



**Submission by the NGOs Human Rights Center “Memorial”, OVD-Info, Committee
against Torture and Public Verdict Foundation**

**under Rule 9.2 of the Rules of the Committee of Ministers
for the Supervision of the Execution of Judgments
and of the Terms of Friendly Settlements**

on implementation of the general measures

in the case of *Lashmankin et al. v. Russia*,

applications nos. 57818/09 and 14 others

judgement of 7 February 2017, final of 29 May 2018

26 April 2021

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Introduction

General

1. On 20 April 2020, Human Rights Centre Memorial (hereinafter, “Memorial”) and OVD-Info filed a submission under Rule 9.2 to the Committee of Ministers on the implementation of the general measures in case № 57818/09 “Lashmankin and others v. Russia,” (hereinafter, “Lashmankin”). In that submission Memorial and OVD-Info provided a detailed description of the problems existing in Russian law and practice concerning the issue of freedom of assembly.¹ Memorial and OVD-Info have also made a detailed list of recommendations.

2. The current submission is an update to the submission of 20 April 2020. This submission has been prepared by the following Russian NGOs working, *inter alia*, on the issue of the freedom of assembly in Russia and related issues:

- Human Rights Center Memorial,
- OVD-Info,
- Committee against Torture, and
- Public Verdict Foundation.

3. In this submission we will mainly focus on Lashmankin’s case but will also examine some related issues from other cases, including “Tomov and others v. Russia”, “Fedotov v. Russia”, “Mikheyev v. Russia”, “Atyukov v. Russia”. The details about these issues are submitted in the Annexes and will also be submitted separately under the relevant groups.

4. Below we will:

1. describe the developments of the situation in law regarding freedom of assembly in Russia that occurred between April 2020 and April 2021
2. describe the development of the situation in practice
3. describe the efforts that we have undertaken at a domestic level to implement the ECHR’s judgment in Lashmankin and the authorities’ reaction to these efforts
4. provide our further recommendations.

¹ The submission to the Committee of Ministers provided substantial evidence of violations of the right to freedom of assembly that occurred in Russia after the Lashmankin case. The flaws in Russian law and implementation were also described in that submission. These examples include the wide discretion of Russian authorities not to authorise peaceful assemblies, the contradictions between federal and regional laws, the lack of statistical data regarding authorised and non-authorised assemblies, the possibility of administrative arrests for participation in peaceful assemblies, excessive administrative fines, criminal liability for participating in multiple non-authorised public assemblies, ineffective control over the actions of the police during detentions, and ineffective court control over the implementation of the right to freedom of assembly in Russia. A detailed list of recommendations was provided along with that submission.

Summary

5. We state that many problems, indicated by the ECHR in *Lashmankin*, have not been tackled by Russian authorities. Furthermore, the situation with regard to freedom of assembly in Russia, in both law and practice, has become more severe.

6. The 2020 Amendments to the Public Events Act created more restrictions; new criminal liabilities were enacted for participants of gatherings, and in January and February 2021, protesters faced unprecedented crackdowns all over Russia.

7. The facts that will be described in this submission demonstrate that problems with freedom of assembly in Russia are not an unintended side effect of reforms meant to implement the ECHR's findings in *Lashmankin*. Russian authorities have deliberately implemented additional restrictions to send a message of intolerance regarding peaceful assemblies.

8. The Committee of Ministers has twice provided the Russian government with recommendations for the implementation of the ECHR's judgment in *Lashmankin*.² The recommendations included legislative reforms and changes to the practices of relevant municipal authorities, the police, and the domestic courts.

9. Instead of reform, the action plans of the Russian government were primarily limited to the following:

- translation and dissemination of the ECHR Judgment in the case of *Lashmankin*;
- discussions, meetings, conferences, and workshops on this issue;
- preparation of methodical recommendations and so on.³

10. We definitely welcome such measures, but it is clear that they are insufficient. In its action plans, the Russian government also mentioned the Constitutional court judgment concerning territorial bans for public events and the resulting liberalisation of relevant regional legislation, as well as the Resolution of the Supreme Court Plenum on public events dated 26 June 2018.

11. Below we provide data that depict the mixed result of the Constitutional court judgments. Moreover, not all regional legislators consistently implement the liberal findings of the Constitutional Court in their legislation (see Section 2(d) below).

12. The problems with the Resolution of the Supreme Court Plenum on public events and its real implementation are analysed in detail in Memorial and OVD-Info's previous submission.⁴

13. We believe that to improve the situation and to implement the Court's findings in the *Lashmankin* case, the Government should change restrictive laws and law enforcement practices. We present our suggestions on this issue below.

² See the decision of the Committee of Ministers: CM/Del/Dec(2018)1318/H46-21 and CM/Del/Dec(2020)1377bis/H46-33).

³ See DH-DD(2018)420 and DH-DD(2020)448.

⁴ See DH-DD(2020)377, §§ 14-19.

Communication following the submission of 20 April 2020

14. On 20 April 2020, with the assistance of European Implementation Network (hereinafter - EIN), “Memorial” and OVD-Info filed a Rule 9.2 submission on the implementation of the general measures in Lashmankin.⁵

15. On 3 September 2020, the Committee of Ministers issued a decision with an assessment of the implementation of Lashmankin by Russian authorities.⁶ It stated that the few positive measures taken by Russian authorities were insufficient to achieve tangible progress.

16. The Committee of Ministers has also provided some recommendations to the Russian authorities. It recommended reducing local authorities’ discretion on planning assemblies, demonstrating tolerance to peaceful assemblies, repealing laws that mandate criminal charges against the participants of peaceful assemblies, legislating reasonable fines, and not applying the same restrictions to solo demonstrations as to mass demonstrations. The Committee of Ministers has also decided to return to the examination of this issue in June 2021.

17. After the Committee of Ministers’ decision was issued, Memorial and OVD-Info began to gather a coalition of NGOs to appeal to the Ministry of Justice. On 3 December 2020, eleven Russian NGOs dealing with freedom of assembly submitted their suggestions to the Russian Ministry of Justice⁷. In particular, they asked for the creation of an expert group to advise the Ministry on general measures aimed at ensuring the full realization of the right to freedom of assembly in Russia.

18. However, in its response, the Ministry of Justice rejected any help⁸.

19. Memorial and OVD-Info sent a request to support their proposals to the Russian Commissioner for Human Rights, to all parliamentary parties⁹, and to the large non-parliamentary parties, so that they could participate in resolving the problems identified in the Lashmankin case, and invited them to tackle the problem at the level at which they have representatives (in regional and municipal representative bodies). The Russian Commissioner for Human Rights has not responded to this request directly yet. At the same time, she issued the yearly report¹⁰ in which she raised some issues related to freedom of assembly. In particular, she suggested improving the notification procedure for holding public events, as well as reducing territorial bans for public events in the regional legislation. Additionally, the Russian Commissioner mentioned that article 212.1 of the Criminal Code (repeated holding or organizing of unauthorized protests) should be amended.

⁵ See: [http://hudoc.exec.coe.int/eng?i=DH-DD\(2020\)377E](http://hudoc.exec.coe.int/eng?i=DH-DD(2020)377E) (accessed on 26 April 2021).

⁶ See: [http://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2020\)1377bis/H46-33E](http://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2020)1377bis/H46-33E) (accessed on 26 April 2021).

⁷ See Exhibit No. 1. Submission to the Ministry of Justice of 3 December 2020.

⁸ See Exhibit No. 2. Response from the Ministry of Justice of 18 December 2020.

⁹ See Exhibit No. 3. Submissions to the Russian Commissioner for Human Rights and to all parliamentary parties.

¹⁰ See: <https://ombudsmanrf.org/content/doclad2020> (accessed on 26 April 2021).

20. To date, no initiatives or suggestions for communication have been made by the Russian official bodies.

1. Legislation on freedom of assembly

a. Necessary reforms not adopted

21. To date, Russian authorities have not adopted any changes in legislation necessary for the implementation of the Lashmankin judgment¹¹. For instance, the following measures still have not been taken:

- 1) Spontaneous assemblies are still not authorised in Russia, even if they are peaceful, involve few participants, and create only minimal or no disruption of ordinary life.
- 2) The time-limits within which organisers should notify authorities about public events is still not flexible.
- 3) The authorities still have wide discretion to refuse to approve assemblies in many regions. There are still no legislative criteria as to what constitutes a well-reasoned rationale for a refusal to approve a public assembly. The law still does not provide that assemblies may be refused only if “necessary in a democratic society”, and therefore does not require any assessment of the proportionality of the non-approval, which leaves a wide discretion to the authorities.
- 4) The regional norms often remain restrictive.
- 5) The police still have the right to detain individuals for participation in peaceful spontaneous assemblies not authorised by the authorities.
- 6) The administrative fines for participation in peaceful assemblies not authorised by authorities are still very high.
- 7) The courts still have the right to sentence people to administrative arrest for participation in peaceful assemblies not authorised by authorities.
- 8) There is still criminal liability for participating in multiple peaceful assemblies not authorised by authorities, although this issue was considered several times by the Russian Constitutional Court¹².

b. Additional restrictive laws

22. During the last year, several new laws were adopted in Russia that additionally restrict freedom of assembly. The following new restrictions have been adopted¹³:

¹¹ See Exhibit No. 4. New laws and case laws 2020-2021.

¹² See the Constitutional Court Judgment No. 2-P on 10 February 2017, the Constitutional Court Decision No. 7-O on 27 January 2020.

¹³ See the detailed description of the legislative restrictions of freedom of assembly in the report of OVD-Info: <https://ovdinfo.org/reports/legislative-restrictions-freedom-assembly-end-2020#1> (accessed on 26 April 2021).

- 1) Foreign and anonymous funding of public events have been completely prohibited, as well as funding from the Russian NGOs recognised as foreign agents. There is now a requirement to provide additional financial statements indicating the organizer's bank account details when submitting a notice regarding a rally with more than 500 participants. It is also obligatory to provide passport details when transferring funds to organize such a rally. A liability has been introduced for rallies' organizers and donors who have violated the regulations regarding the prohibition on foreign and anonymous funding of rallies.
- 2) The organizer of a rally is obliged either to agree with an alternative place and time proposed by the authorities, or to not conduct said rally.
- 3) The period within which the authorities must respond to the notification regarding a public event has been extended for cases in which the deadline for reply is on the week-end.
- 4) Additional territorial bans have been introduced on holding rallies near buildings occupied by emergency response services, which include the police and the federal security service (FSB). Moreover, a complete list of such services is established not by law, but by local government order.
- 5) A uniform press badge, approved by the authorities, has been introduced, which must be worn during a public event. There is also now a liability for journalists for the illegitimate wearing of the press badge during rallies, which creates grounds to prosecute journalists under Article 212.1 of the Criminal Code in case of repeated violations.
- 6) The right to call for participation in a public event has been limited. Social network owners are obligated to block information about unauthorized public events and there is an administrative liability for violation of this requirement.
- 7) The courts have been given discretion to recognize a picket line or rotating solo demonstrations as an unauthorized collective public event.
- 8) The punishment has become harsher for defiance of a police officer's legitimate order under article 19.3 of the Code of Administrative procedure.
- 9) Amendments to Article 267 of the Criminal Code ("Interfering with Transport Vehicles or Communications") have been made. Due to changes in this article, criminal liability is now possible even for formal violations without the occurrence of negative consequences. Moreover, this Article may be applied not only in cases of blocking roads for cars, but also for pedestrians. The authorities have already enforced this Article in numerous cases.
- 10) Article 213 of the Criminal Code ("Hooliganism") has been amended, and now provides for the application of this article in the case of a gross violation of public order "with the use or threat of violence against citizens". The fear is that "threat of violence" is a vague term, and it is not clear what it will mean in practice. In addition, the second part of this article will also extend to the actions of a "group of persons". Prior to the amendments, the law referred only to a group of persons acting in concert by prior arrangement or to an organized group, which implied that the initial intention of those charged was the commission of unlawful acts. Now it may apply to any

group of citizens, not united by an unlawful purpose, but who nonetheless violate public order.

c. Draft laws under consideration

23. Some deputies of the Russian Parliament proposed several draft laws that could potentially improve the situation with regard to freedom of assembly in Russia. For instance, they made the following proposals:

1. To abolish Article 212.1 of the Criminal Code that allows criminal prosecution of individuals for participating in multiple non-authorized peaceful assemblies.
2. Not to punish individuals whose only violation was participating in a non-authorized assembly.
3. To abolish Article 20.2.2 of the Administrative Code that allows the punishment of individuals for their simultaneous presence in a single place, which can be considered participation in a mass assembly.
4. To authorize the wearing of masks by participants in mass assemblies, as well as other gear designed to protect individuals against COVID-19 which is forbidden under current legislation.
5. To introduce administrative responsibility for authorities' refusals to allow mass assemblies.

24. Unfortunately these positive proposals are not currently supported by the majority of the Russian parliament.

d. Practice of the Constitutional Court and its consequences

25. The rulings of the Russian Constitutional's Court on the freedom of assembly are quite contradictory.

Assemblies in hyde parks only — additional restriction by Constitutional Court

26. The Constitutional Court made an adverse reinterpretation of the role of specially designated areas for public events (so-called "hyde parks") regulated by regional authorities. The Court said that public events should be held principally in such areas, unless the event organizers prove that the event could not be held there for objective reasons. We consider that this is an additional restriction to the right of the organizers of assemblies to choose the place of the assembly.¹⁴ A draft law introducing such a restriction was discussed in the regional parliament of the Kirov region. It was not adopted but this was a dangerous precedent.

¹⁴ Ibid.

Bans on assemblies in certain places — partially removed

27. In its ruling of 4 June 2020, the Constitutional Court stated that regional restrictions should not be abstract in nature (i.e., generalized). The Court did not prohibit the introduction of regional bans but stated that such bans should not be absolute. The Court prohibited the introduction of absolute bans on gatherings near the schools, hospitals, military facilities, and places of worship. This ruling of the Constitutional Court has been narrowly interpreted by some of the regional parliaments to mean that a regional parliament cannot introduce absolute bans near the facilities specifically mentioned by the Constitutional Court but can introduce absolute bans near other facilities.

28. During the last year, Russian regional parliaments responded to the Russian Constitutional Court's rulings. The bans on rallies in front of the public buildings have been removed in forty-three regions but have been retained in three regions. The bans on rallies in front of hospitals, schools, and military facilities have been removed in thirty-four regions but have been retained in twenty-six regions. The bans on the rallies at particular addresses have been removed in four regions but have been retained in four other regions. We welcome these positive changes to regional laws, but we believe reform should continue until all unreasonable bans have been eliminated.¹⁵

Criminal responsibility for several protests — still takes place

29. The ruling of the Constitutional Court has not prevented application by the Russian courts of the criminal code concerning criminal liability for participation in the numerous non-approved assemblies (Article 212.1). For example, after the Constitutional Court's decision on the Konstantin Kotov case, his sentence was reduced from four to one and a half years in prison (this sentence was completed in 2020.) Despite the reduced sentence, this conviction is still disproportionate to the “crime” committed and unfair. In December of 2020, Yulia Galiamina was also convicted under this article to a suspended sentence. Because of Russian legal requirements (under Article 212.1), Ms Galiamina was also forced to leave her posts as a university professor and municipal deputy.

Restrictions on pickets lines — case ongoing

30. The Constitutional Court is currently examining new amendments to the law that allowed lower courts to recognize a picket line or rotating solo demonstrations¹⁶ as an unauthorized

¹⁵ See more details in the report of OVD-Info on the impact of the Russian Constitutional Court's practice on the freedom of assembly: <https://ovdinfo.org/reports/russias-constitutional-court-and-freedom-assembly#1> (accessed on 26 April 2021).

¹⁶ Sometimes several individuals want to hold a solo picket at one place. They don't picket together, because they are concerned that this would be a mass assembly requiring prior authorisation. Therefore, they rotate at this place: they stand in a line waiting for their turn and then picket. They do not hold any banners or protest signs while waiting.

public event.¹⁷ We think it is very important to adopt a decision qualifying the new legal restrictions as a violation of the right to freedom of assembly and freedom of expression.

e. Restrictions due to the COVID-19 pandemic

31. Due to the COVID-19 pandemic some temporary restrictions on the freedom of assembly have also been introduced in Russia.

Long-standing restrictions

32. The new restrictions were introduced in March 2020 and apply to date. By September 2020, these restrictions had been imposed in thirty-five Russian regions. In twenty-six regions (including Moscow and St. Petersburg), all public events are banned, regardless of the number of participants. Even solo protests are prohibited.

No alternative provided

33. The authorities did not facilitate freedom of expression by providing alternatives for assemblies during the pandemic. On the contrary, Russian authorities suppressed such alternatives. For example, in March 2020, the Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor) banned the website devoted to the opposition campaign against amendments to the Constitution. In April 2020, mass media reported that users of maps apps had started “online assemblies” (they posted political comments that further reflected in the map). The application’s owner deleted these comments and the authorities failed to do anything about it.¹⁸

Discriminative and non-proportional

34. The main problem with these measures is that they are applied in a discriminative and non-proportional way. These measures apply even when, according to the Russian authorities, the situation with the pandemic is stable. While authorities prohibit protests they authorise non-political mass assemblies (for example, sport’s, cultural, and advertising mass events).

35. Based on the above, we believe that these restrictions are applied to suppress political opposition rather than to protect citizens against the COVID-19 pandemic.

Police’s own non-compliance with anti-Covid restrictions

¹⁷ See more details: <https://www.kommersant.ru/doc/4731564> (accessed on 26 April 2021).

¹⁸ See: <https://www.bbc.com/russian/news-52355997> (accessed on 26 April 2021).

36. In addition, the law authorises the police to undertake mass arrests and detentions during non-authorised assemblies. This fact creates additional risks for the detained people to contract COVID-19.¹⁹

37. There is extensive photo and video evidence²⁰ publicly available, indicating that there was not enough space at police stations and detention facilities to hold all persons detained on 23 and 31 January 2021, and that many detainees were confined for hours to paddy wagons, in breach of health and infection control standards. No masks and gloves were provided by police; no social distancing was facilitated. The Public Verdict Foundation selected seven of the most egregious cases and filed a crime report citing these cases with the investigating authorities on 3 February 2021.²¹ Two months later, as of 31 March 2021, Public Verdict Foundation only know that its appeal has been forwarded to the Ministry of Interior's Main Directorate for the city of Moscow, but not a single criminal case has been initiated against the law enforcement officials for violation of health and infection control regulations (Art. 236 of the Russian Criminal Code).

2. Freedom of assembly in practice

a. Problems with the approval

38. The available official statistics shows that Russian authorities still tend to refuse to authorise public assemblies.

39. Russian officials still do not publish their decisions regarding the authorisation of assemblies or the respective statistics. The only available set of federal statistics is the judicial one — concerning challenges of refusals. It does not show the whole picture, since not all the refusals are challenged in courts²².

40. However, judicial statistics may demonstrate that:

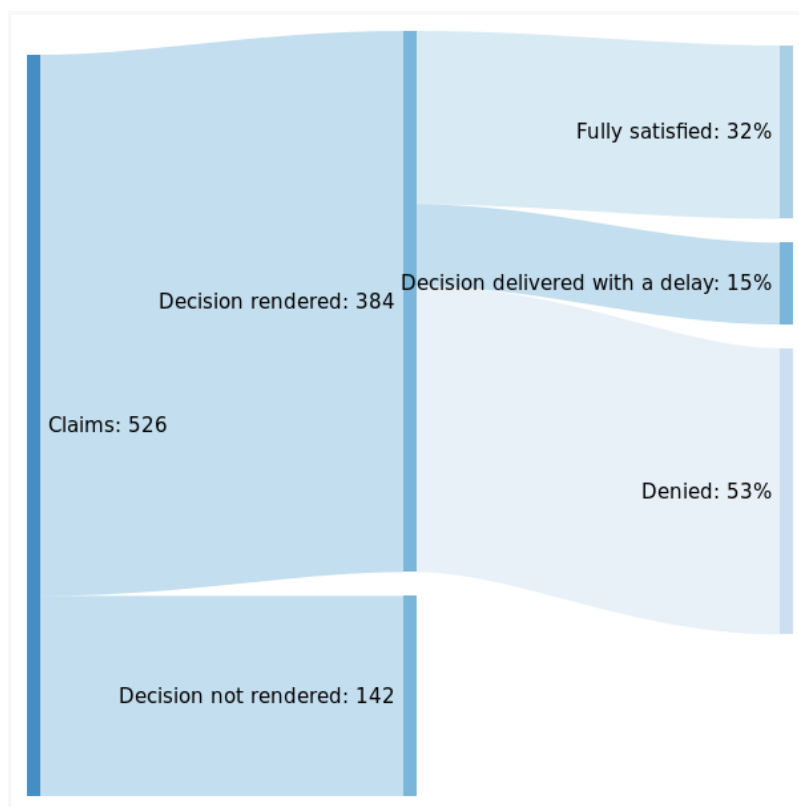
- there are numerous claims by organisers, which means there were at least as many, if not more, refusals (526 in the first six months of 2020),
- in most cases courts either close cases on formal grounds, or reject claims;
- in cases in which courts satisfy claims, decisions often come too late (i.e., after the planned date of assemblies).

¹⁹ See more details about the restrictions due to the Covid-19 pandemic in the reports of the OVD-Info: <https://ovdinfo.org/reports/freedom-assembly-russia-during-pandemic-summary#1>, <https://ovdinfo.org/reports/freedom-assembly-russia-during-pandemic#3> (accessed on 26 April 2021).

²⁰ See: <https://t.me/ovdinfo/7578>, <https://zona.media/article/2021/01/27/overcrowd>, https://web.telegram.org/#/im?p=@istories_media, <https://web.telegram.org/64a7eb16-9377-41af-b596-c9d7c4b08054#/im?p=@ovdinfo>, <https://web.telegram.org/64a7eb16-9377-41af-b596-c9d7c4b08054#/im?p=@komanda29> (accessed on 26 April 2021).

²¹ See: <https://m.facebook.com/fondov/posts/3668413439920226> (accessed on 26 April 2021).

²² See Exhibit No. 5. Number Of Appeals Against Non Authorisation Of The Assemblies In Trial Court.



41. In addition, local statistics are sometimes available. The ombudsman in Saint-Petersburg published the statistics²³ that showed similar unsatisfactory results:

- In cases where the number of participants was over 500 or where the venue was within the city limits, authorities approved only 15% out of 91 notifications in 2020, 40% out of 383 notifications in 2019.
- In cases where the number of participants was up to 500 or where the venue was out of the city limits, authorities approved 57% out of 317 in 2020, and 60% out of 1976 notifications in 2019.

b. Suppression of public events and detentions

42. Russian authorities still pursue a zero tolerance policy against “non-authorized” assemblies. Mass detentions have not stopped. On the contrary, the number of such detentions has increased dramatically.

43. In January and February 2021, a series of protests took place in no less than 185 cities throughout Russia and in the territory of the Crimean peninsula. These protests were accompanied by detentions on an unprecedented scale. **More than 11,000 people in more than 125 cities were detained at the actions on 23 and 31 January, as well as on 2 February.**

²³ See:

https://ombudsmanspb.ru/upload/files/0001_Doklady_UPCH/24032021_Doklad_2020/DOKLAD_2020_SITE2.pdf (accessed on 26 April 2021).

44. In 2020, OVD-Info was informed of 2,435 detentions in fifty-six regions of Russia.²⁴ At least 799 (one-third) of these detentions occurred during solitary pickets. Most 2020 detentions were recorded in Moscow (1,322) and St. Petersburg (288). The largest numbers of detentions were recorded at events against the authorities (749) and against political repression (511 people).

45. Most detentions happened during the period from April till the end of 2020: 2,048 detentions were reported during 473 actions in fifty-three regions, mostly in Moscow (1,108) and St. Petersburg (189). Of these, at least 586 people were detained during solitary pickets. On 15 July in Moscow, at least 147 people were detained during a march against the new amendments to the Constitution.

46. This statistic does not take into account the post-factum and preventive detention of protesters. The practice of detaining protesters, not at the rallies themselves, but between them (on the street, at home, at work) was actively used in Khabarovsk, where protests have been regularly held since mid-July 2020. From 11 July to 1 December 2020, at least 64 people were detained at rallies in Khabarovsk, and almost twice as many, at least 121 people, were detained between rallies.²⁵

47. In addition, in Moscow, authorities began using face recognition technology to search for participants in unauthorized actions and bring them to administrative responsibility. In 2020-2021, these technologies had been introduced to track movements in order to ensure quarantine.²⁶

c. Violence, torture, and threats by the police

i. General

48. Cases of violence by police are still frequently reported during mass protests. The latest example is the violent suppression of peaceful opposition protests on 23 January and 31 January 2021.

49. During these protests, in many cities, the police detained unarmed and peaceful citizens using unjustified and excessive violence, and there were cases of targeted beatings both at the rallies and during detention. People were beaten on the head with batons, thrown onto the floor of a police van, kicked, and forced to sit and lie on the snow. The use of stun guns was reported.

50. Cases of beatings and torture inside police stations were also reported. In several Moscow precincts, detainees were taken to separate rooms and beaten (often with special tools) until

²⁴ The official statistics by the Ministry of the Internal Affairs is almost the same: 2,452 detentions. This statistics was published in the report of the Russian Commissioner for Human Rights. <https://ombudsmanrf.org/content/doclad2020>. Notably, it was not published by the Ministry of the Internal Affairs itself. See also Exhibit No. 6. OVD-Info's data: Detentions on Protests 2020.

²⁵ See: <https://ovdinfo.org/reports/kak-podavlyayut-protesty-v-habarovske-doklad-ovd-info#4-1> (accessed on 26 April 2021).

²⁶ See: <https://ovdinfo.org/reports/winter-2021-supression> (accessed on 26 April 2021).

they agreed to fingerprinting. Detainees were also denied telephone access. Similar cases were reported by detainees in St. Petersburg and Voronezh.

51. The detainees routinely faced pressure. They were threatened with physical and sexual violence, extension of the detention period, arrest, criminal proceedings, and various other punitive measurements.²⁷

ii. Investigation of violence

52. After the above events, some individuals filed crime reports requesting investigation into their cases and prosecution of officials responsible for the illegal use of violence. However, investigative bodies tend to refuse considering such applications. Contrary to law, investigators do not register such applications as crime reports and do not perform a pre-investigation inquiry as prescribed by the Russian Criminal Procedure Code. In Exhibit No. 7 we provide information about the crime reports filed by the Committee Against Torture and the Public Verdict Foundation and the results of the examination of it²⁸.

iii. Inhumane transportation conditions

53. The manner in which the detained protesters were transported in Moscow during January and February 2021 indicates that the law enforcement officials in charge of detention and transportation procedures do not prioritise compliance with prisoner (detainee) rights and transportation standards, resulting in massive and widespread violations affecting persons detained during protests. The detained people were transported over long distances in overcrowded vehicles without access to drinking water, food, or toilets. Some detainees spent 40 hours in prisoner transport vehicles²⁹ and were denied even basic needs. See more details about the inhuman transportation conditions in Exhibit No. 8.³⁰

d. Violation of defense rights and other rights

54. After the detentions on 23 and 31 January many individuals were not authorised to see their counsels. They were also illegally deprived of their phones and pressed to submit to fingerprinting or photographing. See more details about these violations in Exhibits No. 9, 10, 11, 12 and 13.³¹

²⁷ See: <https://ovdinfo.org/reports/winter-2021-supression-en#8> (accessed on 26 April 2021).

²⁸ See Exhibit No. 7. Investigation of violence.

²⁹ See: <https://www.rbc.ru/politics/02/02/2021/60190fbc9a79470a80c84f12> (accessed on 26 April 2021).

³⁰ See Exhibit No.8. Inhuman transportation conditions.

³¹ See Exhibit No. 9. Violation of defense rights and other rights; Exhibit No.10. Petition “Bring down the “Fortress” — Give detainees back the right to defence”; Exhibit No. 11. Statements on “Fortress” Protocol; Exhibit No. 12. Challenging of "Fortress" Protocol; Exhibit No. 13. "Fortress" Protocol Discriminative Application.

e. Administrative prosecution

55. After detentions, protesters are prosecuted in administrative court proceedings³².

56. Official statistics show that:

- 1) the number of administrative cases against protesters constantly increases dramatically. After the 23 January 2021 protest, **5,716** administrative cases were initiated in Moscow.³³ In comparison, during the whole 2018 there were 1,039 cases initiated in Moscow, in 2019 — 3,275³⁴.

