

URGENT ACTION

STOP THE PROSECUTION OF PEACEFUL PROTESTERS

In July and August, following the disqualification of opposition candidates from local elections in Moscow, tens of thousands of people participated in largely peaceful protests. Participants chanted slogans, held placards and briefly interrupted traffic on several streets. The protests remained peaceful until the authorities responded by attacking the crowds, arbitrarily beating and arresting people. The authorities brought unfounded charges against more than a dozen individuals, mostly youth, that carry lengthy prison sentences. All peaceful protesters must be urgently released, and charges against them must be dropped.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Chairman of the Investigative Committee of the Russian Federation
Alexander Ivanovich Bastrykin
Tekhnicheskyy per. 2
105005 Moscow
Russian Federation
Twitter: @sledcom_rf
Facebook: <https://www.facebook.com/sledcomru>
Online form in English: <https://en.sledcom.ru/reception>

Dear Chairman of the Investigative Committee,

*I am writing to you with regard to the prosecution and detention of **Daniil Konon, Valery Kostenok, Egor Zhukov and at least 10 other individuals** in connection with their participation in the largely peaceful protests on 27 July, 3 August and 10 August 2019 in Moscow. Most of them have been charged with "participation in a mass riot", despite these events not being riots. Such measures blatantly violate the right to freedom of peaceful assembly, which is guaranteed by Russia's Constitution as well as by Russia's international obligations. One must not be prosecuted for taking part in a peaceful rally, regardless of whether the authorities' permission has been provided.*

In light of the above, I urge you to immediately drop the unfounded charges against peaceful protesters, to release them, and to refrain from initiating further prosecutions against individuals for simply exercising their right to peaceful assembly.

Yours sincerely,

ADDITIONAL INFORMATION

Protests in Moscow began in July 2019, following the decision of local electoral authorities to disqualify a number of candidates, specifically those critical of local and federal authorities, from participating in the city council election scheduled for 8 September 2019. The local electoral authority alleged that the disqualified candidates failed to provide the required number of valid signatures in support of their candidacy, as required by Russian electoral regulations. The candidates disputed and disproved this, instead insisting that the authorities had disqualified them purely on political grounds.

Since 14 July, protest rallies have been held in central Moscow every weekend. The city authorities permitted some of them (on 20 July and 10 August), but did not allow others. The biggest “unauthorized” protest took place on 27 July, when thousands of protesters tried to gather in front of the Moscow mayor’s office. They were met by thousands of armour-clad police and National Guard (special anti-riot troops) personnel, who cordoned off the city centre and attempted to disperse the crowd. In doing so, they often used physical force and batons against peaceful protesters. There were incidents of protesters resorting to violent acts, such as throwing plastic bottles or, in one instance, a dustbin, towards the police. However, the protest remained nonetheless overwhelmingly peaceful. Dozens of protesters received serious injuries and more than 1,300 individuals were arrested. No serious injuries were reported by police on that day.

The Russian authorities have refused to investigate any incidents of police violence, including an incident where a man was arbitrarily stopped by police while jogging near the mayor’s office several hours before the rally even started. The man was thrown on the ground and one of his legs was badly fractured. However, the authorities initiated criminal proceedings against, and arrested, at least 13 individuals. They were charged with “participation in mass riots”, under Article 212 of the Russian Criminal Code. Three of them were also charged with using “violence against an official”, under Article 318, on account of one of them touching a riot police officer’s visor, another throwing a plastic bottle towards the police, and the third one throwing a dustbin in the direction of some police officers. Two participants of the rallies on 3 and 10 August are also facing prosecution. One of them was charged under Article 318 after a police officer, who alongside other officers resorted to unprovoked violence to arrest the protester, tripped over the protesters, fell on the ground and dislocated his shoulder. The other participant is being prosecuted for the “repeated violation of the established order of conducting public events” under Article 212.1 (introduced in 2013 to criminalise repeated participation in “unauthorised” assemblies, however peaceful they may be).

If convicted, the protesters charged with “participation in a mass riot” could face up to eight years in prison. This may be increased if they are charged with further crimes. The Russian criminal justice system is notorious for its extremely low acquittal rates (around 0.2%). Accordingly, if a case goes to trial, conviction is almost certain.

These cases illustrate the ongoing deterioration of the human rights situation in Russia, including an almost absolute disregard for the right to freedom of peaceful assembly. Since 2012, Russian authorities have passed draconian laws that not only made it harder to organize an “authorized” rally, but also involve considerably harsher penalties for violations of these laws. For instance, holding a peaceful protest without having sought official authorization (which is routinely denied) is punishable by up to 10 days in jail or a heavy fine, even if this protest does not violate public order or block traffic. A repeated violation of these laws can lead to up to five years in prison. Even being merely present at the site of an “unauthorized” rally, however peaceful and small it may be, may lead to prosecution. Moreover, the police often use excessive force when dispersing protests; they beat protesters during and after arrest, routinely deny water and toilet facilities, confiscate the protesters’ phones, deny access to lawyers, threaten the detainees and fabricate charges against them. These abuses are hardly, if ever, investigated by the authorities.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian, English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 27 September 2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: All the protesters charged so far are male (*he*)