

Legal Summary

Case of Abdulmumin Gadzhiyev, Kemal Tambiev and Abubakar Rizvanov

Purpose: Legal assessment for international human rights lawyers, bar associations, UN mechanisms and organizations considering political-prisoner recognition or international advocacy.

1. Executive Legal Assessment

Abdulmumin Gadzhiyev, Kemal Tambiev and Abubakar Rizvanov were sentenced in Russia to **17–18 years' imprisonment** in a terrorism-financing case that raises serious concerns under international human rights law. The available case materials indicate that the conviction relied on an expansive and politically motivated interpretation of counterterrorism legislation, in circumstances where the prosecution did not prove that the defendants committed, prepared, planned, supported or intended any act of violence.

The case appears to involve violations of core guarantees protected under the **International Covenant on Civil and Political Rights (ICCPR)**, the **European Convention on Human Rights** standards relevant to the period of proceedings and Russia's international obligations at the time, and generally recognized fair-trial principles.

The principal concerns include:

- arbitrary detention and politically motivated prosecution;
- misuse of terrorism-financing provisions against humanitarian, religious, journalistic and civic activity;
- lack of sufficient evidence of violent intent or material support for violence;
- violation of the right to a fair trial;
- inadequate assessment of defence arguments;
- reliance on questionable or improperly obtained evidence;
- interference with freedom of expression, freedom of religion and freedom of association;
- disproportionate punishment.

The dissenting opinion of Judge **Rizvan Zubairov**, a member of the trial panel, is legally significant. It confirms that serious concerns about the evidentiary basis and procedural fairness of the conviction existed even within the court itself.

2. Background

The case concerns three Russian Muslim men from Dagestan:

- **Abdulumumin Gadzhiyev** — journalist associated with the independent newspaper *Chernovik*, sentenced to **17 years**;
- **Kemal Tambiev** — software engineer, entrepreneur and father of two, sentenced to **17 years and 4 months**;
- **Abubakar Rizvanov** — civic and religious community figure, sentenced to **18 years**.

The prosecution alleged involvement in terrorism financing. However, according to the defence and available case materials, the alleged conduct largely concerned humanitarian, religious, educational and charitable activity. No violent act was proven. No evidence has been identified showing that the defendants committed, prepared or directly supported terrorist violence.

The convictions were imposed on **12 September 2023**, upheld on appeal on **1 November 2024**, and left in force by the Russian Supreme Court in **July 2026**.

3. Relevant International Legal Framework

3.1 International Covenant on Civil and Political Rights

Russia remains bound by the **ICCPR**. The case raises concerns under, inter alia:

- **Article 9** — right to liberty and security of person; protection against arbitrary arrest and detention;
- **Article 14** — right to a fair and public hearing by a competent, independent and impartial tribunal; presumption of innocence; equality of arms; right to effective legal assistance;
- **Article 18** — freedom of thought, conscience and religion;
- **Article 19** — freedom of expression;
- **Article 22** — freedom of association;
- **Article 26** — equality before the law and protection against discrimination.

The Human Rights Committee has repeatedly emphasized that national security and counterterrorism measures must comply with legality, necessity, proportionality and non-discrimination requirements.

3.2 International Standards on Counterterrorism

International counterterrorism obligations do not permit states to criminalize lawful religious, humanitarian, journalistic or charitable activity absent clear and individualized evidence of intent to support terrorism or violent acts.

Relevant standards include:

- the principle of **legality**: criminal offences must be sufficiently precise and foreseeable;
- the requirement of **individualized criminal responsibility**;
- the requirement of **intent and knowledge** in terrorism-financing offences;
- the prohibition on using vague counterterrorism laws to suppress dissent, journalism, religious practice or civic activity;
- the obligation to ensure that counterterrorism measures comply with human rights law.

3.3 European Human Rights Standards

Although Russia ceased to be a party to the European Convention on Human Rights, Convention standards remain relevant for acts and proceedings within the applicable temporal framework and as persuasive international standards. The case raises concerns under standards corresponding to:

- **Article 5 ECHR** — liberty and security;
 - **Article 6 ECHR** — fair trial;
 - **Article 9 ECHR** — freedom of religion;
 - **Article 10 ECHR** — freedom of expression;
 - **Article 11 ECHR** — freedom of association;
 - **Article 18 ECHR** — restriction of rights for improper purposes.
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4. Key Legal Concerns

4.1 Arbitrary and Politically Motivated Prosecution

The case appears to fall within recognized categories of arbitrary detention where criminal law is used to punish or deter the exercise of protected rights, including journalism, religious activity, civic engagement and association.

The prosecution of Abdilmumin Gadzhiyev, a journalist connected to *Chernovik*, is especially concerning from the standpoint of freedom of expression and press freedom. The use of terrorism-related charges in such circumstances may have a chilling effect on independent journalism and public-interest reporting in Dagestan and the wider Russian Federation.