In St. Petersburg, the district courts received 1,659 cases under part 1 of article 20.2.2 of the Code of Administrative Offenses of the Russian Federation and 314 cases under Part 6.1 of Article 20.2 of the Code of Administrative Offenses of the Russian Federation.³⁵

- 2) the share of arrests has increased substantially as well: in the first two thousand administrative cases for violation of the procedure for holding a public event in Moscow, the courts imposed an arrest in 43% of cases and a fine in 56%; judges imposed arrest sentences 1,251 people,³⁶ and fined 2,500 people^{37, 38}

In comparison, during 2019, when actions were also held in Moscow, accompanied by mass arrests, the share of arrests was only 4% of all indictments.³⁹

f. Criminal prosecution

57. Criminal prosecutions of protesters have continued in 2020 and in 2021: some of them continued from the past years, others just started in this period.

Continued collective prosecution

- During 2020, in progress was the so-called Ingushetian case: dozens of criminal cases against participants in mass protests against the revision of an administrative border between two regions of the Russian Federation, Ingushetia and Chechnya, in 2018 and 2019. Mostly, protesters from Ingushetia were charged with the use of violence against a law enforcement officer⁴⁰, or with organising an extremist community. Some of the protesters, who faced the accusation with the use of force, were sentenced to 3.5 years imprisonment, others are still in the process of prosecution (mostly those accused of organizing the use of violence or organizing an extremist community).

³² See also Exhibit No. 14. Administrative charges of violations at protests in 2004-2020; Exhibit No. 15. OVD-Info's Applications to the ECHR.

³³ See: <https://t.me/moscowcourts/136> (accessed on 26 April 2021).

³⁴ See: https://data.ovdinfo.org/20_2/#/regions/RU-MOW (accessed on 26 April 2021).

³⁵ See: <https://t.me/arestspb/1158> (accessed on 26 April 2021).

³⁶ 33 people under Art. 19.3 of the Code of Administrative Offenses and more than 1 218 people under Art. 20.2 of the Code of Administrative Offenses.

³⁷ 10 people under Art. 19.3 of the Code of Administrative Offenses and more than 2,490 under Art. 20.2 of the Code of Administrative Offenses.

³⁸ See: <https://t.me/moscowcourts/136> (accessed on 26 April 2021).

³⁹ See: <https://ovdinfo.org/reports/winter-2021-supression#12> (accessed on 26 April 2021).

⁴⁰ See Exhibit No. 16. Criminal charges with violence against police officers against protesters.

Russian human rights organisations, e.g., HRC Memorial, stated that these criminal cases may be politically motivated⁴¹. These issues were raised in applications to the ECHR, for instance in the application “Sautiyeva v. Russia” (application No. 8936/20).⁴²

- Another collective ongoing criminal case was the so-called Moscow case: a series of criminal cases brought from late July to late October 2019 after public events and social media publications protested the prohibition of independent candidates for elections to the Moscow City Duma⁴³.

New collective prosecution

- Vladikavkaz case: dozens of participants in protests in Vladikavkaz in April 2020 against mandatory self-isolation during the coronavirus pandemic and worsening economic conditions, were accused of, at least, hooliganism and violence against law enforcement officers⁴⁴. Unfortunately, there is a lack of detailed information about these cases in the public sphere. Human rights activists are afraid that such non-transparent prosecution could conceal human rights violations.
- Criminal cases against participants of the protests in Khabarovsk, which took place in the second half of 2020. The protest began as an expression of support for the ex-governor of the Khabarovsk region, Sergey Furgal, who had been criminally charged. Several people were charged with the use of violence against or insult to a law enforcement officer, as well as with repeated violation of the established procedure for the organization or holding public events. Nowadays, many of the cases have been closed, and in some cases the preliminary investigation ended with a refusal to initiate a criminal case. However, in different Russian cities, new criminal cases are still being brought against participants in public events in solidarity with the Khabarovsk protest. For example, in December 2020 in Novosibirsk, Darya Gorbyleva was charged with a use of violence against a police officer⁴⁵.
- The Palace case consisted of almost a hundred criminal cases following the unprecedented crackdown on peaceful protest in support of Russian opposition politician, Alexey Navalny, and against corruption in January and February 2021⁴⁶. Protesters all over Russia have been charged with a use of violence against police officers, blocking roads and pedestrian walkways, calls for mass riots, violation of sanitary and epidemiological rules, involvement of minors in illegal activities that

⁴¹ See: <https://memohrc.org/ru/special-projects/delo-ingushskoy-oppozicii> (accessed on 26 April 2021).

⁴² See:

https://memohrc.org/ru/news_old/memorial-pozhalovalsya-v-espch-po-delu-ingushskoy-aktivistki-zarify-sautieva-0 (accessed on 26 April 2021).

⁴³ See more in the Submission by the NGOs Human Rights Center Memorial and OVD-Info 2020, para 113.

⁴⁴ See:

<https://ovdinfo.org/articles/2020/08/24/vladikavkazskoe-delo-kogo-zaderzhali-za-protesty-protiv-samoizolyacii-gid-ovd> (accessed on 26 April 2021).

⁴⁵ See:

<https://ovdinfo.org/express-news/2020/12/23/v-novosibirske-vozbudili-ugolovnoe-delo-protiv-zaderzhannoy-posle-akcii-v> (accessed on 26 April 2021).

⁴⁶ See: <https://ovdinfo.org/reports/winter-2021-suppression-en> (accessed on 26 April 2021).

pose a risk to their lives, and several other offences⁴⁷. In this case, protesters faced many new or dramatically amended criminal articles, on which law enforcement seems to be unclear and unpredictable (e.g. the violation of sanitary and epidemiological rules, as well as blocking of roads and pavements). By mid-April 2021, about 20 relevant court judgments had already been made.

58. In 2020, there were also cases of charging event organizers and participants with the repeated violation of the established procedure for the organization or holding of public events (Article 212.1 of the Russian Criminal Code). For instance, in December 2020 Russian politician, Yulia Galyamina, received a suspended sentence of two years. Earlier in 2020, activist Konstantin Kotov was serving a sentence of real imprisonment under the same article of the Criminal Code for a peaceful unauthorised protest. In the Kotov case, the Russian Constitutional Court re-examined the issue of the constitutionality of Article 212.1 of the Criminal Code. The article was declared constitutional, but the Kotov case was sent for revision, as a result of which, the sentence was reduced from four years of imprisonment to a year and a half. Therefore, the legal problem was not resolved, and there are other similar cases in progress.

59. It is also important to mention, that there has not been a single criminal case against Russian officials concerning illegal obstruction of the holding of or participation in public events, or compulsion to take part in them (article 149 of the Russian Criminal Code). Moreover, we do not know of any such cases in the entire history of the existence of this criminal article. There are also many problems with investigation of police violence during public events (see section c(ii) above).

g. Other methods of pressure

60. A campaign to discredit the protests and intimidate participants, as well as potential participants, has grown. Authorities use various preventive measures: including threats of expulsion from university or dismissal from jobs. Protesters faced prosecution on charges with different offences, e.g., traffic violation⁴⁸ and so on. Protesters were placed in psychiatric hospitals or in mandatory self-isolation. Protesters and their relatives may be visited by police officers: the formal reason is a “preventive talk” in order to prevent violations, however it is apparent that such visits are aimed at intimidation of protesters.

61. In preparation for rallies, police block central streets and metro stations, and restrict the operation of cafes and shops. City video surveillance and face recognition systems are used to identify protesters⁴⁹. All these measures take both chilling effects on exercising freedom of assembly: firstly, they intimidate and deter people from participating in the protest, secondly,

⁴⁷ See Exhibit No. 17. List of criminal charges after crackdown in January-February 2021.

⁴⁸ See: <https://ovdinfo.org/reports/kak-podavlyayut-protesty-v-habarovske-doklad-ovd-info#7> (accessed on 26 April 2021).

⁴⁹ *Ibit.*

they create an image of protest as something bad, dangerous and illegal. Moreover, often there are no effective remedies in the national legal system to challenge such interference⁵⁰.

h. Limitation of information about assemblies

62. The main problems in this sphere are detention and prosecution of journalists before, during, and after public events.

- The Russian Union of Journalists recorded over 200 violations of the rights of journalists who worked at protest rallies on 23 and 31 January and 2 February, in 40 regions of Russia. OVD-Info is aware of more than 150 arrests of journalists covering the protests. Some journalists were beaten by police officers with batons or stun guns, and some received head injuries⁵¹.
- From the beginning of 2020 to 19 March, 2021, at least 71 cases were published by Russian courts under Article 20.2 of the Administrative Offence Code against journalists covering protests. These are cases from 16 regions (30 from the Khabarovsk region and 18 from Moscow). Out of 71 cases, 67 cases ended in a conviction. The maximum fine was 150,000 rubles (approximately 1,630 EUR on 13 April, 2021); the maximum sentence was 15 days⁵².

63. Additionally, there are widespread practices of blocking and threat of blocking web-sites for publishing information about protests⁵³, as well as discrediting protest and freedom of assembly in the pro-state media⁵⁴.

i. Minors

64. Minors detained during the January and February 2021 protests were held for many hours in police vehicles while no formal records of their detention were made. The police failed to notify legal representatives when minors were brought to police stations. The minors were questioned without the parents. See more details in Exhibit 20.⁵⁵

3. Civil society's initiatives and relations with the government

65. Russian human rights NGOs take various steps in order to improve the situation with respect to freedom of assembly in Russia. The NGOs sent individual complaints to national

⁵⁰ See e.g.

<https://ovdinfo.org/express-news/2020/08/31/moskovskaya-policiya-otkazalas-vozbuzhdat-delo-v-svyazi-s-publikaciyey> (accessed on 26 April 2021).

⁵¹ See: <https://ovdinfo.org/reports/winter-2021-supression-en#11> (accessed on 26 April 2021).

⁵² See Exhibit No.18. Accusing Journalists of Violating the Procedure for Holding Actions in 2020.

⁵³ See: <https://ovdinfo.org/reports/winter-2021-supression-en#11> (accessed on 26 April 2021); Exhibit No. 19. Prosecution for Disseminating Information about Solidarity Actions with Khabarovsk in 2020

⁵⁴ See: <https://ovdinfo.org/reports/kak-podavlyayut-protesty-v-habarovske-doklad-ovd-info#8-1> (accessed on 26 April 2021).

⁵⁵ See Exhibit No. 20. Minors detained during the January and February 2021.

courts and to the ECHR as well as promoted legal and media campaigns against restrictive laws and bans. See the information about these initiatives in Exhibit 21.⁵⁶

66. However, only the Russian Government has the power and resources to fully implement the Lashmankin judgment, by repealing restrictive laws, draft laws, and controlling the reaction of police and other authorities to peaceful protests. Despite our efforts and suggestions, the Government is not communicating with us or taking real action aimed at the protection of the right to freedom of assembly in Russia.

67. Furthermore, human rights organisations dedicated to protecting the rights of protesters do not receive financial or other support from the Government; on the contrary, their efforts have been obstructed by governmental bodies. Memorial, the Committee against Torture, and the Public Verdict Foundation have been officially labeled as “foreign agents”, which has resulted in additional restrictions and fines on these organizations.

4. Recommendations

68. In light of the above, we would like to propose to the Committee of Ministers the following measures:

1. To adopt an interim resolution recognising that the case of Lashmankin has not been implemented by Russian authorities.
2. To remind the authorities about the necessity of adopting the recommendations made by the Committee of Ministers in its previous decision.
3. To propose to the authorities the adoption of the list of recommendations made by “Memorial” and OVD-Info in their previous submission to the Committee of Ministers on 20 April 2020.
4. To remind the authorities that the most important reforms deriving from the case of Lashmankin (see Section 1(a) above) have still not been adopted by the authorities and to urge them to adopt these reforms.
5. To condemn the new restrictive laws adopted by Russian authorities during the last year (see Section 1(b) above) and to state that the authorities must withdraw these laws.
6. To welcome some positive drafts laws proposed by Russian deputies (see Section 1(c) above) and to encourage the authorities to adopt these drafts laws.
7. To indicate that the practice of the Constitutional Court and regional laws must be more consistent and fully follow the findings of the ECHR in the Lashmankin case.
8. To indicate that the restrictions due to the COVID-19 pandemic must not be applied in a discriminative and non-proportional way.
9. To condemn the mass arrests and prosecutions of participants in peaceful assemblies, perpetrated by the authorities during the last year.

⁵⁶ See Exhibit No. 21. Civil society’s initiatives and relations with the government.

10. To propose that authorities create a working group at a federal level consisting of experts and civil society to discuss the reforms necessary for the implementation of the Lashmankin case.
11. To decide to consider again the Lashmankin case during the next session of the Committee of Ministers together with the cases dealing with the related issues including “Tomov and others v. Russia”, “Fedotov v. Russia”, “Mikheyev v. Russia”, “Atyukov v. Russia”, “Zakharov and Varzhabetyan v. Russia”.

Respectfully submitted,

Natalia Taubina

Public Verdict Foundation



Tatiana Chernikova

HRC Memorial



Dmitry Kazakov

Committee against Torture



Natalia Smirnova

OVD-Info



Aleksandra Chilikova

OVD-Info



Denis Shedov

OVD-Info



Elena Pershakova

Public Verdict Foundation



Asmik Novikova

Public Verdict Foundation



Exhibits

1. Submission to the Ministry of Justice of 3 December 2020.
2. Response from the Ministry of Justice of 18 December 2020.
3. Submissions to the Russian Commissioner for Human Rights and to all parliamentary parties.
4. New laws and case laws 2020-2021.
5. Number Of Appeals Against Non Authorisation Of The Assemblies In Trial Court.
6. OVD-Info's data: Detentions on Protests 2020.
7. Investigation of violence.
8. Inhuman transportation conditions.
9. Violation of defense rights and other rights.
10. Petition "Bring down the "Fortress" — Give detainees back the right to defence".
11. Statements on "Fortress" Protocol.
12. Challenging of "Fortress" Protocol.
13. "Fortress" Protocol Discriminative Application.
14. Administrative charges of violations at protests in 2004-2020.
15. OVD-Info's Applications to the ECHR.
16. Criminal charges with violence against police officers against protesters.
17. List of criminal charges after crackdown in January-February 2021.
18. Accusing Journalists of Violating the Procedure for Holding Actions in 2020.
19. Prosecution for Disseminating Information about Solidarity Actions with Khabarovsk in 2020.
20. Minors detained during the January and February 2021.
21. Civil society's initiatives and relations with the government.
22. Relevant OVD-Info's Reports and Datasets.

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 - [Number of cases](#)
 - [Fines](#)
15. [OVD-Info's Applications to the ECHR](#)
16. Criminal charges with violence against police officers against protesters
 - [Total number of individuals sentenced under article 318 of the Criminal code](#)
 - [Prosecution under article 318 of the Criminal code in connection with protests](#)
 - [Distribution of penalties](#)
 - [Distribution of terms of imprisonment](#)
17. [List of criminal charges after crackdown in January-February 2021](#)
18. [Accusing Journalists of Violating the Procedure for Holding Actions in 2020](#)
19. [Prosecution for Disseminating Information about Solidarity Actions with Khabarovsk in 2020](#)
20. Minors detained during the January and February 2021
21. Civil society's initiatives and relations with the government
22. [Relevant OVD-Info's Reports and Datasets](#)



От представителей общественных организаций и гражданских инициатив, работающих по теме свободы собраний
Адрес для ответа:
Малый Каретный пер., д. 12,
г. Москва, 127051
memohre@memohre.org

Заместителю Министра юстиции
Российской Федерации,
Уполномоченному РФ при
Европейском Суде по правам человека
М.Л. Гальперину
ул. Житная, д. 14,
г. Москва, 119991

3 декабря 2020 года

Уважаемый Михаил Львович!

Наши организации занимают длительное время вопросами реализации права на свободу собраний в России. Мы имеем обширный опыт оказания как индивидуальной юридической помощи заявителям, так и разработки системных предложений по улучшению ситуации в стране. Особое внимание наши организации уделяют вопросу исполнения постановлений ЕСПЧ.

3 сентября 2020 года Комитет министров Совета Европы опубликовал решение с оценкой хода исполнения властями России постановления ЕСПЧ по делу «Лацманкин и другие против России», касающегося системных проблем с правом на свободу собраний в России. Комитет министров отметил ряд позитивных моментов, однако, также признал, что данное постановление в настоящее время не является полностью исполненным властями России. Комитет министров отметил, что нарушения права на свободу собраний продолжают регулярно происходить в России. В частности, массовые нарушения происходили в Москве летом 2019 года. Комитет министров признал, что исполнение постановления ЕСПЧ по делу *Лацманкина* требует принятия системных мер. Такие меры могут включать в себя реформу законодательства, совершенствование судебной практики и т.д.

Среди конкретных рекомендаций Комитета министров Совета Европы можно выделить:

— ограничить возможности региональных властей влиять на организацию митингов и обязать их оценивать соразмерность своих решений;

- отказаться от практики привлечения людей к уголовной ответственности за участие в мирных митингах, даже если они не согласованы с властями. Штрафы (в случае их сохранения) должны быть соразмерными (сейчас они несообразные);
- отказаться от практики признания нескольких одиночных пикетов единой акцией, требующей согласования;
- совершенствовать судебную практику в этой области, добиться, чтобы суды рассматривали жалобы на несогласования митингов до запланированной даты их проведения и выносили решения в соответствии с правом на свободу собраний;
- необходимость властям посылать сигнал обществу о толерантном отношении к публичным собраниям и предъявить Комитету министров статистическую информацию о своих решениях, демонстрирующую такое толерантное отношение.

Комитет министров решил вернуться к рассмотрению вопроса исполнения властями России постановления ЕСПЧ по делу *Лавинкина* не позднее июля 2021 года. Властям России рекомендовано представить в Комитет информацию о дальнейшем прогрессе в этой области.

В связи с этим предлагаем Министерству юстиции России инициировать экспертное обсуждение возможных действий властей России, направленных на улучшение ситуации со свободой собраний в России. Считаем, что в таком экспертном обсуждении должны совместно принимать участие как представители различных ведомств России, так и представители общественных организаций и гражданских инициатив, работающих по данной тематике, а также иные эксперты, юристы и адвокаты. Представители наших организаций готовы принять участие в таком обсуждении. Считаем, что для этого будет полезно создать на базе Министерства юстиции экспертную группу.

Полагаем, что в первую очередь было бы полезно обсудить возможность принятия властями России следующих мер:

- полностью декриминализовать участие в мирных митингах, даже несогласованных с властями, отменить положения законодательства, позволяющие привлекать к уголовной ответственности за неоднократное участие в несогласованных публичных мероприятиях;
- исключить возможность назначения административного ареста за участие в несогласованных публичных мероприятиях и кардинально снизить административные штрафы;
- исключить возможность признания серии одиночных пикетов единой акцией и возможность признания очереди в пикет многочисленной акцией; не распространять на одиночные пикеты ограничения, которые по своей природе предназначены для многочисленных акций; не распространять на участников одиночных пикетов ограничения, предназначенные для организаторов публичных мероприятий;
- улучшить процедуры согласования публичных мероприятий в России, сузить возможности для властей отказывать в согласовании публичных мероприятий, отменить необоснованные федеральные и региональные запреты на проведение публичных мероприятий на определенных территориях (например, на Красной площади, возле зданий судов и т.д.); официально публиковать официальную статистику о количестве выданных уведомлений о проведении акций и количестве согласованных и несогласованных властями акций; исключить возможность признания акции несогласованной только лишь на основании пропуска срока для подачи уведомления;
- расширить список ситуаций, в которых публичные мероприятия могут проходить без согласования с властями, ввести в законодательство понятие «спонтанное публичное мероприятие» и закрепить возможность проводить спонтанные акции

без согласования с властями; законодательно закрепить возможность проводить без согласования публичные мероприятия с небольшим количеством участников, не предполагающие перекрытия дорог и иных серьезных изменений в функционировании города.

Считаем, что властям России будет полезно ознакомиться и с иными предложениями гражданского общества. В частности, Комитет министров Совета Европы недавно переслал в Министерство юстиции России подробные предложения от ПЦ «Мемориал» и ОВД Инфо, сделанные в рамках процедуры 9.2 Правил Комитета министров. Прикладываем к данному обращению перевод этих предложений на русский язык. Надеемся на конструктивный диалог с властями России по вопросу возможной реализации этих и иных предложений, направленных на системное улучшение ситуации со свободой собраний в России.

В связи с указанным выше,

ПРОСИМ ВАС:

1. Довести до основных ведомств РФ информацию о предложениях, сделанных нашими организациями в области реализации общих мер в рамках исполнения постановления ЕСПЧ по делу *Лашманкина*. Учитывать эти предложения при реализации политики России в области свободы собраний и при подготовке будущего отчета властей России в Комитет министров Совета Европы.
2. Создать на базе Министерства юстиции экспертную группу для обсуждения предложений в области общих мер, направленных на обеспечение всепривлекательной реализации права на свободу собраний в России.
3. Включить представителей наших организаций в вышеуказанную экспертную группу.

Приложение - Переведенный на русский язык доклад ПЦ «Мемориал» и ОВД-Инфо, направленный в Комитет министров Совета Европы в рамках процедуры 9.2 Правил Комитета министров.

Подпись

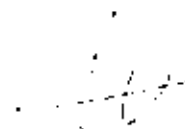
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Исполнительный директор ПЦ «Мемориал»



Леонид Дробкин

Координатор ОВД-Инфо



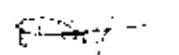
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Глава «Апология протеста»



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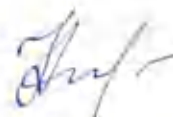
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Светлана Астраханцева
Исполнительный директор Московской Хельсинкской Группы



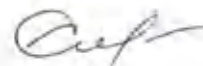
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Директор Фонда «Общественный вердикт»



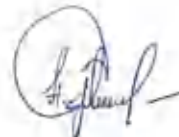
Андрей Петров
Исполнительный директор
Московской ЛГБТ-инициативной группы «Стимул»



Ольга Сидорович
Директор Института права и публичной политики



Алексей Прянишников
Координатор «Правозащиты Открытки»



Галина Арапова
Директор Центра защиты прав СМИ



Наталья Звягина
Директор Представительства
«Amnesty International» в России





**МИНИСТЕРСТВО ЮСТИЦИИ
РОССИЙСКОЙ ФЕДЕРАЦИИ
(МИНЮСТ РОССИИ)**

Житная ул., д. 14, Москва, 119991
тел. (495) 955-39-99, факс (495) 955-57-79
E-mail: info@minjust.ru

18.12.2020 № 10-144825/20

На № _____ от _____

Представителям
общественных организаций:

Добрыньской А.,
Драбину Л.,
Глухове А.,
Оленичеву М.,
Астраханцевой С.,
Таубиной Н.,
Петрову А.,
Сидоричеву О.,
Прянишникову А.,
Араловой Г.,
Звяжиной Н.

Малый Каретный пер., д. 12,
г. Москва, 127051

memohrc@memohrc.org

По результатам рассмотрения коллективного обращения от 3 декабря 2020 г. информируем, что тематика реализации прав российских граждан на свободу собраний и объединений, а также исполнения российскими властями постановления ЕСПЧ от 7 февраля 2017 г. по делу «Нацманкин и другие против Российской Федерации» находится на постоянном контроле Минюста России, в связи с чем необходимость проработки вопроса о корректировке законодательства и правоприменительной практики в соответствующей сфере включена в доклад Президенту Российской Федерации «О результатах мониторинга правоприменения в Российской Федерации за 2019 г.» (опубликован 13 ноября 2020 г.).

Кроме того, в рамках исполнения названного постановления ЕСПЧ ведется целенаправленная работа по имплементации международных стандартов в национальную правовую систему, некоторые результаты которой отражены в отчете российских властей, направленном в Комитет

министров Совета Европы (опубликован в открытом доступе 25 мая 2020 г.).

Также отмечаем, что вопросы обеспечения законности при проведении массовых мероприятий находятся в ведении Генеральной прокуратуры Российской Федерации, Министерства внутренних дел Российской Федерации, Федеральной службы войск национальной гвардии и других федеральных и региональных органов власти.

Руководитель Аппарата Уполномоченного
Российской Федерации при Европейском
Суде по правам человека – заместителя
Министра юстиции Российской Федерации



А.М. Федоров

Exhibit No. 3. Submissions to the Russian Commissioner for Human Rights and to all parliamentary parties



От представителей общественных организаций и гражданских инициатив, работающих по теме свободы собраний

Уполномоченному по правам человека в Российской Федерации
Москальковой Т.Н.

Адрес для ответа:
Малый Каретный пер., д. 12,
г. Москва, 127051
memohre@memohre.org

Уважаемая Татьяна Николаевна!

Наши организации выражают Вам благодарность за привлечение внимания органов законодательной власти субъектов РФ к недостаткам регионального законодательства о свободе собраний и за предпринятые Вами и Вашими коллегами действия, направленные на улучшение ситуации в этой области.

Мы хотели бы также попросить Вашего содействия в вопросе исполнения международных обязательств России в области права на свободу собраний. Согласно статье 46 Конвенции о защите прав человека и основных свобод, государства, включая Россию, обязаны исполнять постановления Европейского Суда по правам человека (ЕСПЧ), а контроль за исполнением этих постановлений на международном уровне возложен на Комитет министров Совета Европы.

7 февраля 2017 г. ЕСПЧ вынес постановление "*Лаиманкин и другие против России*", в котором подробно проанализировал системные проблемы со свободой собраний в России, касающиеся как законодательства, так и практики. В частности, ЕСПЧ признал нарушением чрезмерные ограничения процедуры согласования акций в России, задержания людей на мирных спонтанных акциях, чрезмерно суровые наказания за участие в несогласованных акциях, чрезмерное применение силы правоохранительными органами.

3 сентября 2020 г. Комитет министров Совета Европы опубликовал решение с оценкой хода исполнения властями России постановления ЕСПЧ по делу *Лаиманкина*. Комитет министров подчеркнул ряд позитивных моментов, однако, также признал, что данное постановление в настоящее время исполнено не в полном объеме. Комитет министров отметил, что нарушения права на свободу собраний в стране продолжают и носят регулярный характер. В частности, массовые нарушения имели место в Москве летом 2019 года. Комитет министров призвал, что исполнение постановления ЕСПЧ по делу *Лаиманкина* требует принятия системных мер. Такие меры могут включать как реформу законодательства, так и совершенствование судебной практики.

Среди конкретных рекомендаций Комитета министров Совета Европы можно выделить:

ограничить возможности региональных властей влиять на организацию митингов и обязать их оценивать соразмерность своих решений;

— отказаться от практики привлечения к уголовной ответственности за участие в мирных митингах, даже если они не согласованы с властями. Штрафы (в случае их сохранения) должны быть соразмерными (сейчас они несообразны);

отказаться от практики признания нескольких одиночных пикетов единой акцией, требующей согласования;

совершенствовать судебную практику в этой области, обеспечить, чтобы суды рассматривали жалобы на несогласования митингов до запланированной даты их проведения и выносили решения, соответствующие с провозглашаемым правом на свободу собраний;

— исходить из обращенного к властям требования посылать сигнал обществу о толерантном отношении к публичным собраниям и предъявить Комитету министров статистическую информацию о своих решениях, демонстрирующая такие толерантные отношения.

Комитет министров решил вернуться к рассмотрению вопроса об исполнении постановления КС114 по делу *Лавманкина* не позднее июня 2021 года. Властям России рекомендовано представить в Комитет информацию о дальнейшем прогрессе в данной области.

В связи с этим 3 декабря 2020 г. наши организации направили обращение в Минюст РФ, как в орган, координирующий работу по исполнению постановлений КС114 на национальном уровне. Наши организации предложили инициировать экспертные обсуждения возможных действий, направленных на улучшение ситуации со свободой собраний в России, и создать для этого экспертную группу на базе Минюста. На наш взгляд, в экспертном обсуждении должны совместно принимать участие как представители различных государственных ведомств, так и представители общественных организаций и гражданских инициатив, работающих по данной тематике, а также иные эксперты, юристы и адвокаты. Представители наших организаций готовы принять участие в таком обсуждении, но, к сожалению, Минюст проигнорировал это наше предложение.

