

Memorial says Aleksandr Eivazov, a former secretary of a St Petersburg court, is a political prisoner

Aleksandr Eivazov was remanded in custody on 24th August 2017 on charges of using his official position to obstruct the course of justice (Article 294, Section 3, of the Russian Criminal Code). The grounds for this action were that, in November 2016, Eivazov had not managed to sign the official record of a court hearing before he took sick leave and, afterwards, having resigned from his position at the court, he refused to provide a backdated signature for the record.

However, what happened to Eivazov clearly shows that the real reason for his criminal prosecution was in fact something else. As a graduate of a four-year law degree programme, in the autumn of 2016 Eivazov found employment at the October district court in St. Petersburg, where he worked under Judge Kerro. According to Eivazov, he encountered numerous violations in the work of the court: Judge Kerro humiliated those remanded in custody, engaged in informal, friendly communications with investigators and prosecutors not permitted under judicial procedure, violated the confidentiality of the retiring room during pronouncement of verdicts, and forced legal staff to write up records of court hearings that in fact had not taken place. As Eivazov asserts, his employment rights, and those of other court secretaries, were violated: he was not paid for overtime, and Judge Kerro was extremely rude to him.

Towards the end of 2016, Eivazov resigned. He submitted complaints regarding the violations he had witnessed to the chairs of the district, city and Supreme courts, to the qualification commission of judges, and to the federal-level FSB and Investigative Committee. However, these steps brought no result. Subsequently, Eivazov also published on YouTube extracts from sound recordings containing, he claims, conversations in which Kerro took part.

On 10 January 2017 the deputy chair of the October district court of St. Petersburg, Elvira Vaitekunas, accompanied by police officers, visited Eivazov at home and sought to persuade him to provide a backdated signature for the official record of the court hearing in question. At that time, Judge Kerro had already issued a verdict in the case.

In February, a criminal investigation was begun against Eivazov, and in March a warrant was issued for his arrest. Despite this, Eivazov continued to communicate with journalists, spoke about violations he had witnessed in the judicial system, and publicized what had happened to him on social media. In August he was arrested in Sochi, transferred to St. Petersburg and placed in the Kresty remand prison.

We believe that the prosecution of Eivazov is retribution for his attempt to attract public attention to legal violations at the court. The charges against him are wholly fabricated. The fact that Eivazov did not sign the official record had no consequences for the judicial proceedings in the case: the verdict was pronounced and upheld on appeal, despite the lack of a signature by the secretary. In our view, the actions of Eivazov do not constitute a crime, while judicial practice has no examples of a court secretary being prosecuted under Article 294 of the Russian Criminal Code for failing to draft or sign a record of a court hearing. Moreover, earlier defendants in prosecutions under this Article were never remanded in custody.

Memorial demands the immediate and unconditional release of Eivazov, and that the charges against him be dropped.

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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