

# The Bolotnaya case

## digest

No. 8 (September 16 - 22)

september 17 - september 19

## Plenty of victims, but no perpetrators

On Tuesday, September 17, a Moscow OMON (special police force) officer Denis Mukhin began his testimony. According to Mukhin, tear-gas was sprayed in his face, several stones hit his helmet, and several protesters landed punches on his body armor. However, Mukhin is named in the case as a witness - not a victim.



*OMON officer Denis Mukhin in the court  
Photo by A.Baroshin*

## Memorable bare chest

Answering judge Nikishina's question whether he recognized any of the defendants, Mukhin stated that he did not. The case materials include a screenshot of the video with a bare-chested young male in white shorts, similar to defendant Denis Lutskevich in appearance. The screenshot has a caption, signed by Mukhin: "Young man I mentioned during the deposition, who threw a stone at a police officer". Lutskevich's lawyer Dmitry Dinze asked if Mukhin had really signed the photo, and Mukhin confirmed that the signature was his. Dinze asked if Mukhin knew the last name "Lutskevich", to which Mukhin replied that he did not remember such a last name.

According to Mukhin, he went through three or four videos with an investigator, not seeing himself in any of the videos, but recognizing a man, he remembered only because the man was bare-chested.

Prosecutor Kostyuk moved to read out the transcript of Mukhin's interview with the investigators, to establish that Mukhin recognized Lutskevich as a man who threw stones. Defence attorney Dinze pointed out that no line-up was conducted, and that the witness did not remember the last name of the man in the screenshot. Nevertheless, the judge permitted the transcript to be read out. In the interview, Mukhin said that he saw a bare-chested man throw something (but could not say if it was a stone or a bottle), but did not see if that object hit anyone.

# Stay alive

On Thursday, September 19, police officer Ivan Kruglov appeared before the court. According to the investigation, Andrei Barabanov caused Kruglov physical pain by kicking him through the body armor.

Kruglov himself does not remember his assailants. He testified that he was assaulted by a group of demonstrators, but "cannot recognize any of the people in the video recording, due to being extremely stressed out at the time... only thinking how to stay alive". It is worth noting that Kruglov did not have any documented injuries connected with the incident.

He also did not recognize any of the defendants in the courtroom.



*Officer Ivan Kruglov  
Photo by A.Baroshin*

**september 18**

## Loss in Andrei Barabanov's family

During lunch break on Thursday, one of the defendants - Andrei Barabanov was informed that his grandmother passed away.

"Andrei's grandmother who brought him up has died. Barabanov's lawyer learned about this about an hour and a half ago. The trial was postponed until Tuesday. This is the sort of situation when you are absolutely powerless. He is weeping in the aquarium [slang for glass box, where the defendants are kept while in the courtroom] and you can not even give him a hug" – blogged another defendant Maria Baronova.

Andrei Barabanov is 23. He is charged with repeatedly striking a police officer, and has been under detention since May 2012. Before being arrested, he lived with his mother and girlfriend Katya. He was a freelance artist.

Just a few weeks ago - on September 5, the mother of another Bolotnaya prisoner Mikhail Kosenko died as well. Mikhail learned about his mother's death from a television program almost a week later, because his sister's letters detailing his mother's illness and death were censored by prison officials.

Zamoskvoretsky court judge Ludmila Moskalenko refused to allow Mikhail to attend his mother's funeral.



september 17

## Appeal merge by ECHR

European Court of Human Rights (ECHR) merged seven appeals from Bolotnaya prisoners and gave priority to the case

Appeals by Vladimir Akimenkov, Yaroslav Belousov, Leonid Kovyazin, Artem Savelov, Andrei Barabanov, and Mikhail Kosenko have been joined under the name of "Vladimir Georgievich Akimenkov and 6 others v. Russia". Bolotnaya prisoners complain of illegal detention and inhuman conditions in jail.

