

Memorial recognizes ‘Urals separatist’ Aleksei Moroshkin as a political prisoner

On 19 November 2015 the Soviet district court in Chelyabinsk found Aleksei Moroshkin, creator of an online group in VKontakte titled ‘For a battling Ukraine! For a free Urals!’, guilty of inciting violations of the territorial integrity of the Russian Federation on the Internet (Article 280.1, Section 2, of the Russian Criminal Code). The judge ruled that he should be subject to compulsory detention in a psychiatric hospital. Aleksei Moroshkin’s family and defence hold that he is in absolutely good health.

In our view, Article 280.1 (public incitement to actions aimed at violating the territorial integrity of Russia) of the Russian Criminal Code contradicts the Russian Constitution and international human rights treaties. We consider it impermissible to criminalize manifestations of separatism not related to violence or its propaganda, but that only lead to theoretical discussions about whether regions should be allowed to separate from the country.

The statements by Aleksei Moroshkin on the creation of a Urals Republic did not contain any calls for the forcible violation of the territorial integrity of Russia. Like similar posts on the Internet in other regions (about the Kuban People’s Republic, Ingria and others), they were to a significant degree a kind of journalistic reaction to the creation of the ‘Donetsk People’s Republic’ (DNR) and the ‘Lugansk People’s Republic’ (LNR) in the east of Ukraine. It should be noted that [Rafis Kashapov](#) in Tatarstan and [Darya Poliudova](#) in Krasnodar region have already been sentenced under the same article to terms in prison, and recognized by Memorial Human Rights Centre as political prisoners.

Neither in the materials of the criminal case, nor in the court’s judgment, is there in our view any evidence that Aleksei Moroshkin represents a public danger of the kind that would necessitate him being isolated from society in a clinic of a closed kind. We consider his detention to be unlawful.

We believe that Aleksei Moroshkin has been prosecuted for his civil society opposition activity and for speaking out against the hybrid war of Russia against Ukraine. For example, in the court’s judgment, as evidence of his guilt reference is made to the testimony of the witness V. Smirnov who was ‘upset’ that Moroshkin ‘urges people to protest against the lawful authorities and is trying to put the blame for events in the east of Ukraine on the current leadership of our country.’

The fact that opposition views have been found by psychiatrists to be ‘schizophrenic reformist nonsense’ and served as the basis for the decision to subject the civil society activist to forcible treatment, directly returns us to the Soviet regime’s methods of fighting against dissidents.

Moroshkin’s lawyer, [Andrei Lepekhin](#), is at present seeking to obtain his ‘transfer’ from in-patient psychiatric treatment to out-patient treatment.

At the same time, a new criminal case has reached the courts according to which Aleksei Moroshkin is charged with painting a bust of Lenin in the colours of the Ukrainian flag (vandalism – Article 214, Section 1, of the Russian Criminal Code). Independently of whatever decision the court takes, we consider a criminal prosecution for painting a memorial to be disproportionate. Such a violation of the law contains no element of violence, and therefore, in our view, should be considered an administrative offence.

We demand the immediate release of Aleksei Moroshkin.

Recognition of a person as a political prisoner, or as a victim of a politically-motivated prosecution, does not mean that Memorial Human Rights Centre agrees with their views or statements, or approves of their statements or actions.

More information about this case can be read [here](#).

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