

Memorial says one more defendant in the “Case of 26 March,” Dmitry Borisov, is a political prisoner

Dmitry Borisov, a participant in the anti-corruption protest “Don’t Call Him Dimon,” has been held on remand since 9 June 2017. He has been charged under Article 318, Section 1, of the Russian Criminal Code (“Use of non-dangerous force against a representative of authority”). According to the investigators, Borisov was arrested but refused to go to the police bus; when he was carried there by five police officers, he twice freed his left leg and kicked one of them, Ilya Erokhin, on the helmet.

Erokhin stated that he felt physical pain. However, he had no physical injuries and did not seek medical assistance. According to the case materials, he first remembered he had experienced physical pain in the middle of May, approximately two months after the events.

We have not yet been able to view a video of the incident in question. In the screenshots provided in the case materials only Borisov’s raised leg is visible. The available information puts into doubt the veracity of the investigator’s description of events. It is all the harder to imagine that, in such an awkward situation, held as he was by the waist, both arms and a leg, Borisov was able to deliver targeted blows with his one free leg. If Borisov’s leg did touch Erokhin, then it was most likely as a result of unintentional reflex movements.

Other participants in the demonstration have already been convicted and sentenced under the same Article of the Criminal Code. Yury Kuly was sentenced to 8 months in a low-security prison colony; Aleksandr Shpakov, Stanislav Zimovets and Andrei Kosykh were given 18 months, 30 months and 4 years, respectively, in general-regime prison camps. The trial of one other defendant in the “case of 26 March,” Dmitry Krepin, began on 8 August. Aleksei Politkov is currently under investigation. Memorial has recognized most of those here listed as political prisoners.

In our view, an assessment of the events of 26 March should take into consideration the fact that citizens may legally resist unlawful actions by police officers. The unlawful actions by police officers were not, in fact, investigated by the court, nor was the question considered as to whether resistance to these unlawful actions was legal. Many [instances of unjustified use of force](#) by the police were recorded during the peaceful anti-corruption demonstrations in Moscow and other Russian cities. In Moscow alone, more than 1,000 people were arrested for exercising their constitutional right to peaceful assembly. However, the law enforcement agencies did not investigate instances of unjustified force, and have not recognized any participants in the demonstrations as victims.

We believe that Borisov, like other defendants in the case, has been deprived of liberty selectively, in comparison with the treatment of representatives of the authorities. The decision to remand Borisov in custody does not correspond to the supposed degree of danger to the public he represents. Indeed, it is highly likely that he has in fact committed no crime.

Memorial Human Rights Centre considers Dmitry Borisov a political prisoner. We demand his immediate release. We also demand that those law enforcement officials guilty of violating the rights and freedoms of participants in the protests of 26 March be brought to justice.

Recognition of an individual as a political prisoner, or of a prosecution as politically motivated, does not imply that Memorial Human Rights Centre shares or approves the individual’s views, statements or actions.

For more information about this case, see [here](#).

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This news item can be read on our website here.