

Stanislav Zimovets, convicted in the “Case of 26 March,” is a political prisoner, Memorial says

Stanislav Zimovets, a participant in the Moscow anti-corruption demonstration, “We Don't Call Him Dimon,” held on 26 March 2017, has been convicted under Article 318, Section 1, of the Russian Criminal Code (use of force, not dangerous to life or health, against a public official).

Zimovets was found guilty of having thrown a fragment of brick at the deputy head of the 2nd OMON [Riot Police] Regiment, Vladimir Kotenev, striking him in the back. He was sentenced to two-and-a-half years in a general-regime prison camp.

Other participants in the demonstration had earlier been convicted under the same article of the criminal code: [Yury Kuly](#) was sentenced to eight months in a low-security prison camp and [Aleksandr Shpakov](#) was given 18 months in a general-security prison camp. On 8 August the trial began of one other defendant in the “Case of 26 March,” [Dmitry Krepkin](#). Memorial has recognized all these individuals as political prisoners.

We believe that an evaluation of the events of 26 March should consider whether citizens may legally resist the unlawful actions of police officers. The trial did not, in principle, investigate whether law enforcement officers had committed unlawful actions. Nor did the trial hearings consider to what extent resistance to these unlawful actions was illegal. Many instances of unjustified [use of violence](#) by the police were recorded during the peaceful demonstration against corruption held on 26 March 2017, both in Moscow and in other Russian cities. In Moscow alone, more than one thousand people were arrested for exercising their constitutional rights to peaceful demonstration. However, law enforcement agencies did not investigate these facts, and did not recognize any participants in the protests as victims.

Of the defendants in the prosecutions, at least Shpakov and Krepkin suffered serious assaults. Zimovets, while still at liberty, wrote on social media that “the MAMON riot police had given [him] a good kicking.” As became known at his trial, Zimovets threw a brick in reaction to an unjustified and rough arrest of a young man using a chokehold.

The injury incurred by Kotenev, unconfirmed by anything except his statement that he experienced physical pain, could not be to any degree significant. The blow fell on his body armour, no injuries were recorded, and Kotenev did not seek medical assistance. Moreover, during the investigation, together with the investigator, Kotenev had evidently made an attempt to falsify evidence by pretending a bruise, received in training, had been caused by the fragment of brick.

We consider that Zimovets and other defendants in the case have been victims of the selective application of justice in comparison with representatives of authority, and imprisonment is disproportionate to the real seriousness of the alleged offences. Moreover, during the investigation the right of Zimovets to legal defence was violated: a government-appointed lawyer, who had been initially provided, had sought to persuade Zimovets to plead guilty. According to Zimovets, he had at first agreed to a plea bargain because he was suffering from the numerous journeys to interrogations, from hunger and aggravation of gastritis. He was not given access to the case materials.

Memorial Human Rights Centre considers the criminal prosecution of participants in the peaceful demonstrations of 26 March is politically motivated and is intended to intimidate critics of the authorities.

Memorial considers Stanislav Zimovets a political prisoner and demands his immediate release. We also demand that law enforcement officials guilty of violating the rights and freedoms of participants in the 26 March protest be held to account.

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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