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Pres release: Russia: Abhorrent use of punitive psychiatry to silence dissent

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AMNESTY INTERNATIONAL

PRESS RELEASE

8 October 2013

Russia: Abhorrent use of punitive psychiatry to silence dissent

Today's decision of a Moscow court to send Mikhail Kosenko to forcible treatment in a psychiatric institution is an abhorrent return to the Soviet-era practices used to silence dissent, Amnesty International said.

"To forcibly incarcerate Mikhail Kosenko in a psychiatric unit smacks of the worst excesses of the now defunct Soviet era when dissidents were languishing in mental institutions, treated as mental patients only because they dared to speak their mind," said John Dalhuisen, Europe and Central Asia Programme Director.

"Mikhail Kosenko is a prisoner of conscience put behind bars for peacefully exercising his right to protest and should be released immediately."

Mikhail Kosenko was arrested after he took part in a Bolotnaya Square protest in May 2012 which turned violent. He was charged with taking part in a riot and using violence against police officers.

The court decision was announced as dozens of people gathered in a peaceful protest outside the court shouting Kosenko's name and "Freedom". It is reported that at least eight people have been arbitrarily arrested.

"Involuntary psychiatric treatment should only be used in cases of severe mental illness when it is likely that that person will cause immediate or imminent harm to themselves of others," said John Dalhuisen.

"This is not the case with Mikhail Kosenko. He is set to be forcibly hospitalized after the judge refused to allow an independent examination of the state of his health. This is a breach of fair trial procedure."

The court's decision means Mikhail Kosenko may be deprived of his freedom indefinitely. He would not qualify for any amnesty which his co-defendants in the so-called Bolotnaya case might be granted.

The verdict was requested by the prosecution, which argued that he presented a danger to himself or society. This claim is based on a medical opinion requested by the prosecution and the prosecution's claim that the criminal allegations against him had been proven.

Amnesty International has attended court hearings on Mikhail Kosenko's case, and came to the conclusion that the prosecution has failed to prove his guilt.

Moreover, evidence, including video footage and the testimonies of eyewitnesses, overwhelmingly exculpate him of the charges he faced.

The organization has expressed concern about the use of police officials as the main witnesses, and pointed to controversies in the testimonies presented to the court.

Mikhail Kosenko has a history of mental illness, but never in the past did he require forcible treatment, nor was he deemed to pose a danger to himself of the society.

"This is an appallingly unfair conviction and an ominously cruel punishment of a peaceful protester. With most other co-defendants still on trial or under investigation, one wonders how much further this travesty of justice can go," said John Dalhuisen.

See also:

Russian Federation: Peaceful protesters standing trial in Bolotnaya case should be immediately released

Public Document

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