В нашем обращении в Минюст мы также попросили обсудить возможность принятия властями России следующих мер:

- полностью декриминализовать участие в мирных митингах, даже несогласованных с властями, отменить положения законодательства, позволяющие привлекать к уголовной ответственности за неоднократное участие в несогласованных публичных мероприятиях;
- исключить возможность назначения административного ареста за участие в несогласованных публичных мероприятиях и кардинально снизить административные штрафы;
- исключить возможность признания серии одиночных пикетов единой акцией и возможность признания очереди в пикет многочисленной акцией; не распространять на одиночные пикеты ограничения, которые по своей природе предназначены для многочисленных акций; не распространять на участников одиночных пикетов ограничения, предназначенные для организаторов публичных мероприятий;

- улучшить процедуры согласования публичных мероприятий, сузить возможности для отказа в согласовании публичных мероприятий, отметить необоснованные федеральные и региональные запреты на проведение публичных мероприятий на определенных территориях (например, возле зданий судов и пр.); официально публиковать статистику о числе поданных уведомлений относительно планируемых акций, а также числе согласованных и несогласованных; исключить возможность признания акции несогласованной только на основании пропуска срока для подачи уведомления;
- расширить список ситуаций, в которых публичные мероприятия могут проходить без согласования с властями, ввести в законодательство понятие «спонтанное публичное мероприятие» и закрепить возможность проводить спонтанные акции без согласования с властями; законодательно закрепить возможность проводить без согласования публичные мероприятия с небольшим количеством участников, не представляющие перекрывания дорог и иных серьезных изменений в функционировании города.

Подробнее предложения наших организаций описаны в докладе, направленном в Комитет министров Совета Европы в соответствии с правилом 9.2 процедуры Комитета министров. Перевод доклада на русский язык направляем в приложении к данному обращению. Представляется, что конструктивный диалог о реализации этих и иных предложений, направленных на системное улучшение ситуации со свободой собраний в России, возможен и отвечает интересам общества.

К сожалению, в настоящее время на федеральном уровне не только не решены многие проблемы, описанные выше, но и рассматриваются законодательные инициативы, направленные на дальнейшее ограничение свободы собраний в России. Серия таких законопроектов сейчас рассматривает Государственная Дума РФ, некоторые из них уже приняты в третьем чтении. Эти законопроекты направлены на дальнейшее усложнение процедуры согласования акций, на ужесточение наказаний для участников мирных несогласованных акций, на дополнительные ограничения для участников одиночных пикетов. На наш взгляд, принятие и применение данных законопроектов неминуемо повлечет за собой большое количество новых жалоб на ограничение свободы мирных собраний, а также постановлений ЕСПЧ, признающих нарушения Российской Федерацией Комитета о защите прав человека и основных свобод. Подробный юридический анализ указанных законопроектов также направляем в приложении к этому обращению.

В связи со сказанным выше, просим Вас оказать содействие в разрешении на федеральном уровне системных проблем со свободой собраний. В частности,

ПРОСИМ ВАС:

1. Направить обращения в Государственную Думу РФ и Совет Федерации РФ с предложением не принимать новые законопроекты, ограничивающие право на свободу собраний, а вместо них разработать законопроекты, направленные на улучшение ситуации со свободой собраний в соответствии с выводами ХСПЧ и решениями Комитета министров Совета Европы.
2. Направить обращение Президенту РФ с просьбой не подписывать новые законопроекты, ограничивающие право на свободу собраний.
3. Направить обращение в Минюст РФ с предложением инициировать экспертное обсуждение исполнения постановления ЕСПЧ по делу *"Лапачанин против России"* и других постановлений ЕСПЧ, в с предложением обсудить рекомендации наших организаций в области свободы собраний.

Приложения:

1. Переведенный на русский язык доклад ПЦ "Мемориал" и ОВД-Инфо, направленный в Комитет министров Совета Европы в рамках процедуры 9.2 Правил Комитета министров.
2. Юридический анализ законопроектов № 1057213-7, № 1057230-7, № 1060657-7 и № 1060689-7, внесенных в ноябре 2020 года в Государственную Думу Российской Федерации депутатом Вяткиным Д.Ф.

Подписи

Анна Добровольская

Исполнительный директор ПЦ "Мемориал"

Леонид Дробкин

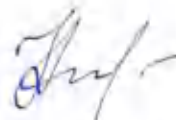

Координатор ОВД-Инфо

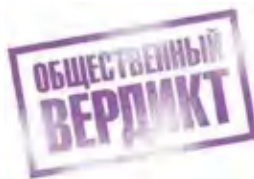
Наталья Таубина

Директор Фонда «Общественный вердикт»

Светлана Астраханцева

Исполнительный директор Московской Хельсинкской Группы





От представителей общественных организаций и гражданских инициатив, работающих по теме свободы собраний

Фракции “Справедливой России”
в Государственной Думе РФ

Адрес для ответа:
Малый Каретный пер., д. 12,
г. Москва, 127051
memohrc@memohrc.org

Уважаемые представители фракции “Справедливая Россия” в Государственной Думе РФ!

Наши организации длительное время занимаются вопросами реализации права на свободу собраний в России. Мы имеем обширный опыт оказания как индивидуальной юридической помощи заявителям, так и разработки системных предложений по улучшению ситуации в стране.

В настоящее время на рассмотрении Государственной Думы РФ находятся несколько законопроектов, касающихся права на свободу собраний (в частности, законопроекты № 1060657-7 и № 1060689-7), некоторые законопроекты недавно были приняты в третьем чтении (№ 1057213-7, № 1057230-7). Данные законопроекты направлены на усложнение процедуры согласований акций, на ужесточение наказаний для участников мирных несогласованных акций, на дополнительные ограничения для участников одиночных пикетов. Подробный юридический анализ указанных законопроектов направляем в приложении к этому обращению.

Между тем, уже действующее законодательство о публичных собраниях в России находится в противоречии с международным правом из-за необоснованных и непропорциональных ограничений права на свободу собраний. Европейский Суд по правам человека (ЕСПЧ) к концу 2019 года вынес 45 постановлений, в которых признал нарушения со стороны российских властей права на свободу собраний, а за 2020 год было принято уже не менее 20 подобных постановлений. Суммарный размер компенсаций, возложенный на Российскую Федерацию по этим делам, уже превысил миллион евро.

В постановлении “*Лаиманкин и другие против России*” ЕСПЧ подробно проанализировал системные проблемы со свободой собраний в России, касающиеся как российского законодательства, так и практики его применения. В частности, ЕСПЧ признал нарушением чрезмерные ограничения процедуры согласования акций в России, задержания людей на мирных спонтанных акциях, чрезмерно суровые наказания за участие в мирных несогласованных акциях, чрезмерное применение силы правоохранительными органами.

Согласно статье 46 Конвенции о защите прав человека и основных свобод, государства, включая Россию, обязаны исполнять постановления ЕСПЧ, а контроль за исполнением этих постановлений на международном уровне возложен на Комитет министров Совета Европы. 3 сентября 2020 г. Комитет министров СЕ опубликовал решение с оценкой хода исполнения властями России постановления ЕСПЧ по делу *“Лашманкин и другие против России”*. Комитет министров признал, что данное постановление в настоящее время исполнено не в полном объеме. Комитет министров отметил, что нарушения права на свободу собраний в России продолжаются и носят регулярный характер. В частности, массовые нарушения имели место в Москве летом 2019 года. Комитет министров признал, что исполнение постановления ЕСПЧ по делу *Лашманкина* требует принятия системных мер, включая реформу законодательства.

Среди конкретных рекомендаций Комитета министров Совета Европы можно выделить:

- ограничить возможности региональных властей влиять на организацию митингов и обязать их оценивать соразмерность своих решений;
- отказаться от практики привлечения к уголовной ответственности за участие в мирных митингах, даже если они не согласованы с властями. Штрафы (в случае их сохранения) должны быть соразмерными (сейчас они несообразны);
- отказаться от практики признания нескольких одиночных пикетов единой акцией, требующей согласования;
- совершенствовать судебную практику в этой области, обеспечить, чтобы суды рассматривали жалобы на несогласования митингов до запланированной даты их проведения и выносили решения, согласующиеся с провозглашаемым правом на свободу собраний;
- исходить из обращенного к властям требования посылать сигнал обществу о толерантном отношении к публичным собраниям и предъявить Комитету министров статистическую информацию о своих решениях, демонстрирующих такое толерантное отношение.

Комитет министров СЕ решил вернуться к рассмотрению вопроса об исполнении постановления ЕСПЧ по делу *Лашманкина* не позднее июня 2021 года. Властям России рекомендовано представить в Комитет информацию о дальнейшем прогрессе в данной области.

В связи с этим 3 декабря 2020 г. наши организации направили обращение в Минюст РФ, как в орган, координирующий работу по исполнению постановлений ЕСПЧ на национальном уровне. Наши организации предложили инициировать экспертное обсуждение возможных действий, направленных на улучшение ситуации со свободой собраний в России, и создать для этого экспертную группу на базе Министерства юстиции РФ. На наш взгляд, в экспертном обсуждении должны совместно принимать участие как представители различных государственных ведомств, так и представители общественных организаций и гражданских инициатив, работающих по данной тематике, а также иные эксперты, юристы и адвокаты. Представители наших организаций готовы принять участие в таком обсуждении, но, к сожалению, Минюст проигнорировал это наше предложение.

В нашем обращении в Минюст мы также попросили обсудить возможность принятия властями России следующих мер:

- полностью декриминализовать участие в мирных митингах, даже несогласованных с властями, отменить положения законодательства, позволяющие

привлекать к уголовной ответственности за неоднократное участие в несогласованных публичных мероприятиях;

- исключить возможность назначения административного ареста за участие в несогласованных публичных мероприятиях и кардинально снизить административные штрафы;
- исключить возможность признания серии одиночных пикетов единой акцией и возможность признания очереди в пикет многочисленной акцией; не распространять на одиночные пикеты ограничения, которые по своей природе предназначены для многочисленных акций; не распространять на участников одиночных пикетов ограничения, предназначенные для организаторов публичных мероприятий;
- улучшить процедуры согласования публичных мероприятий, сузить возможности для отказа в согласовании публичных мероприятий, отменить необоснованные федеральные и региональные запреты на проведение публичных мероприятий на определенных территориях (например, возле зданий судов и пр.); официально публиковать статистику о числе поданных уведомлений относительно планируемых акций, а также числе согласованных и несогласованных; исключить возможность признания акции несогласованной только на основании пропуска срока для подачи уведомления;
- расширить список ситуаций, в которых публичные мероприятия могут проходить без согласования с властями, ввести в законодательство понятие «спонтанное публичное мероприятие» и закрепить возможность проводить спонтанные акции без согласования с властями; законодательно закрепить возможность проводить без согласования публичные мероприятия с небольшим количеством участников, не предполагающие перекрытия дорог и иных серьезных изменений в функционировании города.

Подробнее предложения наших организаций описаны в докладе, направленном в Комитет министров Совета Европы в соответствии с правилом 9.2 процедуры Комитета министров. Перевод доклада на русский язык направляем в приложении к данному обращению.

В связи с тем, что реализация вышеуказанных предложений требует законодательных изменений, находящихся в сфере компетенции депутатов Государственной Думы,

ПРОСИМ ВАС:

1. Проголосовать против новых законопроектов, направленных на дальнейшее ограничение права на свободу собраний.
2. Поддержать наше предложение о создании экспертной группы при Минюсте РФ по исполнению постановлений ЕСПЧ по свободе собраний и принять участие в работе этой экспертной группы.
3. В сотрудничестве с Минюстом, Уполномоченным РФ по правам человека, представителями другим государственных органов и общественных организаций разработать законопроекты, направленные на решение системных проблем со свободой собраний в России в соответствии с практикой ЕСПЧ и решениями Комитета министров СЕ.

Приложения:

1. Переведенный на русский язык доклад ПЦ “Мемориал” и ОВД-Инфо, направленный в Комитет министров Совета Европы в рамках процедуры 9.2 Правил Комитета министров.

2. Юридический анализ законопроектов № 1057213-7, № 1057230-7, № 1060657-7 и № 1060689-7, внесенных в ноябре 2020 года в Государственную Думу Российской Федерации депутатом Вяткиным Д.Ф.

Подписи

Анна Добровольская

Исполнительный директор ПЦ “Мемориал”

Леонид Драбкин

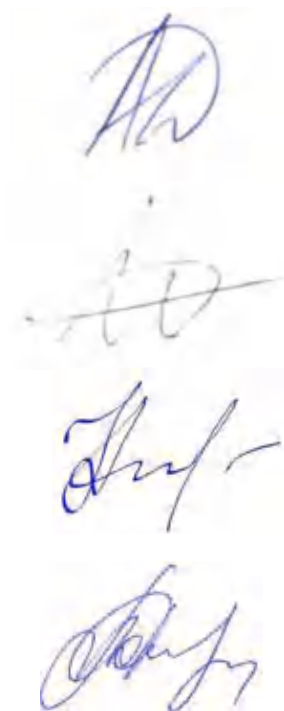
Координатор ОВД-Инфо

Наталья Таубина

Директор Фонда «Общественный вердикт»

Светлана Астраханцева

Исполнительный директор Московской Хельсинкской Группы





От представителей общественных организаций и гражданских инициатив, работающих по теме свободы собраний

Фракции ЛДПР
в Государственной Думе РФ

Адрес для ответа:
Малый Каретный пер., д. 12,
г. Москва, 127051
memohrc@memohrc.org

Уважаемые представители фракции ЛДПР в Государственной Думе РФ!

Наши организации длительное время занимаются вопросами реализации права на свободу собраний в России. Мы имеем обширный опыт оказания как индивидуальной юридической помощи заявителям, так и разработки системных предложений по улучшению ситуации в стране.

В настоящее время на рассмотрении Государственной Думы РФ находятся несколько законопроектов, касающихся права на свободу собраний (в частности, законопроекты № 1060657-7 и № 1060689-7), некоторые законопроекты недавно были приняты в третьем чтении (№ 1057213-7, № 1057230-7). Данные законопроекты направлены на усложнение процедуры согласований акций, на ужесточение наказаний для участников мирных несогласованных акций, на дополнительные ограничения для участников одиночных пикетов. Подробный юридический анализ указанных законопроектов направляем в приложении к этому обращению.

Между тем, уже действующее законодательство о публичных собраниях в России находится в противоречии с международным правом из-за необоснованных и непропорциональных ограничений права на свободу собраний. Европейский Суд по правам человека (ЕСПЧ) к концу 2019 года вынес 45 постановлений, в которых признал нарушения со стороны российских властей права на свободу собраний, а за 2020 год было принято уже не менее 20 подобных постановлений. Суммарный размер компенсаций, возложенный на Российскую Федерацию по этим делам, уже превысил миллион евро.

В постановлении *“Лаиманкин и другие против России”* ЕСПЧ подробно проанализировал системные проблемы со свободой собраний в России, касающиеся как российского законодательства, так и практики его применения. В частности, ЕСПЧ признал нарушением чрезмерные ограничения процедуры согласования акций в России, задержания людей на мирных спонтанных акциях, чрезмерно суровые наказания за участие в мирных несогласованных акциях, чрезмерное применение силы правоохранительными органами.

Согласно статье 46 Конвенции о защите прав человека и основных свобод, государства, включая Россию, обязаны исполнять постановления ЕСПЧ, а контроль за исполнением этих постановлений на международном уровне возложен на Комитет министров Совета Европы. 3 сентября 2020 г. Комитет министров СЕ опубликовал решение с оценкой хода исполнения властями России постановления ЕСПЧ по делу *“Лашманкин и другие против России”*. Комитет министров признал, что данное постановление в настоящее время исполнено не в полном объеме. Комитет министров отметил, что нарушения права на свободу собраний в России продолжаются и носят регулярный характер. В частности, массовые нарушения имели место в Москве летом 2019 года. Комитет министров признал, что исполнение постановления ЕСПЧ по делу *Лашманкина* требует принятия системных мер, включая реформу законодательства.

Среди конкретных рекомендаций Комитета министров Совета Европы можно выделить:

- ограничить возможности региональных властей влиять на организацию митингов и обязать их оценивать соразмерность своих решений;
- отказаться от практики привлечения к уголовной ответственности за участие в мирных митингах, даже если они не согласованы с властями. Штрафы (в случае их сохранения) должны быть соразмерными (сейчас они несообразны);
- отказаться от практики признания нескольких одиночных пикетов единой акцией, требующей согласования;
- совершенствовать судебную практику в этой области, обеспечить, чтобы суды рассматривали жалобы на несогласования митингов до запланированной даты их проведения и выносили решения, согласующиеся с провозглашаемым правом на свободу собраний;
- исходить из обращенного к властям требования посылать сигнал обществу о толерантном отношении к публичным собраниям и предъявить Комитету министров статистическую информацию о своих решениях, демонстрирующих такое толерантное отношение.

Комитет министров СЕ решил вернуться к рассмотрению вопроса об исполнении постановления ЕСПЧ по делу *Лашманкина* не позднее июня 2021 года. Властям России рекомендовано представить в Комитет информацию о дальнейшем прогрессе в данной области.

В связи с этим 3 декабря 2020 г. наши организации направили обращение в Минюст РФ, как в орган, координирующий работу по исполнению постановлений ЕСПЧ на национальном уровне. Наши организации предложили инициировать экспертное обсуждение возможных действий, направленных на улучшение ситуации со свободой собраний в России, и создать для этого экспертную группу на базе Министерства юстиции РФ. На наш взгляд, в экспертном обсуждении должны совместно принимать участие как представители различных государственных ведомств, так и представители общественных организаций и гражданских инициатив, работающих по данной тематике, а также иные эксперты, юристы и адвокаты. Представители наших организаций готовы принять участие в таком обсуждении, но, к сожалению, Минюст проигнорировал это наше предложение.

В нашем обращении в Минюст мы также попросили обсудить возможность принятия властями России следующих мер:

- полностью декриминализовать участие в мирных митингах, даже несогласованных с властями, отменить положения законодательства, позволяющие

привлекать к уголовной ответственности за неоднократное участие в несогласованных публичных мероприятиях;

- исключить возможность назначения административного ареста за участие в несогласованных публичных мероприятиях и кардинально снизить административные штрафы;
- исключить возможность признания серии одиночных пикетов единой акцией и возможность признания очереди в пикет многочисленной акцией; не распространять на одиночные пикеты ограничения, которые по своей природе предназначены для многочисленных акций; не распространять на участников одиночных пикетов ограничения, предназначенные для организаторов публичных мероприятий;
- улучшить процедуры согласования публичных мероприятий, сузить возможности для отказа в согласовании публичных мероприятий, отменить необоснованные федеральные и региональные запреты на проведение публичных мероприятий на определенных территориях (например, возле зданий судов и пр.); официально публиковать статистику о числе поданных уведомлений относительно планируемых акций, а также числе согласованных и несогласованных; исключить возможность признания акции несогласованной только на основании пропуска срока для подачи уведомления;
- расширить список ситуаций, в которых публичные мероприятия могут проходить без согласования с властями, ввести в законодательство понятие «спонтанное публичное мероприятие» и закрепить возможность проводить спонтанные акции без согласования с властями; законодательно закрепить возможность проводить без согласования публичные мероприятия с небольшим количеством участников, не предполагающие перекрытия дорог и иных серьезных изменений в функционировании города.

Подробнее предложения наших организаций описаны в докладе, направленном в Комитет министров Совета Европы в соответствии с правилом 9.2 процедуры Комитета министров. Перевод доклада на русский язык направляем в приложении к данному обращению.

В связи с тем, что реализация вышеуказанных предложений требует законодательных изменений, находящихся в сфере компетенции депутатов Государственной Думы,

ПРОСИМ ВАС:

1. Проголосовать против новых законопроектов, направленных на дальнейшее ограничение права на свободу собраний.
2. Поддержать наше предложение о создании экспертной группы при Минюсте РФ по исполнению постановлений ЕСПЧ по свободе собраний и принять участие в работе этой экспертной группы.
3. В сотрудничестве с Минюстом, Уполномоченным РФ по правам человека, представителями другим государственных органов и общественных организаций разработать законопроекты, направленные на решение системных проблем со свободой собраний в России в соответствии с практикой ЕСПЧ и решениями Комитета министров СЕ.

Приложения:

1. Переведенный на русский язык доклад ПЦ “Мемориал” и ОВД-Инфо, направленный в Комитет министров Совета Европы в рамках процедуры 9.2 Правил Комитета министров.

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Подписи

Анна Добровольская

Исполнительный директор ПЦ “Мемориал”

Леонид Драбкин

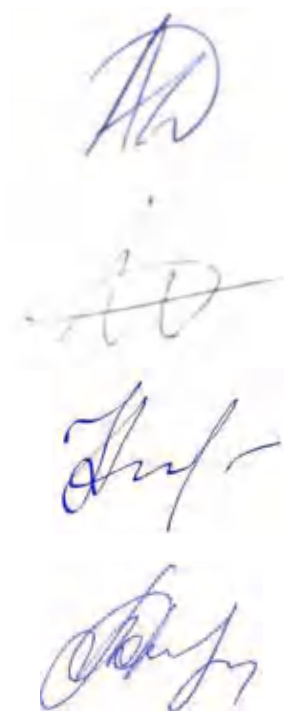
Координатор ОВД-Инфо

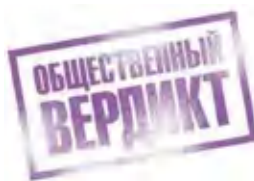
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Светлана Астраханцева

Исполнительный директор Московской Хельсинкской Группы





От представителей общественных организаций и гражданских инициатив, работающих по теме свободы собраний

Фракции КПРФ
в Государственной Думе РФ

Адрес для ответа:
Малый Каретный пер., д. 12,
г. Москва, 127051
memohrc@memohrc.org

Уважаемые представители фракции КПРФ в Государственной Думе РФ!

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Между тем, уже действующее законодательство о публичных собраниях в России находится в противоречии с международным правом из-за необоснованных и непропорциональных ограничений права на свободу собраний. Европейский Суд по правам человека (ЕСПЧ) к концу 2019 году вынес 45 постановлений, в которых признал нарушения со стороны российских властей права на свободу собраний, а за 2020 год было принято уже не менее 20 подобных постановлений. Суммарный размер компенсаций, возложенный на Российскую Федерацию по этим делам, уже превысил миллион евро.

В постановлении *“Лашманкин и другие против России”* ЕСПЧ подробно проанализировал системные проблемы со свободой собраний в России, касающиеся как российского законодательства, так и практики его применения. В частности, ЕСПЧ признал нарушением чрезмерные ограничения процедуры согласования акций в России, задержания людей на мирных спонтанных акциях, чрезмерно суровые наказания за участие в мирных несогласованных акциях, чрезмерное применение силы правоохранительными органами.

Согласно статье 46 Конвенции о защите прав человека и основных свобод, государства, включая Россию, обязаны исполнять постановления ЕСПЧ, а контроль за исполнением этих постановлений на международном уровне возложен на Комитет министров Совета Европы. 3 сентября 2020 г. Комитет министров СЕ опубликовал решение с оценкой хода исполнения властями России постановления ЕСПЧ по делу *“Лашманкин и другие против России”*. Комитет министров признал, что данное постановление в настоящее время исполнено не в полном объеме. Комитет министров отметил, что нарушения права на свободу собраний в России продолжаются и носят регулярный характер. В частности, массовые нарушения имели место в Москве летом 2019 года. Комитет министров признал, что исполнение постановления ЕСПЧ по делу *Лашманкина* требует принятия системных мер, включая реформу законодательства.

Среди конкретных рекомендаций Комитета министров Совета Европы можно выделить:

- ограничить возможности региональных властей влиять на организацию митингов и обязать их оценивать соразмерность своих решений;
- отказаться от практики привлечения к уголовной ответственности за участие в мирных митингах, даже если они не согласованы с властями. Штрафы (в случае их сохранения) должны быть соразмерными (сейчас они несообразны);
- отказаться от практики признания нескольких одиночных пикетов единой акцией, требующей согласования;
- совершенствовать судебную практику в этой области, обеспечить, чтобы суды рассматривали жалобы на несогласования митингов до запланированной даты их проведения и выносили решения, согласующиеся с провозглашаемым правом на свободу собраний;
- исходить из обращенного к властям требования посылать сигнал обществу о толерантном отношении к публичным собраниям и предъявить Комитету министров статистическую информацию о своих решениях, демонстрирующих такое толерантное отношение.

Комитет министров СЕ решил вернуться к рассмотрению вопроса об исполнении постановления ЕСПЧ по делу *Лашманкина* не позднее июня 2021 года. Властям России рекомендовано представить в Комитет информацию о дальнейшем прогрессе в данной области.

В связи с этим 3 декабря 2020 г. наши организации направили обращение в Минюст РФ, как в орган, координирующий работу по исполнению постановлений ЕСПЧ на национальном уровне. Наши организации предложили инициировать экспертное обсуждение возможных действий, направленных на улучшение ситуации со свободой собраний в России, и создать для этого экспертную группу на базе Министерства юстиции РФ. На наш взгляд, в экспертном обсуждении должны совместно принимать участие как представители различных государственных ведомств, так и представители общественных организаций и гражданских инициатив, работающих по данной тематике, а также иные эксперты, юристы и адвокаты. Представители наших организаций готовы принять участие в таком обсуждении, но, к сожалению, Минюст проигнорировал это наше предложение.

В нашем обращении в Минюст мы также попросили обсудить возможность принятия властями России следующих мер:

- полностью декриминализовать участие в мирных митингах, даже несогласованных с властями, отменить положения законодательства, позволяющие

привлекать к уголовной ответственности за неоднократное участие в несогласованных публичных мероприятиях;

- исключить возможность назначения административного ареста за участие в несогласованных публичных мероприятиях и кардинально снизить административные штрафы;
- исключить возможность признания серии одиночных пикетов единой акцией и возможность признания очереди в пикет многочисленной акцией; не распространять на одиночные пикеты ограничения, которые по своей природе предназначены для многочисленных акций; не распространять на участников одиночных пикетов ограничения, предназначенные для организаторов публичных мероприятий;
- улучшить процедуры согласования публичных мероприятий, сузить возможности для отказа в согласовании публичных мероприятий, отменить необоснованные федеральные и региональные запреты на проведение публичных мероприятий на определенных территориях (например, возле зданий судов и пр.); официально публиковать статистику о числе поданных уведомлений относительно планируемых акций, а также числе согласованных и несогласованных; исключить возможность признания акции несогласованной только на основании пропуска срока для подачи уведомления;
- расширить список ситуаций, в которых публичные мероприятия могут проходить без согласования с властями, ввести в законодательство понятие «спонтанное публичное мероприятие» и закрепить возможность проводить спонтанные акции без согласования с властями; законодательно закрепить возможность проводить без согласования публичные мероприятия с небольшим количеством участников, не предполагающие перекрытия дорог и иных серьезных изменений в функционировании города.

Подробнее предложения наших организаций описаны в докладе, направленном в Комитет министров Совета Европы в соответствии с правилом 9.2 процедуры Комитета министров. Перевод доклада на русский язык направляем в приложении к данному обращению.

В связи с тем, что реализация вышеуказанных предложений требует законодательных изменений, находящихся в сфере компетенции депутатов Государственной Думы,

ПРОСИМ ВАС:

1. Проголосовать против новых законопроектов, направленных на дальнейшее ограничение права на свободу собраний.
2. Поддержать наше предложение о создании экспертной группы при Минюсте РФ по исполнению постановлений ЕСПЧ по свободе собраний и принять участие в работе этой экспертной группы.
3. В сотрудничестве с Минюстом, Уполномоченным РФ по правам человека, представителями другим государственных органов и общественных организаций разработать законопроекты, направленные на решение системных проблем со свободой собраний в России в соответствии с практикой ЕСПЧ и решениями Комитета министров СЕ.

Приложения:

1. Переведенный на русский язык доклад ПЦ “Мемориал” и ОВД-Инфо, направленный в Комитет министров Совета Европы в рамках процедуры 9.2 Правил Комитета министров.

2. Юридический анализ законопроектов № 1057213-7, № 1057230-7, № 1060657-7 и № 1060689-7, внесенных в ноябре 2020 года в Государственную Думу Российской Федерации депутатом Вяткиным Д.Ф.

Подписи

Анна Добровольская

Исполнительный директор ПЦ “Мемориал”

Леонид Драбкин

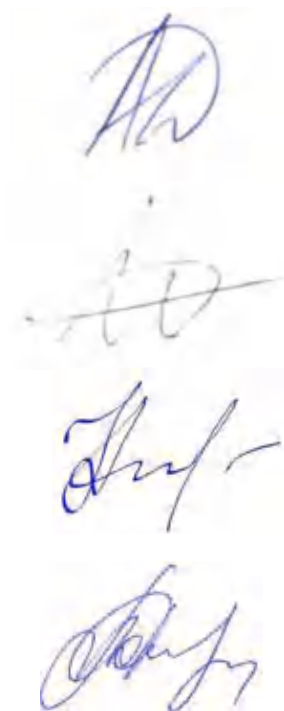
Координатор ОВД-Инфо

Наталья Таубина

Директор Фонда «Общественный вердикт»

Светлана Астраханцева

Исполнительный директор Московской Хельсинкской Группы





От представителей общественных организаций и гражданских инициатив, работающих по теме свободы собраний

Фракции “Единой России”
в Государственной Думе РФ

Адрес для ответа:
Малый Каретный пер., д. 12,
г. Москва, 127051
memohrc@memohrc.org

Уважаемые представители фракции “Единая Россия” в Государственной Думе РФ!

