# URGENT ACTION

## PRISONER OF CONSCIENCE TARGETED AND HARASSED

**Tatar activist and prisoner of conscience Rafis Kashapov is currently serving a three-year sentence for criticizing the Russian government. He has been discriminated against and harassed by being singled out for punishment in a corrective prison colony in the Komi Republic, in northern Russia.**

Tatar activist **Rafis Kashapov** was sentenced to three years' imprisonment on 15 September 2015 for his criticism of the Russian government's involvement in the armed conflict in eastern Ukraine and the treatment of ethic Crimean Tatars in the annexed Crimea. In mid-March he was transferred to corrective prison colony No. 19 in the Republic of Komi, in northern Russia, 1,200 km from his home in Naberezhnye Chelny in Tatarstan. On 14 April, Rafis Kashapov was transferred to corrective prison colony No. 31, also in the Republic of Komi.

When he arrived at the first corrective prison colony he was told by the head of the penitentiary administration that he was a terrorist. In subsequent exchanges with prison guards he was told that Tatars were responsible for the nuclear disaster at Chernobyl. Almost immediately after his arrival in the colony he was put in a punishment cell for having poured cold water over himself in the morning (part of his personal health regime and a common practice in Russia). This was followed by three further reprimands for either failing to greet a prison officer or failing to keep his hands behind his back. As Rafis Kashapov explained, in one instance he was reprimanded for not keeping his hands behind his back while dressing. He has now been categorized as a "malign violator" of the regulations which affects his eligibility for parole and for amnesties. Rafis Kashapov has also been forbidden to treat himself with self-massage for the headaches and high blood pressure he suffers as a result of a previous head injury. At the end of March Rafis Kashapov's wife travelled 1,200 km to see him and was denied a meeting because he was in the punishment cell. Guards also refused to accept the food package she had brought for her imprisoned husband.

Rafis Kashapov is still at risk of discrimination and harassment.

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

- Reiterating calls for Rafis Kashapov's immediate and unconditional release, as he is a prisoner of conscience jailed solely for the peaceful exercise of his right to freedom of expression, and in the meantime;
- Urging the prison authorities to ensure that Rafis Kashapov is not discriminated against or exposed to harassment, reminding them that the UN Standard Minimum Rules for the Treatment of Prisoners state that there should be no discrimination on the basis of race, colour, sex, language, religion, political or other opinion;
- Calling on the prison authorities to move Rafis Kashapov to a prison colony closer to his home in Naberezhnye Chelny and pointing out that the UN Standard Minimum Rules also require prisoners to be allotted to prisons as close to their home and place of rehabilitation as possible.

**PLEASE SEND APPEALS BEFORE 3 JUNE 2016 TO:**

Federal Penitentiary Service Director
Gennady Kornienko
Federal Penitentiary Service
119991 Moscow
Ul. Zhitnaya 14
Russian Federation
Fax: +7 495 799 3240
E-mail: udmail@fsin.su
**Salutation: Dear Director**

Director, Corrective Colony No. 31
Vasily Sedrisev
169060 Respublika Komi
Ust-Vymsky rayon
g. Minkun
ul. Vostochnaya
Email: ik31ufsinkomi@mail.ru
**Salutation: Dear Director**

Prosecutor General
Yury 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**

**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 third update of UA 12/15. Further information: https://www.amnesty.org/en/documents/EUR46/2487/2015/en/

AMNESTY INTERNATIONAL

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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 10 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 2014 the Investigative Committee specified that the criminal charges against Rafis Kashapov related to four posts on his personal page on the Russian social media site 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 judge concluded 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. He was sentenced to three years in prison.

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 46/3889/2016 Issue Date: 22 April 2016