

# The Bolotnaya case

## digest

No. 9 (September 30 - October 06)

### This week:

*brief*

- Mikhail Kosenko made a speech on freedom and rotation of power, and asked the court to consider him criminally sane;
- Defendants in "trial of the twelve" complain of beatings and humiliation by the guards;
- Several OMON officers testified against Aleksandra Dukhanina;
- Judge Nikishina pressured defence attorneys to abandon questioning of prosecution witnesses by refusing to allow recess;
- Six of the Bolotnaya case defendants received extended periods of detention;
- Amnesty International recognized three defendants of the Bolotnaya case as prisoners of conscience.

**october 2**

*Kosenko*

## Kosenko's Case

### Last court session before the verdict

Prosecutors and defence attorneys presented their final arguments in Mikhail Kosenko's trial before Zamoskvoretsky court. The prosecutor asked to recognize Kosenko as criminally insane and guilty of participation in mass riots and violence against a representative of authorities, and to sentence him to compulsory psychiatric treatment.

The prosecutor claimed there is enough evidence of Mikhail's guilt. For example, while searching Kosenko's apartment, police found the very clothes he was wearing at Bolotnaya square.

Mikhail's lawyers argued that:

- conclusions of the examination that found Kosenko insane are not justified;
- there were no mass riots on Bolotnaya square;
- video recordings and witness testimony show that Mikhail did not assault police officer Kazmin.

*Mikhail Kosenko in the court - photo by A.Baroshin*



Mikhail himself delivered a speech that we publish here in full:

The ultimate value for any country is freedom. And that is something that the people of our country are universally deprived of, some to a greater, others to a lesser extent. The most deprived category are convicts. Masses of people are incarcerated, imprisoned in camps without any fault, and no one will help them. And even those who are serving their sentence for grave crimes deserve better confinement conditions. Prisoners themselves are unanimous: not a single person was helped to mend his ways by his term in prison. The situation with the mentally ill inmates, the worst thing for them is haloperidol, a banned drug, by the way. Its side effects are many, including fatal outcome, it causes muscle cramps and stiffness, and frequently pain as well.

Our people are so accustomed to suffering; Russia has that oriental structure of the society being built right now - lack of freedom in exchange for material benefits. The authorities base their propaganda on the economic, materialistic factors: money spent and the results of such spending. But money cannot buy happiness, and this is not just a banal, ancient meme, a dictum of wisdom, albeit challenged today in every way possible. Happiness is where people have freedom. There are many countries where living standards are lower than in Russia, but the level of satisfaction with life is much much higher. People are accustomed to simple poor life, having little seems like great success or exceptional luck to them.

Freedom means freedom from evil. Realistic opportunities. Our country has vast opportunities realising which requires all sorts of freedoms, but such freedoms are either in short supply or practically non-existent. Freedom of mass media. Television which is the main source of information for people, but it is being stifled by censorship, even though it is prohibited by law.

Those in power dictate their own agenda to television, make it adopt their own strategy. And that is the reason why protest rallies, demonstrations, pickets are extremely important. And that is why they become the bone of contention between those in power and the opposition. Rallies and demonstrations organised by the government do not produce the desired effect, and so the chosen solution was to cause all possible interference. The authorities think it is them that should choose the place where protest events will be held, even if the law says otherwise. The opposition wants to hold its protest event on one of the city's square, but the government is quick to send off to another, more remote and less convenient one. Our society, with its deep mental tradition of having laws and rules violated, is not bothered by that. Then the authorities proceed to creating obstacles, raising difficulties, doing all they can to make protest events a failure, to intervene and do what they did on May 6, 2012.

By suddenly cordoning off the space where the protest event was to be held,

in violation of the arrangements agreed, the authorities raised their own unlawful intentions to the status of law. Because the authorities think that the law is what they wish, that they are a source of it. When the stampede forced several dozens of men to rupture the cordon the authorities decided that they have the right to disperse dozens of thousands people who had come to express their free will and legitimate protest. The tactic chosen by the authorities, which was 100% politically charged, constantly nurtured frustration and protest in people who dared offer resistance to violations of their rights and of the law. The authorities themselves violate the law but whenever they meet resistance, they start posing as guardians of law, especially of this Article 318 they are so fond of (application of force against a representative of authority). The riot police officers regarded the protesters as their enemies, which means that their minds had been poisoned against us by respective propaganda, inciting them to be violent, to be cruel. The riot police officers from the Bolotnaya square were anything but th guardians of law, their actions had been politically charged by their superiors. This was a political confrontation. The people were simply protesting against unfair elections.. Demanding fair elections is a very right thing to do. The government does not want fair elections because they would mean that it will have to go. And the majority of this government members are incompetent people who find it normal to breach the law. What we need is rotation of power and NOT an eternal reign of one regime. As long as the existing regime remains in power, Russia will not be able to cope with very serious problems that will inevitably arise in the future.

