which have been so efficiently limited by the state organs' activities.

Unfortunately, the recent data do not show any improvement. The realm of law and order remains problematic and impediments in functioning of the civil society still tend to recur. In 2008 we were concerned mostly with the Russian-Georgian conflict, which brought about suffering of many. As we learn from 14 January 2009 Human Rights Watch Report (a chapter on Russia: <http://www.hrw.org/en/node/79324>) both parties of the conflict violated widely accepted principles and harmed civil population. Human rights advocates accuse Russians and Ossetians of using cluster bombs in inhabited areas of Gori and Kareli, which caused death of many civilians. There were also many victims of the Russian missile fire of settlements. Russians soldiers are also accused of tolerating plunders, arsons, robberies, rapes, beating and terrorizing of Georgians by Ossetian volunteers and armed criminals who were following regular troops. Ossetians are also accused of illegal detainment at least 160 civilians in the conditions insulting human dignity in South Ossetia and Gori. Russians soldiers are said to have tortured Georgians war prisoners, at least one Georgian taken captive has been killed without court. The report also raises other objections concerning the situation in the Northern Caucasus – Chechnya, Ingushetia and Dagestan. Too many people are considered missing (it has been reported that in Chechnya there have been 5,000 “missing” people) and proper state organs do nothing to clarify these things. In effect – more missings are being reported.

Utterly shocked by these reports, I wish to express my strong support for what you and other organs of the Council of Europe have undertaken in this case. I hope that further steps will be taken and that they will be an adequate reaction to human rights violations taking place in a country which is a member of the Council of Europe.

Yours sincerely

/-/ Janusz Kochanowski