

URGENT ACTION

TATAR ACTIVIST SENTENCED TO THREE YEARS IN JAIL

Tatar activist and outspoken government critic, Rafis Kashapov, was sentenced to three years in prison on 15 September for criticising the Russian government.

On 15 September **Rafis Kashapov**, head of the local branch of the NGO Tatar Public Centre, was found guilty by the City Court in Naberezhnye Chelny, Republic of Tatarstan, in Russia, of calling for actions which threaten the territorial integrity of the Russian Federation (Article 280.1 of the Russian Criminal Code) and instigating hatred or hostility and the abasement of human dignity (Article 282). These charges stem from the publication of several articles on his personal page on VKontakte (a popular Russian social media site) following the annexation of Crimea by Russia in March 2014. In his articles, he sharply criticised the Russian government's involvement in the armed conflict in eastern Ukraine and the treatment of Crimean Tatars in the annexed Crimea.

Rafis Kashapov has been in detention since 28 December 2014, when officials of the Federal Security Service of Tatarstan conducted a search of his flat and confiscated his computer and other electronic devices.

Please write immediately in Russian or your own language:

- Calling on the Russian authorities to immediately and unconditionally release Rafis Kashapov, as he is imprisoned solely for peacefully exercising his right to freedom of expression;
- Urging them to drop the charges against Rafis Kashapov and to take steps necessary to overturn his sentence.

PLEASE SEND APPEALS BEFORE 9 NOVEMBER 2015 TO:

Prosecutor General of the Russian Federation

Yurii Yakovlevich Chaika
Prosecutor General's Office
ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation
Fax: +7 495 987 5841; +7 495 692 1725

Salutation: Dear Prosecutor General

Prosecutor of the Republic of Tatarstan

Ildus Saidovich Nafikov
Ul. Kremlevskaya 14
420111 Kazan, Russian Federation
Fax: +7 495 982 19 50
+7 843 291 19 25
Email: rt.prok@tatar.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. This is the second update of UA 12/15. Further information: <https://www.amnesty.org/en/documents/EUR46/1128/2015/en/>

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ADDITIONAL INFORMATION

Rafis Kashapov, head of the local branch of the NGO Tatar Public Centre in Naberezhnye Chelny, Republic of Tatarstan (one of the constituent parts of the Russian Federation), was detained at his home by ten armed men in civilian clothing on 28 December 2014 at 6am. He was taken to Kazan, the capital of the Republic of Tatarstan, and placed in a pre-trial detention facility. He then learned that a criminal case had been opened against him under Article 280.1 and 282 of the Criminal Code of the Russian Federation.

In a decision issued on 30 December the Investigative Committee specified that the criminal charges against Rafis Kashapov related to four posts on his personal page on VKontakte. In these posts, Rafis Kashapov harshly criticized President Vladimir Putin and the Russian government for their policies towards Ukraine and denounced persecution of ethnic Crimean Tatars in the annexed Crimea.

Rafis Kashapov remained in detention throughout the investigation and the trial period because, according to the investigator, there was the risk that he would again “engage in criminal activities”. His lawyer’s request for him to be placed under house arrest with restricted access to the Internet was rejected. The trial started on 26 June 2015 in Naberezhnye Chelny and concluded on 15 September.

The court argued that expert text analysis had established that the posts were “modelling language of hostility, intending to instigate hatred between groups”, vaguely defining several such “groups” such as government officials, Russians and Tatars. The court also took the view that where Rafis Kashapov had insulted President Putin, he had insulted those who had voted for Putin.

Already in 2009, Rafis Kashapov had been found guilty of the crime of incitement to hatred but at that time he was given a conditional sentence only. Neither the texts for which he was sentenced in 2009, nor the ones for which he has been imprisoned in 2015, incited hatred. By publishing these texts and expressing his view of the government and its policies, he has exercised his right to freedom of expression. All public figures, including those exercising the highest political authority, are legitimately subject to criticism and, as established by the UN Human Rights Committee, such criticism is protected under the right to freedom of expression.

Name: Rafis Kashapov
Gender m/f: m

Further information on UA: 12/15 Index: EUR 46/2487/2015 Issue Date: 28 September 2015