Наши организации длительное время занимаются вопросами реализации права на свободу собраний в России. Мы имеем обширный опыт оказания как индивидуальной юридической помощи заявителям, так и разработки системных предложений по улучшению ситуации в стране.

В настоящее время на рассмотрении Государственной Думы РФ находятся несколько законопроектов, касающихся права на свободу собраний (в частности, законопроекты № 1060657-7 и № 1060689-7), некоторые законопроекты недавно были приняты в третьем чтении (№ 1057213-7, № 1057230-7). Данные законопроекты направлены на усложнение процедуры согласований акций, на ужесточение наказаний для участников мирных несогласованных акций, на дополнительные ограничения для участников одиночных пикетов. Подробный юридический анализ указанных законопроектов направляем в приложении к этому обращению.

Между тем, уже действующее законодательство о публичных собраниях в России находится в противоречии с международным правом из-за необоснованных и непропорциональных ограничений права на свободу собраний. Европейский Суд по правам человека (ЕСПЧ) к концу 2019 года вынес 45 постановлений, в которых признал нарушения со стороны российских властей права на свободу собраний, а за 2020 год было принято уже не менее 20 подобных постановлений. Суммарный размер компенсаций, возложенный на Российскую Федерацию по этим делам, уже превысил миллион евро.

В постановлении “*Лаиманкин и другие против России*” ЕСПЧ подробно проанализировал системные проблемы со свободой собраний в России, касающиеся как российского законодательства, так и практики его применения. В частности, ЕСПЧ признал нарушением чрезмерные ограничения процедуры согласования акций в России, задержания людей на мирных спонтанных акциях, чрезмерно суровые наказания за участие в мирных несогласованных акциях, чрезмерное применение силы правоохранительными органами.

Согласно статье 46 Конвенции о защите прав человека и основных свобод, государства, включая Россию, обязаны исполнять постановления ЕСПЧ, а контроль за исполнением этих постановлений на международном уровне возложен на Комитет министров Совета Европы. 3 сентября 2020 г. Комитет министров СЕ опубликовал решение с оценкой хода исполнения властями России постановления ЕСПЧ по делу *“Лашманкин и другие против России”*. Комитет министров признал, что данное постановление в настоящее время исполнено не в полном объеме. Комитет министров отметил, что нарушения права на свободу собраний в России продолжаются и носят регулярный характер. В частности, массовые нарушения имели место в Москве летом 2019 года. Комитет министров признал, что исполнение постановления ЕСПЧ по делу *Лашманкина* требует принятия системных мер, включая реформу законодательства.

Среди конкретных рекомендаций Комитета министров Совета Европы можно выделить:

- ограничить возможности региональных властей влиять на организацию митингов и обязать их оценивать соразмерность своих решений;
- отказаться от практики привлечения к уголовной ответственности за участие в мирных митингах, даже если они не согласованы с властями. Штрафы (в случае их сохранения) должны быть соразмерными (сейчас они несообразны);
- отказаться от практики признания нескольких одиночных пикетов единой акцией, требующей согласования;
- совершенствовать судебную практику в этой области, обеспечить, чтобы суды рассматривали жалобы на несогласования митингов до запланированной даты их проведения и выносили решения, согласующиеся с провозглашаемым правом на свободу собраний;
- исходить из обращенного к властям требования посылать сигнал обществу о толерантном отношении к публичным собраниям и предъявлять Комитету министров статистическую информацию о своих решениях, демонстрирующих такое толерантное отношение.

Комитет министров СЕ решил вернуться к рассмотрению вопроса об исполнении постановления ЕСПЧ по делу *Лашманкина* не позднее июня 2021 года. Властям России рекомендовано представить в Комитет информацию о дальнейшем прогрессе в данной области.

В связи с этим 3 декабря 2020 г. наши организации направили обращение в Минюст РФ, как в орган, координирующий работу по исполнению постановлений ЕСПЧ на национальном уровне. Наши организации предложили инициировать экспертное обсуждение возможных действий, направленных на улучшение ситуации со свободой собраний в России, и создать для этого экспертную группу на базе Министерства юстиции РФ. На наш взгляд, в экспертном обсуждении должны совместно принимать участие как представители различных государственных ведомств, так и представители общественных организаций и гражданских инициатив, работающих по данной тематике, а также иные эксперты, юристы и адвокаты. Представители наших организаций готовы принять участие в таком обсуждении, но, к сожалению, Минюст проигнорировал это наше предложение.

В нашем обращении в Минюст мы также попросили обсудить возможность принятия властями России следующих мер:

- полностью декриминализовать участие в мирных митингах, даже несогласованных с властями, отменить положения законодательства, позволяющие

привлекать к уголовной ответственности за неоднократное участие в несогласованных публичных мероприятиях;

- исключить возможность назначения административного ареста за участие в несогласованных публичных мероприятиях и кардинально снизить административные штрафы;
- исключить возможность признания серии одиночных пикетов единой акцией и возможность признания очереди в пикет многочисленной акцией; не распространять на одиночные пикеты ограничения, которые по своей природе предназначены для многочисленных акций; не распространять на участников одиночных пикетов ограничения, предназначенные для организаторов публичных мероприятий;
- улучшить процедуры согласования публичных мероприятий, сузить возможности для отказа в согласовании публичных мероприятий, отменить необоснованные федеральные и региональные запреты на проведение публичных мероприятий на определенных территориях (например, возле зданий судов и пр.); официально публиковать статистику о числе поданных уведомлений относительно планируемых акций, а также числе согласованных и несогласованных; исключить возможность признания акции несогласованной только на основании пропуска срока для подачи уведомления;
- расширить список ситуаций, в которых публичные мероприятия могут проходить без согласования с властями, ввести в законодательство понятие «спонтанное публичное мероприятие» и закрепить возможность проводить спонтанные акции без согласования с властями; законодательно закрепить возможность проводить без согласования публичные мероприятия с небольшим количеством участников, не предполагающие перекрытия дорог и иных серьезных изменений в функционировании города.

Подробнее предложения наших организаций описаны в докладе, направленном в Комитет министров Совета Европы в соответствии с правилом 9.2 процедуры Комитета министров. Перевод доклада на русский язык направляем в приложении к данному обращению.

В связи с тем, что реализация вышеуказанных предложений требует законодательных изменений, находящихся в сфере компетенции депутатов Государственной Думы,

ПРОСИМ ВАС:

1. Проголосовать против новых законопроектов, направленных на дальнейшее ограничение права на свободу собраний.
2. Поддержать наше предложение о создании экспертной группы при Минюсте РФ по исполнению постановлений ЕСПЧ по свободе собраний и принять участие в работе этой экспертной группы.
3. В сотрудничестве с Минюстом, Уполномоченным РФ по правам человека, представителями другим государственных органов и общественных организаций разработать законопроекты, направленные на решение системных проблем со свободой собраний в России в соответствии с практикой ЕСПЧ и решениями Комитета министров СЕ.

Приложения:

1. Переведенный на русский язык доклад ПЦ “Мемориал” и ОВД-Инфо, направленный в Комитет министров Совета Европы в рамках процедуры 9.2 Правил Комитета министров.

2. Юридический анализ законопроектов № 1057213-7, № 1057230-7, № 1060657-7 и № 1060689-7, внесенных в ноябре 2020 года в Государственную Думу Российской Федерации депутатом Вяткиным Д.Ф.

Подписи

Анна Добровольская

Исполнительный директор ПЦ “Мемориал”

Леонид Драбкин

Координатор ОВД-Инфо

Наталья Таубина

Директор Фонда «Общественный вердикт»

Светлана Астраханцева

Исполнительный директор Московской Хельсинкской Группы

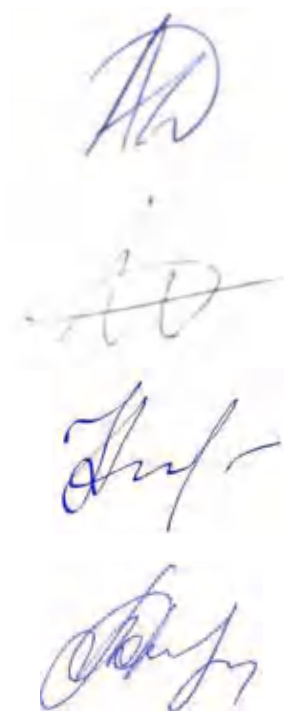


Exhibit No. 4. New laws and case laws 2020-2021

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
1	On Amending the Federal Law "On Assemblies, Rallies, Demonstrations, Processions and Picketing"	Ban on foreign and anonymous funding of assemblies, imposition of reporting obligations for assemblies' organizers	Signed by President	Federal	Preliminary approval request
2	On Amending the Federal Law "On Assemblies, Rallies, Demonstrations, Processions and Picketing"	The sophistication of assembly approval, restriction of picketing queues, new territorial prohibitions for assemblies, journalist duties, restriction of campaigning for actions	Signed by President	Federal	Preliminary approval request Territorial bans Journalists and information dissemination
3	On amending Article 20.2 of the Code of Administrative Offenses of the Russian Federation in terms of establishing responsibility for the unlawful use of the distinctive attribute of a media representative	Fines for journalists for the unlawful wearing of a media distinguishing sign	Approved on first reading	Federal	Journalists and information dissemination
4	On amendments to the Code of Administrative Offenses of the Russian Federation in terms of increasing liability for violations in the preparation and holding of public events	Increase in fines under Articles 19.3 and 20.2 of the Administrative Code, new administrative structures for violation of the procedure for organizing and participating in a public event	Approved on first reading	Federal	Administrative responsibility

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
5	On amendments to the Federal Law "On Information, Information Technologies and Information Protection"	Enforcement of duty of social networks to monitor and block information about public events organized in violation of law	Signed by President	Federal	Journalists and information dissemination
6	On Amendments to the Code of Administrative Offences of the Russian Federation	Administrative Liability for Social Media Owners for Infringing Upon Information Monitoring and Blocking	Signed by President	Federal	Journalists and information dissemination
7	On Amendments to the Rule 213 of the Criminal Code of the Russian Federation	Extension of the Criminal Hooliganism Definition in case of disorderly conduct by a group of persons, as well as in case of the non-violent disorders	Signed by President	Federal	Criminal liability
8	On Amendments to the Rule 267 of the Criminal Code of the Russian Federation	Criminalization of roads blocking, obstruction of pedestrians or traffic, even without adverse effects	Signed by President	Federal	Criminal liability

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
9	Determination of the Constitutional Court on the appeal of Kotov Konstantin Aleksandrovich on the Violation of His Constitutional Rights by the Rule 2121 of the Criminal Code of the Russian Federation	Constitutional Court for the second time has addressed matters related to the constitutionality verification of the Rule 212.1 of the Criminal Code of the Russian Federation, prescribing criminal liability and imprisonment for a term of up to 5 years for informality of participation in the peaceful action. The norm has not been cancelled and it is still being exercised.	First reading stage	Constitutional court	Criminal liability
10	Constitutional Court Ruling in the Case of the Constitutionality Verification of the Rule 3 4 of the Samara Region Law "On the Procedure for Filing a Notice of Holding a Public Event and Ensuring Certain Conditions for the Exercise of Citizens' Rights to Hold Public Events in the Samara Region" on the Appeal of N. P. Baranova, A. G. Kruglov, and D. I. Stalin	Constitutional Court has condemned regional restrictions for holding the meetings, protests, rallies, and demonstrations close to educational and medical organizations, religious and military installations, as well as has once again expressed criticism towards the abstract territorial restrictions in general. At the same time, Constitutional Court has declared that holding actions outside the designated areas, the so-called hyde parks, shall be possible only if it is not possible to hold them in the hyde park.	Entered into force	Constitutional court	Hyde parks Territorial bans
11	Decree of The Chief State Sanitary Doctor of Russian Federation dated 13.03.2020 №6 "On the implementation of (preventive) measures to prevent the spread of new coronavirus Infections caused by COVID-2019"	It is required from heads of the regions to "restrict public events" due to COVID-2019 pandemic. Formally, meetings and picketing do not apply to public events, but they start be prohibited.	Entered into force	Federal	Pandemic restrictions

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
12	Federal Law dated 01.04.2020 N 100-FL "Amendments to the Criminal Code of the Russian Federation and articles 31 and 151 Criminal Procedure Code of the Russian Federation"	On 1st of April 3 new criminal articles were added. Two of them provide liability for "the dissemination of deliberately-false information about circumstances posing a threat to life and safety of citizens (artl. 207.1 of the Criminal Code of the Russian Federation), and the public dissemination of "deliberately-false information led to grave consequences" (artl. 207.2 of the Criminal Code of the Russian Federation), with the possibility of imprisonment for a period up to 3 years, in case of grave consequences – up to 5 years. The third article is about amendment of Article 236 of the Criminal Code of the Russian Federation about liability for violation of sanitary epidemiological rules.	Signed by President	Federal	Criminal liability Pandemic restrictions
13	Federal Law dated 01.04.2020 N99-FL (ed. 29.12.2020) "Amendments to the Code of Administrative Offences of the Russian Federation"	This Federal Law added to the Code of Administrative Offences of the Russian Federation new offences (corpus delicti): violation of high alert rules in time of the pandemic, violation of sanitary epidemiological rules, the dissemination of deliberately-false information in time of the pandemic.	Signed by President	Federal	Administrative responsibility Pandemic restrictions

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
14	On amending Articles 2 and 8 of the Law of Moscow dated 10.12.2003 N77 "About public points of order in Moscow" and the Law of Moscow dated 21.11.2007 N 45 "The Code of Administrative Offences of Moscow", the Law of Moscow dated 01.04.2020 N6	Adding Article 3.18.1 to the Code of the City of Moscow on Administrative Offenses, about liability for violation mandatory self-isolation (quarantine) rules.	Entered into force	Regional	Administrative responsibility Pandemic restrictions
15	March 18 - A Supreme Court imposed restrictions on all courts' work from March 19 to April 10.	A Supreme Court implied restrictions on visiting courts in time of pandemic.		Supreme Court	Pandemic restrictions Operation of courts
16	April 21 — A Supreme Court Plenum publishes the first review of the practice of applying the rules introduced to counter the spread of coronavirus	On April 21, the Supreme Court for the first time clarified how courts and procedural rules work, how the new criminal and administrative articles are applied during a pandemic. In particular, the Supreme Court clarified that the new criminal articles for dissemination of false information can also be applied for speaking out at rallies.	Entered into force	Supreme Court	Pandemic restrictions Operation of courts Criminal liability Administrative responsibility
17	April 30 — A Supreme Court Plenum issued the second review of the practise of legislation during the pandemic	The Supreme Court further clarified the procedure for applying new administrative and criminal articles during the pandemic, including for violating the rules of self-isolation and dissemination of false information.	Entered into force	Supreme Court	Criminal liability Pandemic restrictions Operation of courts Administrative responsibility

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
18	May 12 — general restrictions on the work of Russian courts are removed, now each court determines the restrictions itself, taking into account the epidemiological situation	On May 12, the Supreme Court removed general restrictions on court visits, giving them the authority to independently impose such restrictions at the level of each region or even a specific court.		Supreme Court	Pandemic restrictions Operation of courts
19	Regional territorial restrictions	As a result of two decisions of the Constitutional Court (of November 1, 2019 and June 4, 2020), the regional legislation on public events is being reformed during 2020: territorial restrictions around certain objects are excluded from them.		Regional	Territorial bans
20	Regional restrictions due to the pandemic	Since March 2020, regional executive authorities have begun to impose various quarantine restrictions due to the COVID-19 pandemic. Among other things, public events, including single-person pickets, were restricted or completely prohibited. As of the beginning of September 2020, 26 regions have completely prohibited any actions. A year later, in March 2021, prohibitions on actions continued to apply in a number of regions, including Moscow and St. Petersburg.		Regional	Pandemic restrictions

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
21	Law of St. Petersburg №207-44 dated 08.04.2020 on amending the Law of St. Petersburg "On administrative offenses in St. Petersburg"	Adding article 8.6.1 to the Code of the City of St. Petersburg on Administrative Offenses, about liability for violation mandatory self-isolation (quarantine) rules.	Entered into force	Regional	Pandemic restrictions Administrative responsibility
22	On amending Articles 5 and 6 of Federal Act "On assemblies, rallies, demonstrations, marches and picketing"	It is proposed to lift the legal ban on wearing masks during public events	First reading stage	Federal	Protest actions holding
23	On amending The Code of the Russian Federation on Administrative Offenses	It was proposed to exclude from The Code of the Russian Federation on Administrative Offenses parts 5 and 6 of article 20.2 (the most common article imputed to participants of political actions) and article 20.2.2, penalizing people's simultaneous presence and movement in public space. The bill was not passed due to the absence of government's review in introducing the bill (since the end of 2019 it was a mandatory requirement for bills amending The Code of the Russian Federation on Administrative Offenses)	Rejected	Federal	Administrative responsibility

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
24	On amending The Code of the Russian Federation on Administrative Offenses (On establishment of administrative liability for illegal rejection of approving public event)	It is proposed to penalize the illegal rejection of approving public event as a separate offence. During 2020 considering the bill was delayed several times/	First reading stage	Federal	Preliminary approval request
25	On amending the Law of Moscow dated 04.04.2007 №10 "On ensuring the realization of rights of citizens of Russian Federation to hold assemblies, rallies, demonstrations, marches and picketing in the city of Moscow "	It is proposed to allow the Moscow authorities to approve public events involving less than 1000 people.	Under consideration	Regional	Preliminary approval request
26	On the implementation of certain provisions of the Federal Law "On assemblies, rallies, demonstrations, processions and picketing" on the territory of the Kirov region	The Bill establishes the priority of holding public events in specially designated places (the so-called Hyde-parks).	Approved by deputies	Regional	Hyde parks
27	CC took up a complaint on picket lines	Irina Nikiforova's complaint is related to administrative proceedings on charges of organizing an uncoordinated event in Kazan in early 2020. Single pickets on one topic, held on different days, were recognized as a single action.		Constitutional court	Single-person pickets

#	Title	Topic	Approval stages by March 2021	Type of the normative act	Type
28	On assemblies, processions and picketing (in terms of the organization and arrangements for holding public events)	Draft of a new version of the law on rallies. In particular, it is proposed to change the terms of the agreement, to allow meetings of residents and meetings with deputies without harmonization, territorial prohibitions are changed, and the duration of events is limited.	Preliminary consideration	Federal	Preliminary approval request Territorial bans
29	On recognizing as invalid the Article 212-1 of the Criminal Code of the Russian Federation and amending Article 151 of the Criminal Procedure Code of the Russian Federation	Decriminalization of repeated violations of the established procedure for organizing or holding an assembly, meeting, demonstration, march, or picket.	First reading stage	Federal	Criminal liability
30	On amendments to the Article 151 of the Criminal Code of the Russian Federation	Changes to Art. 151 of the Criminal Code of the Russian Federation are proposed, namely, to impose punishment in the form of imprisonment for up to five years for involving minors in uncoordinated public events and up to ten years for inducement to organize riots.	Not yet submitted to Gos...	Federal	Criminal liability

Number Of Appeals Against Non Authorisation Of the Assemblies In Trial From 2017 to mid-2020



Based on data from the Judicial Department of the Supreme Court

Exhibit No. 6. OVD-Info's data: Detentions on Protests 2020

#	Region	2020 number of events	2020 detentions	2020 detentions single-person pickets	2020 detentions not single-person pickets
1	Altai Territory	3	5	1	4
2	Amur Region	3	7	1	6
3	Arkhangelsk Region	7	19	6	13
4	Belgorod Region	1	1	1	0
5	Bryansk Region	1	2	2	0
6	Chelyabinsk Region	4	7	5	2
7	City of St. Petersburg	79	288	146	142
8	Irkutsk Region	4	5	0	5
9	Kabardino-Balkarian Republic	1	2	2	0
10	Kaliningrad Region	1	1	0	1
11	Kaluga Region	1	1	1	0
12	Kamchatka Territory	1	1	1	0
13	Karachayev-Circassian Republic	1	13	0	13
14	Kemerovo Region	3	5	2	3
15	Khabarovsk Territory	20	89	1	88
16	Khanty-Mansi Autonomous Area - Yugra	3	4	4	0
17	Kirov Region	1	1	1	0
18	Komi Republic	2	2	2	0
19	Krasnodar Territory	9	43	25	18

#	Region	2020 number of events	2020 detentions	2020 detentions single-person pickets	2020 detentions not single-person pickets
20	Krasnoyarsk Territory	6	16	5	11
21	Kurgan Region	2	2	1	1
22	Leningrad Region	6	49	6	43
23	Moscow	258	1322	475	847
24	Moscow Region	9	49	9	40
25	Murmansk Region	1	1	1	0
26	Nizhny Novgorod Region	20	23	17	6
27	Novosibirsk Region	9	10	8	2
28	Omsk Region	5	25	6	19
29	Orel Region	2	2	2	0
30	Penza Region	3	4	2	2
31	Perm Territory	5	18	4	14
32	Primorye Territory	14	41	6	35
33	Pskov Region	3	5	3	2
34	Republic of Bashkortostan	5	88	0	88
35	Republic of Buryatia	3	9	4	5
36	Republic of Daghestan	4	35	2	33
37	Republic of Ingushetia	2	5	1	4
38	Republic of Karelia	3	8	1	7
39	Republic of Mari El	1	1	1	0

#	Region	2020 number of events	2020 detentions	2020 detentions single-person pickets	2020 detentions not single-person pickets
40	Republic of North Ossetia - Alania	1	69	0	69
41	Republic of Tatarstan	13	52	13	39
42	Rostov Region	1	1	1	0
43	Ryazan Region	1	1	1	0
44	Samara Region	6	20	3	17
45	Saratov Region	1	1	1	0
46	Stavropol Territory	3	3	3	0
47	Sverdlovsk Region	8	21	5	16
48	Tula Region	5	9	6	3
49	Tver Region	4	8	2	6
50	Tyumen Region	4	7	2	5
51	Udmurtian Republic	2	4	1	3
52	Ulyanovsk Region	5	7	4	3
53	Volgograd Region	2	7	0	7
54	Vologda Region	3	4	1	3
55	Voronezh Region	1	1	1	0
56	Yaroslavl Region	1	11	0	11
		SUM 567	SUM 2435	SUM 799	SUM 1636

Exhibit No. 7. Investigation of violence

After the above events, some individuals filed crime reports requesting investigation into their cases and prosecution of officials responsible for the illegal use of violence. However, investigative bodies tend to refuse considering such applications.

Contrary to law, investigators do not register such applications as crime reports and do not perform a pre-investigation inquiry as prescribed by the Russian Criminal Procedure Code (hereinafter, CPC). Instead, applications are frequently sent to the Ministry of Internal Affairs for an internal investigation, which hardly leads to initiation of criminal cases.

There are grounds to believe that the refusal to register applications concerning the use of violence at protests as crime reports is a deliberate policy.

Committee Against Torture's findings

As of 17 March 2021, **nine** applications concerning the illegal use of violence by law enforcement officers at public protests on 23 January and 31 January 2021 have not been registered as crime reports.

Eight confirmed cases occurred in Moscow: **six** cases involving the participants of the 23 January protests (Randelia I.A., Kolomensky I.E., Surov V.A., Lipatov V.V., Isayeva M.V., Milyakov S.O.), two cases involving the participants of the 31 January protests (Bukovetsky K.S., Sokolov T.K.).

One confirmed case occurred in Krasnodar (Plakhtiy V.V., participant of the 31 January protests).

The Russian Investigative Committee officials stated there was insufficient evidence to initiate the pre-investigation inquiry, required under the CPC, despite the fact that the applications contained the required information on time, place, circumstances, and the consequences of the use of violence against the applicants with supporting medical documentation attached.

The situation described above has occurred on many occasions.

Six applications concerning the use of violence by the law enforcement officials against civilians at demonstrations were not registered as crime reports in Moscow in 2019.

As a result of various judicial procedures, **three** of the **six** applications were eventually registered as crime reports and were followed by pre-investigation inquiries as required under the CPC. These investigations took from 4 up to 14 months. Eventually, the criminal cases were not opened.

Public Verdict Foundation's findings

The Public Verdict Foundation filed two crime reports with the Investigative Committee of Russia concerning the unlawful and unjustified use of force by law enforcement officials in apprehending participants of peaceful protests on 23 and 31 January 2021. In their first appeal, the human rights defenders referred to eight such incidents on 23 January documented on the internet,¹ and the second appeal cited twelve incidents of arbitrary police violence on 31 January. Two months after the events, as of 31 March, the Public Verdict Foundation has only received notifications from the Investigative Committee stating that the Public Verdict Foundation's reports have been forwarded to the regional investigative departments for verification. No information has been published on whether a single criminal case has been opened into the arbitrary use of force by law enforcement officials during the 23 and 31 January protests.

¹ See: <https://t.me/publicverdict/1853> (accessed on 26 April 2021).

Exhibit No. 8. Inhuman transportation conditions

Protesters detained during public assemblies are transported to police stations. The inhumane conditions of this transportation present another obstacle to freedom of assembly. Current practices create a chilling effect on protesters.²

The manner in which the detained protesters were transported in Moscow during January and February 2021 indicates that the law enforcement officials in charge of detention and transportation procedures do not prioritise compliance with prisoner (detainee) rights and transportation standards, resulting in massive and widespread violations affecting persons detained during protests:

- People detained during the protests in Moscow on 23 and 31 January and on 2 February 2021 were transported over long distances in overcrowded vehicles, so that some detainees had to stand. There was no access to drinking water, food, or toilets. Detainees were transported to the Sakharovo Centre for the Temporary Detention of Foreign Nationals, 80 kilometres from Moscow, because all detention facilities in the city were already overcrowded; the detainees were left in the vehicle overnight. On 31 January alone, at least 1,800 people were detained in Moscow, followed by 1,236 detentions on 2 February³. Some detainees spent 40 hours in prisoner transport vehicles⁴ and were denied even basic needs.
- In practice, the actual time it takes to transport detainees within the boundaries of one city, e.g., from a police station to a court or to an administrative arrest facility, or between a pre-trial detention centre and a court, far exceeds the authorities' estimates and can be as long as several hours. According to information received by the Public Verdict Foundation on 3 February 2020, persons detained during the 2 February protests and transported to the Chertanovsky court for hearings spent six hours in the prisoner transport vehicle outside of the courthouse waiting for their hearings. Some of the **thirty-four** detainees did not have a seat in the crowded vehicle and had to remain standing and in close contact with each other.
- Vehicle models (even new ones) are not equipped with portable chemical toilets, because the authorities do not consider them necessary for prisoner transportation over what they estimate to be short distances. **The absence of portable chemical toilets in the new models of prisoner vehicles forces people to relieve themselves in conditions which are incompatible with human dignity.**⁵
- Even new models of these vehicles do not comply with minimum personal space requirements. In them, space for each prisoner falls short of the CPT⁶ standard and equals 0.4 sq.m for short distances and 0.6 sq.m for long distances⁷.

² The transportation conditions are discussed in detail in the respective submission under 9.2 Rule in Tomov and others v. Russia (Applications nos. 18255/10 and 5 others). In this submission we only provide short highlights that concern detentions on public assemblies only.

³ See: <https://ovdinfo.org/navalny-2021> (accessed on 26 April 2021).

⁴ See: <https://www.rbc.ru/politics/02/02/2021/60190fbc9a79470a80c84f12> (accessed on 26 April 2021).

⁵ When Ms Moskalkova, Russian Commissioner for Human Rights, examined the new models of police transport vehicles on 25 November 2020, she questioned the absence of portable toilets, saying that she had been getting many complaints from detainees and criminal suspects about long travel times between pre-trial detention centres and courts (<https://russian.rt.com/russia/news/806707-moskalkova-avtozaki-ocenka>).

⁶ The European Committee for the Prevention of Torture and Inhuman

⁷ See: <https://zakupki.gov.ru/epz/order/notice/ea44/view/common-info.html?regNumber=0173200001420001241>
<https://zakupki.gov.ru/epz/order/notice/ea44/view/common-info.html?regNumber=0173200001420001242>
<https://zakupki.gov.ru/epz/order/notice/ea44/view/common-info.html?regNumber=0173200001420001246>
(accessed on 26 April 2021).

