
Investigative Committee explains existing criminal procedure legislation in connection with allegations made by Arnold Shalmuyev's lawyer

Today the lawyer of the accused Arnold Shalmuyev, Vladimir Cherkasov has said to media that his client “refused to give testimonies because he did not receive enactment launching criminal proceedings”. I have to explain Mr. Cherkasov the current legislation and remind him about a number of important procedural points connected with his client.

First, involvement of the first deputy governor of Novgorod Region in the crime under part 4 of article 159 of the RF Criminal Code (swindling committed by a group of persons on an especially large scale), over which the criminal case was launched against other persons, was found not immediately, but during investigation. This is why Shalmuyev absolutely in line with the law was not notified about the case and did not receive a copy of the enactment in accordance with part 4 of article 146 of the RF Criminal Procedure Code.

Secondly, I have to remind the lawyer, if he forgot or inform if he doesn't know, that enactment launching the criminal case by Novgorod Region Directorate of the Russian Ministry of the Interior over signs of crimes under paragraph “c” of part 2 of article 179 (forcing to refuse to conclude a transaction under a threat to spread information which could cause considerable harm to rights and legal interests of the victim or their family, exceeding official powers) and part 1 of article 286 (exceeding official powers) against Arnold Shalmuyev were sent to him by mail to his address. Moreover, the files of the cases which were accepted by Novgorod Region Investigations Directorate have written receipts signed by Shalmuyev acknowledging that he received the notices on the launching of criminal cases.

In conclusion I would like to warn Shalmuyev's lawyers that every time they make a public claim against investigating bodies trying to dispute lawfulness and impartiality of investigation the answer to their claims will be as public and as well-grounded.

Head of Media Relations Directorate V.I. Markin

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