

## **Memorial considers Vitaly Shishkin a political prisoner**

Vitaly Shishkin holds opposition political views, and at the same time is a representative of the moderate wing of the Russian nationalist movement, and headed the small group “Russians for European development”. He was sentenced to four years in a general-regime colony on a charge of committing crimes envisaged under part 3, article 212 (“Calls for mass riots”) and part 1, article 282 (“Actions aimed at inciting hatred or enmity”) of the Russian Criminal Code. Has been in custody since February 13, 2015.

He was convicted on a charge that inspired by events in Ukraine he started calling for people to organise a mass demonstration on May 18, 2014 on Manezh Square in the city of Moscow, with both general opposition and also specific nationalist demands. These calls, which were on video clips and on the pages of social networks (at present all these have been deleted or blocked by Roskomnadzor) did not lead to any consequences, and there were no protest demonstrations in Moscow on May 18, 2014. Nevertheless, despite Shishkin’s insignificant audience and the low level of support for his ideas among Russian opposition members and/or nationalists, the structures of the authorities paid attention to his calls.

From our point of view, calls to participate in an unauthorised demonstration cannot be evaluated as calls for mass riots. In itself participating in an unauthorised demonstration, organising it or inviting people to it does not violate the norms of criminal law (and, moreover, corresponds with the letter and spirit of the Constitution of the Russian Federation); sanctions for such types of action are determined by the corresponding articles of the Russian Administrative Code. The conclusion of the investigation, considering that such a type of unauthorised demonstration had to have turned into mass riots appears contrived. The purely nationalist part of Shishkin’s reasoning, in our view, also does not contravene the legislation. None of the clips contain calls for violence, and there is no incitement of hatred to representatives of particular ethnic or religious groups in them.

Shishkin explains his confession of guilt and choice of a special order of examination of his case by the fact that the case against him was fabricated and that expecting justice for himself as a political opponent of the current government is pointless.

The Memorial human rights centre considers it necessary to immediately release Vitaly Shishkin from custody and to re-examine his criminal case.

Recognising a person as a political prisoner does not mean that the Memorial human rights centre agrees with the views and statements of the person recognised as a political prisoner, or that it approves of their statements or actions.

[More details](#) on the case of Vitaly Shishkin.