

URGENT ACTION

INDIGENOUS LEADER AND ENVIRONMENTALIST IN JAIL

Sergei Nikiforov, an Evenki indigenous people's leader and environmental rights defender has been imprisoned for opposing a gold mining project in the Amur region, in Russia's Far East, after an unfair trial. He is a prisoner of conscience.

Sergei Nikiforov is an environmental rights defender and an Evenki indigenous leader in Ivanovka village in the Amur region. On 29 September 2015 he was sentenced to five years in a prison camp and a fine of 16 million roubles (£152,000) for bribery and fraud by a court in Blagoveshchensk, in the Amur region. On 8 December, the sentence was reduced on appeal to 4 years and the fine was reduced to 3 million roubles (£28,000 pounds). Sergei Nikiforov is currently in detention in Blagoveshchensk awaiting transfer to a prison colony.

The charges relate to a building project that he commissioned in 2012 from an engineering firm. Despite receiving payment in advance, the firm never carried out the works and in September 2013 Sergei Nikiforov lodged two complaints against the firm for fraud and bribery. His complaints were successful and the firm was asked to refund him, but in a strange turn of events, in October 2013, Sergei Nikiforov was accused by the engineering firm of fraud and bribery. He was put under house arrest pending trial and there was no further action until September 2015.

In July 2015, the Petropavlovsk mining company was granted a licence to extract gold using explosives within 2 km of Ivanovka village without any consultation with the affected Evenki community as required under Russian law. Talks between the Evenki, representatives of the company and the local government failed, but the works went ahead. Until then, the mining company had been extracting gold in the region for some years and relations with the Evenki were good. On 10 September, the villagers asked for all works to stop pending an ethnological and ecological survey and declared their intention to oppose the mining by all legal means. Sergei Nikiforov led the opposition to the latest licence despite being under house arrest.

There are reasons to suspect that Sergei Nikiforov's trial was unfair and intended to discourage opposition to the mining project. The 2013 case was reactivated in September 2015 just at the time when the villagers made clear their opposition to the mining project. Sergei Nikiforov's initial testimony was taken before his lawyer could be present and Sergei Nikiforov later withdrew his testimony in court. The court also refused to consider vital defence evidence and to call crucial witnesses. For example, the court refused to consider banking documents which proved that Sergei Nikiforov could not have accepted bribes on particular dates in the city of Blagoveshchensk as he was in the regional administrative centre of Ekimchan, 650 km away carrying out banking operations.

Please write immediately in Russian or your own language:

- Urging the Russian authorities to immediately and unconditionally release Sergei Nikiforov as he is a prisoner of conscience;
- Calling on them to carry out a prompt, independent and impartial investigation into the circumstances of Sergei Nikiforov's arrest and conviction;
- Reminding the Russian authorities that they have a responsibility to protect human rights defenders and ensure they can carry out their legitimate actions without fear of reprisals.

PLEASE SEND APPEALS BEFORE 28 JANUARY 2016 TO:

Prosecutor General

Yurii Chaika
15 A, Bolshaia Dmitrovka Street
125993 Moscow
Russian Federation
Fax: +7 495 692 17 25
Email: prgenproc@gov.ru

Salutation: Dear Prosecutor General

Prosecutor of Amur Region

Nikolai Pilipchuk
Ul. Pionerskaya 37
Blagoveshchensk 675005
Fax: +7 4162 77-50-01
Email: prokuratura@tsl.ru
Salutation: Dear prosecutor

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date

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ADDITIONAL INFORMATION

Sergei Nikiforov is a respected member of his local community and under his leadership the village has grown and flourished. He established a dance troupe to revive Evenki culture, and the Petropavlovsk mining company funded some of their activities.

The charges against Sergei Nikiforov relate to a building project that he commissioned in 2012 from an engineering firm to repair the water tower and heating system for the kindergarten in the village. Fair trial concerns include the refusal by the court to consider vital defence evidence. The court also refused to admit documents proving that a transfer to Sergei Nikiforov's account alleged to be a bribe was in fact a refund for transportation costs, and did not come from the engineering company. The engineering company was not called as a witness and has not been charged for offering the bribes.

Name: Sergei Nikiforov

Gender m/f: m

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