

# URGENT ACTION

## GOVERNMENT CRITIC CRIMINALLY CONVICTED

**Yekaterina Vologzheninova was found guilty of "inciting hatred and enmity" on 20 February for her online criticism of the Russian authorities. She will appeal the sentence.**

**Yekaterina Vologzheninova**, a shop assistant from Yekaterinburg, in the Ural region, was found guilty on 20 February of "inciting hatred and enmity on the grounds of ethnicity" following her online criticism of Russia's annexation of Crimea and Russia's military involvement in Donbass, eastern Ukraine. The judge ruled that Yekaterina Vologzheninova, a single mother and a sole carer for her elderly mother, must serve 320 hours of "corrective labour". This work will not be paid and she will have to do it in her free time. The judge also ruled that Yekaterina Vologzheninova's computer and mouse must be destroyed as "crime weapons". Yekaterina's supporters shouted "Shame! Shame!" when the court decision was announced. Yekaterina will be appealing the sentence.

The prosecution's case is based on an expert opinion ordered by the investigators and delivered by a linguist working for a criminalistics laboratory belonging to the Federal Security Service (FSB). Among other things, they found that the texts and pictures reposted by Yekaterina Vologzheninova "incite hatred or enmity on the ground of ethnicity towards Russian volunteers fighting in Donbass" and towards "government representatives". The judge noted that the defendant could not be prosecuted for a caricature of "a man resembling President Putin", and referred to international law which protects the right to express personal opinion and requires politicians to be tolerant of such criticism.

Yekaterina Vologzheninova also remains on the official List of Terrorists and Extremists held by Rosfinmonitoring - the official Russian agency which combats money laundering and terrorism funding - and her bank account and cards remain blocked. She has lodged a second appeal which, she expects, will be heard soon.

### **Please write immediately in Russian or your own language:**

- Urging the Russian authorities to review Yekaterina Vologzheninova's conviction and ensure it is overturned as she is being prosecuted solely for exercising her right to freedom of expression;
- Urging them to ensure that her name is removed immediately from Rosfinmonitoring's List of Terrorists and Extremists;
- Calling on them to respect and protect the right to freedom of expression for all persons in Russia.

### **PLEASE SEND APPEALS BEFORE 8 APRIL 2016 TO:**

#### Prosecutor of Sverdlovsk Region

Sergei Alekseevich Okhlopov  
Ul. Moskovskaya 21  
Yekaterinburg GSP 1036  
620612 Russian Federation  
Fax: +7 343 377 02 41  
Email: sverdloblprokuratura@mail.ru  
**Salutation: Dear Prosecutor**

#### 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**

#### **And copies to:**

Head of Federal Security Service (FSB)  
Sverdlovsk Region  
Viatkin, Aleksandr Petrovich  
Ul. Vaynera 4  
Yekaterinburg 620014  
Sverdlovsk Region, Russian Federation  
Email: sverdlovsk@fsb.ru

### **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 232/15. Further information: <https://www.amnesty.org/en/documents/EUR46/3179/2016/en/>

**AMNESTY  
INTERNATIONAL**



# URGENT ACTION

## GOVERNMENT CRITIC CRIMINALLY CONVICTED

### ADDITIONAL INFORMATION

Since the annexation of Crimea by Russia in March 2014, and the outbreak of fighting between Ukrainian forces and armed groups supported by Russia in Donbass, eastern Ukraine, in April 2014, several people have been sentenced in Russia for allegedly inciting hatred and enmity on the Internet in connection with posts that criticised Russia's policy towards Ukraine and the annexation of Crimea. The number of Internet users who have faced prosecution for their peaceful but critical views on Russia's current politics is growing. Article 280 ("public calls to commit extremist activities") and Article 282 ("publicly inciting hatred or enmity as well as denigrating human dignity") of the Russian Criminal Code are being increasingly often used to silence dissent, and particularly those who criticise the official policy in relation to Ukraine.

On 12 December 2014, Yekaterina Vologzheninova's apartment was searched by law enforcement officials and she was taken to the local police station for questioning. She then learned that a criminal case had been opened against her under Article 282, part 1, of the Russian Criminal Code, in connection with her posts on social networks. The investigation concluded that, by criticizing the government's policies online, Yekaterina Vologzheninova's intention had been to incite hatred against the Russian government and the Russians fighting in eastern Ukraine.

Yekaterina Vologzheninova told Amnesty International that her account on VKontakte (VK) was not public and only accessible to friends. She browsed Ukrainian media because she was looking for alternative information to that provided by the state-controlled television and other media in Russia, and shared some publications from Ukraine on her personal page. The investigation claimed that the "likes" placed by other users under some of her online posts indicated that she did incite hatred via these posts.

In late September 2015 the case was forwarded by the Prosecutor's office to Zheleznodorozhnyi Court in Yekaterinburg. The trial started on 27 October.

Among the materials reposted by Yekaterina Vologzheninova and on which an expert opinion was requested was a poem called "Confession of a Russian from Ukraine" condemning the "treacherous stabbing in the back" of Ukraine by Russia and declaring that ethnic Russians living in Ukraine would defend it from Russia's aggression. There were also two pictures, one depicting a man – with some remote likeness to President Vladimir Putin – with a knife in his hand over a map of Donbass. His hand is being stopped by another hand and the text under the image reads "Stop the pest!" Another is depicting a young woman in a Ukrainian ethnic costume holding a Kalashnikov machine gun with a caption saying "I am Banderivka. I am Ukrainian. Death to Moscow occupiers." The pictures' style is similar to that of the posters issued in the Soviet Union during the Second World War calling the citizens to defend their country from the occupiers.

The UN Human Rights Committee's General Comment 34, on the right to freedom of expression, states that "it encompasses even expression that may be regarded as deeply offensive". In any event, criminal sanctions for private social media posts would be excessive and disproportionate under international human rights standards, infringing on the right to freedom of expression.

Name: Yekaterina Vologzheninova  
Gender m/f: f

Further information on UA: 232/15 Index: EUR 46/3522/2016 Issue Date: 26 February 2016