

Office of the UN High Commissioner for Human Rights  
Palais des Nations CH-1211 Geneva 10 SWITZERLAND

Attn.: Ms Gulnara SHAHINIAN  
Special Rapporteur on Contemporary Forms of Slavery, Its Causes and Consequences

30 September 2013

Dear Madam,

I am writing to you on behalf of Ms Nadezhda A. TOLOKONNIKOVA, a young woman who is currently in detention in Russia. She is a performer with *Pussy Riot* group.

Ms Tolokonnikova and other prisoners were forced to work while in detention in the correctional colony no. 14 (Mordoviya Republic) for up to sixteen hours per day with no more than four hours left to sleep. There are almost no holidays. The prisoners have to sew uniforms for the police. The sewing equipment is outdated what leads to injuries. Ms Tolokonnikova and other detainees are not allowed by their guards to leave their “work” places, even for toilet. The remuneration that Ms Tolokonnikova receives for her forced labour is negligent.

Complaints to the authorities led to retaliation and threats against Ms Tolokonnikova on the part of Mr Kupriyanov, deputy colony governor (see annexed statement given to investigator Mr Marchkov following the lawyer’s complaint).

In protest against the conditions of her forced labour Ms Tolokonnikova is now on hunger strike. Her detailed letter was published by the Russian media (<http://lenta.ru/articles/2013/09/23/tolokonnikova/>). Reportedly her health has deteriorated. On 29 September 2013 the Russian Penitentiary Service reported that Ms Tolokonnikova had been hospitalized. This information is yet to be verified by her defence attorneys.

Following complaints and public statements made by lawyers and human rights activists on behalf of Ms Tolokonnikova the correctional colony no. 14 in Mordoviya was visited by the members of the Human Rights Council attached to the Russian Presidency.

Professor Shablinskiy, one of the members of the Human Rights Council who visited the correctional colony no. 14 and talked to the detainees, confirmed Ms Tolokonnikova’s allegations and publicly expressed his shock and dismay at the appalling working conditions of the convicts in that penitentiary institution (<http://www.fontanka.ru/2013/09/25/127/>).

It is my submission that conditions in the correctional colony no. 14 amount to forced labour and fall within your mandate as defined by the UN Human Rights Council. I would like to refer in this connection to our e-mail correspondence of 27-28 September 2013 and your clarification that “forced labour in any social setting” is within your mandate.

It is well understood that “work or service... normally required of a person who is under detention in consequence of a lawful order of a court” does not constitute “forced labour” within the meaning of article 8 § 3 of the International Covenant on Civil and Political Rights.

It is however submitted that the labour required of Ms Tolokonnikova and other detainees held in the correctional colony no. 14, Mordoviya, Russia, - given its duration, intensity, and conditions - does not constitute what is “normally required” of persons in her situation, under both Russian prison regulations and Labour Code and applicable international law.

The aforementioned considerations have led me to the conclusion that under applicable international law the situation in which Ms Tolokonnikova finds herself in the correctional colony no. 14 in Mordoviya, Russia, constitutes one of the abhorrent contemporary “slave-like practices” that “still exist today in parts of the world” within the meaning of resolution 6/14 of the UN Human Rights Council.

When assessing the situation of Ms Tolokonnikova I respectfully request you to take into account the gender dimension of this contemporary form of slavery, in full compliance with paragraph 5 (b) of the UN Human Rights Council Resolution 15/2.

It is noted that the UN Human Rights Council of which the Russian Federation is a member unanimously called upon all Governments to cooperate with you and assist you in the performance of your tasks and duties (in particular, in 2007, by virtue of the UN Human Rights Council Resolution 6/14, paragraph 4, and in 2010, by virtue of the UN Human Rights Council Resolution 15/2, paragraph 7).

On the basis of the information listed above, with reference to paragraph 2 (c) and (d) of the Resolution 6/14, cited above, the UN Special Rapporteur on Contemporary Forms of Slavery is respectfully urged, as a matter of priority, to:

1. Immediately *request* information from the Russian Government concerning the situation of Ms Tolokonnikova as to whether her condition amounts to forced labour within the meaning of international standards;
2. Promptly *recommend*, if necessary, in co-operation with other mandate holders of the UN Human Rights Council, the Russian Government to halt the slavery-like practices in the correctional colony no. 14 in Mordoviya, to prosecute those responsible, and provide redress to victims of that form of forced labour.

I stand ready to supply you with any additional information about the situation of Ms Tolokonnikova which is available to her defence team, upon request. I would be grateful for the information about actions taken in follow-up to this communication.

Please accept assurances, Madam, of highest consideration and esteem.

I remain at your disposal,

Yours faithfully,

Sergei A. GOLUBOK, LL.M.

Attorney-at-Law, St. Petersburg Bar Association