Exhibit No. 9. Violation of defense rights and other rights

Apart from violence and inhumane conditions, OVD-Info was informed of numerous other violations by police:

- Immediately upon arrest or inside police stations, the detainees were often deprived of their phones or forbidden to use them. In such cases, detainees were unable to report violations, to inform friends or family of their location, to request food and medicine, or to consult a lawyer.
- The police pressed detainees to submit to fingerprinting or photographing (which are not prescribed by law), to sign certain documents not prescribed by law (statements, confirmations of consent to SMS-notifications by police and court and etc.), and to disclose their smartphone passwords.
- The police refused to provide copies of administrative offence reports or to register complaints by detainees, including complaints about exceeding the maximum detention period.

Many detainees were sent to court immediately from the police station, without the opportunity to familiarize themselves with their cases, consult a lawyer, or prepare a defense. Detainees who were released before trial were sometimes notified of the hearing on the day of the trial or the day before, so they had insufficient time to prepare a defence.

Infringement of the right to legal counsel

In numerous cases the police refused to let attorneys consult with their clients (detainees). Lawyers were not allowed inside police stations. At the same time, the detainees were forced to participate in certain legal procedures that lead to charges with administrative offenses (review and signing of administrative offence reports), as well as in interrogations. Thus, the detainees were deprived of any opportunity to exercise their constitutional right to legal counsel.

Cases of barring lawyers from entering police stations were recorded in many regions of the country.

The Interregional Association of Human Rights Organizations, Agora, reported **nineteen** cases of barring lawyers from police stations on 23 January 2021, and **twenty-nine** cases on 31 January 2021. The violations occurred throughout the country: Moscow, St. Petersburg, Lipetsk, Samara, Rostov-on-Don, Voronezh, Novokuznetsk, Vladimir, Krasnodar, Volgograd, Vladivostok, Perm, Yekaterinburg.

In Nizhny Novgorod, human rights organizations OVD-info, Committee Against Torture, and Agora recorded **four** episodes of restricting lawyers' access to police stations on 23 January 2021 and **four** episodes on 31 January 2021.

The above-mentioned problem has occurred in many regions.

In the vast majority of cases, barring lawyers from police stations is explained by the execution of the "Fortress". As reported in a number of the Ministry of Internal Affairs official responses, the aim of this protocol is to "ensure anti-terrorist protection, as well as defend the buildings of internal affairs bodies against provocations and attacks on police officers engaged in citizens' detentions". The protocol was introduced as an excuse not to allow lawyers and human rights defenders to visit the detainees, without suspending interrogations, drawing up administrative offence reports and other procedural actions with the detainees.

The implementation of the "Fortress" protocol also prevents lawyers and defenders from representing their clients at administrative case hearings in court. Attorneys are not notified when their clients are secretly taken from police stations directly to the courthouse. Additionally, due to COVID-19 pandemic, many courts have imposed a ban on the presence of spectators and the press in court (for all cases); often lawyers and defenders are included in this ban and therefore cannot help clients who have been arrested in mass detentions.⁸

Currently, human rights activists and lawyers are using domestic legal remedies (administrative judicial proceedings and complaints to the prosecutor's office) to appeal restricting lawyers' access to clients in police custody.

⁸ See: <https://ovdinfo.org/reports/winter-2021-suppression#10> (accessed on 26 April 2021).

Exhibit No.10. Petition “Bring down the “Fortress” — Give detainees back the right to defence”

Bring down the “Fortress” — Give detainees back the right to defence

The number of people detained in Russia at the protests that followed opposition politician Alexei Navalny’s arrest has topped 11,000. Police stations that received the detainees enacted the “Fortress” plan— a special protocol designed to protect a station from an armed incursion. The “Fortress” allows the police not to let anyone in or out of the station. Lawyers from human rights NGOs, including OVD-Info, were unable to enter the stations and help the detainees. This untied the hands of the police, allowing officers to abuse their powers: they confiscated the detainees’ phones, beat them or even tortured them.

Below is just a cursory summary of abuses repeatedly reported to OVD-Info by the detainees and their families:

Twisting people’s arms; jumping on the detainees; strangulation during arrest; intentional creation of crowd crush situations; keeping detainees in the cold outside police buses and stations; refusing to call for medical help for the injured; beatings at police stations; use of violence and beatings to force detainees to agree to fingerprinting, to be photographed or to unlock their mobile phones; keeping detainees without food or water; overnight detention in a cellar without the means to lie down; deliberately waking people several times a night; forbidding to use the toilet at the stations and in police vans; placing a plastic bag over people’s heads; keeping detainees in freezing police vans; overcrowding of the buses, so as not everyone was able to sit down; use of pepper spray inside of a bus; deliberate interaction with detainees without face masks and gloves (that could help prevent the viral spread).

We are certain that if defenders were allowed into the stations to visit detainees, there would be significantly less instances of police misconduct — officers simply would not dare to do things like that in the presence of a lawyer. This is why it is vital that the police should not be allowed to abuse the “Fortress” plan.

Instead of allowing citizens to exercise their constitutional right and participate in civic life via peaceful protests, local authorities and the police in more than 100 cities cracked down on the protesters and subjected activists to administrative and criminal prosecution. **While making arrests, the police did not simply use excessive force: there are hundreds of documented cases of deliberate cruelty, beatings and the use of non-lethal weapons, including batons and tasers, against unarmed and peaceful civilians.**

But all of this was not enough: the authorities have decided to do away with any legal standards altogether: to deny detainees the very opportunity to get legal counsel and to deny attorneys and lawyers the very opportunity to help them. Denial of the right to defence is systematic and undisguised:

- Police stations en masse refused access to lawyers, elected representatives and legal defenders. As a rule, police stations invoked the “Fortress” plan, but other made up pretexts were also used to block access. There have been cases of lawyers being prevented from communicating with defendants at a police station or physically ejected from the premises.
- There is a wholesale clampdown on the opportunity of detainees to communicate with the outside world. Straight away during the arrest or at police stations, detainees had their mobile phones taken away or were forbidden to use them. In such cases, they had no means of alerting anyone of abuses, or even where they were, to receive food parcels or needed medicines, or to consult a lawyer.
- Threats were frequently used whenever detainees attempted to defend their rights e.g. by refusing unlawful fingerprinting or photography; requesting a copy of the charge sheet; refusing to sign documents; complaining about being detained beyond the legal time limit; refusing to give any comments under article 51 (right not to testify against oneself); demanding a lawyer; refusing to give out their mobile phone password; or refusing to stand before the court via the Internet while remaining at the station.
- There have also been cases of denial of the right to legal representation in court. If detainees are locked up overnight, they are unable to contact a lawyer and have no time to prepare for the trial. In some cases, trials took place inside police stations. Entrance to court buildings for lawyers, witnesses and the wider public is restricted due to the pandemic; detainees are transported to courts in secret, without alerting their lawyers; lawyers are not allowed into courts after official closing hours even though the judges continue to examine cases late into the night. Detainees are pressured into refusing legal representation in court, not filing any petitions and admitting their guilt on a promise of leniency.
- Legal representation itself is being termed unlawful — for instance, a court in Krasnodar arrested a lawyer, Mikhail Benyash, for calling on his colleagues to provide legal help to the people detained at the protest rallies.

The Russian authorities have declared all protest actions in support of Alexei Navalny unlawful, although the reality is the opposite — it is the authorities and the security forces who, without announcing any state of emergency or a military coup, have turned the entire country, from Vladivostok to Kaliningrad, into one large zone of sanctioned lawlessness. This lawlessness is not challenged by state prosecutors, the police directorate for internal security, the Human Rights Council and Human Rights Commissioner of the Russian Federation, Tatyana Moskalkova.

We are talking not merely about human rights abuses as such — we are witnessing the state labelling as outlaws anyone who openly states their dissent, along with human rights advocates, activists and lawyers who defend their rights, along with journalists and bloggers who shed light on abuse of police powers. In legal terms, what is happening now can be unequivocally described as a mass-scale and outright breach of citizens’ rights and freedoms.

For these reasons, we, the undersigned, call on Minister of the Internal Affairs of the Russian Federation, Vladimir Kolokoltsev, to:

- o Immediately stop police violence and abuse of protesters and release all those unlawfully detained
- o Provide all those detained who are sentenced to administrative arrests with humane and dignified conditions to which they are entitled by law
- o Unequivocally guarantee the professional rights of legal representatives and their access to the defendants
- o Provide a public and detailed report on each use of the “Fortress” protocol at Russian police stations from 23 January to 3 February
- o Carry out inspections of all police stations which received detainees arrested at public protests between 23 January and 3 February to investigate instances of abuse of detainees’ rights or use of violence, and conditions of their detention; and to provide a public report on the outcome of these inspections.

We also appeal to Human Rights Commissioner Tatyana Moskalkova and ask her proactively to:

- o Visit the detention centres
- o Carry out inspections of all police stations in Russia that received detainees arrested at public protests from 23 January to 3 February
- o Directly or via a personal representative to visit and participate in court trials in all cases of people detained at public protests from 23 January to 3 February
- o Become acquainted with evidence and prosecution charges in all administrative cases of those detained at public protests from 23 January to 3 February 2021
- o Inform us, the undersigned, of the outcome of these inspections

Bring down the “Fortress”! Give detainees back the right to defence! Put a stop to lawlessness, violence, abuse and torture!

Exhibit No. 11. Statements on “Fortress” Protocol

#	Who	Date	Summary	Response or course of events
1	Dmitry Kalinin, former member of the Commission of Inquiry of the Sverdlovsk region	11.6.2017	In Ekaterinburg, the public oversight board were denied access to police departments because of the drills.	
2	Ekaterina Shulman, political scientist	7.11.2017	This is all completely illegal: we have no "Fortresses" or other special status plans, other than a state of emergency, which would allow us to limit the communication of detainees with their protectors.	
3	Kirill Martynov, philosopher and journalist	30.8.2017	The police declare a "fortress" plan, that is, they close the doors, unseal the gun room, and do not let anyone inside.	
4	Ivan Zhdanov, Lawyer of FBK (as of 2018)	28.1.2018	On January 28, supporters of Alexei Navalny held actions around the country in support of the "voters' strike" announced by the politician in response to his denial of registration for the presidential election. FBK lawyer Ivan Zhdanov told Mediazona that lawyers have been denied access to the detained FBK activists at the Danilovsky police department in Moscow for several hours.	

#	Who	Date	Summary	Response or course of events
5	Pavel Chikov, head of the "Agora" human rights group	5.5.2018	According to Pavel Chikov, Moscow declared a plan "Fortress" - a special regime for law enforcement officers, involving the urgent summoning of personnel and taking control of critical facilities.	

#	Who	Date	Summary	Response or course of events
6	Valeria Arshinova, Attorney-at-Law, ICAC SED LEX (Advokatskaya Gazeta, the organ of the Federal Chamber of Advocates of the Russian Federation)	16.5.2018	<p>On the morning of January 28, 2018, my principal was detained at his place of work and taken to the Department of Internal Affairs of Russia in the Danilovsky district of Moscow. Near the checkpoint, I met two lawyers, Vladimir Borisovich Voronin and Andrey Evgenyevich Skripnichenko, who could not enter the territory of the IAD to protect their clients due to the events conducted by police officers called "Fortress". Sometime later, Anna Vladimirovna Desyatova, a municipal deputy for the Danilovsky District of Moscow, arrived at the IAD. After presenting her ID card she was also refused entry with reference to the "Fortress" plan that had been introduced. At the same time, around 3:20 p.m., a Domino's Pizza food delivery vehicle drove up. The driver walked through the checkpoint with a bag of food, without presenting any documents to the employee (!). Moreover, when I returned around 18:00 to the DIA to write a statement about the crimes committed by the DIA officers under Art. 285, 286 of the Criminal Code, the lawyer Andrey Evgenyevich Skripnichenko and I were not allowed to enter the territory of the IAD again, although other citizens freely passed in front of us.</p>	<p>At 6:50 p.m., we called the police station on duty in Danilovsky police department and asked for the reasons why we were not allowed to see our clients. The officer on duty told us that the events called "Fortress" were continuing, that we could come tomorrow, that the detainees did not need the services of a lawyer, and that we were not supposed to know the details of the order on the basis of which the "Fortress" was held. As the only weapons a lawyer has in the struggle against illegal actions of officials are a notebook and a pen, on these circumstances we have written complaints to the Moscow prosecutor's office, Investigative committee, Federal chamber of lawyers and the Commission on protection of rights of lawyers of the Moscow Bar. I believe that the ways to solve the problems arising are the legislative consolidation of the possibility of unimpeded access to the territory of any objects (the territory and buildings of the IAD, the customs area in the airport, the institutions of the Federal Penitentiary Service, etc.) upon presentation of a lawyer certificate and warrant, as well as equating the lawyer's certificate with a document certifying an identity.</p>

#	Who	Date	Summary	Response or course of events
7	Nikita Vyshkvarka, human rights activist	31.7.2018	Dmitrovsky city court fined six activists who blocked the passage of garbage trucks to the landfill in Nepeino. Human rights activist Nikita Vyshkvarka told OVD-Info about it. According to Vyshkvarka, the court declared a service plan "Fortress" and no one was allowed to an open meeting.	
8	Kira Yarmysh, Alexei Navalny's press secretary	25.8.2018	Alexei Navalny was detained in front of his house in Moscow. The police department of Danilovsky police station announced a plan "Fortress", the defender has not been allowed to see Alexei yet.	We complained to the Department of Internal Affairs of Southern Administrative District about the fact that defenders are not allowed into Danilovsky. The Department of Internal Affairs of the Southern Administrative District is not aware of any "Fortress" plan.
9	Tatyana Zaitseva, activist at Navalny's Omsk headquarters	9.9.2018	In early August, Alexei Navalny announced a nationwide protest against raising the retirement age for September 9 - the single day of voting. Tatyana Zaitseva, an activist in Navalny's Omsk headquarters, told "Rain" that she was beaten by police officers. Zaitseva was detained by three officers of the Ministry of Internal Affairs. After that Zaitseva was taken to the police department. According to her data, a plan "Fortress" was implemented there. All the detainees involved in the action were "taken to different rooms and locked with the keys, we're just sitting here". Zaitseva asked the police to call her an ambulance.	
10	Alexei Avanesyan, lawyer; Yulia Gorbunova, Human Rights Watch Russia researcher	5.10.2018	Benyash's lawyer Alexei Avanesyan told Human Rights Watch that his client arrived in Krasnodar from Sochi on September 8 to advise protesters who were not sanctioned by the authorities. According to Avanesyan, he arrived at the department as soon as he learned about the detention (no later than 14:00), but he was not allowed to see Benyash for at least eight hours. At first, nobody was allowed to the police at all, citing the "Fortress" plan allegedly introduced in connection with the protest rally taking place at that time. Avanesyan also says he was repeatedly told that Benyash was not in the building. / "The police unreasonably send to the detention center the lawyer who dealt with the rights of peaceful protesters. This is done with the sole purpose - to intimidate other lawyers and citizens so that they do not try to exercise their fundamental rights and freedoms", - says Yulia Gorbunova.	The President of the Federal Chamber of Lawyers of Russia protested against the arrest of Benyash. The Presidential Council for Civil Society and Human Rights called for a thorough investigation of what happened.

#	Who	Date	Summary	Response or course of events
11	Lenta.ru article, with no author cited	5.10.2018	<p>This cryptic signal is the name of the plan. Simply put, when police officers hear a code word over the radio, be it "Interception," "Blizzard" or "Fortress," they know in advance what to do. Specific instructions for policemen when introducing each plan are given in the order №400 of May 25, 2009, of the Ministry of Internal Affairs of Russia. This document is marked as "for official use", which means that the description of the concrete actions of the police during the introduction of a plan is classified information. For its disclosure shall be punishable, since such information can greatly facilitate the lives of criminals of all stripes.</p> <p>(...)</p> <p>Another plan close to the "Vulcans" is the "Fortress": when it is introduced, the police gather to protect the facilities of the Interior Ministry and internal troops. Of course, such cases are exotic for the Moscow region, but in the North Caucasus "Fortress" has been introduced more than once.</p> <p>(...)</p> <p>For example, the "Fortress" plan - repulsing an attack on a police station - in the North Caucasus and somewhere in Central Russia involves completely different situations. In the first case the law enforcers will be confronted by thugs, and in the second by some hooligans, drunk in the heat of the moment. And since the level of danger is different, the actions of the police under the same plan will differ significantly.</p>	
12	"The Fortress Plan, a film by Andrei Kiselev	6.3.2018	<p>Petersburg activist Artem Goncharenko was detained for hanging a huge yellow duck (symbolizing corruption charges against Dmitri Medvedev) in his window during the January 28 Voters' Strike action. It happened almost a month later, on February 25, the day the opposition was holding a march in memory of Boris Nemtsov. Goncharenko's friends who had been looking for him were not allowed into the police station, which had moved to the Fortress plan. The activist was accused of violating the rules of the rally and sentenced to 25 days of arrest.</p>	
13	Yury Pilipenko, President of the Federal Chamber of Lawyers (FCL) of the Russian Federation	25.9.2019	<p>President of the Federal Chamber of Lawyers (FCL) Yuri Pilipenko asked Minister of Internal Affairs Vladimir Kolokoltsev not to introduce the plan "Fortress" in the territorial bodies of internal affairs.</p>	
14	Maria Eismont, lawyer	25.9.2019	<p>K. LARINA: We've had a few more new terms that we're mastering in the meantime. Well, maybe they're old, they just haven't come out in public like this, which is what they're called. This is the Fortress plan. Explain what it is. I understand that we're talking about not allowing lawyers to see their defendants at the very first stage, the detention stage. Is this true? So Masha had to deal with this directly, right?</p>	

#	Who	Date	Summary	Response or course of events
			<p>M. EISMONT: Well, for us, the Fortress plan is what you said. It's the exclusion of lawyers. s. And in fact, the Fortress plan involves really some heightened mode in which the police department operates when there's a real threat of an attack, for a second.</p> <p>K. LARINA: Really?</p> <p>M. EISMONT: Yes.</p> <p>Г. REZNICK: Just one thing, just one thing: a really real threat of an attack on the police department. And the interesting thing is that when we... Just when Masha wasn't allowed in, she called me.</p> <p>K. LARINA: And they were motivated by the Fortress plan?</p> <p>Г. RESNIK: Of course, of course.</p> <p>M. EISMONT: Of course. They said it directly.</p> <p>Г. REZNIK: It was said about "The Fortress." And Masha, when we talked to her, she called me as the chairman of the Federal Chamber's Commission to Protect Attorneys. She said, "Well? People go out there, they come in, some civil servants, they bring some kind of pizza."</p> <p>M. EISMONT: They bring pizza, yes.</p> <p>Г. RESNIK: And what can I tell you? I had to handle the whole thing manually. I started calling there, calling there, convincing them that it was just undermining the prestige in general, that you can't do that. And it didn't take, I think, two hours... No? Three hours?</p> <p>M. EISMONT: Four.</p> <p>Г. REZNIK: Three hours had not passed before they, respectively, were allowed. This is absolutely outrageous. It was observed...</p> <p>K. LARINA: Why would they do that? It's a way of putting pressure on detainees, isn't it?</p> <p>Г. RESNIK: Of course, of course, sure, sure.</p> <p>K. LARINA: Of course.</p> <p>Г. RESNIK: There have been such cases, at least to my knowledge, in Krasnodar and Moscow. The interesting thing is that this is not regulated by law. It's left to the perpetrators themselves, who see that in this case there is a threat of attack. Go and then, accordingly, prove it. I believe that in those cases where the non-admission of an attorney led to a real threat to the person, when, respectively, he was ill, you know, when, accordingly, some close relatives on this occasion, the actual threat to health - in this case, we can even raise the question of criminal prosecution, because this is an abuse of power, which, This is an abuse of power, which, accordingly, resulted in harm to the person, harm to the citizens. As a matter of fact, to operate with the Constitution. This is a complete outrage. And the lawyers, of course, need to record this, as during this plan "Fortress" is absolutely closed... A fortress is a fortress. That is, no one is supposed to come in here. How do people go out there, come in, bring something like that, and so on. This is evidence that in this case there is certainly an abuse of power.</p> <p>K. MARIA: Masha, what arguments can a lawyer present when faced with this kind of situation? And of course, given that we live in a time when anyone can be detained, how would a detained person behave if he is not allowed a defence lawyer?</p> <p>M. EISMONT: A detained person can ask for a defence lawyer.</p> <p>K. LARINA: Well, that is understandable.</p> <p>Г. REZNIK: Generally speaking, that is what they do. At least for those administrative offences that we spoke about at the beginning, people usually have the opportunity to call a human rights organization, either</p>	

#	Who	Date	Summary	Response or course of events
			<p>directly to a lawyer or through an organization. And, generally speaking, they know that someone has gone out to them, and they demand.</p> <p>But this is the second time it's happened to me, the Fortress plan is haunting me. The first time was on June 12 after the march in defence of Ivan Golunov, when at the IAD "Airport" for eight hours I was not allowed to see the detainees. And when they demanded a lawyer they were told: "You don't need a lawyer, you're already adults.</p> <p>K. LARINA: That's a fantastic argument!</p> <p>M. EISMONT: This is why it is important, I think it is very important... I was very happy when I read on the websites of the Federal and Moscow Chambers of Lawyers that they were interested in this topic. My colleagues and I are also discussing it. This is a dangerous precedent. And if in cases with administrative offences, maybe this will end up somehow light... Well, yes, it's still bad, it's a violation of the law. A person has the right from the moment of detention to qualified legal assistance in any case. They're detained, they're effectively deprived of freedom of movement. But if we don't put a stop to this now and create a situation where it's unacceptable not to let a lawyer in, we might actually save somebody from a more serious situation in the future.</p> <p>Г. REZNIK: I think that maybe something will change because I asked Masha and my colleagues to arm us with all these cases of non-admission. And this kind of information has come to us, in at least twelve IABs this has happened. So we sent a letter from the Moscow City Bar Association Council, we sent it to Kolokoltsev, Bastrykin and Chaika, we informed them about these cases, we asked them to investigate and hold the guilty parties accountable, not necessarily criminally, but disciplinary, because clearly, this is a violation, this is a violation of those instructions, those guidelines, those provisions that are there. We'll see, we'll see.</p> <p>Ksenia, we have no other choice but to bang against the wall. No!</p>	
15	Oleg Kozlovsky, researcher, Amnesty International	2.9.2019	They write that the Krasnoselskoe IAD introduced the "Fortress" plan. Truly, there are no people in the world more cowardly than Russian cops. First, they take a journalist out of the house at night, and then they lock themselves in the department out of fear and are afraid to stick their noses out: what if there is a crowd armed with paper cups?	
16	Tatyana Felgenhauer, Russian journalist, correspondent and program host for Ekho Moskv radio station, deputy editor-in-chief, and columnist for Deutsche Welle.	2.9.2019	Two astronauts [police officers] from each corner. We try to find out what the "Fortress" plan is about. But they don't know anything.	

#	Who	Date	Summary	Response or course of events
17	Kirill Goncharov, Deputy Chairman of Yabloko in Moscow	2.9.2019	A "fortress" plan was introduced at the Krasnoselsky IAD. On this pretext, we are asked to leave the department.	
18	Mikhail Pashkin, head of the Moscow police trade union	28.9.2019	You can write like that: "A group of people armed with lawyers' certificates and warrants treacherously attacked the building of the Department of Internal Affairs.	
19	Yury Pilipenko, President of the Federal Chamber of Lawyers (FCL) of the Russian Federation Mikhail Pashkin, head of the Moscow police trade union	25.9.2019	Yuri Pilipenko asked Minister of Internal Affairs Vladimir Kolokoltsev not to introduce the plan "Fortress" in the territorial bodies of internal affairs.	
20	Vladimir Zalischak, deputy of the Council of Deputies of the Donskoy Municipal District of Moscow	2.9.2019	Earlier, lawyers were allowed to see Ilya (Azar), but when people began to gather at the IAD building, the leadership of the department decided to introduce the "Fortress" plan.	

#	Who	Date	Summary	Response or course of events
21	Ilya Yashin, Russian politician and representative of the local government. Chairman of the Council of Deputies of the Krasnoselsky Municipal District of Moscow, head of the Krasnoselsky Municipal District since October 7, 2017.	3.9.2019	The "Fortress" plan was introduced so that UR candidate Valeria Kasamara could pretend to be the "savior" and get Ilya Azar from the police department.	
22	Larisa Move, member of the CPPA of the AP of Moscow	26.1.2021	"As for the Fortress plan - I don't know what plans they have there, but I don't recall that we have any provision in the code of criminal procedure for the exclusion of lawyers due to the introduction of any 'plans'."	
23	Boris Vishnevsky, deputy of the City Council	21.1.2021	Claimed that at the time of the detention of 13 deputies of the municipality of Smolninskoye in the department where they were taken, a plan "Fortress" was introduced	
24	Irina Kopkina, Deputy of the Strogino Municipal Council	25.1.2021	Told "Novaya Gazeta" about the use of brute force against detainees and the "Fortress" plan	

#	Who	Date	Summary	Response or course of events
25	Victor Shenderovich, Writer	16.7.2020	"They are in a fortress from the law." Interview on Radio Ekho Moskv	
26	Elena Filina, Chairwoman of the Presidium of the Association of Independent Deputies	26.3.2021	Under the guise of this plan, as reported by the detainees and as expected, numerous violations of the law were indeed committed - in particular, mothers of young children were left in the wards overnight.	
27	Maria Jouce-Ivanina, Deputy Director of the Department of Criminal, Administrative and Procedural Legislation	5.3.2021	Response to Open Letter from MBH-Media on the Problem of the Fortress Plan	The answer is not substantive, but it confirms the illegitimacy of the Fortress plan
28	Oleg Kozyrev, writer, video blogger	1.2.2021	So, for the record. The "Fortress" plan should be banned from police departments without a court order.	

Exhibit No. 12. Challenging of "Fortress" Protocol

#	Description	Protest	Date of the protest	Police department	City	Date of judgement	Legal result
1	Attorney of the Moscow Board of Lawyers "Logos" was not admitted to the two defendants under Part 5 of Article 20.2 of the Administrative Code of the Russian Federation	Freedom to Navalny	23.1.2021	Moscow Ochakovo-Matveyevskoe District Department of Internal Affairs. Moscow, Moscow, Ochakovskoe highway, 24, p. 1	Moscow	1.3.2021	denied
2	Attorney Maria Eismont was not allowed to visit her clients at the Department of Internal Affairs of the "Airport" district.	Action in support of Ivan Golunov	12.6.2019	Moscow the Department of Internal Affairs in the Airport district the city of Moscow, 10, Chernyakhovsky Street	Moscow	21.10.2020	denied
3	Attorney Vera Goncharova was not allowed to visit her client Kremenetsky V.V. at Severnoe Izmaylovo IAD.	Action in support of Ivan Golunov	12.6.2019	Moscow Ismailovo North District Department of Internal Affairs of Moscow. Moscow city of Moscow, Parkovaya 5-th street, 60 A	Moscow	11.11.2019	denied
4	Attorney Maria Eismont was not allowed to see her clients Viktor Kapitonov, Zakhar Loktev, Anastasia Nikiforova and Svetlana Rubina.	Protests against constitutional amendments	15.7.2020	Moscow police department for the Danilovsky district of Moscow, 15 Avtozavodskaya street, bldg. 2, Moscow.	Moscow		under review

#	Description	Protest	Date of the protest	Police department	City	Date of judgement	Legal result
5	Yekaterinburg attorneys (names withheld) were not allowed to see those detained at the January 23 and 31 actions in support of Navalny.	Freedom to Navalny	23.1.2021	Yekaterinburg, 1 A, Krylova Street, Yekaterinburg, the Sverdlovsk Region	Ekaterinburg		
6	Attorney Mark Alekseev was not allowed to see the detainees under part 5 of article 20.2 of the Code of Administrative Offences of the Russian Federation.	Day of Silence (single LGBT pickets)	17.4.2019	St. Petersburg OC №28 of the Central District of St. Petersburg the city of St. Petersburg, 79 Marata Street	St. Petersburg	1.6.2020	partially satisfied
7	Activist Alisher Beknazarov was not allowed a defender.	Freedom to Navalny	31.1.2021	Moscow IAD in the Timiryazevsky District of Moscow, 17 Lokomotivny proezd, Moscow	Moscow	1.2.2021	returned for revision

Exhibit No. 13."Fortress" Protocol Discriminative Application

#	Name of Detainee	Date	Description
1	Ekaterina Maldon	14.1.2015	Alexey Domnikov, the lawyer for the For Human Rights group, was not allowed to see the people detained for singing the Ukrainian anthem next to the detention facility in Moscow where the Ukrainian prisoner-of-war Nadiya Savchenko was being held. However, Alexey Okopny, a well-known agent for the Center for Extremism Prevention, got in the police station.
2	Mark Galperin, Vladimir Ionov	21.3.2015	At the Tverskoy police department in Moscow, the lawyers were not allowed to see the detained Mark Galperin and Vladimir Ionov. In the meantime, the instigators detained earlier were released.
3	Eduard Molchanov, Igor Tsarkov	6.5.2015	At the Krasnoselsky police department in Moscow, the lawyers were not allowed to see Eduard Molchanov and Igor Tsarkov on the pretext that the detainees refused to identify themselves. At the same time, a private ambulance was allowed into the police station grounds.
4	Oleg Meshkov, Elena Zakharova, and 7 other people detained at a protest next to the Ministry of Economic Development building	26.5.2015	At the Tverskoy police department in Moscow, the lawyers were not allowed to see detainees. Several people felt unwell, an ambulance was called for them.
5	Polina Nemirovskaya, Ruslan Gafarov, Tasya Nikitenko, Artem Minich, Alexander Zakharov, a car driver	27.2.2016	Sergey Badamshin, a lawyer, was denied access to the Basmany police department in Moscow, where the Open Russia organization employees were detained. He was only able to communicate with them through cell bars. However, Alexey Okopny, the Center for Extremism Prevention agent, was inside the police station.
6	Svetlana Novoselova	23.4.2017	At the Kitay-Gorod police department in Moscow, the lawyers were not allowed to see Svetlana Novoselova, who was detained at the Opposition Walk protest. An ambulance, however, was allowed to enter the police station grounds.
7	Dinar Idrisov	29.4.2017	The lawyer Dinar Idrisov had arrived at the police station №22 in Saint Petersburg to defend Ekaterina Prokopovitch, detained at the #FedUp ("#Надоел") event. He then got detained himself for filming inside the police station. The police officers refused to let his lawyer Ksenia Mikhaylova inside the station on the pretext of the Fortress plan. However, another lawyer was allowed to see Ekaterina Prokopovitch.

