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PRESS RELEASE

Russia: Crackdown on Right to Assembly is Unconstitutional

Moscow 29.10.10: Ahead of the upcoming 31 October protests, ARTICLE 19 calls on the Russian authorities to respect the right to freedom of assembly, as enshrined in the Russian Constitution. This year has seen an escalation in violence perpetrated by law enforcement officials at protests. Many peaceful rallies and demonstrations have ended in arbitrary arrests, detentions and violent beatings.

The Moscow local government, along with other local governments across Russia, has increasingly banned demonstrations by opposition and civil society organisations. It issued a rare approval recently to allow a demonstration in support of Article 31 of the Russian Constitution to take place in Triumph Square on 31 October 2010. However, the authorities have restricted the number of participants to 800.

“ARTICLE 19 welcomes the decision by the Moscow government to authorise the upcoming 31 October demonstration, however, they should remove the unlawful restriction placed on the number of persons who can attend. Article 31 of the Russian Constitution clearly states that citizens have a right to right to hold rallies, meetings and demonstrations without government approval,” states Dr Agnes Callamard, ARTICLE 19 Executive Director.

Strategy 31 Protests

Since January 2010, campaigns in support of Article 31 of the Constitution have spread to approximately fifty Russian cities from St Petersburg to Vladivostok. The demonstrations, most of which are ‘unsanctioned’ are held throughout the Russian Federation on the 31st of every month that has 31 days.

In August 2010, high-profile events were held in New York, London, Tel Aviv, Berlin, Helsinki and Kyiv to demonstrate solidarity with the movement.

Throughout Russia, activists participating in *Strategy 31* protests, as well as other rallies, are routinely stopped, detained and/or beaten by police.

- On 31 August 2010, Moscow police arrested approximately 70 people, including opposition leader and former deputy prime minister Boris Nemtsov. Andrei Pivovarov, leader of the St Petersburg branch of the Russian People’s Democratic Union (RNDS), was convicted on 15 September 2010 of organising the St. Petersburg rally without a permit and for disobeying a

police officer. He was sentenced to 14 days in a detention facility and fined 2000 rubles. Two days later however, the ruling was overturned by an appeals court and he was released but he still awaits a retrial.

- On 31 July 2010, police in Moscow and St Petersburg beat protesters and detained opposition leaders.
- On 31 May 2010, between 100 and 150 people were arrested by police and dozens were reportedly beaten.

Cause for Concern

Freedom of assembly, association and expression are interdependent rights, essential to the realisation of other human rights, genuine democracy and the rule of law. The restrictions placed by the authorities on the right to assembly appear to be part of a worrying and growing trend in Russia. The crackdown on protests encompasses other campaigns, such as protests against the destruction of the Khmiki forest and changes to the law on Federal Security Services (FSB).

Recent cases include:

On 15 September, a prominent gay activist and lawyer Nikolai Alexeyev was arrested because of his protesting activities. Alexeyev reports that he was pressured by the Moscow authorities to withdraw his complaint to the European Court of Human Rights on the illegality of the Gay Pride ban in the Russian capital.

On 6 September, Maria Lubicheva, the lead singer of the Russian rock group *Barto*, was summoned to Moscow's Interior Ministry Office to explain her appearance at a rally against the construction of a highway through the Khimki forest. Lubicheva was asked to explain the meaning behind some of her band's lyrics and was told that they could be considered of an extremist nature.

On 22 August Boris Nemtsov, was arrested again, along with Lev Ponomaryov, a veteran human rights campaigner, and Mikhail Shneider, a prominent opposition activist, for carrying aloft a Russian flag while celebrating 'Flag Day'. The group had obtained a permit to hold the small rally.

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- ARTICLE 19 is an independent human rights organisation that works globally to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech. For more information on ARTICLE 19 please visit www.article19.org.