

Human Rights Center "Memorial" Considers Darya Polyudova a Political Prisoner

On December 21, 2015, a resident of Krasnodar, the activist of the "Left Front" Darya Polyudova was sentenced to two years imprisonment in a penal colony under Part 1 of Article 280 (incitement to extremist activity), Part 2 of Article 280 (public calls for extremist activities, committed with the use of the "Internet"), Part 2 of Article 280.1 (public calls for actions aimed at violation of the territorial integrity of the Russian Federation, committed with the use of the Internet) of the Criminal Code in connection with her participation in the preparation of the failed "March for the federalization of the Kuban." On March 30, 2016 the sentence entered into force.

Earlier Daria Polyudova spent six months in custody; then she was released on bail. On April 20, 2016 she by herself came to the place of serving the sentence in a colony-settlement in Novorossiysk.

We believe that the entire group of Krasnodar activists are persecuted in connection with their attempt to hold a "March for federalization" on August 17, 2014, which is a non-violent mass action of regionalist orientation. Moreover, we believe that Daria Polyudova is also persecuted because of her active civil position. The right to carry out such an action (which eventually failed) and a public statement of one's views on topical issues of Russian and international politics is set forth by the Constitution of the Russian Federation.

Article 280.1 of the Criminal Code (and Polyudova is the first accused in accordance with this article), in our view, has no right to exist. We agree with the position of information-analytical center "Sova", according to which the state should criminalize only those manifestations of separatism, which are associated with violence and the propaganda of violence for the purpose of partition of certain regions of the Russian Federation, rather than theoretical arguments on the admissibility of their separation. Note that Daria Polyudova has been convicted under this article on charges of a re-post without any comment of an image from a "Vkontakte" account of Petr Lyubchenkov with the caption "Ethnic Ukrainians of Kuban want to join Ukraine". This image is clearly satirical in nature. Polyudova herself states that she is not a separatist and has made this re-post as a joke.

The prosecution of the activist under Part 1 of 280 of the Criminal Code is unjust and is connected to the fact that Polyudova posted on a social network "Vkontakte" a photograph of a single picket in which she participated. On this photo, it was obvious that she was holding a poster with a handwritten message "No war with Ukraine, but the revolution in Russia! Not the war but the revolution! ", which, in our view, does not call for violence and / or the implementation of the illegal activity and does not give rise to criminal prosecution.

The prosecution under Part 2 of Article 280 of the Criminal Code is related to the publication in the social network "Vkontakte" of a post that begins with the words: "Putin and his entourage are responsible for all the acts of terrorism and catastrophes. Only under Putin's capitalism terrorist attacks and catastrophes constantly occur." This post does not contain incitement to violence or even to a breach of law. From our point of view, Polyudova is a political prisoner for the following reasons: her criminal prosecution is carried out solely in connection with the non-violent exercise of the right to freedom of expression, on a charge of an offense that does not have actus reus, with a violation of the right to a fair trial.

Note that Krasnodar region is an area with repeated cases of persecution of journalists, civil society activists, and human rights defenders through politically motivated criminal cases (cases of Rozhkov, Savva, Ghazaryan, Vitishko, et al) and through cases of administrative offenses. In this region, the level of repression against those who in one form or another are in opposition to the power is significantly higher than in average across the rest of Russia.

Human Rights Center "Memorial" believes that the immediate and unconditional termination of the criminal prosecution of Darya Polyudova is necessary, as well as the closure of criminal cases against other activists who tried to hold the regionalist march that had not happened.

Recognition of an individual as a political prisoner or person persecuted for political reasons does not imply any consent of the HRC "Memorial" with his/her views and statements, or any approval of his/her words or actions.

Details about the case can be found [here](#) (in Russian).

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