#	Name of Detainee	Date	Description
8	Andrey Kalikh	12.6.2017	A detainee Andrey Kalikh filed a complaint that his lawyer was not allowed to enter the police station where he was being held. The prosecutor's office in Kirovsky district of St. Petersburg responded that there was no evidence that the lawyer even attempted to enter the station.
9	Unknown people detained at the protest on June 12, 2017	12.6.2017	Lawyers, Public Monitoring Commission representatives, and journalists were not allowed inside the police station №24. However, an ambulance had no problems entering and exiting the station.
10	Vladimir Vishnevetskiy	7.10.2017	Sergey Okunev, a lawyer, had arrived at the police station №6 to defend Vladimir Vishnevetskiy, detained at a protest in support of Alexey Navalny. According to Okunev, when he along with another lawyer and a deputy asked to explain Vishnevetskiy's prolonged detention, the police officers announced the Fortress plan. Shortly after that, unknown people "looking like special forces soldiers" arrived and escorted everybody out of the police station.
11	Unknown detainees	28.1.2018	At the Danilovsky police department in Moscow, several lawyers, including Vladimir Voronin, Andrey Skripnichenko and the deputy Anna Desyatova, were not allowed to enter the building on the pretext of the Fortress plan. However, a pizza delivery person and police officers entered without any identity check.
12	Mikhail Benyash	9.9.2018	When Mikhail Benyash, a lawyer, got detained, among other violations, he was not allowed to see his defense attorney for a long time. The issue was raised in court, and the police officers had to respond to a court inquiry. In their response, they referred to the Fortress training plan, conducted "for the purpose of personnel training." The lawyer Alexander Popkov recalls: "We questioned the police officers in court, and they said that everybody else, except the lawyers, got in and out of the police station freely. In fact, the Fortress plan was introduced specifically against the lawyers. The police officers themselves admitted: "Yes, I went out to get coffee," i.e. the Fortress was just a formality for them."
13	Georgy Prikaznov, Valeria Skorobogatova, Vladislav Polikanov, Ivan Kolbeshkin, Vera Oleinikova, and others.	10.3.2019	Maxim Pashkov, a lawyer for OVD-Info, was not allowed into the Tagansky police station in Moscow to see those detained at the rally against the isolation of the Runet. However, the mother of an underage detainee and an ambulance were allowed in.
14	Veronica Nikulshina	8.5.2019	The lawyer Dmitry Dzhulai was not allowed to see the detainees, including Veronika Nikulshina, at the Tverskoy police department in Moscow. However, an ambulance was allowed in.

#	Name of Detainee	Date	Description
15	Anna Grinyuk, Lilia Maryinko, Larisa Popovitch, Egor Ivanov, Vyacheslav Ryabkov, Daniil Afonin, Vasily Ivanov, Mikhail Popovitch	27.5.2019	At the Ochakovo-Matveevsky police department in Moscow, the lawyer Yulia Chekunaeva was not allowed to see the detained opponents of infill development of the public garden on Bolshaya Ochakovskaya street. Sergei Mitrokhin, a deputy of the Moscow City Duma, said: "An ambulance came, but the medics behaved strangely. In particular, they falsified the thermometer readings: 36.6°C was written instead of 37.4°C. So we called another ambulance."
16	Three unknown detainees at the rally on June 12, 2019	12.6.2019	At the Airport police department in Moscow, the attorney Maria Eismont was not allowed to see the activists detained at the rally against fabricated cases, under the pretext of the Fortress plan. Other people, however, freely entered the police department.
17	Lyubov Sobol	24.7.2019	At the Tverskoy police department in Moscow, a lawyer was not allowed to see Lyubov Sobol, detained during her hunger strike in the Moscow City Election Commission building. While Sobol was in the department, they called an ambulance for her.
18	Many detainees (about a thousand)	3.8.2019	At 32 police stations in Moscow, the lawyers for OVD-Info and The Apologia of Protest were not allowed to see those detained at the August 3, 2019 rally. The lawyers were allowed only in eight police stations. According to The Apologia of Protest, there is "a centralized instruction from the Main Directorate of Ministry of Internal Affairs of Moscow and the Main Investigation Department of the Investigative Committee of Russia in Moscow -- not to allow the lawyers to see the detainees in the police stations where the investigators of the Investigative Committee conduct interrogations."
19	Alexander Teplyakov	9.8.2019	The "continuing protest" activist Alexander Teplyakov was held at the police department for about a day and was not allowed to see the lawyer for OVD-Info Dmitry Zakhvatov. However, plain-clothed people and an employee of the Center for Extremism Prevention came to talk with the detainee twice.
20	Victoria Ivleva, Anastasia Lotareva, Alisa Ganieva	28.5.2020	At the Tverskoy police department in Moscow, the lawyers for The Apologia of Protest were not allowed to see the detainees. At the same time, another attorney was already inside the building.
21	Unknown detainee, juvenile	27.6.2020	An underage editor of the "YaGrazhdanin" project was detained in St. Petersburg, near the Finlyandsky railway station. He was taken to the Finlyandsky Line Internal Affairs Department. Eventually, the detainee's mother was let in, but neither the public defender for OVD-Info Vladimir Vasilenko nor a lawyer were allowed to see the detainee. Later, the minor was released without a protocol.

#	Name of Detainee	Date	Description
22	Kapitonov	15.7.2020	The attorney Maria Eismont presented the court with the footage from the cameras of the Information Technology Department of Moscow. According to the defender, the video proves that the Fortress plan was never introduced, and the department was working normally. The lawyer also provided the video footage she took on her phone. "The defendant's arguments that the Fortress plan was introduced by orders of the Russian Interior Ministry and the department was obliged to introduce this plan are not confirmed by the case materials", said the lawyer. "As the attached video footage shows, the plan was not actually enforced: the police officers were free to enter and leave the building."
23	Two unknown detainees at the rally on January 23, 2021	23.1.2021	At the Ochakovo-Matveyevskoye police department in Moscow, Leonid Solovyev, an attorney for Moscow Bar Association Logos, along with the Public Monitoring Commission members and Moscow City Duma deputy Maxim Kruglov were not allowed to see the detainees at the January 23 rally on the pretext of the Fortress plan. At the same time, cars, including those with civilians, were entering and leaving the department grounds freely.
24	Unknown detainee	23.1.2021	According to Fyodor Sirosh, an attorney for The Apologia of Protest, he was denied access to his defendants at the Brateyevo police department in Moscow. At first, the officers said that the department introduced the Fortress plan for the purpose of personnel training. At the same time, the police station continued to let the citizens in. When the lawyer asked why he was the only one not allowed to enter, they said the plan was no longer a drill. The police department confirmed the introduction of the Fortress plan to the media. The officer refused to explain the reasons for this.
25	Unknown detainees	23.1.2021	Leonid Solovyev, a lawyer, told the media that he has not been allowed into the Ochakovo-Matveyevskoye police department in Moscow for more than two hours. According to the attorney, the police officers informed him that the Fortress plan was in force at the department. The police department confirmed this information but refused to explain the reasons on the pretext of official secrecy. At the same time, the lawyer said the representatives of the Investigative Committee entered the police station.
26	Unknown detainees	23.1.2021	Nikos Paraskevov, an attorney for The Apologia of Protest, was unable to enter the police department of the Nagorny District of Moscow, where 15 people detained on Matrosskaya Tishina Street during a rally in support of Alexey Navalny were being held. "When I arrived at the police station, there was no Fortress plan, but after they called the chief, it was immediately introduced," the lawyer said. "I would like to point out that while the Fortress plan was in force, the police officers have repeatedly entered and exited the building of the Department of Internal Affairs. Also, a car drove out, which is strictly forbidden in such cases." The lawyer noted that he recorded these violations and will wait for a reaction from the Ministry of Internal Affairs administration.

#	Name of Detainee	Date	Description
27	Unknown detainees	23.1.2021	<p>At the Dorogomilovo police department in Moscow, Anastasia Burakova and Roman Logvinchuk, the lawyers for The Apologia of Protest, were denied access to those detained at an unapproved rally. The lawyers accidentally found out that the Fortress plan was introduced at the police department. "When an officer was coming in, I managed to poke my head in and ask something," says Burakova. "A face and the muzzle of a machine gun stuck out and told me that the Fortress' plan had been enforced. The officer did not identify himself and closed the door in my face."</p> <p>As part of the Fortress plan, the police officers turned off the intercom, so the lawyers couldn't find out the reason for such strict security measures. "They even turned off the intercom -- you couldn't push the button. The employees were able to enter and leave freely, though. We can tell that the purpose of the Fortress plan was merely to diminish the right to protection for the detainees," said Anastasia Burakova. The attorney even provided a photo of police officers violating the Fortress plan by sneaking drinks from a KFC restaurant into the department.</p>
28	Yuliya Navalnaya	23.1.2021	<p>Veronika Polyakova, a lawyer, was not allowed to visit Yulia Navalnaya, who was detained at a rally. Talking to the Ekho Moskvy radio station, Polyakova stated that this violates Navalnaya's rights. "I arrived at the Sokol police department in Moscow, where Yulia Navalnaya was brought about an hour and a half before. But the police had introduced the Fortress plan, they wouldn't even let us into their grounds. The gate is closed, the police officer talks only through the intercom. They do not explain any details. However, several officers left the police station building. Obviously, this Fortress plan is in force only for Yulia's lawyer", -- said the attorney.</p>
29	Nikolaj Lyaskin	30.1.2021	<p>Sergey Telnov, a lawyer from OVD-Info, was not allowed into the Kosino-Ukhtomsky police department in Moscow to visit the detained Nikolay Lyaskin. The police officers told him that they have an order "not to let the lawyer in".</p>
30	Unknown detainees	31.1.2021	<p>Maria Eismont, a lawyer, told the media that she was not permitted to see her defendants for more than two hours at the Sokol police department in Moscow. The officers told the attorney that the Fortress plan had been enforced at the department. At the same time, according to Eismont, the officers along with plain-clothed people were entering the police station and leading the detainees in -- the Fortress plan clearly did not apply to them. The lawyer recorded what was happening on the video.</p>
31	Unknown detainees	31.1.2021	<p>Alexei Melnikov, a member of the Moscow Public Monitoring Commission, told the media that the Fortress plan was introduced at the police departments of the Levoberezhny, Savelovsky, Khovrino, and Beskudnikovo districts. The human rights activist explained that he had visited all these departments and neither the Public Monitoring Commission members nor the attorneys were allowed in. He also noted that at all of these departments, with the exception of Beskudnikovo, the Fortress plan was not in fact being exercised. "People were going in and out, and even a car with no identification signs drove out of one of the police stations. Although while the Fortress is in place, even police vans are strictly forbidden to exit", said Melnikov.</p> <p>The human rights activist recorded the violations, as well as the denial of access for the Public Monitoring Commission members and the attorneys.</p>

#	Name of Detainee	Date	Description
32	Unknown detainee	31.1.2021	Alexei Melnikov, a member of the Moscow Public Monitoring Commission, told the media that the Fortress plan was introduced at the police departments of the Levoberezhny, Savelovsky, Khovrino, and Beskudnikovo districts. The human rights activist explained that he had visited all these departments and neither the Public Monitoring Commission members nor the attorneys were allowed in. He also noted that at all of these departments, with the exception of Beskudnikovo, the Fortress plan was not in fact being exercised. "People were going in and out, and even a car with no identification signs drove out of one of the police stations. Although while the Fortress is in place, even police vans are strictly forbidden to exit", said Melnikov. The human rights activist recorded the violations, as well as the denial of access for the Public Monitoring Commission members and the attorneys.
33	Unknown detainee	31.1.2021	Alexei Melnikov, a member of the Moscow Public Monitoring Commission, told the media that the Fortress plan was introduced at the police departments of the Levoberezhny, Savelovsky, Khovrino, and Beskudnikovo districts. The human rights activist explained that he had visited all these departments and neither the Public Monitoring Commission members nor the attorneys were allowed in. He also noted that at all of these departments, with the exception of Beskudnikovo, the Fortress plan was not in fact being exercised. "People were going in and out, and even a car with no identification signs drove out of one of the police stations. Although while the Fortress is in place, even police vans are strictly forbidden to exit", said Melnikov. The human rights activist recorded the violations, as well as the denial of access for the Public Monitoring Commission members and the attorneys.
34	Unknown detainee	31.1.2021	Luiza Magomedova, a lawyer for The Apologia of Protest, told the press that she was not being allowed to enter the police department of the Kurortny District of St. Petersburg for over three hours. According to the defender, the policemen told her that the Fortress plan was introduced. At the same time, the lawyer saw police officers and plain-clothed people entering and leaving the building. "I was told that the Fortress plan does not apply to the employees," Magomedova explained. When a parent of an underage detainee arrived at the station, the Fortress plan was temporarily interrupted, and Magomedova was allowed to enter with him.
35	Unknown detainee	31.1.2021	A lawyer Sergei Loktev told the press about the Fortress plan at the police station No.66 in St. Petersburg. He said that upon entering the station, he produced his ID and informed the employees of the purpose of his visit. After that a police officer told him that the Fortress plan was introduced at the department. The defender was asked to leave the station. "I did not notice any threats to the station. They could leave me inside, let me see the detainees and then start the Fortress -- after all, I was already inside", said Loktev. "But we know why this is being done". He also added that after the introduction of the Fortress plan, the station continued accepting parcels for the detainees, and the employees were going out to smoke and coming back freely.

#	Name of Detainee	Date	Description
36	Unknown detainee	31.1.2021	<p>“There are about 10 detainees at the station, but the lawyers and the representatives of the Public Monitoring Commission are not allowed”, lawyer Andrei Shchukin told the press. According to him, he has been outside the police station No.9 for more than five hours. “Police did not explain why we were not allowed in, they simply announced that the Fortress plan had been introduced”, the lawyer complained. Andrei Shchukin added that a patrol of the Russian National Guard troopers with automatic rifles was set up around the department.</p> <p>Along with the defenders and the PMC representatives, the citizens who wanted to file a crime report were also not allowed to the police station. “At the same time, the employees came and went freely, some even popped out for groceries and returned with shopping bags”, Shchukin emphasized.</p>
37	Unknown detainee	31.1.2021	<p>A lawyer of The Apologia of Protest Ruslan Sozonov told the press that he could not get to his defendant in the police station No.3 in Nizhny Novgorod because of the Fortress plan. A policeman told him through the intercom that the Fortress was introduced in all the police stations of the city. Sozonov’s colleagues, who visited various police stations throughout the city, confirmed this information. Sozonov argued that with his warrant and his ID, he must be allowed to see his client. But the policeman only cited the order of his superiors.</p> <p>The lawyer asked to put him in touch with the shift supervisor, but the police officer dropped the conversation. Then Sozonov called the police hotline, the prosecutor on duty in Nizhny Novgorod, and the Internal Security Directorate, leaving a verbal statement of violation. After a while, an employee of the ISD called him and confirmed the introduction of the Fortress plan. He emphasized that this applied to everyone: lawyers, police officers, and citizens alike. However, Sozonov told the ISD employee that he had a video suggesting the opposite: both police officers and plain-clothed people entered the police station No.3. The ISD representative had no reply to that.</p>
38	Two unknown detainees	31.1.2021	<p>Valery Lazarev, a lawyer of The Apologia of Protest, had difficulties getting to his defendants who were detained at a protest rally. He said that his clients were taken to the police station No.6 in Perm at 1:50 pm. An hour later he was outside the station. The lawyer introduced himself and presented the necessary papers, but the policemen refused to let him into the building. They said that the Fortress plan has been introduced at the station. “They said, we’re not letting anyone in, we’re not letting anyone out”, Lazarev recalls. “At the same time, people who came to take part in the investigation actions were allowed to enter.”</p>
39	Daniil Turovsky	1.2.2021	<p>In the Khoroshevsky police station in Moscow, Daniil Turovsky, a journalist detained at a protest action, was not allowed to see his lawyers under the pretext of the Fortress plan. At the same time, the defender did not notice any signs of a threat to the police officers.</p>
40	Unknown detainee	2.2.2021	<p>Stanislav Solovyev, a lawyer for The Apologia of Protest, told the press that on January 31, 2021, he faced the Fortress plan in the police department of the Ryazansky district in Moscow. According to the defender, the reinforcement of the department began immediately after the officer at the checkpoint reported about the arrival of a lawyer.</p> <p>“An officer contacted the control room, and was told that no one was allowed into the department any more”, Solovyev explained. At the same time, he noticed that during the Fortress several “non-service” cars entered the territory of the department.</p> <p>The lawyer waited to get inside for more than six hours. During this time the Fortress plan was not canceled, and the detainees were not allowed to receive their parcels.</p>

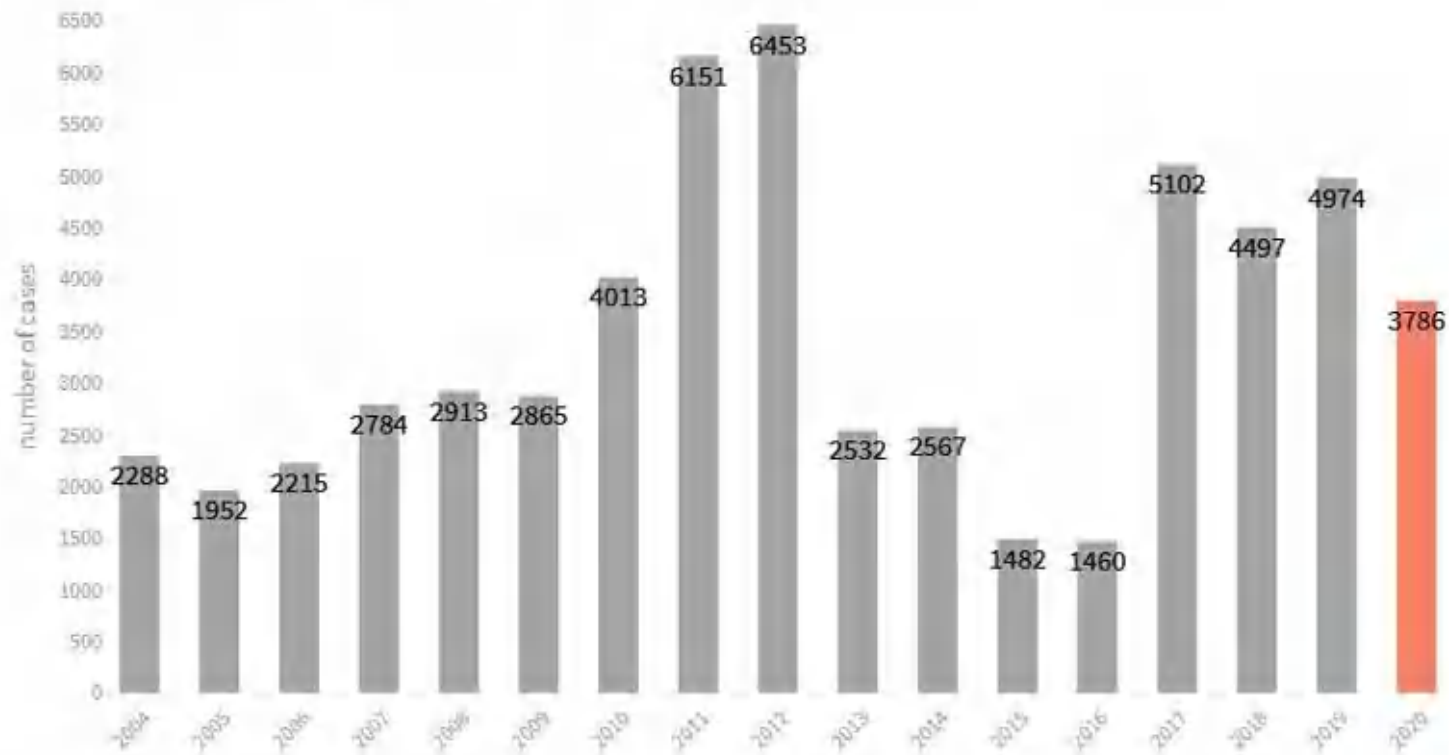
#	Name of Detainee	Date	Description
41	Unknown detainee	2.2.2021	Aleksander Borkov, a lawyer, was not allowed into the Khovrino police department in Moscow on the pretext of the Fortress plan. According to him, there was no real reason for the reinforcement of the station: he noted that the plan was a surprise even to the police officers who talked to him at the checkpoint. He added that before the introduction of the Fortress plan, the police were accepting parcels for the detainees, but afterwards, even the employees stopped being allowed in.
42	Unknown detainee	2.2.2021	In the police department of the Kuzminki district in Moscow, Svetlana Sidorkina, a lawyer, was not allowed to see the United Group of Public Observation volunteers who were detained at a protest rally. The policemen cited the Fortress plan.
43	Unknown detainee	9.2.2021	Dmitry Zakhvatov, a lawyer, was not allowed into a police station under the pretext of the Fortress plan. He got inside pretending to be a witness to the search. When he introduced himself, he was escorted out of the building by force.

Exhibit No. 14. Administrative charges of violations at protests in 2004-2020

The decline in charges in 2020 is due in part to the COVID-19 pandemic and an overall decrease in outdoor protests activity. At the same time, in the first 4 months of 2021, an unprecedented number of protesters were detained: more than 11 thousand people in January-February, about 2 thousand people on April 23. Many of them would face administrative prosecution.

Number of cases on charges with violations at protests *

*Article 20.2 of the Administrative Offences Code



Source: Official court statistics

Fines imposed by Russian courts on charges of violations at protests

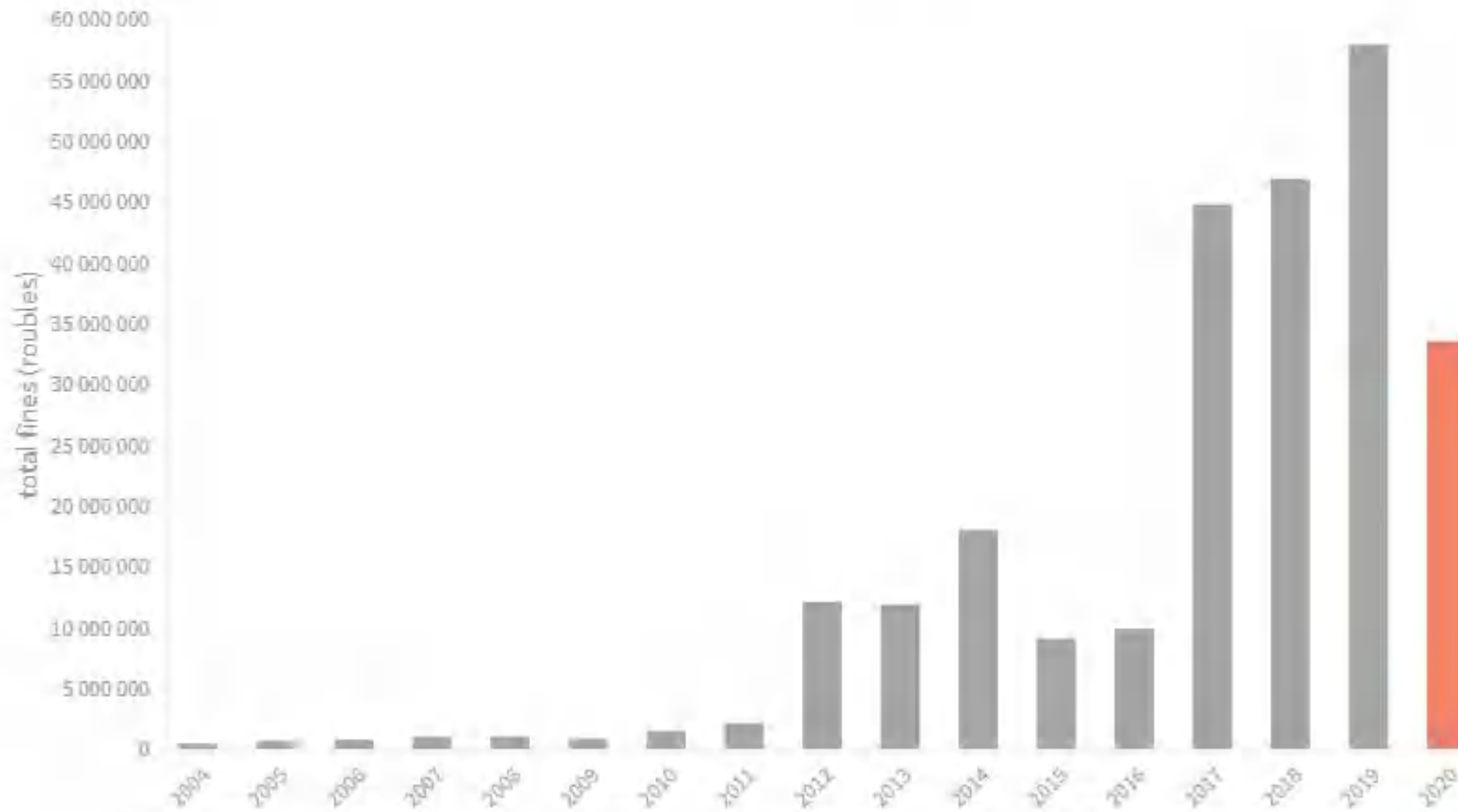


Exhibit No. 15. OVD-Info's Applications to the ECHR

Below is information on applications to the ECHR submitted by OVD-Info lawyers after the mass arrests of protesters in Moscow in the summer of 2019. The information is only about applications concerning administrative prosecution. Many of the applications have already been communicated.

#	Date of Protest	Number of applications	Communicated	
1	12/19/2020		1	
2	11/26/2020		1	
3	11/18/2019		2	
4	10/25/2019		1	
5	9/9/2018		3	
6	8/10/2019		41	1*
7	8/7/2019		157	150
8	8/1/2020		1	
9	7/27/2019		132	189
10	7/25/2020		1	
11	7/19/2020		1	
12	7/15/2020		9	
13	7/14/2019		2	
14	7/7/2020		1	
15	7/2/2020		1	
16	6/27/2020		2	
17	6/23/2019		1	
18	6/12/2019		76	6*
19	6/1/2020		1	
20	5/27/2020		1	
21	5/30/2020		1	
22	5/29/2020		1	
23	5/25/2020		1	
24	5/17/2019		3	
25	5/20/2020		1	
26	4/5/2018		2	
27	3/27/2019		6	
28	3/19/2020		2	
29	3/17/2020		1	
30	2/2/2021		5	
31	1/31/2021		4	

#	Date of Protest	Number of applications	Communicated
33	1/23/2021		3
		SUM 565	SUM 292

Exhibit No. 16. Criminal charges with violence against police officers against protesters

Article 318 of the Criminal Code provides for liability for the use of violence against a representative of the power or his relatives, as well as for a threat of violence. The wording of the Article has not changed since 2011. The Article consists of two parts: 1) the use of non-dangerous violence or the threat of violence, and 2) the use of violence that is dangerous to life or health. Under Part 1, imprisonment for up to five years is possible. Part 2 provides for imprisonment for up to ten years¹.

