

URGENT ACTION

PROTESTER'S LIFE IS IN IMMINENT DANGER

Sergey Krivov, a detainee standing trial in a criminal case in Moscow, has been on hunger strike for over two months in protest against violation of his procedural rights.

Sergey Krivov, street protester detained since October 2012, has been on hunger strike since 19 September demanding that his procedural rights be observed during the trial, namely that he be provided with protocols (transcripts) of the court hearings, which he had not been receiving for over a month, and that his right to bring motions is respected by the presiding judge.

Krivov's health has seriously deteriorated during the hunger strike. According to his own statement he has lost over 20 kilograms, a fifth of his body weight. His condition has continued to rapidly deteriorate, and his life may be in serious peril.

On 17 November he agreed to end the hunger strike and requested to be placed in a prison hospital and that the hearing is postponed until he can attend again, so that he could receive the necessary medical assistance to facilitate the end of his hunger strike. His request was denied by the head of the penitentiary administration.

On 18 and 19 November Krivov was brought to the court room in a poor state, had to lie down for most of the hearings, and lost consciousness several times. Nonetheless, the presiding judge refused to postpone the hearings, and declined the lawyer's request that an ambulance be called and that Krivov is examined by an independent doctor to determine whether he is fit to stand trial.

On 19 November the judge granted the prosecution's request and extended detention of Sergey Krivov and other defendants in the Bolotnaya case for a further three months, even though the prosecution did not give any reasons as to why the detainees needed to remain in custody under the present circumstances as is required by national law. Currently twelve persons stand trial in the Moscow City Court in relation to the street protest on Bolotnaya Square in May 2012 which ended in violent clashes with police. Nine of them have been in detention for over a year. During this time, health conditions of at least six of them have been reported to deteriorate, in certain cases there is a risk of serious and irreparable damage to their health.

Please write immediately in Russian, English or your own language urging the Russian authorities to:

- Allow independent medical examination and supervision of Sergey Krivov and ensure provision of adequate medical assistance to all of the accused in this case;
- Immediately release Sergey Krivov from detention and, in relation to him and to all other co-defendants, consider less restrictive preventative measures should there be any legal justification for these;
- Ensure that Sergey Krivov's right to a fair trial, and that of his co-defendants, is fully observed and respected.

PLEASE SEND APPEALS BEFORE 2 JANUARY 2014 TO:

Director of the Federal Penitentiary
Service of the Russian Federation
Gennady A. Kornienko
ul. Zhitnaya 14, GSP-1
119991 Moscow, Russian Federation
Fax: +7 495 982 1950; +7 495 982 1930
Email: udmail@fsin.su

Salutation: Dear Director

Prosecutor General
Yurii Ya. Chaika
Bolshaia Dmitrovka 15 A
125993 Moscow
Russian Federation
Fax: +7 495 692 17 25
Email: prgenproc@gov.ru
Salutation: Dear Prosecutor-General

And copies to:

Chief Court Marshal of Moscow City
Vladimir M. Zhmiachkin
125047 Moscow
5, Butyrski Val street
Russian Federation
Fax: +7 499 558 04 22
Email: fssp-moscow@mail.ru

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

On 6 May 2012, thousands of protesters peacefully marched through the centre of Moscow towards Bolotnaya Square where they planned to hold a demonstration to protest against the return of Vladimir Putin to the presidency after an election marred by numerous reports of electoral fraud. The march and the demonstration, and the necessary security arrangements, had been agreed between the organisers and the authorities. However, the police changed the agreed security arrangements, reducing the access to Bolotnaya Square for the protesters resulting in a bottleneck and the breaking of the police line. In response, police detained hundreds of protesters, many of them arbitrarily. What had until then been a peaceful protest was brutally dispersed, and isolated clashes between some protesters and police followed.

There are numerous well-documented accounts of the use of excessive force by the police, and several demonstrators sustained injuries, including concussion, serious bruising and cuts. At the same time pieces of asphalt and various other objects were thrown at the police, and a number of police officers were injured.

Following these events a criminal case was opened and over two dozen persons were charged with organisation of, or participation in, mass riots and using violence against police.

Currently twelve persons stand trial in the Moscow City Court in relation to this event. Nine of them remain in detention, and are being transported from detention facility to court to attend hearings. These are Artiom Saviolov, Vladimir Akimenkov, Sergey Krivov, Stepan Zimin, Alexei Polikhovich, Denis Lutskevich, Leonid Koviazin, Andrey Barabanov and Yaroslav Belo'usov. All of them have been in custody for over a year.

Sergey Krivov has gone on a hunger strike for the second time during this trial, both times demanding that the rights of all the co-defendants in this case are observed. In January he was on hunger strike for 40 days demanding that the court considers alternatives to detention for Bolotnaya detainees, but to no avail.

During every court hearing Sergey Krivov has attempted to bring motions with respect to his procedural rights, but on every occasion these motions have been declined by the presiding judge. Furthermore, the judge has regularly intervened with Sergey Krivov's attempts to interrogate prosecution's key witnesses and barring him from asking certain questions. The judge claimed that these questions were irrelevant or repetitive. Amnesty International, whose delegate attended several hearings, believes that at least some of the questions which Sergey Krivov was prevented from asking by the judge were relevant and important for his defence, and thereby his right to a fair trial was violated.

Sergey Krivov has also been complaining that for over a month that he and other accused have not been provided with transcripts of the court proceedings, which too, seriously undermined their right to a fair trial. During the court hearings, the detained defendants are kept inside a cage in the courtroom, and cannot communicate confidentially with their lawyers because of interferences by court marshals.

In April 2013, Krivov complained to the court that he had been beaten by court marshals, and in October he complained that he had been subjected to degrading treatment by being forced to strip naked and subjected to full body search in the presence of a female court marshal. No investigation of these episodes was conducted and no-one was held accountable.

Names: Sergey Krivov

Gender m/f: m

UA: 316/13 Index: EUR 46/052/2013 Issue Date: 21 November 2013