

URGENT ACTION

STREET PROTEST MAY BECOME A CRIME IN RUSSIA

A draft law, which will make repeated violation of the already restrictive rules governing public assemblies a criminal offence, has been tabled in the Russian parliament.

The draft law № 485729-6 "On Amending Certain Legislative Acts of the Russian Federation (in relation to improving the legislation on public gatherings)" was proposed on 31 March by three members of the State Duma. Currently, violation of the legal requirements for organizing or conducting pickets, demonstrations and other public gatherings constitutes an administrative offence which entails a fine of up to RUB 20,000 (USD 570) or up to 40 hours of community service for a private individual. The penalties are higher for officials and for demonstrating without notifying the authorities. The proposed law increases the penalties, particularly for a second violation within six months, and introduces criminal responsibility and imprisonment of up to 5 years for a third.

Unauthorised street protest actions, however peaceful and insignificant in numbers, are routinely dispersed by police in Russia, often with the use of excessive force and with arrest of protesters. In many cases the protesters have been fined for violating the regulations governing public protest, and even detained for up to a maximum of 15 days for violating the police's "lawful orders". The penalties are often handed out in unfair court trials, often with the judges accepting unquestioningly the relevant unfounded statements by police officials against the "offenders" and refusing to consider video footage of the relevant event and other evidence to the contrary. The proposed law № 485729-6 increases the maximum detention period for the same offence to 30 days. It also introduces 15-day detention for a variety of other purported violations, such as infringing the movement of pedestrians.

For the bill to pass into law it will now be considered by the special committee of the Russian Duma and must then be approved by the lower and upper chambers of the parliament, and then signed by the President.

Please write immediately in Russian or your own language to the Russian authorities calling on them:

- To withdraw the draft law immediately and ensure that no further restrictions to the right to freedom of assembly are considered in the Russian parliament;
- To bring Russia's current legislation on public assemblies and the relevant practice in line with its obligations under international human rights law and in line with Russia's Constitution;
- To ensure that everyone in Russia can enjoy their right to freedom of assembly.

PLEASE SEND APPEALS BEFORE 15 MAY 2014 TO:

Chairman of the State Duma
 Sergey Evgenyevich Naryshkin
 State Duma of the Russian Federation
 1 Okhotny Ryad st
 103265 Moscow
 Russian Federation
 Fax: + 7 495 697 42 58
Salutation: Dear Chairman

Chairman of the State Duma Committee on Constitutional Legislation and State Building
 Vladimir Nikolaevich Pligin
 State Duma Committee on Constitutional Legislation and State Building
 ul. Mokhovaia, 7
 103265 Moscow
 Russian Federation
 Tel/Fax: +7 495 692 69 68
Salutation: Dear Chairman

And copies to:
Public Chamber of the Russian Federation
 Miuskaya 7,
 Moscow, GSP-3, 125993,
 Russian Federation
 Fax: +7 499 251 60 04

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.



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ADDITIONAL INFORMATION

Amnesty International has repeatedly expressed concerns over the ongoing crackdown on the freedom of assembly, association and expression in Russia, the introduction of increasingly restrictive legislation and practice in relation to peaceful protesters, non-governmental organisations (NGOs), independent media and the internet, and members of the LGBT community amongst others. For details, please see report *Freedom under threat: The clampdown against freedoms of expression, assembly and association in Russia* (AI Index: EUR 46/011/2013, <http://www.amnesty.org/en/library/info/EUR46/011/2013/en>) and public statement "The Russian authorities accelerate their assault on freedom of assembly" (AI Index: EUR 46/018/2014, <http://www.amnesty.org/en/library/info/EUR46/018/2014/en>).

The Federal Law of the Russian Federation "On assembly, meetings, demonstrations, rallies and picketing" already contains provisions which undermine the effective realisation of the right to freedom of expression and assembly as guaranteed in international human rights treaties and the Russian Constitution. The amendments to this law introduced in June 2012 expanded the list of violations of the rules governing public events, to include the responsibility of organisers for the actions of participants, including obstructing pedestrians or traffic, littering and damaging green areas, as well as sharply increasing the fines for these violations. The fines and sanctions introduced were much higher than those for causing similar damage outside of protests. The current law also bans persons who have been convicted twice or more during the preceding year for violations of the rules for organisation of meetings, demonstrations, rallies or pickets, from organising any further public events.

According to Russia's obligations under international human rights law, the Russian authorities must respect, protect and fulfil the right to peaceful assembly. The state has a positive obligation to facilitate the right to peaceful assembly in law and practice. The Special Rapporteur on the rights to freedom of peaceful assembly and association has stressed that the exercise of this right should not be subject to the permission of government authorities, but at most to a prior notification procedure which should not be burdensome, and even in cases where demonstrators fail to notify the authorities the organizers of peaceful events should not be subject to criminal or administrative sanctions (*Report of the Special Rapporteur on the rights to freedom of peaceful assembly and association*, Maina Kiai, Human Rights Council Twentieth session, 21 May 2012, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-27_en.pdf).

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