

# URGENT ACTION

## LAWYER ASSAULTED AND ARBITRARILY DETAINED

**On 9 September, lawyer Mikhail Benyash was arrested, beaten and detained by police after meeting his client who had taken part in a peaceful protest in Krasnodar, a city in the south of Russia. A court convicted and sentenced Mikhail Benyash to 14 days in administrative detention on 11 September. He is a prisoner of conscience and must be immediately and unconditionally released.**

On 9 September, **Mikhail Benyash** went to the city centre of Krasnodar, a city in southern Russia, to provide legal assistance to participants in a peaceful rally against pension reform during which police had arbitrarily arrested dozens of people. While approaching the rally Mikhail Benyash was aggressively pushed and shoved into a car by police officers wearing civilian clothes. According to Mikhail Benyash, the police officers did not introduce themselves or state the reason for the arrest. They took away his phone and beat and violently choked him both in the car and at the police station where they took him, causing injuries and bruises. A photograph of Mikhail Benyash taken following his detention clearly shows numerous abrasions and bruises on his head. A lawyer who came to represent Mikhail Benyash as his legal counsel was denied access to his client for seven hours. On the morning of 11 September, Mikhail Benyash was brought before the Leninsky court of Krasnodar city which found him guilty of "resisting the police's legitimate orders" (under Article 19.3 of the Russian Code of Administrative Offenses) and sentenced him to 14 days of "administrative detention". Mikhail Benyash is serving his sentence in a Special Detention Centre for persons held under administrative arrest.

Amnesty International believes that the police targeted Mikhail Benyash in connection with his human rights work to provide legal assistance to victims of police abuses during a peaceful demonstration in Krasnodar, and that the charges against him are politically motivated. He is a prisoner of conscience and should be immediately and unconditionally released. Furthermore, an effective investigation must be conducted into the allegations of beating by the police. The Russian authorities should stop placing obstacles in the way of lawyers diligently seeking to fulfil their professional obligations, which seriously prejudices the rights of their clients, and, more broadly, undermines the effective and proper administration of justice.

### **Please write immediately in English, Russian or your own language calling on the Russian authorities to:**

- Immediately and unconditionally release Mikhail Benyash as has been detained solely in connection to his work as a human rights lawyer;
- Conduct a thorough, effective and impartial investigation into the circumstances of his arrest and allegations of ill-treatment by the police, and ensure those suspected to be responsible are brought to justice in fair trials;
- Guarantee that all lawyers in Russia can carry out their professional duties without intimidation, hindrance, harassment or improper interference, in accordance with international standards, including the UN Basic Principles on the Role of Lawyers.

### **PLEASE SEND APPEALS BEFORE 24 OCTOBER 2018 TO:**

Minister of Interior  
Ministry of the Interior of the Russian Federation  
Vladimir Kokoltsev  
Ul. Zhitnaya d. 16  
119049 Moscow, Russian Federation  
Fax: +7 495 667 05 98 (wait for signal)  
**Salutation: Dear Minister**

Prosecutor General of the Russian Federation  
Yuriy Yakovlevich Chaika  
Prosecutor General's Office  
Ul. B. Dmitrovka, d.15a  
125993 Moscow GSP-3, Russian Federation  
Fax: +7495 987 58 41/ +7495 692 17 25

**Salutation: Dear Prosecutor General**  
**And copies to:**  
Russian Federal Chamber of Lawyers  
Yuriy Pilipenko  
43 Sivtsev Vrazhek Lane  
119002 Moscow, Russian Federation  
Email: mail@fparf.ru  
**Salutation: Dear President**

Also send copies to diplomatic representatives accredited to your country: HIS EXCELLENCY MR ALEXANDER VLADIMIROVICH YAKOVENKO, Embassy of Russia, 6-7 Kensington Palace Gardens, London, W8 4QP, [info@rusemb.org.uk](mailto:info@rusemb.org.uk), 020 7229 6412

**AMNESTY  
INTERNATIONAL**



# LAWYER ASSAULTED AND ARBITRARILY DETAINED

## ADDITIONAL INFORMATION

The right to freedom of peaceful assembly has been increasingly restricted in Russia in recent years. The Russian authorities have continued to show a high level of intolerance toward “unauthorised” peaceful public protest, while police routinely use excessive force to remove and arrest peaceful protesters. While policing protests, law enforcement officials often do not distinguish between protesters and passers-by. The administrative court trials – those in which protesters are brought before a judge for the alleged violation of rules governing public assemblies or for allegedly resisting the police – are typically swift, and often appear a mere formality. Most trials rely on widely disputed reports and written statements presented by the police, as the sole pieces of “evidence” against the individuals standing trial. In most cases, judges have accepted without question the police’s claims, such as that the individual in question had resisted their legitimate orders, even when material evidence to the contrary – such as close-range video footage from the event – is available. For more details, see “Russian Federation: The right to freedom of peaceful assembly – freedom in all but name

On 9 September, political opposition members organized mass rallies in more than 80 Russian cities and towns to protest pension reforms introduced by the government in June this year. These peaceful rallies were violently dispersed by the police and over a 1,000 people were detained. For details, see “Russia: Police crush peaceful protests and arrest hundreds including children”.

The beating and detention of Mikhail Benyash has caused outrage and protest among lawyers in Russia. An online petition demanding that the Russian Federal Chamber of Lawyer’s take measures to protect the interests of its members and that state authorities conduct an effective investigation into the incident was signed by more than 300 lawyers from over 50 regions across Russia.