

URGENT ACTION

ACTIVIST'S DETENTION EXTENDED

On 23 June the Moscow District Court in Nizhnii Novgorod extended Mikhail Iosilevich's arbitrary detention until 28 August. His trial may start in September. He is accused of cooperation with an "undesirable" organization, a "crime" punishable by up to six years' imprisonment. Mikhail Iosilevich is being targeted for peacefully exercising his rights to freedom of expression and association. Charges against him must be dropped and he must be immediately released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**Prosecutor of Nizhnii Novgorod Region
Andrey Aleksandrovich Travkin**
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Dear Prosecutor,

*I am writing to express my dismay about the arbitrary detention and ongoing unfounded criminal prosecution of civil society activist **Mikhail Iosilevich**.*

On 8 October 2020, Mikhail Iosilevich was charged under Article 284.1 of the Russian Criminal Code for his alleged cooperation with an "undesirable organization". The investigators purport that he provided premises for a training conducted by Open Russia, an organization whose UK registered namesake is listed as "undesirable". This is a "crime" only under Russian legislation, which contravenes Russia's international human rights obligations and must be repealed. Moreover, the prosecution of Mikhail Iosilevich is completely unfounded; the training had been conducted by another organization, Golos, (a Russian movement of election monitors), and there is no evidence of his involvement with Open Russia.

On 30 January 2021, a district court remanded Mikhail Iosilevich for allegedly making a threatening phone call to a "witness" in his case. An expert examination of the audio recording of the alleged call concluded that it was not Mikhail Iosilevich's voice. However, the Nizhnii Novgorod Regional Court rejected Mikhail Iosilevich's appeal and supported his detention. His detention was subsequently extended, the last time until 28 August. It is expected that the case will be submitted to court shortly after. Mikhail Iosilevich has committed no internationally recognizable crime. He is being targeted for his peaceful activism and for the peaceful exercise of his rights to freedom of expression and association.

I urge you to ensure Mikhail Iosilevich' immediate release and an end to his unfounded criminal prosecution.

Yours sincerely,

ADDITIONAL INFORMATION

The “undesirable organizations” law was adopted in May 2015 as part of the Russian authorities’ ongoing crackdown on freedom of association and expression (see details here: <https://www.amnesty.org/en/documents/eur46/2223/2015/en/>) and introduced amendments to several Russian laws. According to the law, the Office of the Prosecutor General can designate a foreign or international non-governmental organization “undesirable” if it deems that the organization poses a threat to the country’s “constitutional order, defence potential or state security”. An “undesirable” organization must immediately stop all activities in Russia from which point any cooperation or association with it is deemed unlawful and an offence. Initially, cooperation with an “undesirable” organization would become a criminal offence, under Article 284.1 of the Criminal Code, following two instances of being penalized within a year’s period for the same “offence”, under Article 20.33 of the Code of Administrative Offences. In June and July 2021, President Vladimir Putin signed laws introducing further grounds for administrative and criminal prosecution, and harsher punishments, for “cooperation” with “undesirable” organizations. The law has been used arbitrarily to ban a number of foreign organizations in Russia, mostly those providing funding for civil society. Currently, there are 40 organizations listed as “undesirable” on the official register, nine of them added in May and June 2021.

On 26 April 2017, the Prosecutor General’s Office declared “undesirable” the UK-registered organizations Otkrytaya Rossia and Open Russia Civic Movement (both founded by Mikhail Khodorkovsky, an exiled critic of President Vladimir Putin). There was a Russian movement Otkrytaya Rossia (Open Russia) - an initiative that brought together activists in Russia, and which has since been disbanded to protect its members from prosecution - that was neither a registered organization, nor was a foreign one. Nonetheless, activists associated with Otkrytaya Rossia are regarded by the Russian authorities as members of a banned foreign organization and face prosecution. Dozens of activists have been fined for their activities under the Code of Administrative Offences. Three people have so far been convicted for alleged cooperation with this “undesirable” organization. In February 2020, a court in Yekaterinburg (the Urals) sentenced Otkrytaya Rossia’s ex-coordinator Maksim Vernikov to 300 hours of community service. In October 2020, a court in Krasnodar (southern Russia) sentenced another former Otkrytaya Rossia coordinator and activist Yana Antonova to 240 hours of community service. Finally, on 18 February 2021, a court in Rostov-on-Don (southern Russia) sentenced Anastasia Shevchenko - also a former coordinator of Otkrytaya Rossia and the first person to face criminal prosecution under this law - to four-year suspended imprisonment and four years on probation.

Mikhail Iosilevich is a civil society and political activist and the local leader of Pastafarians (or followers of the Church of the Flying Spaghetti Monster). He supported and organized a number of local events, including an anti-corruption rally, a “Monstration” (a march under absurd slogans in protest against restrictions of freedom of expression) and other events. He was fined twice, in July 2019 and June 2020, under Article 20.33 of the Russian Code of Administrative Offences (“Carrying out activities of an undesirable organization”) for providing the premises (his café, which also houses the local Pastafarian church) to the civic initiative, Free People forum, attended by opposition activists, including those from Otkrytaya Rossia. The criminal case against Mikhail Iosilevich was initiated on 29 September 2020. The investigation alleges that between 2 and 9 September 2020 Mikhail Iosilevich provided his café to an opposition group associated with Otkrytaya Rossia, for the training of election monitors. On 1 October, law enforcement officials conducted searches in Mikhail Iosilevich’s flat, his café and homes of five other Nizhnii Novgorod activists, including prominent independent journalist and editor of online media Koza Press, Irina Slavina. The day after the search, Irina Slavina committed suicide by self-immolation in front of the local Ministry of Interior. She had left a message on her Facebook page saying; “Russian Federation is to blame for my death”. For months, the authorities had targeted her with prosecution and fines.

In January 2021, a second criminal case was initiated against Mikhail Iosilevich for his alleged failure to report his Israeli second citizenship to the Russian authorities. The activist maintains that he had duly informed the authorities as prescribed by law. On 30 January, the Nizhnii Novgorod Moscow District Court ruled that he must be detained on remand in connection with alleged threats made to a witness in his case. In April, the investigation opened a third criminal case against the activist, under Article 119 (2) of the Criminal Code, in relation to the threats despite these allegations being unfounded.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 16 September 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Mikhail Iosilevich (he/his)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/eur46/3844/2021/en/>