

Hristo Ivanov, Minister of Justice
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9th October 2014

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Re – Nikolay Koblyakov

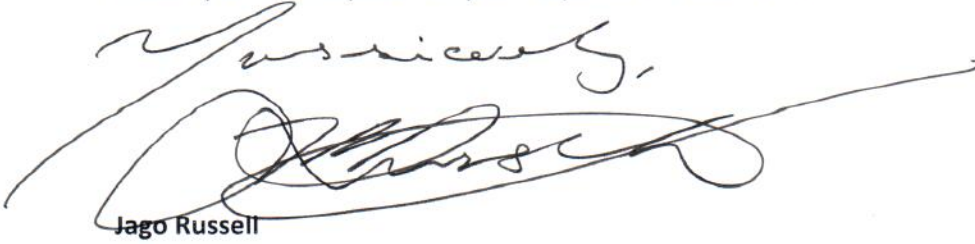
I am writing to express Fair Trials International's serious concerns for dual French and Russian national, Nikolay Koblyakov, who is currently in Bulgaria pending a decision on his extradition to Russia by the City Court of Sofia on 21st October 2014.

We have very serious concerns about the prospect of Mr Koblyakov's extradition. You are no doubt already aware that Russia has been subject to serious criticism in relation to prison conditions which are incompatible with the right to freedom from torture and inhumane or degrading treatment protected by Article 3 of the European Convention of Human Rights. The European Court of Human Rights, for example, has identified systemic problems in Russia's prison system, in a pilot judgement in 2012,ⁱ concluding that the applicants were detained in inhumane and degrading conditions in remand centres. Similarly the European Court of Human Rights held last year that the extradition of a Russian national from Vienna to Russia violated the applicant's Article 3 right of the Convention.ⁱⁱ Further, the most recent CPT report from 2012 demonstrates that Russian prison conditions are substandard and there are still numerous allegations of physical ill-treatment of persons detained.ⁱⁱⁱ The 2013 US Department of State Report on Russia recorded allegations of torture and excessive force by law enforcement officials and described prison conditions as potentially life-threatening.^{iv}

I fully understand that Mr Koblyakov's case will be heard by the City Court of Sofia on 21st October 2014 and will be therefore be subject to judicial scrutiny. However, we understand that ultimately you have responsibility for executing any extradition order. In Mr Koblyakov's case, there is overwhelming evidence to believe that he would be at real risk of serious violations of his basic rights protected by Article 3 of the Convention. In accordance with international law, this requires Bulgaria to refuse to extradite him to Russia. I would, therefore, urge you to take action to protect him from a horrific ordeal in Russia, which we fear would amount to a breach of his fundamental rights.

Vision: A world where every person's right to a fair trial is respected, whatever their nationality, wherever they are accused.

I thank you in anticipation of your response and assistance.



Jago Russell

Chief Executive, Fair Trials International

CC: Xavier Lapeyre de Cabanes, French Ambassador to Bulgaria
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ⁱ Ananyev and Others v Russia (42525/07 and 60800/08)

ⁱⁱ I.K. v Austria (2964/12)

ⁱⁱⁱ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Report to the Russian Government on the visit to the Russian Federation carried out by the CPT, CPT/Inf (2013) 41, para. 21-24, 69, 70, 77, available at: <http://www.cpt.coe.int/documents/rus/2013-41-inf-eng.pdf>.

^{iv} US Department of State Bureau of Democracy Human Rights and Labor, Country Report on Human Rights Practices 2013: Russia, available at: <http://www.state.gov/documents/organization/220536.pdf>.