

PUBLIC

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Further Information on UA 72/05 (EUR 46/007/2005, 23 March 2005) - Possible Prisoners of Conscience / Legal Concern

RUSSIAN FEDERATION **Yuri Samodurov (m), Director of the Andrei Sakharov Museum and Public Centre**
Ludmila Vasilovskaia (f), curator of the Andrei Sakharov Museum and Public Centre
Anna Mikhalchuk (f), artist

Yuri Samodurov and Ludmila Vasilovskaia were convicted and fined on 28 March, while Anna Mikhalchuk was found not guilty, on charges relating to the art exhibition that they helped to organize.

Yuri Samodurov said he believed that Amnesty International's declaration that it would adopt them as prisoners of conscience if they were given custodial sentences had had a positive influence on the outcome of the court case. He was speaking to the Moscow-based radio station *Ekho Moskvy* on 28 March.

Yuri Samodurov and Ludmila Vasilovskaia were found guilty by the Taganskaia Inter-district Court in Moscow of "carrying out actions aimed at inciting enmity, and humiliating the dignity of a group of people due to their nationality and their religious affiliation, carried out in public, and with the use of their official positions" under Article 282 part 2b of the Russian Criminal Code. The charges arose from their role in an exhibition that used religious symbols, called "Caution, Religion!", at the Andrei Sakharov Museum and Public Centre in Moscow in January 2003. Each was fined 100,000 roubles (about US\$3600). The court found Anna Mikhalchuk not guilty of similar charges.

Amnesty International does not believe that any of the exhibits of the "Caution, Religion!" exhibition, as portrayed on the museum's website, amounted to an incitement to violence, although some people may have found the exhibition offensive. Amnesty International continues to believe that the prosecution and conviction of Yuri Samodurov and Ludmila Vasilovskaia under Article 282 of the Criminal Code for the peaceful exercise of their right to freedom of expression is wholly disproportionate. Article 282 is in the section of the Russian Criminal Code listing crimes against the state.

The court found that the exhibition was blasphemous and insulting to Christian believers, in particular members of the Russian Orthodox Church, and that the exhibition had had socially dangerous consequences. The procurator had demanded that Yuri Samodurov be imprisoned for three years and Ludmila Vasilovskaia for two years, that both be deprived of the right to occupy similar positions in commercial or non-commercial organizations, and that all the works of art in the exhibition be destroyed. The court passed a lesser sentence in view of the good character of the defendants and their active participation in public life, including their human rights and educational activity.

The exhibition had opened at the museum on 14 January 2003. The artists used religious symbols in their work. One controversial exhibit was an image of an advertisement portraying the face of Jesus Christ and the English wording "Coca Cola. This is my blood." According to a press release from the museum, "the name of the exhibition gives a clear sense of the dual nature of its scheme: the exhibition is both a call to a careful, delicate and respectful attitude towards religion, belief and believers, and also a warning sign... when it comes to religious fundamentalism... and a union of religion with state obscurantism."

The exhibition was closed four days after it opened, when a group of people from the Nicholas-Mirlikiskii-in-Pizhi Russian Orthodox Church in Moscow defaced and destroyed many of the exhibits. The prosecution of the alleged vandals was closed before a court had considered the substance of the case against them. On 3

February 2003 the Russian State parliament, the Duma, called for the Procurator General to “take the necessary measures” against the organizers of the exhibition. This move reportedly followed lobbying by officials of the Russian Orthodox Church. The Procurator General opened an investigation into the exhibition and at the end of December 2003 charged Yuri Samodurov, Ludmila Vasilovskaia and Anna Mikhalchuk. Two others, who are Armenian citizens, fled Moscow before charges were brought against them.

No further action is currently requested from the Urgent Action network. Many thanks to all who sent appeals.