

# URGENT ACTION

**ENVIRONMENTAL ACTIVIST DETAINED FOR SWEARING**  
**Yevgeniy Vitishko was detained on 3 February and charged with “petty hooliganism” for “swearing at a bus stop”. He has been sentenced to 15 days in detention. During this period Amnesty International regards him as a prisoner of conscience.**

**Yevgeniy Vitishko** was detained by police at around 10.30 am as he was leaving the penitentiary inspection building, where he has to register under curfew conditions imposed on him as part of his earlier criminal conviction in connection with his environmental activism. The police reportedly initially told Yevgeniy Vitishko that he was suspected of theft, but later he was instead charged with petty hooliganism in relation to alleged incident of swearing at a bus stop. At the police station he was fingerprinted, and his mobile phone was inspected. The case was brought to court on the same day. At the court hearing Yevgeniy Vitishko asked to see his lawyer, but the judge declined his request and insisted on inviting a state-appointed lawyer instead, which Yevgeniy Vitishko declined. The court also refused to call to the hearing two “witnesses” who had purportedly seen him swearing and signed a statement against him. The judge found Yevgeniy Vitishko guilty of “petty hooliganism” and ruled that he must spend 15 days in detention. Yevgeniy Vitishko is going to appeal.

There have been previous occasions when the authorities have levied charges of petty hooliganism against civil society activists to prevent them from taking part in protests. Yevgeniy Vitishko’s colleagues believe that he has been detained in connection with his work as an environmental activist. They also believe that the authorities have tried to “neutralise” him in connection with the Olympic Flame Rally on 4 February in the regional capital Krasnodar. The Olympic Flame Rally has been used by activists in other Russian cities to voice their protest.

Yevgeniy Vitishko is a member of the NGO Environmental Watch for North Caucasus (Ecologicheskaya Vakhta po Severnomu Kavkazu). Its members and supporters have reported harassment by the authorities in recent months. For example, Tatiana Borisova, a student at Kuban State University, was invited for a “preventative chat” with the Dean of her faculty. Police asked Victor Chirikov to come “for a chat” in connection with some video clips posted on the Internet. When he refused police threatened that they would visit him at home.

**Please write immediately in Russian, English or your own language:**

- Calling on the Russian authorities to drop the charges of “petty hooliganism” against Yevgeniy Vitishko and immediately release him;
- Insisting that they stop persecution of civil society activists, including members of Environmental Watch for North Caucasus.

**PLEASE SEND APPEALS BEFORE 24 MARCH 2014 TO:**

Prosecutor General

Yurii Ya. 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 Krasnodar region

Leonid G. Korzhinek  
 39, Sovetskaya Street  
 350063 Krasnodar, Krasnodar region  
 Russian Federation  
 Fax: +7 861 268 25 63 or +7 861 268 50  
 01 (if voice answers, ask for "Fax")

**Salutation: Dear Prosecutor**

**And copies to:**

Krasnodar Region Governor

Aleksandr N. Tkachev  
 Ul. Krasnaya 35  
 350014 Krasnodar, Krasnodar region  
 Russian Federation  
 Fax. +7 861 268 35 42  
 Email: post@krasnodar.ru  
 Twitter: @antkachev

**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 first update of UA 14/14. Further information:

<http://www.amnesty.org/en/library/info/EUR46/003/2014/en>

**AMNESTY  
 INTERNATIONAL**



# URGENT ACTION

## ENVIRONMENTAL ACTIVIST DETAINED FOR SWEARING

### ADDITIONAL INFORMATION

Yevgeniy Vitishko and his fellow environmental activists have been actively involved in protests regarding the deforestation and illegal construction in Krasnodar Region of Russia in and around the city of Sochi, which will be hosting the next Winter Olympic Games.

In 2012, during a politically motivated trial, Yevgeniy Vitishko was found guilty of damaging a fence in connection with one of their protest actions, and given a two-year suspended sentence. The case related to an illegal fencing erected in a protected forest. Appeals by the activists to various government bodies regarding the fencing were fruitless; in fact one of the official replies even denied that the fence in question existed. On 13 November 2011 the activists attempted to access the territory and intended to document violations. During the action, a number of the activists drew graffiti on the fence, however Yevgeniy Vitishko was not one of them; he did however participate in bending a section of the fence to allow video recording of the illegal cutting down of protected trees and construction behind it.

According to Yevgeniy Vitishko's defence team, the trial that ensued has raised a number of substantial concerns about the merits of the case and procedural violations, nevertheless the sentence was upheld by higher instance courts. However the Russian Supreme Court in October 2013 overruled the last instance decision not to consider an appeal and supported the defence's argument that the lower instance court had failed to consider the issue of legality of construction of the fence in question and whether the party which had allegedly suffered the damage was indeed the appropriate party, and that the lower instances court had failed to establish mens rea (criminal intention) on the part of Yevgeniy Vitishko in the incriminated acts.

Nevertheless, despite the Supreme Court's decision, and while a review of the case was still pending, on 20 December 2013 the lower instance court in Tuapse ruled that there had been three instances when Yevgeniy Vitishko had violated the curfew linked to his suspended sentence, and that he should serve his original three year sentence in prison. His defence team challenged this decision in a higher court. His appeal hearing was reportedly scheduled for 22 February 2014, but now all information regarding it has been conspicuously removed from the court's website.

Name: Yevgeniy Vitishko  
Gender m/f: m

UA: 14/14 Index: EUR 46/007/2014 Issue Date: 3 February 2014