The enormous amount of effort demonstrated by the authorities, while offset by the low effectiveness, produces far more moderate results than could be. In the entire history of our country power has not even once been handed over to opposition in a legitimate procedure. Today's government can boast of numerous infamous records: Russia being a top heroine and alcohol consumption. Can such government be considered qualified? Can it remain in power forever? Are people who protest against it not right?

Supporters of the current government often argue that there is no viable alternative to it as far as running this country goes. This sounds rather doubtful to me. Russia is so rich in talented, strong people, but such can only come into power once fair, clean elections are in place.

I finally want to thank each and everyone who has been coming here to support me, my attorneys, my sisters, all of you who have been sacrificing their time to attend this trail.

As for my sanity, I only ask the court to consider me sane.

Mikhail Kosenko

The verdict in Mikhail Kosenko's case is to be announced at 2 PM on October 8 in Zamoskvoretsky court.

# Trial of the twelve

Abusive escort, blackmailing judge, kvass-soaked police officer

Hearings in the trial of the twelve have been moved from a spacious Moscow City Court hall to the cramped Nikulinsky district court. Since Nikulinsky court does not have any holding cells, defendants are now handcuffed to each other when escorted through the corridors.

At the beginning of the first hearing (Tuesday, October 1) Vladimir Akimenkov announced that he was beaten by an escorting officer. Judge Nikishina threatened to remove Akimenkov from the courtroom if he were to speak without permission again.



*Police escort officer who struck Akimenkov  
Photo by A.Baroshin*

## Alexei Zelianin



*Escort corridor in the court  
Photo by A.Baroshin*

The court heard testimony from another victim - OMON officer Alexei Zelianin - who testified against Alexandra Naumova (Dukhanina). Zelianin witnessed "the girl hurling empty plastic bottles and pieces of asphalt", but was looking the other way when he got hit by a piece of asphalt himself.

The witness does not consider himself victimized by any of the defendant's actions. However, the defence missed an opportunity to submit a motion to change the victim's status to witness (numerous similar motions were denied in the past).

**october 02**



*Sergei Krivov in the court  
Photo by A.Baroshin*

On Wednesday, October 2 Sergei Krivov made a statement detailing abuse by escort officers by passing the following note via his defender:

“Was stripped naked in the corridor. Was ordered to take my underwear off and to squat. After three squats I refused to continue. 0073008 [escort officer’s badge number] began to bully me with: “Are you hindering the search?” He asked that question five of six times. I remained silent. Finally he hit me in the shoulder. I had to stand absolutely naked in front of six or eight police officers, one of them female, for several minutes.”

Krivov was removed from the courtroom for an attempt to protest his mistreatment.

## Anton Sutormin

On the same day, the court also heard testimony of Alexandra Dukhanina’s arresting officer Anton Sutormin. In his words, he “gently embraced the girl by the neck and walked her to the police van”.

Sutormin also testified that Alexandra was hurling rocks and “spilled some kvass on him from a bottle”. One of the rocks hit his bulletproof vest in the chest area. The victim stated that no one had caused him any physical injuries. However, he did suffer psychological trauma, since he is a police officer, and “you cannot throw rocks at police”.

Andrei Barabanov asked for an ambulance to be called in, but judge Nikishina replied that it would only be possible after the defence attorneys finished questioning Sutormin. The defence had to skip many of their questions. Having examined Barabanov, the doctors determined that he had suffered a vegetative-vascular dystonia attack, provided him with medicine, and left him to stay in court.



*Alexandra being “gently walked” in the police van during May 6, 2012 - photo by R.Agadamov*

# Igor Belovodsky

The next person to testify was Igor Belovodsky - a battalion commander from the Second Special Operations police regiment. The officer testified that on May 6 he heard "Anarchy is the mother of order" chants, prompting laughter in the audience.

"Do you consider yourself a victim of any of the defendants here?"

"Don't recognize anyone"

"Do you have any claims against any of the defendants?"

"Certainly! Against every one of them."

"What exactly are your claims against the defendants?"

"They cannot have been charged for nothing. They must have threatened police officers' lives."