The European court has already started requesting information in connection with the case, writes attorney Dmitry Agranovsky in his blog: "The ECHR has submitted a set of general questions, as well as questions relating to individual defendants to the Russian government. The cases of Akimenkov and Belousov have garnered the most questions. There are a total of 26 questions." The Russian government must respond to the ECHR by January 17, 2014.



ECHR

Photo by Roman Blazhko

september 20

## Lukin after Bolotnaya arrests

Russia's Human Rights Commissioner Vladimir Lukin appeals the arrests of Vladimir Akimenkov and Yaroslav Belousov



The ombudsman made two supervisory complaints for warrantless arrest and extending the term of detention to the Presidium of the Moscow City Court.

Left Front activist Vladimir Akimenkov has been in detention since June, 2012. He has almost lost his sight – optic atrophy leaves him with only 20% vision in one eye and 10% in the other. And in detention his eyesight condition is worsening. Vladimir is charged with aimed throwing of plastic flagpole towards the police and thereby participating in "mass riots".

Yaroslav Belousov is Political Science student at Moscow State University.

Vladimir Lukin, photo by Boris Yamshanov



He was also arrested in June, 2012, presumably, for throwing a lemon at police officers. Yaroslav is married and has a two-year-old son. Recently he was placed in the prison hospital because of blood pressure problems.

Earlier, a complaint by ombudsman Vladimir Lukin helped bring about the release of Nikolai Kavkazsky from detention. Kavkazsky was placed under house arrest instead. Following Lukin's appeal, the Supreme Court ruled that continued detention must be supported by factual evidence rather than general phrases of speculative kind, such as "defendant may flee justice", "defendant may continue criminal activity", etc. (all of the Bolotnaya case detentions and their extensions were justified in such fashion).

**september 22**

## Rock off the prison

Rock musicians hold a concert in support of Bolotnaya prisoners

A number of famous musicians played at a charity Moscow concert, benefitting the Bolotnaya prisoners.

The list of participants included: Yuri Shevchuk and his band DDT,



Concert poster



Concert lights, photo by A.Baroshin

Andrey Makarevich, Bravo, Vezhlivy Otkaz, Noize MC, Kira Lao, and Zorge. Video messages in support of political prisoners were recorded by Boris Grebenshikov (Aquarium) and Diana Arbenina (Nochniye Snaipery).

The amount raised at the concert was over 1 mln rubles (appr. 30,000 US dollars). The proceeds will be go towards covering the fees of the lawyers involved in the Bolotnaya trial.



## Boris Grebenschikov (Aquarium)



*Boris Grebenschikov, screen from video*

"When people stand trial, the notion of a "trial" implies a degree of fairness. However, when one group of people is judged by one set of criteria, and released, while another group of people is judged by another set of criteria, and put in prison for the same deeds, it seems unfair to me. And any unfairness undermines the foundations of society itself. Therefore, let us make it so that the trial of the people who had gone to the Bolotnaya square is fair, and those people who were there by accident are not kept in prisons, while those who intended to be there, get a fair trial."

## Diana Arbenina (Nochniye Snaipery)

"Never in the past 20 years have we witnessed a scale of lawlessness, such as the one facing those who wish to express their political views today. I am talking about people who join political protests, only to find themselves in prison as a result. This is not just me making things up, because right now there is a great number of big, rather appalling, criminal cases against people, who are being deprived of the right to see their families, their children, and no one knows when this will end, and what the end will be. I call upon the people of our country to choose peace, kindness, respect for the law. I realize that we live in a cruel world, but if we all tried to remain human, we would have been honest, with ourselves at least. I am not calling anyone to the barricades, but I am calling on people to stop and realize that we should be living a normal, good, democratic country."



*Diana Arbenina, screen from video*

## Andrey Makarevich (Mashina Vremeni)

"Imprisonment of a person is always a tragedy. Even if the person has been incarcerated for a good reason, and justice was served. Today, when we have criminal proceedings opened, and very timely too, against many opposition leaders, you and me, we know far too well just what is happening in reality, don't we: they are sending a message to all of us: Don't stick your head out!



