

URGENT ACTION

ACTIVIST JAILED FOR PEACEFUL PROTESTS

Konstantin Kotov was arrested on 10 August 2019 and later imprisoned for repeated participation in peaceful “unsanctioned” rallies, a crime under Russian law. On 20 April, his conviction was upheld and his sentence reduced from four years to eighteen months, which he is appealing. He is a prisoner of conscience and should be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**Prosecutor General of the Russian Federation
Igor Viktorovich Krasnov**

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Russian Federation

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Dear Prosecutor General,

*I am writing to urge you to seek an immediate and unconditional release of prisoner of conscience **Konstantin Kotov**. He has been convicted and imprisoned under article 212.1 of the Criminal Code in connection with his participation in several peaceful protests in 2018 and 2019 in Moscow.*

Konstantin Kotov has not committed any internationally recognised criminal offence and has not engaged in or incited any violent acts. By taking part in peaceful street protests, he was simply exercising his right to freedom of peaceful assembly, a right guaranteed to him under international human rights law and by the Russian Constitution.

I urge you to consider Russia’s commitment to respect and protect the human right to freedom of assembly under a number of international treaties to which it is a state party, including the International Covenant on Civil and Political Rights and the European Convention on Human Rights.

Therefore, I call on you to take all necessary steps to ensure that Konstantin Kotov’s case is immediately reviewed with a view to quashing his conviction, clearing his criminal record and awarding him adequate reparation for the human rights violations he has suffered.

Yours sincerely,

ADDITIONAL INFORMATION

On 5 September 2019, peaceful protester Konstantin Kotov was convicted of repeated participation in “unsanctioned” protest rallies, under Article 212.1 of the Russian Criminal Code, and sentenced to four years in prison. Unusually for Russia, his trial at Tverskoy District Court in Moscow lasted less than a day. All his protest actions were peaceful, and most of them concerned politically motivated prosecution of other activists. Konstantin Kotov has never committed, called for, or condoned any violence. During his trial, the judge refused to consider whether Konstantin Kotov’s actions constituted, or amounted to, any serious harm to others, and declined to hear the testimony of most witnesses for the defence or watch available video footage of Konstantin Kotov’s purported “crime”. On 14 October, Moscow City Court upheld Konstantin Kotov’s conviction and sentence.

On 27 January 2020, the Constitutional Court of Russia ruled that Konstantin Kotov’s case should be reconsidered. The Constitutional Court referred to another case in 2017, where it had ruled that courts should not hand down custodial sentences under Article 212.1 unless the defendant’s actions resulted in violence or public harm. However, it did not find Article 212.1 itself unconstitutional.

Konstantin Kotov’s case was then reviewed by Moscow City Court, which, on 20 April, upheld his conviction and reduced his prison sentence to a year-and-a-half. Konstantin Kotov’s lawyers are preparing his appeal against this decision.

Article 212.1 was introduced in 2014, alongside other legislation intended to restrict further the rights to freedom of expression, peaceful assembly and association in Russia. Konstantin Kotov is the third person who has been tried and convicted under this article. The other two are Ildar Dadin and Andrey Borovikov.

Unless Konstantin Kotov’s conviction is quashed (like [Ildar Dadin’s in 2017](#)) and if his custodial sentence remains in place, this will set a new dangerous precedent of an activist serving a prison term for merely participating in peaceful protest, and may lead to prosecution and imprisonment of numerous other individuals as well as a chilling effect on the right to freedom of peaceful assembly in Russia.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian, English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 June 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Konstantin Kotov (*he/him*)

ADDITIONAL TARGETS

Prosecutor General’s Department for Legal Support

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And copies to:

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