

Aleksei Politkov, the sixth defendant in the “26 March case,” is a political prisoner, Memorial says

Aleksei Politkov, a shipping agent and activist with the Artpodgotovka movement from the town of Ussuriysk in Primorsky region, has been charged with committing an offence under **Article 318, Section 1, of the Russian Criminal Code** (“Use of force against a public official”). Politkov has been held in **pre-trial detention** since 10 June 2017.

According to the prosecution, Aleksei Politkov allegedly seized hold of police captain A. S. Shvetsov, of the second Moscow police regiment, at the demonstration on 26 March 2017 on Tverskaya Street, and also struck him in the stomach. Politkov was one of a number of persons seeking to prevent the clearly unlawful detention of opposition activist Vyacheslav Maltsev on 26 March 2017. The harm, allegedly caused by Politkov to Moscow police captain Shvetsov, was that the police officer said he felt physical pain. We point out that Shvetsov did not seek medical treatment and during the demonstration he was wearing body armour.

The fact that the prosecution of Politkov is politically motivated is confirmed by his detention just before the opposition demonstration of 12 June (a practice noted in a number of politically-motivated prosecutions, including those in the Bolotnaya Square and Manezh Square cases). In the decision to remand Politkov in custody the judge stated that Politkov allegedly “*is a participant in an informal association that advocates the violent overthrow of the current government.*” We would point out that Artpodgotovka, even if it is considered a movement, acts within the law and has not been designated by the courts as an extremist or terrorist organization.

Previously other participants in the demonstration of 26 March 2017 were convicted under the same article of the Criminal Code: Yury Kuly was sentenced to 8 months in a low-security prison colony, while Aleksandr Shpakov, Stanislav Zimovets and Andrei Kosykh were sentenced to 18 months, 30 months and four years, respectively, in general-regime prison colonies. On 8 August the trial began of Dmitry Krepkin, yet another defendant in the “case of 26 March.” Dmitry Borisov is currently under investigation. Memorial has recognized the majority of the above mentioned individuals as political prisoners.

In our view, the events of 26 March must also be assessed with regard to the issue of the legality or otherwise of citizens' resistance to unlawful actions by the police. The courts have neither investigated the unlawful actions of police officers, nor examined the question of the extent to which resistance to these unlawful actions was legal. Many instances of unjustified use of force by police during the peaceful anti-corruption demonstrations, both in Moscow and in other cities in Russia, have been recorded. In Moscow alone more than 1,000 people were detained for exercising their constitutional right to peaceful demonstration. However, law enforcement agencies did not investigate these incidents, and in no instance did they recognize a participants in the public events as victims.

We consider that Politkov, along with other defendants in the case, has been the victim of a selective deprivation of liberty, in comparison with representatives of authority, and his pre-trial detention does not correspond to the anticipated degree of public danger of his actions. Indeed, it is very likely that he committed no offence at all.

Memorial considers Aleksei Politkov to be a political prisoner. We demand his immediate release. We also demand that 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 on this case, see [here](#).

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