

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



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Date: 08/03/2013

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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1164 DH meeting (5-7 March 2013)

Item reference: Communication from the applicant's representative (08/03/13) in the case of Yuldashev (Garabayev group) against Russian Federation (Application No. 1248/09).

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1164 réunion DH (5-7 mars 2013)

Référence du point : Communication de l'avocat du requérant (08/03/13) dans l'affaire Yuldashev (Groupe Garabayev) contre Fédération de Russie (Requête n° 1248/09) (**anglais uniquement**)

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

**THE APPLICANT'S REPRESENTATIVE'S SUBMISSIONS
CONCERNING INDIVIDUAL MEASURES
UNDER RULE 9(1) OF THE RULES OF COMMITTEE OF MINISTERS**

**IN THE CASE OF
YULDASHEV v. RUSSIA**

**APPLICATION no. 1248/09
JUDGMENT OF 8 JULY 2010
FINAL ON 22 NOVEMBER 2010**



1. After the entry into force of the judgment of the European Court of Human Rights in the present case the applicant was granted temporary asylum in Russia.
2. Today, on 8 March 2013 at around 10.30–10.40 am MSK, the applicant was driving through Moscow. He had to stop near the Taganskaya tube station to make minor repairs to his car. Another car, a dark Daewoo-Nexia, stopped at the same time behind the applicant's car.
3. When the repairs were made, two men unknown to the applicant approached him and tried to twist his arms behind his back. Two more men left the Daewoo-Nexia car and all four started to drag the applicant to that car. One of the men had an East European appearance, the other three were of Asian appearance.
4. The applicant resisted and with the help of passers-by he managed to release himself and drove away.
5. When at home, the applicant contacted Ms. Yelena Ryabinina, director of the "Right to Asylum" programme of the Human Rights Institute, a Moscow-based human rights NGO.
6. The applicant also related the events of 7 March 2013, when he was interviewed by Refugee Admission Centre of the UNHCR Representation in Russia. While the applicant was being interviewed by the UNHCR staff, his wife and children remained in their car outside the UNHCR office. The applicant's wife noted that a car was parked nearby and three men of Asian appearance were constantly sitting in the car. One of them would come out of the car and make phone calls speaking Uzbek. The car left the parking slot near the UNHCR office at the same time as the Yuldashevs.
7. Later on 7 March 2013, at around 23.30 MSK, a person unknown to the applicant came to the block of flats where the applicant lived and called the applicant's flat. The applicant answered in Russian, but the person asked in Uzbek to open the door. However, nobody then called on the applicant's flat's door.
8. It is submitted that these facts may constitute an unsuccessful case of abduction. It may be one of the number of instances of abductions of the applicants before the European Court that happened in Russia in October–December 2012. The applicant's representatives maintain that the attempt of the abduction of the applicant could have happened with the acquiescence, if not direct participation, of the Russian authorities. In these circumstances, neither the UNHCR alone nor the UNHCR partner NGOs are able to ensure the applicant's security.
9. This communication is urgent.

Respectfully submitted,

the applicant's legal representatives

A stylized, handwritten signature in black ink, appearing to be "ER" or similar initials.

Elena Ryabinina

A handwritten signature in black ink, appearing to be "Черникова" in Cyrillic.

Tatiana Chernikova,

This 8th of March 2013