

Statement by Memorial Human Rights Centre on the Case of Boris Stomakhin

On 26 December 2016 a hearing will take place at Chusovoi town court to consider the transfer of Boris Stomakhin, who is serving a sentence for publications on the Internet at prison colony No. 10 in Perm region, to cell-type conditions. The prison colony's management requested back in October that Stomakhin be transferred to these conditions, but at that time the court returned the relevant documents to the prison colony for revision. The request was subsequently resubmitted.

Memorial has already requested that the prison colony and Chusovoi town court in considering this request refuse to permit the imposition of stricter conditions of detention on Stomakhin.

We know that the reason for the request to transfer Stomakhin is a series of penalties imposed on him as a result of which he was repeatedly placed in solitary confinement. In particular, the prisoner himself has said in a letter that he was placed in solitary confinement for 15 days from 29 February 2016, allegedly for leaving his cell the previous day without an identification tag on his prison uniform. However, Stomakhin has asserted that he did not leave his cell that day. In protest, Stomakhin went on hunger strike for the full 15 days. Directly before the first hearing concerning the transfer to harsher conditions, Stomakhin was again placed in a punishment cell. The reason was again given as the absence of an identification tag, this time during wake-up call when the prisoner is not yet dressed in their uniform on which there should be a tag.

The imposition of penalties without reason for the purpose of reprisals against a prisoner, preventing parole, or imposing harsher conditions of detention is, unfortunately, a widespread practice in Russian prisons, a practice which is obviously in violation of both the law and ethics.

Since 2006 when Boris Stomakhin broke his back he has been disabled and has limited mobility. At present his health is deteriorating. Transfer to a distant location and stricter conditions of detention may present a threat to his life, making it practically impossible for him to receive visits, in particular from his elderly mother.

While we condemn many of the statements and declarations made by B. Stomakhin, we consider, nevertheless, that the sentence handed down to him – seven years in a strict-regime prison colony – is unjustified and is in absolute contradiction to the principles of proportionality and justice. All the more unjust and disproportionate would be his transfer to significantly worse conditions of detention.

The publications for which Stomakhin was convicted represented no real danger to the public, there were no victims, nor were any people incited to violence by these texts. Along with the statements containing calls to violence, completely absurd charges were brought against Stomakhin, for example he was charged with justifying the murder of Alexander II and with attempting to influence the activity of Shamil Basaev many years after his death. These absurd charges formed the basis for at least half of the prison term to which Boris Stomakhin was sentenced.

Stomakhin has been behind bars for more than four years now, since November 2012. In our opinion, there are no reasonable grounds to justify such imprisonment. We consider that Boris Stomakhin must be released and we demand an end to the cruel and degrading punishments to which he has been subjected.