

Memorial recognizes one more participant in the ‘Don’t Call Him Dimon’ protest - Aleksandr Shpakov – as a political prisoner

Immediately after the unexpectedly large-scale nationwide opposition protests that took place on 26 March, criminal cases were launched against its participants and a large group of investigators was set up. There are reasons to believe that one of the purposes of these demonstrative actions was to intimidate potential participants in public protests.

One of the protesters, Aleksandr Shpakov, a carpenter, was sentenced on 24 May 2017 by Judge A. V. Stekliev sitting in Moscow's Tver district court to 18 months in a general-regime prison colony. Shpakov had been held on remand since 28 March 2017 on charges under Article 318, Section 1 (application of force to a public official) of the Russian Criminal Code.

We believe the events of 26 March should be considered with regard to the possible legality of resistance by members of the public to unlawful actions of police officers. The court did not consider at all the completely unlawful actions of the police, nor the issue of the legality of resistance to these unlawful actions. At the same time, Shpakov's guilt is based exclusively on the evidence of police officers. In such circumstances, there are insufficient grounds to hold that Shpakov did in fact strike a police officer.

Witnesses of the arrest of Shpakov, including Navalny who was in the same police bus for detainees, confirm the allegation of the defendant that he was beaten with a rubber baton.

Many instances of the use of unjustified force by the police during the peaceful anti-corruption demonstration on 26 March 2017 were recorded, both in Moscow and in other Russian cities. In the capital alone, more than 1,000 people were detained for exercising their constitutional right to peaceful protest. However, the law enforcement agencies did not investigate these facts, nor agree to consider protesters as victims. In the same way, Shpakov was held to be guilty of committing the offence against the police officer Gonikov, but the court paid no attention to the facts that Shpakov was arrested with the use of brutal physical force, and that he was beaten after he had been detained.

The people who gathered on Tversakaya Street on 26 March showed no aggression, and there were no grounds to hinder them from expressing their opinions. The possible presence of individual provocateurs or aggressive individuals cannot be, and must not become, justification for breaking up a peaceful demonstration. On the contrary, the police can and must defend the right of citizens to express of their opinions and ensure their security.

In a [statement](#) Memorial Human Rights Centre said: “At the stage of notification, public officials all over the country obstructed the holding of anti-corruption demonstrations. These obstacles evidently exceeded reasonable restrictions on freedom of peaceful assembly.”

In addition to Shpakov, six other participants in the Moscow rally of 26 March have been prosecuted. One of these, Aleksandr Kuly, has already been recognized by Memorial as a [political prisoner](#).

Memorial Human Rights Centre considers the prosecution of Aleksandr Shpakov to be politically motivated and intended to intimidate critics of the government.

Memorial believes Shpakov to be a political prisoner and demands his immediate release.

We also demand that those representatives of the authorities who are guilty of violating the rights and freedoms of those taking part in the protests of 26 March should be brought to justice.

Recognition of a person 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](#).

PayPal – an e-wallet for giving help to all Russian political prisoners helppoliticalprisoners@gmail.com