They are shamelessly reminding us of the common wisdom from the Soviet times. First, "So, you think you're the smartest one here?" Second: "So, you deserve better than others?". And third, the most important professional motto: "Just give us a person, and we'll find what to charge them with". Some people I meet believe that this all has nothing to do with them – after all, they are keeping a low profile, do not stick their heads out, and do not go against anyone. They are wrong. This has to do with all of us. Once the machine gets moving, it steamrolls everyone, quite indiscriminately. And it is almost moving... And helping people in trouble is something we ought to do."



*Andrei Makarevich during the concert  
Photo by A.Baroshin*

## Yuri Shevchuk (DDT)



*Yuri Shevchuk performing at the concert  
Photo by A.Baroshin*

"I want to say that we have to keep going, with smiles on our faces. Losing heart is unacceptable. We have to keep our heads up and get our guys out of there. This is all way too horrible. Very many people who are not here today agree with us completely. We were on our way here from Ukraine, and one customs officer who had come in to check on us asked: "Are you travelling to Moscow to perform in support of the Bolotnaya prisoners?" I was surprised to hear that but said: "Yes". And then he said: "I am with you [in my thoughts]".

**ATTENTION!** You can write letters to Bolotnaya defendants. Words of support are very important to them. You can write to [bolotdigest@gmail.com](mailto:bolotdigest@gmail.com), please do not forget to write your name and the name of the intended recipient. We will translate your letters from English to Russian, and forward them to the defendants held in detention facilities. We also can hand your messages to relatives of the defendants who are held under house arrest. Unfortunately, at the moment we can only accommodate translations from English. We can also assist in contacting people involved with the trial, who are under a travel ban or have emigrated. Feel free to reach out to them directly as well! :-)



# What is the case of Bolotnaya?

May 6, 2012 on the eve of the third inauguration of Vladimir Putin the opposition got an approval from Moscow authorities to hold a march on the Bolshaya Yakimanka and a rally in Bolotnaya square for 5,000 people. In reality, about 50,000 people came to the demonstration.

Peaceful march at the entrance to Bolotnaya square ran into a police chain, which had made the passage to the place of a rally extremely narrow. After an hour of standing in the rising hustle, people broke through the chain. Police launched arrests with the use of batons, pain and choke holds. Around this time, an unknown person threw a Molotov cocktail, causing the pants of one of the demonstrators started burning.



*Demonstrator being roughly arrested by the police  
Photo by RIA Novosti*

Arrests and beatings occurred in a random order. Most of the demonstrators could not leave the Bolotnaya square, as it is located on the bank of the river, and the bridge was crowded with people. People tried to fight back, usually, in adequate and non-hazardous ways (like throwing empty plastic bottles). There were, however, occasional outbreaks of serious aggression against the police: for example, several people took off ammo of a policeman and punched him.

About 600 people have been arrested, dozens were subjected to administrative arrest. The investigation classified the incident as organized riots.

Only one of the accused of involvement in the riots, Maxim Lusyanin, hoping for a light sentence, admitted his guilt (he proved himself of being himself in a big strong man in a black mask, who was beating a policeman) and received 4.5 years of general regime penal colony.

Now 15 people are under arrest in charge of involvement in the riots, two are under house arrest, 6 people are under written undertaking not to leave the place (4 of which were not even at Bolotnaya Square on the May 6, and were detained at another opposition campaign on Manezhnaya Square). An activist of the "Solidarity" movement Anastasia Rybachenko left Russia and is studying in Estonia.

In October the investigation accused Sergei Udaltsov, Leonid Razvozzhaev and Konstantin Lebedev in organizing mass riots.

If you want to be informed about the events of the Bolotnaya case, please let us know at [bolotdigest@gmail.com](mailto:bolotdigest@gmail.com) Read [twitter.com/May6Committee](https://twitter.com/May6Committee)