The severity of damage to health is determined by means of forensic medical examination. “In order for an expert to assess violence as not endangering life and health, the victim (or the person claiming to be a victim) need not have objective signs of violence – bruises, abrasions or scratches. It is enough, for example, to complain about pain,” [says](#) the 2019 report of Apologia Protesta on violence at protests. It is the findings of such an examination and the testimony of the victim that form grounds for charges, as a result, evidence under the first part of Article 318 of the Criminal Code is easy to falsify and difficult to verify.

Russian courts annually consider thousands of cases under Article 318 of the Criminal Code. According to the data of the Judicial Department at the Supreme Court processed within the scope of [project Dostoevsky.io](#), from 2011 to 2019, the courts found 58,703 people guilty under the first part and 8,066 people guilty under the second part of Article 318.

[According to OVD-Info](#), at least 88 people in 2011-2019 and at least 17 in 2020 were charged with using violence against representatives of the power in connection with protests in Russia. As a rule, these accusations referred to Part 1 of Article 318 of the Criminal Code – violence that does not endanger human life or health. Only 6 people were charged under Part 2 of the Article.

Convictions under Article 318 of the Criminal Code are discriminatory against protesters: they are more often sentenced to real imprisonment, and the terms of imprisonment are longer. In the beginning of 2020, Novaya Gazeta journalists analyzed the texts of 12 thousand sentences under this article and [concluded](#) that “sober protesters with no priors who are accused of using violence against representatives of the power are more likely to be sentenced to real jail time than a drunken rowdy with a criminal record who fought off the police”. Official judicial statistics confirm that punishments for the use of violence against a representative of the power in protest-related cases under Article 318 of the Criminal Code are more severe than usual.

¹ See: <https://ovdinfo.org/reports/obviniya-uchastnikov-akciy-v-nasilii-v-otnoshenii-predstaviteley-vlasti> (accessed on 26 April 2021).

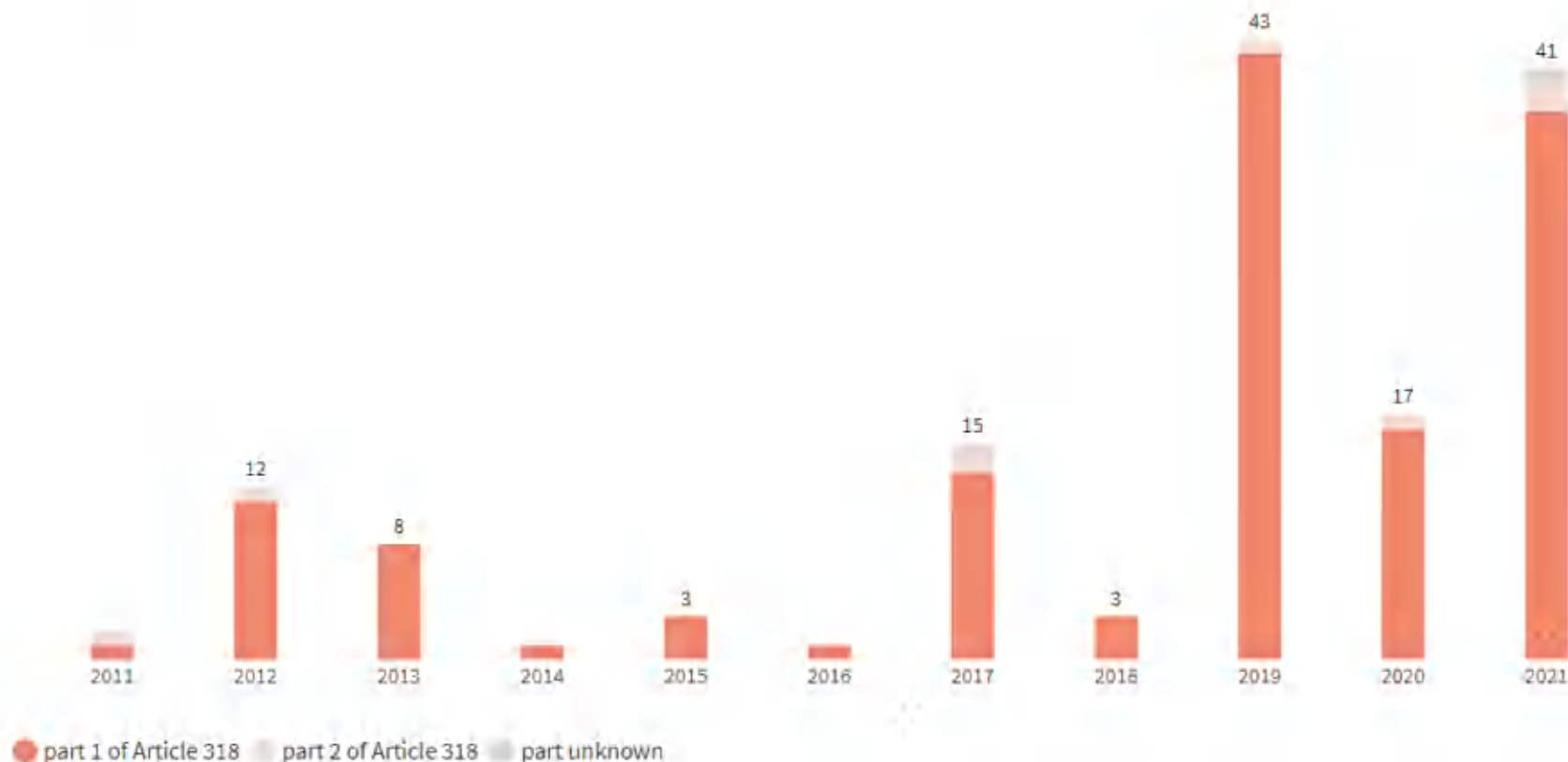
TOTAL NUMBER OF INDIVIDUALS SENTENCED UNDER ARTICLE 318 OF THE CRIMINAL CODE

in 2011-2019



PROSECUTION UNDER ARTICLE 318 OF THE CRIMINAL CODE IN CONNECTION WITH PROTESTS

from 2011 to 2020*

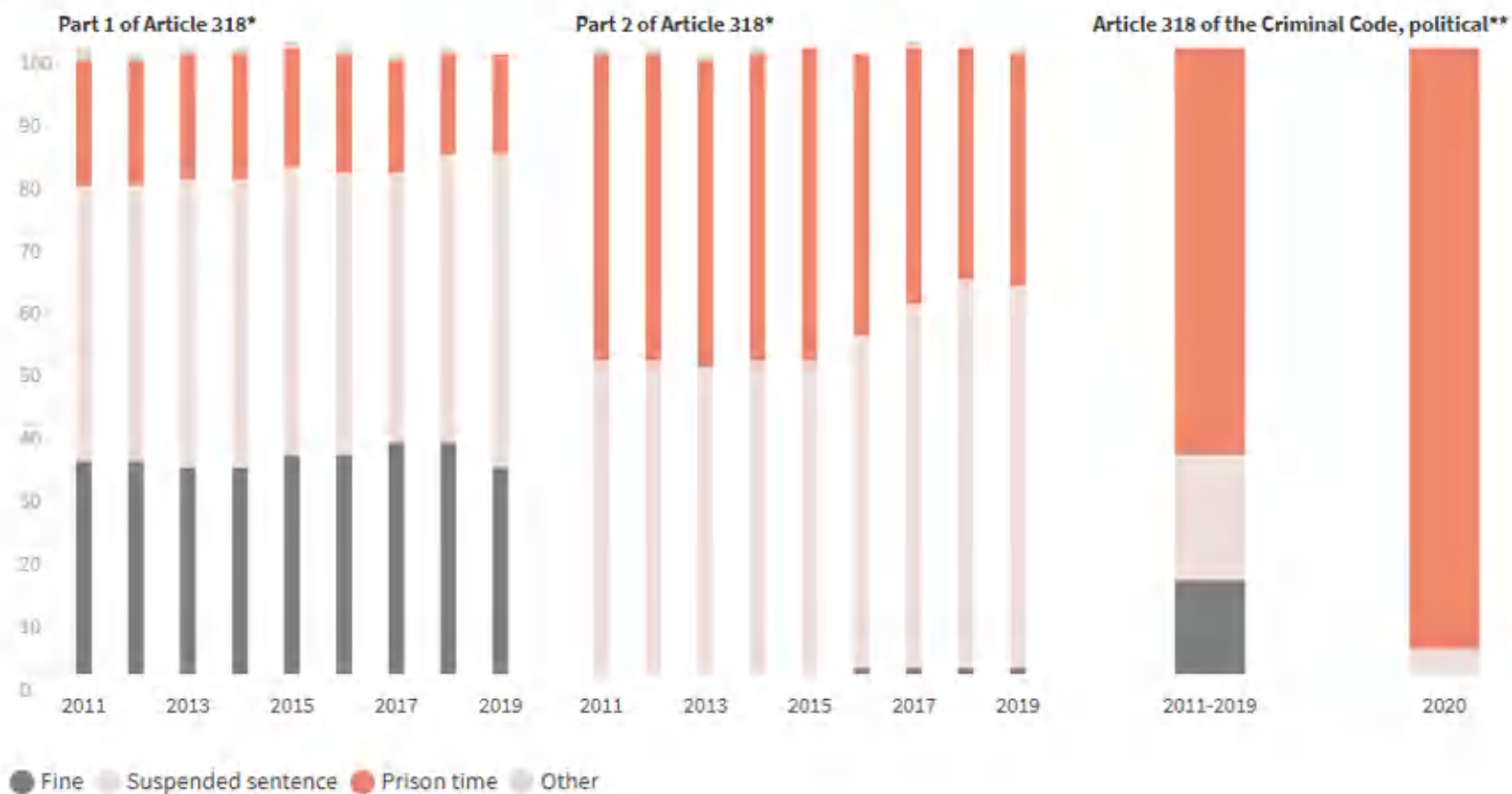


[PolitPressing.Org](https://politpressing.org)

*In 2021, we are talking only about January and February. The year is determined by the date of initiation of the criminal case; it may be reviewed in court later on. The year is determined by the date of initiation of the criminal case; it may be reviewed in court later on.

DISTRIBUTION OF PENALTIES UNDER ARTICLE 318 OF THE CRIMINAL CODE

2011-2019

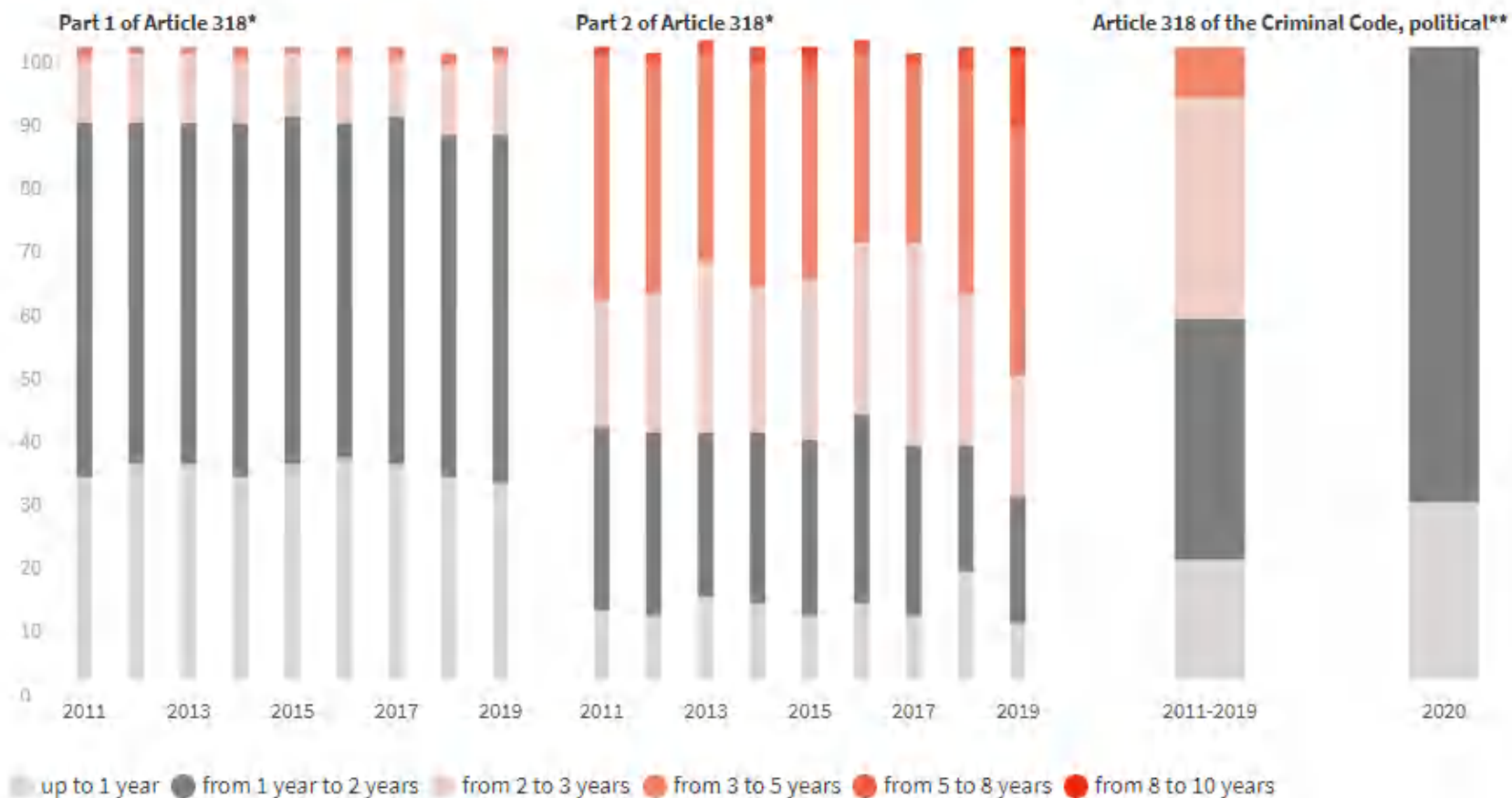


Data of the Judicial Department at the Supreme Court processed by the Dostoevsky.io project, PolitPressing.Org

* Punishments are shown for the principal offence, subsidiary offences were not taken into account ** Only those protest-related cases were taken into account where charges were brought only under Article 318 of the Criminal Code

DISTRIBUTION OF TERMS OF IMPRISONMENT UNDER ARTICLE 318 OF THE CRIMINAL CODE

From 2011 to 2019



Data of the Judicial Department at the Supreme Court processed within the scope of the Dostoevsky.io project, PolitPressing.Org

* Punishments are shown for the principal offence, subsidiary offences were not taken into account ** Only those protest-related cases were taken into account where charges were brought only under Article. 318 of the Criminal Code.

Exhibit No. 17. List of criminal charges after crackdown in January-February 2021

This data was actual on March 2021. The criminal charges after the crackdown in January-February 2021 are in progress and very changeable: new accused persons and new criminal cases appear.

#	Article of Criminal Code	Title	Description
1	151.2	Part 2 of Article 151.2	Corruption or any other involvement of a minor in illegal activities that represent danger for life of the minor, of which the convict is fully aware, via persuasion, offers, promises, deception, threat or other methods committed by a person who reached the age of 18, with no signs of incitement to criminal activity, involvement of a minor in committing a crime or anti-social activities committed: a) towards two or more minors; b) by a group of persons by previous consent or by an organized group; c) in a public speech, publicly demonstrated work, in the mass media or information-telecommunication networks (including the Internet) shall be punishable with a fine of up to one hundred thousand rubles or in the amount of the convict's wage or other income thereof for the period of up to one year, or with compulsory labour for the term of up to four hundred and forty hours, or with corrective labour for the term of up to two years, or with forced labour for the term of up to three years with deprivation of the right to hold certain offices/positions or engage in certain activities for the term of up to five years or without such, or with deprivation of liberty for the term of up to three years with deprivation of the right to hold certain offices/positions or engage in certain activities for the term of up to five years or without such.
2	167	Part 2 of Article 267	Willful destruction or damage of other people's property, if these acts involved the committed through hooligan motives by means of fire, explosion, or by any other generally dangerous method, and entailing by negligence the death of a man or any other grave consequences, shall be punishable with compulsory labour for a term of up to five years or with deprivation of liberty for the same term.
3	205.2	Part 2 of Article 205.2	Public calls for the commission of terrorist activity or public justification of terrorism or propaganda or terrorism, committed through the use of the mass media or electronic or information-telecommunication networks, including the Internet, shall be punishable with a fine from three hundred thousand rubles to one million rubles or in the amount of the convict's wage or other income thereof for a term from three to five years, or deprivation of liberty for a term from five to seven years with deprivation of the right to hold specific offices/positions or engage in specific activities for a term up to five years.
4	212	Part 3 of Article 212	Calls to the mass riots attended by violence, pogroms, arson, the destruction of property, the use of firearms, explosives, or explosive devices, and likewise calls for violence against citizens, shall be punishable by restraint of liberty for a term of up to two years, or by compulsory labour for a term of up to two years, or by deprivation of liberty for the same term.

#	Article of Criminal Code	Title	Description
5	212.1	Article 212.1 of the Criminal Code	Violation of the established procedure of organization or holding a meeting, a public rally, a demonstration, a procession or a picket in case the deed is committed repeatedly shall be punishable with a fine in the amount from six hundred thousand to one million rubles or in the amount of the convict's wage or other income thereof for the period from two to three years, or with compulsory labour for a term of up to four hundred and eighty hours, or with corrective labour for a term from one year to two years, or with forced labour for a term of up to five years, or with deprivation of liberty for the same term.
6	213	Part 1 of Article 213	Hooliganism, that is, a gross violation of the public order manifested in patent contempt of society and committed: a) with violence towards the civilians or with a threat of violence; b) by reason of political, ideological, racial, national or religious hatred or hostility or by the reason of hatred or hostility towards any social group; c) on the railway, sea, inland water or air transport as well as any other transport of public use; shall be punishable with a fine in the amount from 300 thousand to 500 thousand rubles or in the amount of a wage or other income of the convict for a term from two to three years, or with compulsory labour for a term of up to 480 hours, or with corrective labour for a term from one to two years, or with forced labour for a term of up to five years, or with deprivation of liberty for the same term.
7	213	Article 213 of the Criminal Code (part unknown)	1. Hooliganism, that is, a gross violation of the public order manifested in patent contempt of society and committed: a) with violence towards the civilians or with a threat of violence; b) by reason of political, ideological, racial, national or religious hatred or hostility or by the reason of hatred or hostility towards any social group; c) on the railway, sea, inland water or air transport as well as any other transport of public use; shall be punishable with a fine in the amount from 300 thousand to 500 thousand rubles or in the amount of a wage or other income of the convict for a term from two to three years, or with compulsory labour for a term of up to 480 hours, or with corrective labour for a term from one to two years, or with forced labour for a term of up to five years, or with deprivation of liberty for the same term. 2. The same deed committed with the use of weapons or objects used as weapons, or by a group of persons by previous concert, or by an organised group, or connected with resistance to a representative of authority or to any other person who fulfils the duty of protecting the public order or who suppresses violation of public order; shall be punishable with a fine in the amount of 500 thousand to 1 million rubles or in the amount of a wage/salary or other income of the convicted person for a term of three to four years, or by compulsory labour for a term of up to five years, or by deprivation of liberty for a term of up to seven years. 3. Deeds under paragraphs one or two of this article committed with the use of explosives or explosive devices shall be punishable by five to eight years' imprisonment.
8	214	Part 1 of Article 214	Vandalism, that is, the defacement of buildings and other structures, the infliction of damage to property on public transport or in other public places, shall be punishable with a fine in an amount of up to 40 thousand rubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of up to 360 hours, or by corrective labour for a term of up to one year, or by arrest for a term of up to three months.

#	Article of Criminal Code	Title	Description
9	236	Article 236 of the Criminal Code (part unknown)	1. Violation of sanitary and epidemiological rules which has resulted in, by negligence, mass diseases or poisoning of people or which has threatened to do so, shall be punishable with a fine in an amount of five hundred thousand to seven hundred thousand roubles, or in the amount of the wages or other income of the convicted person for a period of one year to eighteen months, or by deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years, or by restriction of freedom for up to two years, or by compulsory labour for a term of up to two years, or by deprivation of freedom for the same term. 2. Violation of sanitary and epidemiological rules which has resulted in, by negligence, mass diseases or poisoning of people which has involved by negligence the death of a person shall be punishable with a fine of one to two million roubles or the wages or other income of the convicted person for a period of one to three years, or by restriction of liberty for two to four years, or compulsory labour for three to five years, or imprisonment for the same term. 3. Violation of sanitary and epidemiological rules resulting in the death of two or more persons by negligence shall be punishable by community service for four to five years or imprisonment for five to seven years.
10	236	Part 1 of Article 236	Violation of sanitary and epidemiological rules which has resulted in, by negligence, mass diseases or poisoning of people or which has threatened to do so, shall be punishable with a fine in an amount of five hundred thousand to seven hundred thousand roubles, or in the amount of the wages or other income of the convicted person for a period of one year to eighteen months, or by deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years, or by restriction of freedom for up to two years, or by compulsory labour for a term of up to two years, or by deprivation of freedom for the same term.
11	243	Article 243 of the Criminal Code (part unknown)	1. Destruction or damage to cultural heritage sites (historical and cultural monuments of the peoples of the Russian Federation included in the national cultural heritage register of Russia (historical and cultural monuments) of the peoples of the Russian Federation, identified cultural heritage sites, natural complexes, sites taken under state protection, or cultural property shall be punishable by a fine of up to three million roubles or the wages or other income of the convicted person for a period of up to three years, or by compulsory labour for up to four hundred hours, or by compulsory labour for up to three years, or by imprisonment for the same term. 2. Destruction or damage to objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation included in the national cultural heritage register of Russia (historical and cultural monuments) of the peoples of the Russian Federation, identified cultural heritage objects, natural complexes, objects taken under state protection, or cultural values, committed in respect of especially valuable objects of cultural heritage of the peoples of the Russian Federation, objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation included in the World Heritage List, historical and cultural reserves or museum-reserves or with regard to the objects of archaeological heritage included in the national cultural heritage register of Russia (historical and cultural monuments) of the peoples of the Russian Federation or identified objects of archaeological heritage shall be punishable by a fine of up to five million roubles or in the amount of the wages or other income of the convicted person for a period of up to five years, or by compulsory labour for up to four hundred and eighty hours, or by compulsory labour for up to five years, or by imprisonment for up to six years.

#	Article of Criminal Code	Title	Description
12	267	Part 1 of Article 267	Destruction, damage or otherwise rendering inoperable a vehicle, means of communication, signalling or communication facilities or other transport equipment, as well as deliberate blocking of transport, communications, transport infrastructure facilities or hindering the movement of vehicles and pedestrians on the means of communication, street and road network, if these acts created a threat to life, health and safety of citizens or a threat of destruction or damage to property of natural and (or) legal entities, shall be punishable by a fine in an amount of one hundred thousand to three hundred thousand roubles, or in the amount of the wages or other income of the convicted person for a period of one to two years, or by compulsory labour for a term of up to two hundred and forty hours, or by compulsory labour for a term of up to one year, or by imprisonment for the same term.
13	280	Article 280 of the Criminal Code (part unknown)	1. Public appeals for the performance of extremist activity shall be punishable with a fine in an amount of one hundred thousand to three hundred thousand roubles, or in the amount of the wages or other income of the convicted person for a period of one to two years, or by compulsory labour for a term of up to three years, or by a rest for a term of four to six months, or by deprivation of freedom for a term of up to four years with forfeiture of the right to hold certain positions or engage in certain activities for the same term. 2. Public appeals for the performance of extremist activity, committed with the use of the mass media or information-telecommunication networks (including the Internet); shall be punishable by compulsory labour for a term of up to five years with deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years or without such, or by deprivation of freedom for a term of up to five years with deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years or without such.
14	280	Part 1 of Article 280	Public appeals for the performance of extremist activity shall be punishable with a fine in an amount of one hundred thousand to three hundred thousand roubles, or in the amount of the wages or other income of the convicted person for a period of one to two years, or by compulsory labour for a term of up to three years, or by a rest for a term of four to six months, or by deprivation of freedom for a term of up to four years with forfeiture of the right to hold certain positions or engage in certain activities for the same term.
15	280	Part 2 of Article 280	Public appeals for the performance of extremist activity, committed with the use of the mass media or information-telecommunication networks (including the Internet); shall be punishable by compulsory labour for a term of up to five years with deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years or without such, or by deprivation of freedom for a term of up to five years with deprivation of the right to hold specified offices or to engage in specified activities for a term of up to three years or without such.

#	Article of Criminal Code	Title	Description
16	316	Part 1 of Article 316	Use of violence that does not endanger human life or health, or threats to use violence against a representative of power, or his relatives, in connection with the discharge by his official duties, shall be punishable with a fine in an amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by compulsory labour for a term of up to five years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to five years.
17	318	Article 318 of the Criminal Code (part unknown)	1. Use of violence that does not endanger human life or health, or threats to use violence against a representative of power, or his relatives, in connection with the discharge by his official duties, shall be punishable with a fine in an amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by compulsory labour for a term of up to five years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to five years. 2. The use of violence endangering the lives or health of a representative of power, or his relatives, in connection with the discharge by his official duties shall be punishable by deprivation of liberty for a term of up to ten years.
18	318	Part 2 of Article 318	The use of violence endangering the lives or health of a representative of power, or his relatives, in connection with the discharge by his official duties shall be punishable by deprivation of liberty for a term of up to ten years.
19	319	Article 319 of the Criminal Code	Public insult of a representative of power during the discharge by him of his official duties, or in connection with their discharge shall be punishable with a fine in an amount of up to 40 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to three months, or by compulsory works for a term of up to 360 hours, or by corrective labour for a term of up to one year.
20	329	Part 1 of Article 329	Evasion of conscription in the absence of lawful grounds for release from the military service shall be punishable with a fine in an amount of up to 200 thousand roubles, or in the amount of the wage or salary, or any other income of the convicted person for a period of up to 18 months, or by compulsory labour for a term of up to two years or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to two years.