4.2 Absence of Proven Violence or Violent Intent

A central legal defect is the absence of proven connection to any violent act. International standards require that terrorism-related offences, particularly terrorism financing, be interpreted and applied in a manner linked to a clearly defined terrorist purpose, knowledge and intent.

If humanitarian, religious or charitable activity is criminalized without proof of specific terrorist intent or knowledge that funds would be used for violent acts, the conviction risks violating the principles of legality, foreseeability and proportionality.

4.3 Misuse of Terrorism-Financing Charges

The prosecution theory appears to have transformed protected or lawful conduct into terrorism financing through inference and association. Such an approach risks creating guilt by association, contrary to the requirement of individualized proof of criminal responsibility.

This is especially problematic where religious affiliation, charitable networks or community contacts are treated as evidence of criminality without reliable proof of material contribution to terrorism or violent activity.

4.4 Fair-Trial Violations

The proceedings raise serious concerns under **Article 14 ICCPR** and analogous international standards, including:

- inadequate consideration of defence arguments;
- insufficient examination of contradictions in the case materials;
- reliance on evidence whose admissibility and reliability were contested;
- possible inequality of arms between prosecution and defence;
- failure to properly test the prosecution's assumptions;
- use of evidence allegedly obtained in circumstances compromising the right to legal assistance.

The defence and case materials indicate that **Kemal Tambiev's first interrogation** took place without effective legal assistance at a critical early stage. If confirmed, this would engage the right to counsel and the right not to be compelled to incriminate oneself.

4.5 Dissenting Opinion of Judge Rizvan Zubairov

The dissenting opinion of Judge **Rizvan Zubairov** is of particular legal importance. According to the defence and available case materials, the judge questioned the evidentiary foundation of the conviction and raised concerns that the prosecution relied on assumptions rather than properly verified evidence.

He also reportedly questioned the admissibility and reliability of specific evidence, including issues connected with Tambiev's first interrogation. The existence of a dissent within the trial panel strengthens the argument that the conviction was not based on a robust and uncontested evidentiary foundation.

4.6 Interference with Protected Rights

The case implicates several protected rights:

- **Freedom of expression:** through the prosecution of a journalist and the chilling effect on independent media;
- **Freedom of religion:** through the criminalization of Muslim religious and community activity;
- **Freedom of association:** through the treatment of civic, charitable and religious networks as suspect;
- **Non-discrimination:** given the broader context of pressure on Muslim communities and religious minorities in Russia.

Any restriction on these rights must be lawful, necessary and proportionate. The available materials suggest that the restrictions imposed were neither necessary nor proportionate to a legitimate aim.

4.7 Disproportionate Sentences

Sentences of **17–18 years** are exceptionally severe, particularly where no violent act was proven. The punishment appears disproportionate and may amount to an additional indicator of political motivation and arbitrariness.

5. Political-Prisoner Recognition

The case presents strong grounds for international political-prisoner recognition. Relevant factors include:

- prosecution for conduct connected to journalism, religion, civic engagement and humanitarian activity;
- absence of proven violence;
- apparent misuse of counterterrorism law;
- serious fair-trial concerns;
- disproportionate punishment;
- dissenting judicial opinion;
- exhaustion of domestic remedies following the Supreme Court decision in July 2026.

Recognition by international human rights organizations would help transform the case from a regional criminal matter into an internationally monitored human-rights case. It would also increase protection for the prisoners inside the penitentiary system and create a basis for diplomatic engagement.

6. Requested Legal and Advocacy Actions

International human rights lawyers, bar associations, NGOs and mandate holders are asked to consider:

1. **Recognizing Abdulmumin Gadzhiyev, Kemal Tambiev and Abubakar Rizvanov as political prisoners;**
 2. **Submitting communications to relevant UN Special Procedures**, including mandates on arbitrary detention, freedom of expression, freedom of religion or belief, counterterrorism and human rights, and human rights defenders;
 3. **Requesting review by the UN Working Group on Arbitrary Detention;**
 4. **Raising the case with foreign ministries, parliamentary human-rights committees and diplomatic missions;**
 5. **Calling for their release and for effective remedies;**
 6. **Including their names in political-prisoner monitoring, diplomatic advocacy and exchange lists;**
 7. **Monitoring prison conditions, access to counsel, family contact and medical care.**
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7. Conclusion

The case of Abdulmumin Gadzhiyev, Kemal Tambiev and Abubakar Rizvanov illustrates the use of counterterrorism legislation in Russia against journalism, Muslim civic life and humanitarian activity. The absence of proven violence, the reliance on contested evidence, the dissenting judicial opinion and the severity of the sentences all point to a conviction that is incompatible with core international human rights standards.

International legal recognition and advocacy are now essential. Domestic remedies have effectively been exhausted, and the realistic path to protection and eventual release depends on international visibility, political-prisoner recognition and inclusion in the lists used for diplomatic advocacy and political-prisoner exchanges.