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**STATEMENT BY MR. ANDREY KELIN,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 938th MEETING OF THE OSCE PERMANENT COUNCIL**

24 January 2013

**In response to Switzerland's concerns regarding the
human rights situation in Russia**

Mr. Chairperson,

The topic raised by our Swiss colleague is undoubtedly important, and in this context I should like to underscore that Russia meticulously observes the commitments it has assumed in connection with its accession to the 1951 United Nations Convention and the 1967 Protocol relating to the Status of Refugees.

However, to be frank, we are surprised at the completely unfounded attempts to link the cases of Abdulvosit Latipov and Leonid Razvozhayev mentioned by the Swiss ambassador to States' commitments regarding asylum-seekers.

As for the aforementioned Latipov, this citizen of Tajikistan has been living illegally in Russia since 2001. In 2011 the Prosecutor General's Office of Tajikistan issued a request to Russia for Latipov's extradition so that he could be prosecuted for banditry, kidnapping, extortion and an attempt on the life of a State or public official. After carefully examining this request, the Prosecutor General's Office of the Russian Federation decided in favour of extradition. However, in the light of Latipov's appeal to the European Court of Human Rights, the decision on his extradition was suspended. In 2011 Latipov also applied to the Russian Federal Migration Service (FMS) for temporary asylum. He did not appeal against the FMS's rejection of his case and was not seeking asylum at the time of his disappearance. Consequently, Russia has no obligation to protect him.

We do not know anything about the manner in which Latipov disappeared. His disappearance may be connected with various circumstances, including circumstances of a criminal nature. The Russian authorities have undertaken a number of measures necessary to establish the circumstances of Latipov's abduction. Criminal proceedings have been instituted and the investigation is under the control of the Prosecutor General's Office and the Investigative Committee of Russia.

As for Leonid Razvozhayev, I should like to remind you that he is a Russian citizen and a member of the opposition movement. He has been on the wrong side of the law for a

long time. He committed his first armed assault on a businessman in Angarsk in December 1997. He is currently under investigation for his involvement in the organization of mass disturbances in Moscow, Kaliningrad, Vladivostok and other constituent entities of the Russian Federation, and also at detention facilities, including incidents involving the use of weapons and offering resistance to representatives of the authorities.

He has not disappeared. Even now he can be seen literally every other day on television reading his statements to the media. The Russian Investigative Committee has looked into Razvozhayev's statement regarding his alleged kidnapping on Ukrainian territory. It has been established that he left Russia illegally for Ukraine using his brother's passport and returned using his own travel documents. A medical examination did not reveal any signs of physical harm.

Furthermore, on 21 October of last year, Razvozhayev himself telephoned a Russian investigator and subsequently met with him. Criminal proceedings for kidnapping and violence were then dropped on the grounds of lack of evidence that a crime had been committed. The Prosecutor General's Office of the Russian Federation is verifying the legality of this decision. If this decision is deemed to be lawful, Razvozhayev will be held responsible for knowingly disseminating false information about an investigator of the Russian Investigative Committee.

Our Swiss colleagues refer to an appeal by Razvozhayev to the Office of the United Nations High Commissioner for Refugees in Kyiv. For some reason they seem to forget that matters concerned with the granting of asylum are the exclusive prerogative of the competent national agencies of sovereign Ukraine, to which, according to our information, Razvozhayev has not applied.

We appreciate the attention paid to our country, but we would advise our Swiss colleagues to take a look at the situation at home. In particular, the European Committee for the Prevention of Torture expressed its concern about whether the conditions in which detainees are held at prisons in Geneva are in line with European standards and about violence among detainees and the mistreatment of persons in custody. We are also aware of the alarm of the Office of the United Nations High Commissioner for Refugees regarding the tightening of legislation regulating asylum in Switzerland by the Swiss Parliament in 2012.

In conclusion, we should like to draw attention to the fact that it is not correct to discuss cases that are under consideration by national courts or the European Court of Human Rights and on which a decision has not yet been made.

Thank you for your attention.