БарошинФото

Commander Igor Belovodsky in the court  
Photo by A.Baroshin

## october 3

On Thursday, October 3 Gaji Aliev - an attorney of Maxim Luzyanin, who was the first to be convicted in connection with the Bolotnaya case - made a statement in the courtroom. He said that his client could not be transported from his penal colony to the court as he was ill. Besides, Luzyanin refused to testify under article 51 of the Constitution, which grants the right against incriminating oneself or a close relative. Judge Nikishina replied that the decision to transport Luzyanin was not subject to appeal.

The court continued with Igor Belovodsky's testimony. Some of the answers were inaudible (the judge refused to have the microphone turned on). However, in most cases Belovodsky replied that he did not remember anything. At the end of the working day, Nikishina started to pressure the defence attorneys once again, announcing that she would not adjourn the session until they would finish with their questions for the police officer. As a result, the hearing continued for an extra hour and a half, and the defence attorneys had to skip some of their questions.

*extention*

## Detention terms extended for 6 defendants in the Bolotnaya case

Alexander Margolin, Ilya Gushin, Dmitry Rukavishnikov and Alexei Gaskarov will stay in jail until at least February 6, 2014. Sergei Udaltsov will also remain under house arrest until the same date. Leonid Razvozhayev's detention term was extended until October 21, 2013.

On September 30, Leonid Razvozhayev was removed from the courtroom during the hearing for arguing with judge Artur Karpov. Razvozhayev said, that by law, he was supposed to be set free ten days earlier. This was because back in 1997 he was charged with stealing some five hundred fur hats. This happened in Irkutsk region, and as a suspect, he was held in jail for ten days. Those ten days should have been counted toward his current detention term.

The reasons for detention term extensions were routine: "will continue his criminal activity", "likely to destroy evidence", etc.



Alexander Margolin is 41. He is married with two children, and used to work as a Deputy Director in a publishing house. Margolin is charged with grabbing a police officer by his clothes, bringing him down to the ground, and kicking him no less than two times. He has been in detention since February 21, 2013.

Ilya Gushin is 25. He is a National Democrat, studied to be a psychologist, and was interested in history and football. Ilya is charged with dragging a police officer away from one of the rally participants. At the time, the police officer was beating and trying to arrest the protester. Ilya has been under arrest since February 7, 2013.



Dmitry Rukavishnikov is 36. He is a former Left Front coordinator in Ivanovo. He worked as a Deputy Director of a municipal enterprise. He is married. Dmitry was charged with dragging overturned portable toilets. He has been in detention from April 4, 2013.

Alexei Gaskarov is 28. He is an anti-fascist activist, and a defender of the Moscow suburb Zhukovsky forest. Prior to his arrest, he worked as a lead business plan consultant, and lived with his fiancée Anna in Zhukovsky. He was charged with pulling a police officer away from a fallen protester. The police officer was beating up the protester with a baton. Alexei is also charged with "transmitting a message" to some hooded people by waving his hands. He has been jailed since April 30, 2013.



Leonid Razvozhayev is 40. He is a Left Front activist, and an aide to State Duma member Ilya Ponomarev. He is married with two kids. Leonid is charged with organizing mass riots on May 6 2012 at Bolotnaya square, using funds from a Georgian parliament member Givi Targamadze. He is also charged with preparing additional riots, theft of fur hats back in 1997, illegal crossing of Russian-Ukrainian border, and giving false testimony about his kidnapping and torture. He has been in detention since October 21, 2012.



Sergei Udaltsov is 36. He is the leader of the Left Front organization. He is married with two children. Sergei is charged with using funds from a Georgian parliament member Givi Targamadze to organize mass riots in Moscow on May 6, 2012, and with preparing further riots. Starting on October 26, 2012 Udaltsov has been under a court-ordered travel ban. Since February 9, 2013, he has been under house arrest.

**october 02**

*international*

## **International Amnesty for the prisoners**

Amnesty International declares Michael Kosenko, Vladimir Akimenkov and Artem Savelov prisoners of conscience

Human rights advocates consider these defendants to be imprisoned for "peaceful exercise of their right to gather and express their opinion". Amnesty International is following the trials in the Bolotnaya Case and has concluded, that Kosenko, Akimenkov and Savelov have not participated in any violent actions. According to Amnesty International representatives, other Bolotnaya trial defendants are soon to be declared prisoners of conscience.



### **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.

@ RSS-feed: [bolotdigest@gmail.com](mailto:bolotdigest@gmail.com)

 Twitter: <http://twitter.com/May6Committee>

 Financial aid: [komitet6may@gmail.com](mailto:komitet6may@gmail.com)