



## OPEN LETTER TO MR. MARJAN ŠAREC

### PRIME MINISTER OF SLOVENIA

Via Email <gp.kpv@gov.si>

Geneva, 6 November 2018

#### **Re: Halt extradition of Mikhail Mayorov to Russia**

Dear Prime Minister,

The World Organisation Against Torture (OMCT), the leading global network of civil society organisations against torture, summary executions, enforced disappearances and all other cruel, inhuman or degrading treatment or punishment in the world, is writing to you to express its grave concern and to call upon your intervention in relation to the case of the following individual currently detained in Koper prison.

The OMCT has been informed by the NGO Committee Against Torture, a member of the OMCT SOS - Torture Network, about the case of Mr. Mikhail Mayorov, a 58 y.o. Russian national, who is currently detained in Koper prison on an international arrest warrant issued by the Russian Federation.

According to the information received, Mr. Mayorov and another Russian national, Mr. Nikolay Sharov, were arrested in 2011, subjected to torture in order to obtain a confession but ultimately acquitted by a jury in 2013. However, in 2015 Mr. Sharov was rearrested and sentenced to 22 years in prison on the same charges. The Russian authorities then issued an international arrest warrant against Mr. Mayorov, who had been living legally in Poland since early 2015.

On September 19, 2018 the NGO Committee Against Torture lodged an application against Russia before the European Court of Human Rights on behalf of Mr. Sharov, alleging, among others, violations of Articles 3 (prohibition of torture) and 6 (fair trial) of the European Convention on Human Rights.

On 30 September 2018 Mr. Mayorov requested the Ministry of Internal Affairs of Slovenia, on the basis of the International Protection Act (ZMZ-1), to provide him with protection in connection with the fact that extradition to Russia would expose him to a real risk of torture, false imprisonment and unfair trial in Russia.

Today the NGO Committee Against Torture lodged an application against Slovenia before the European Court of Human Rights on behalf of Mr. Mayorov, along with a request for the indication of interim measures under Rule 39 of the Rules of Court, alleging that his extradition to Russia will expose him to a real risk of torture and unfair criminal proceedings in violation of Articles 3 and 6 of the European Convention on Human Rights.

Copies of the above applications to the European Court of Human Rights, as well as documentary evidence of the above violations can be provided to your government by the NGO Committee Against Torture.

International human rights bodies have repeatedly criticised Russia in the past for failing to address allegations of torture and the use of evidence tainted by torture in criminal trials. The European Court of Human Rights first condemned Russia in 2006 for the use of torture in another case (appl. No. 77617/01) represented by the NGO Committee Against Torture, and has issued more than 120 similar judgments against Russia since. In August 2018 the UN Committee against Torture was “deeply concerned at numerous reliable reports of the practice of torture and ill-treatment in the [Russian Federation], including as a means to extract confessions.”

The OMCT reiterates that extradition to a country where a person is exposed to a real risk of torture and unfair criminal proceedings is prohibited by the European Convention on Human Rights.

Accordingly, the OMCT respectfully urges the authorities of Slovenia to:

- to halt the extradition of Mr. Mayorov to Russia and
- to allow him to return to Poland in order to provide him with an opportunity to challenge the international arrest warrant from there.

In the hope that the concerns expressed in this letter will receive the attention they deserve, we remain at your disposal for any further information.

Yours sincerely,

Gerald Staberock  
Secretary General  
OMCT

Copies to:

- Minister of Justice Ms. Andreja Katic, Email <gp.mp@gov.si>