Exhibit No. 18. Accusing Journalists of Violating the Procedure for Holding Actions in 2020

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
1	19.3.2021	Moscow	<p>Tsukasov S.S. arrived to the hearings, did not plead guilty to committing the administrative offence under Russian Federation Administrative Offense Code Article 20.2 section 8, clarified that he was indeed present at the aforementioned address specified in the administrative offence report, but did not partake in the illegal public events; does not understand why he was arrested on 19.03.2021, specified that he is an assistant to Moscow City Duma deputy Kruglov M.S., assistant to State Duma Parfenova D.A., as well as a deputy of Ostankino Municipal District Deputy Council; moreover a journalist of RUS.NEWS, in this connection in the timeframe from 12:00 to 17:00 on January 31st 2021 he was near Sokolniki metro station on editorial assignment for reporting purposes, which is supported by the journalist ID, which he had with him.</p>	<p>Tsukasov S.S. has repeatedly participated in unauthorized rally that has resulted in violation of the legally established procedure of organizing and holding public events, rallies, demonstrations, marches and picketing. On January 31st 2021 in the timeframe from 12:00 to 17:00 at the address: near Sokolniki metro station, Tsukasov S.S. has repeatedly broken the legally established procedure of holding public events in the form of a march established by the Federal Law on Assemblies, Meetings, Demonstrations, Marches and Picketing dated 19.06.2004 number 54-FZ, namely by being in a group of citizens of no less than 1000 people, having acknowledged that fact that the public event was unauthorized, has participated in an event in the form of a march authorized by Moscow executive authorities represented by the competent body of Moscow City Government, with the route of the march as follows: Krasnyye Vorota - Komsomolskaya Square - Krasnoselskaya - Sokolniki and back.</p>	<p>The argument made by Tsukasov S.S. that he was present at the place and time, stated in the administrative offence report, on an editorial assignment working as a journalist is contradicted by the materials received by the court, since the internet resource examining act dated 09.02.2021 indicates that Tsukasov S.S. has described his participation in public events that happened on 31.01.2021 on his public profile on the internet without specifying that he is a journalist.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
2	5.3.2021	Republic of Sakha (Yakutia)	Romanov M.D. pleaded not guilty to the offence, explained that he acted as a journalist, did not call for picketing. On the contrary, he believes that he has informed the law enforcement authorities of the offences being prepared. The date of the procession (protest) was known to everyone in the other media.	<p>From the materials of the case, it follows that the journalist of the printed edition of the newspaper «Yakutsk Evening» Romanov M.D. at ___ within the framework of his labor activity has made the decision on the placement in the printed edition of the newspaper «Yakutsk Evening» edition № number № № from ___ on page 6 of the article called «The One Whose Name Cannot Be Named». At the end of the article, the following text is placed: "Proponents of Navalny called all on 23 January at 14:00 to go for a walk. In Yakutsk, Navalny's supporters plan to pass from People's Friendship Square to Ordzhonikidze Square. All schools have already notified the parents about the threats to life and health of the children waiting there".</p> <p>According to the protocol on the administrative offence from ___, the said text-call to participate in the said procession (protest) by the journalist of the printed edition of the newspaper «Yakutsk evening» Romanov M.D. is placed purposefully, which forms the constituent elements of the offence, Article 20.2, paragraph 2, of the Code of Administrative Offences.</p>	<p>According to article 1.5, paragraph 4, of the Code of Administrative Offences, irrefutable doubts as to the guilt of a person facing administrative prosecution are interpreted in favour of that person.</p> <p>In the circumstances of the case, and on the basis of the above-mentioned provisions of the Code of Administrative Offences of the Russian Federation, the court considers that the circumstances on the basis of which the report on an administrative offence was drawn up have not been proved during the examination of the case, and does not see in the actions of Romanov M.D. the existence of an administrative offence provided for in article 20.2, paragraph 2, of the Code of Administrative Offences of the Russian Federation. On the basis of the above and guided by articles 24.5, 29.7, 29.9 - 29.11 of the Code of Administrative Offences of the Russian Federation, the court</p> <p>DECIDED:</p> <p>Proceedings relating to an administrative offence under article 20.2, paragraph 2, of the Code of Administrative Offences against Romanov M.D., ___ year of birth, native of ___ ___, address of residence ___ to be discontinued in the absence of an administrative offence.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
3	1.3.2021	Moscow	K. S. Nenashev and his attorney appeared at the court hearing, he did not plead guilty to the committed administrative offense and explained that he had not committed any illegal actions, he was a journalist, and at the time of his arrest he had been filming material for a movie.	NAME, being in a group of more than 1000 people and being aware that the public event was unauthorized, took part in an unauthorized with the executive authorities represented by the authorized body of the Government of Moscow public event in the form of a rally, chanted slogans: "Navalny!", "Freedom!", "Disgrace!" and others, attracting the attention of citizens and the media. NAME did not respond to numerous police demands to stop illegal actions.	NAME's pleading not guilty to committing administrative offense and the statement that he did not participate in the rally and did not violate the rights of others, is considered by the court as a defense position chosen to avoid responsibility for the administrative offense, because his guilt was objectively confirmed by a body of evidence examined during the trial, the reliability of which the court has no doubts. The fact that the applicant was a journalist and was making a movie did not give him the right to preferential or different treatment by the police compared to other people at the place of the rally. Whenever a journalist chooses between his general obligation to respect the law and his civil and professional duty to receive and disseminate information, by choosing the second option he must be aware that he assumes the risk of becoming the subject of judicial sanctions.
4	1.3.2021	Moscow	During the court hearing <Name> stated that on DD.MM.YYYY he met his acquaintance, they took a taxi and were heading to <address>. The traffic in the area <address> was blocked, so he and <name> left the taxi and he began to film what is going on in the area by his mobile phone. He was recording for his own purpose, although he is a journalist he had no editorial assignment; he had no press credentials (press card) at the moment of the arrest. At some point a group of police officers approached him and detained him.	A public mass event in a mixed form of protest and march attended by more than 200 people took place in the area from <address> to <address> 15\17, bld.10 starting from 12 pm until <time>. Participants of the said unauthorized event followed a route: Moscow <address> to <address> 15\17, bld.10 and interfered with the functioning of transport infrastructure, traffic vehicles as they were holding each other, keeping in a "chain" with other citizens who took part in the unauthorized protest; they interfered with passage of pedestrians and vehicle movement, partly or entirely blocking pavements and roadways.	The video recording that was examined does not indicate that the imputed offense is unproven, because <Name> had no distinctive signs of a media representative and provided police officers with no press credentials (press card) and informed the court about it accordingly; therefore the video-recoding provides no ground for exemption from liability.

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
5	26.2.2021	Tambov Region	<p>Vankov D.S. did not plead guilty in the offense, indicated that he was an freelance worker of the Krasnaya Vesna media outlet, on January 23, 2021, at around 15:20, he was at the ISP "Crystal", located at: <address> basing on instructions from the media's editorial board to cover the public event in relation to Navalny, in connection with which he had the legal right to be at this event, while denying that he participated personally.</p>	<p>Vankov D.S. on January 23, 2021, at approximately 15 hours 20 minutes, while at the ISP "Crystal", located at: <address> as part of a group of citizens (about 200 people), participated in a public mass event in support of Alexei Navalny, that was being held without notifying the executive authorities, supported other participants in this unauthorized public event, thereby violating the requirements of the Federal Law of July 19, 2004 No. 54-FL "On rallies, meetings, demonstrations, marches and picketing" and committing an administrative offense under Part 5 of Art. 20.2 of the Administrative Code of the Russian Federation.</p>	<p>D.S. Vankov's argument in regard to the absence of an alleged administrative offense in his actions, claiming that during the imputed period he was at a public event in support of A. Navalny as a journalist, in connection to which he was not a participant of an uncoordinated public event, does not indicate the absence of an alleged offense in his actions.</p> <p>According to paragraph 7 of Art. 47 of the Russian Federation Federal Law from December 27, 1991, No. 2124-1 "On the Mass Media", a journalist has the right to attend rallies and demonstrations.</p> <p>Paragraph 9 art. 49 of the Law of the Russian Federation Federal Law from December 27, 1991, No. 2124-1 "On the Mass Media", a journalist is obliged to present an editorial card or other document proving the identity and powers of the journalist upon request.</p> <p>Paragraph 5 of Art. 6 of the Federal Law from June 19, 2004 No. 54-FL "On Meetings, Rallies, Demonstrations, Processions and Picketing" established that the basis for the activities of a journalist at a public event is an editorial card or other document proving the identity and journalist authority. A journalist attending a public event must have a clearly visible distinctive mark of a media representative.</p> <p>Based on the evidence provided in the case materials, including photo and video materials, there was no evidence that D.S. Vankov, being at ICP "Kristall" as part of a group of citizens (about 200 people) on DD.MM.YYYY at about 15:00, had a clearly visible distinctive mark of a media representative, and also presented an editorial card or other document proving the identity and the journalist authority.</p> <p>Thus, there are no grounds for the application of paragraph 7 of Art. 47 of the Law of the Russian Federation of December 27, 1991 No. 2124-1 "On the Mass Media" in relation to D.S. Vankov within the framework of the event in question.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
6	22.2.2021	Khabarovsk Territory	<p>At the court session, D. S. Timoshenko did not plead guilty and stated that he was a correspondent for the newspaper Arsenyevskiy Vesti and had carried out an editorial assignment to collect information for an article on the events; that he had a press insignia and a press card, used a recording device (a cellphone). On DD.MM.YYYY he broadcasted live and reported on the protests, which is recorded on the video. It was not possible to collect information and remain on the sidewalk as he was broadcasting, commenting on the events and asking questions to the participants of the protests. The video shows him with a press card that identified him as a journalist. He had had a press card on his chest since DD.MM.YYYY, prior to that date he was legally obliged to show the card and editorial assignment at the first request of the police; police officers had not requested him to do so until DD.MM.YYYY. He as a correspondent had never been warned that he conducted disorderly and was due to administrative liability. Timoshenko believes that he is prosecuted by the police ostentatiously because of his occupation as a journalist. Timoshenko, a single father, has left his underage daughter with her grandmother at home. While Timoshenko is working, his daughter is either under the care of her grandmother or home alone.</p>	<p>According to the administrative offence report, from 20:10 to 21:10 D. S. Timoshenko took part in an unauthorised public event in the form of a march of about 37 people in support of the former <address> <Name5> moved as a part of a column on the roadway, filming the events on the cellphone camera, contributing to mass participation, attracting attention, completely blocking the pedestrian crossings and the roadway, which interfered with the vehicles traffic along the route on <Name9> Square (<address> until <Name9> Square (<address>). Timoshenko did not react to repeated lawful demands of the police (Traffic Police Patrol crew) voiced through loudspeakers to stop his unlawful actions and continued participating in the unauthorized event as part of the group, thereby violating Paragraph 1 of Article 3 and Paragraph 3 of Part 3 of Article 6 of the Federal Law No. 54 of DD.MM.YYYY, paragraph 4.1 of the Russian Federation Traffic Rules & Regulations established by Russian Federation Government Executive Order of DD.MM.YYYY No..</p>	<p>Police captain <Name3> witnessed D. S. Timoshenko filming the protestors and the march with a tripod and a cellphone. He did not notice whether D. S. Timoshenko had a press card. He knows that D. S. Timoshenko is a journalist, but this, to the captain, does not give him the right to violate the Russian Federation Traffic Rules & Regulations. He did not hear D. S. Timoshenko shouting slogans.</p> <p>As entails from the case materials, D. S. Timoshenko is a correspondent of the Arsenyevskiy Vesti newspaper, which is confirmed by the press card No. issued in his name, by the contract signed by the editor-in-chief of the Arsenyevskiy Vesti and Timoshenko. According to the editorial assignment from the Arsenyevskiy Vesti of DD.MM.YYYY, he was sent to do a series of photo and video reports on the events in Khabarovsk related to the arrest of the governor of <address> <Name5>. A motion from the editor-in-chief <Name12> of the Arsenyevskiy Vesti newspaper of DD.MM.YYYY states that D. S. Timoshenko was a correspondent of the Arsenyevskiy Vesti newspaper which was registered on DD.MM.YYYY by Roskomnadzor (Federal Service for Supervision of Communications, Information Technology and Mass Media) under registration number ПИ №ФС 77-62473. At the request of the editorial office, D. S. Timoshenko covers current events in Khabarovsk that arouse great public interest and are related to protests in support of <Name5>, the former governor of <address>.</p> <p>The video provided by the administrative official shows that Timoshenko was a part of the marching column on the roadway, used a cellphone-similar device to report on the events and had specific press insignia on his clothes.</p> <p>Thus, the presence of D. S. Timoshenko as a journalist at the march gave him the right to report on this public event, gather related information, ask questions to the protestors and interview them.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
7	20.2.2021	Vologda Region	At the court hearing Mr. S. A. Guzhev S.A. did not plead guilty to the offense incriminated to him. Mr. Guzhev clarified that he was at this public event as a special correspondent from an Internet news media "Pozitsia", fulfilling an editorial task that he got from this media.	On January 31st, 2021 in the time period between 12:00 to 13:00, Mr. S.A. Guzhev, was at the address: Vologda, st. Vorovskogo, 66, "Hyde Park". He violated the established procedure for holding a public event, namely: he took an active part in organizing a public event with signs of a rally. This rally, in violation of the requirements of the Federal Law of 19.06.2004 No. 54-FZ Federal Law "On assemblies, rallies, demonstrations, marches and pickets" was not agreed with the executive authority of the city of Vologda, and the rally was not stopped, despite the demands of the local police officers.	The Mr. S.A. Guzhev's argument is that he is a journalist and a special correspondent for the online news media "Pozitsia" and on 31.01.2021 he carried out an editorial task to collect material related to mass events in Vologda, and that he had a certificate and an editorial task with him. This argument cannot be a basis for exemption from administrative responsibility. In accordance with clause 7 of Article 47 of the Law of the Russian Federation of December 21, 1991 No. 2124-1 "On the Mass Media", a journalist has the right to visit specially protected places of mass gatherings of citizens, to attend rallies and demonstrations. Part 5 of Article 6 of the Federal Law "On Assemblies, Rallies, Demonstrations, Processions and Picketing" dated June 19, 2004 No. 54-FZ established that the basis for the activities of a journalist at a public event is an editorial card or other document proving the identity and rights of the journalist. A journalist attending a public event must have a clearly visible distinctive sign of a media representative. As it can be seen from the materials of the case, in particular from the video recording of the rally, Mr. S.A. Guzhev, in a legally significant period of time, directly participated in the event (which was taking a form of a rally), that was not authorized with the executive authorities of the city of Vologda. During that period of time, Mr. S.A. Guzhev did not have a clear visible distinctive sign of a media representative. Therefore, based on the evidence presented in the case materials, there is no ground to establish that Mr. S. A. Guzhev carried out exclusively his professional activities as a journalist during the time period discussed. Thus, there is no ground to apply the Law of the Russian Federation of December 21, 1991 No. 2124-1 "On the Mass Media" in relation to Mr. S.A. Guzhev's case.

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
8	19.2.2021	Moscow	<p>K. M. Vorovich did not admit to the circumstances of the administrative offence and stated that did not take part in the rally on <date> and did not participate in the procession, did not chant slogans. In his professional capacity as a journalist, on an editorial assignment, K. M. Vorovich followed the procession from Mayakovskaya to Baumanskaya, with the purpose of providing press coverage to the events. At <time> Vorovich was meeting a friend at Komsomolskaya - <name>. After the meeting Vorovich continued to the Komsomolskaya metro station where Vorovich was detained at the platform.</p>	<p>"K.M. Vorovich committed an administrative offense under Part 5 of Article 20.2 of the Russian Federation Administrative Offense Code, namely: on <date> in the centre of Moscow, including at the <address> a public mass event took place in a combination form of a rally and picketing, unauthorized by the executive authorities of the city of Moscow, with approximately 300 participants. One of the participants was Konstantin Mikhailovich Vorovich. The <date> of the public mass actions (rallies, processions, etc.) in the central part of the city of Moscow had not been approved by the authorities of the city of Moscow. K. M. Vorovich, as part of a group of approximately 300 citizens, attracting the attention of citizens and the media, ignoring the explanations of the police officers, chanted slogans: "Russia without Putin!", "Gang resign!", "Freedom to Navalny!", as well as those containing offensive statements with regards to the President of the Russian Federation. Therefore, voluntarily taking part in an unauthorized public mass event in a combination of forms of a rally and procession, he violated the requirements of Art. 2, 3, 6 of the Federal Law of Russian Federation from 19th June 2004 № 54-FL "On assemblies, rallies, demonstrations, processions and picketing", ignoring the repeated demands of police officers to cease his illegal actions".</p>	<p>"The fact of the presentation to the court of an editorial assignment and a press certificate from <date>, issued by Vorovich to himself under unknown circumstances unknown, does not affect the court's conclusions that an administrative offence described above was committed."</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
9	18.2.2021	Komi Republic	Ms E.A. Solovieva and her lawyer (appointed by oral motion) Mr V.V Kosnyrev did not agree with the offence at the hearing. They also explained that they did not argue with the fact of being present at this event in pursuit of a professional activity. At the same time, Ms E.A. Solovyova did not know about the amendments to the legislation, which oblige to have distinctive features as a media representative. In addition, the form of distinctive features has not been legally established by the date. At the same time, the meeting was peaceful, Ms E.A. Solovieva did not pose any threat to others.	On January 23, 2021 from 13:55 to 14:45 Ms E.A. Solovieva as a journalist of the Pravda Komi newspaper, was at a public event in a mixed form of rally / march, which took place on the territory of Stefanovskaya Square in Syktyvkar, near the Lenin monument (Stefanovskaya square, Syktyvkar, Kommunisticheskaya str., 9), that was unauthorized by the Administration of the municipal district of Syktyvkar city. She attended a public event in order to carry out her professional activities and did not have clearly visible distinctive features (signs) of a media representative, and also did not comply with the lawful demands of police officers to stop participating in an ongoing, unauthorized public event, thereby violating Art. 1, Art. 6.5 and Art. 6.6 of the Federal Law No. 54-FZ, "On assemblies, meetings, demonstrations, marches and picketing", dated 19 June 2004, (hereinafter Federal Law No. 54-FZ). Thus, Ms E.A. Solovieva committed an administrative offense, the responsibility for which is established by Art. 20.2.5 of Russian Federation Administrative Offense Code.	<p>According to Article 6.5 of Federal Law No. 54-FZ, the grounds for acting as a journalist at a public event are a press card or other document proving the identity and powers of the journalist. A journalist attending a public event must have a clearly visible distinguishing mark (feature) of a media representative, the type and description of which is established by the federal executive body exercising control and supervision functions in the field of media, mass communications, information technology and communications, in agreement with the federal executive body in charge of the development and implementation of state policy and legal regulation in the field of internal affairs, the federal executive body in charge of the development and implementation of state policy and legal regulation in the matter of activities of the national guard of Russian Federation, in the matter of arms circulation, in the matter of private security activities and in the matter of private security, and all-Russian public associations of journalists.</p> <p>In accordance with Article 6.6 of Federal Law No. 54-FZ, a journalist attending a public event in order to carry out his professional activities is subject to the obligations and prohibitions established in Art. 6.3 and Art. 6.4.</p> <p>Ms E.A. Solovieva's arguments that she was not a participant but a media representative in a public event, which is confirmed by the editorial assignment of <dd.mm.yy>, cannot be taken into account by the court, since it does not prove the absence of the event of an administrative offense in her actions.</p> <p>Ms E.A. Solovieva's actions constitute an administrative offense under Art. 20.2.5 of the Code of Russian Federation Administrative Offense Code, "violation by a participant of a public event of the established procedure for running a rally, except for the cases established in Article 20.2.5."</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
10	12.2.2021	Chuvash Republic	<p>Indeed, at the time indicated in the protocol, the defendant was in the square during the protest. There were a lot of law enforcement officers, who shouted something, but he heard a direct warning to stop the actions. In addition, he attended the protest as a blogger, on the editorial assignment of the "Vzyatka" newspaper, in order to cover the course of the mass event. According to the Russian Federation Law "On Mass Media", bloggers are considered equal to the journalists. He was wearing a nametag with his first and last name and the "Press" sign. No one asked to see his editorial assignment. He was filming the mass event with his "gadgets", and was not shouting any slogans. The status of this event was not determined, he did not know who was the organizer, he did not study any websites, and he is not a member of any political party. He always attends all the protests and he has never been prosecuted for that.</p>	<p>On January 23, 2021 at 15:30 Shakeev took part in an unauthorized protest at the Republic Square in Cheboksary. He repeatedly failed to respond to numerous lawful requests of the police to stop the protest.</p>	<p>The fact that Shakeyev is a blogger and filmed a mass public event does not indicate that he did not participate in an unauthorized public event.</p> <p>By virtue of article 52 of the Law of the Russian Federation dated 27.12. 1991 N 2124-1 'On Mass Media', the professional status of a journalist is only applied to editorial staff who edit, create, collect or prepare messages and materials for large-circulation newspapers and other mass media whose products are distributed exclusively within one enterprise (association), organization, or institution, and to writers who have no contractual relations with the mass media outlet but recognized by it as its contributors or freelance correspondents in the course of the fulfillment of the editorial board's assignments.</p> <p>Shakeyev is not a person specified in the article, since he did not have an editorial assignment at the time of his arrest.</p> <p>Section 9, Article 49 of this Law establishes the journalist's obligation to present an editorial license or other document verifying the journalist's identity when performing his/her professional activities, upon request. Shakeyev submitted a letter to the court stating that he was executing an editorial assignment for Vzyatka newspaper to cover mass public events, including unauthorized public events, in order to prepare photo and video archives for subsequent publication in the newspaper, the Internet and social networks.</p> <p>However, the Court is critical regarding this letter. When detained, Shakeyev did not present an editorial assignment, nor did he indicate that he was acting on the instructions of the editorial office. Moreover, in his written explanations in the protocol he did not indicate that he is a journalist and had an editorial assignment, but indicated that he records the political history of the city.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
11	11.2.2021	Komi Republic	Stepanov, as a freelance journalist for the <>, performed his professional duties at the <> public event and captured the events. As a journalist, Stepanov has the right to be present at protests and demonstrations. Stepanov had the ID with him, confirming the identity and credentials of the journalist. Stepanov did not have a distinctive sign of a mass media representative, but the law does not specify the form of such a distinctive sign.	Stepanov, being a journalist of the newspaper <> was present at the event, held in the "mixed" form of a meeting, a procession, unauthorized by the Administration of Syktyvkar, on Stefanovskaya Square in Syktyvkar. In the course of the march from Teatralnaya Square to Stefanovskaya Square in Syktyvkar, near the monument to V. Lenin (Stefanovskaya Square, 9 Kommunisticheskaya Street), being present at the public event in order to carry out his professional activities, did not have any clearly visible distinctive signs of a mass media representative, and did not comply with the demand of police officers to stop participating in the unauthorized public event	The basis for the activities of a journalist at a public event is an editorial certificate or other document verifying the journalist's identity and credentials. A journalist attending a public event is required to wear a clearly visible sign that identifies him or her as a representative of the mass media. A journalist attending a public event for the purpose of carrying his or her professional activities is subject to the obligations and prohibitions stipulated by Sections 3 and 4 of Article 6 of Federal Law No. 54. "ON ASSEMBLIES, MEETINGS, DEMONSTRATIONS, MARCHES AND PICKETING" Based on the evidence presented in the case file, there are no grounds to believe that at the time of his presence at the public event, Stepanov had a clearly visible distinctive sign of a mass media representative. Contrary to the arguments of the defense counsel, the lack of an established form of a distinctive sign does not exclude the need to comply with the requirements of the current legislation. In this case, the form of the distinctive sign has no legal significance, since Stepanov had no such sign at all.
12	5.2.2021	Samara Region	Ms A.V. Klabukova pleaded not guilty, and stated that she has been a journalist for a long time, she's been a freelance correspondent for "<data deleted>" newspaper, where she published many articles in 2007-2016. Since 2017, she hasn't published articles in this newspaper, but worked in other newspapers, and kept in touch with the director "<data deleted>", LLC, <FULL NAME12>. She is not a member of the Union of Journalists. She hasn't had a press card until <DD.MM.YYYY>, when she got the press card "just in case." Also on <DD.MM.YYYY> she took part in an unauthorized event as a journalist. On <DD.MM.YYYY> at 12.30 she arrived at the rally without press card or editorial assignment. About rallies on <DD.MM.YYYY> and <DD.MM.YYYY> she learned from other journalists in the chat. Upon arrival, she walked around the site for 15 minutes in order to find how to climb up the hill, in order to	took part in an unauthorized public event in the form of a rally in pursue of drawing attention to the issue of the arrest of <FULL NAME5>, and failed to comply with the lawful demands of police officers to terminate participation in an unauthorized public event	After examining the arguments by Ms A.V. Klabukova about the absence of the event of a administrative offense, since during the indicated period she participated in an unauthorized event (rally) as a journalist, the Judge considers them invalid. Based on the evidence presented in the case materials, including the testimony of witnesses <FULL NAME10> and <FULL NAME11> (warned of the responsibility under Art. 17.9 of Russian Federation Administrative Offense Code), photo and video materials, there are grounds to believe that at the time of arrest Ms A.V. Klabukova didn't have a visible distinctive features of a media representative or presented an press card or other document proving the identity and powers of a journalist, and Ms A.V. Klabukova does not deny this herself. The judge does not take into account editorial assignments of <DD.MM.YYYY> and <DD.MM.YYYY>

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			<p>estimate how many people are there, and to take a picture. She was on the hill with other people without personal protective equipment (mask). She started recording a video, and at 12:45 she was detained by police officers. She did not say that she was a journalist. Police officers told her that she was at a public event without a mask, and this violated social distancing, for which a protocol was issued under Article 20.6.1 of Russian Federation Administrative Offense Code. The police department explained her rights to her, and no physical violence was used against her by police officers. As a journalist, she had the right to be at an unauthorized event, she was not obliged to wear a journalist's vest or have a distinctive features of a media representative, so she wouldn't attract attention to herself, since she knew from experience that in large cities, during an unauthorized rally, a journalist wearing a vest would be the first to be "at the receiving end". When she was arrested on <DD.MM.YYYY>, she did not say that she was a journalist for the reason that she had such an editorial assignment not just to observe, but also to understand what was happening with the citizens. She decided to understand as an ordinary citizen what was happening with citizens who took part in an unauthorized event, what would happen in the police department, it was such an experience for her. She was detained at 12:45, and released from the police department at about 6 pm. Thus, she was in the police department for more than 3 hours, she was not given water. She said that she was a journalist, there were many people in the police department, she was taken to different offices. She felt sick, shhe was stressed, but she did not ask the police officers to call an ambulance or provide other medical assistance. She was without water, food or means of communication. Her fellow journalists began looking for her, and when they found her, she was one of the first to leave the police department. She was given two editorial assignments, which were necessary in the event of a possible detention. The fact that there</p>		<p>provided by Ms A.V. Klabukova, since they were issued by the managing director of "<data deleted>", LLC, and not by newspaper editor-in-chief, and Ms A.V. Klabukova's press card issued on <DD.MM.YYYY> since it has no validity period.</p>

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			was no validity period in the press card was just an internal error. She gave explanations on <DD.MM.YYYY> but did not agree with it, 'cause she did not say that she was not satisfied with Putin's policy. She was scared, worried, it was noisy, she could understand something wrong. She said she was a journalist.		
13	4.2.2021	Samara Region	At the court hearing, S.M. Leybgrad pleaded innocent of having committed an administrative offense and clarified that he is a member of the Russian Union of Journalists, his work is regularly published, he writes articles and reports on TV and online. On Jan 31, 2021, he, as a string reporter for Park Gagarina, an electronic periodical online media outlet, received a work assignment to prepare a report on an unauthorized event in Samara, which had been publicly announced in social media networks by the followers of Alexey Navalny. He arrived on Jan 31, 2021, approximately at 11:40, at the Zvezda Mall, where there was already a gathering of people and police officers. While keeping his distance from the people, he filmed the event and commented on it, remaining at the site for 30 minutes. He did not interview anyone nor talk to the protesters. When detained by police officers, he immediately informed them that he is a journalist and showed his journalist ID, after which he was released. The detention protocol was drawn up on the next day on Feb 1, 2021; he did not present his work assignment immediately as he was too emotional.	On Feb 1, 2021, in respect to the journalist S.M. Leybgrad, a protocol was drawn up of an administrative offense as per Part 1 of Article 20.2.2. of the Russian Federation Administrative Offense Code, from which follows that, during a time of the introduction of a high-alert mode on the territory of <address>, which is under a threat of an emergency, introduced by the decree <address> No. dated March 16, 2020 "On the introduction of a high alert mode due to the threat of an outbreak of the new coronavirus infection caused by 2019-nCoV", on Jan 31, 2021, during the time from 11:30 until 12:20, S.M. Leybgrad had participated in a simultaneous mass presence of the public (over 100 people) that was not a public event at the address <address> G near Zvezda Mall; at this time, he did not maintain the social distance of 1.5 to 2 meters and ignored the demands of law enforcement officers about the necessity of compliance with the requirements of the sanitary/epidemiological regulations as prescribed by the Decree of the Chief State Sanitary Physician of the Russian Federation, dating May 22, 2020, "On Establishing Sanitary / Epidemiological Regulations SR 3.1.3597-20 "Prophylaxis of the new coronavirus infection (COVID-19", thus failing to comply clauses a and b of Paragraph 3 of the Conduct Regulations established by Russian Government Decree No. 417 on April 2, 2020.	A report by NAME7, an officer of a Patrol Guard Service of the Police regiment of the Regional Office of the Ministry of Internal Affairs for <address>, states that on Jan 31, 2021, at the location of <address> G near Zvezda Mall, S.M. Leybgrad was detained while taking part in an unauthorized public event while not displaying a mass media press ID. According to his ID No., S.M. Leybgrad is a member of Russian Journalists Union since 2004. The court has determined that, in accordance with his press office ID, S.M. Leybgrad is a string reporter for the Park Gagarina electronic periodical online media outlet. In accordance with his work assignment by the NCO Park Gagarina, on Jan 31, 2021, the journalist S.M. Leybgrad was sent to prepare a report on an unauthorized event in Samara, which had been announced in social media networks by the followers of Alexey Navalny. From the letter presented by S.M. Leybgrad's defence counsel, the attorney A.S. Lapuzin, it follows that on Jan 31, 2021, S.M. Leybgrad, as a string reporter for the NCO Park Gagarina, was in the area near Zvezda Mall, where an unauthorized event announced in social media networks by the followers of Alexey Navalny, was being conducted, on assignment from his editors, in order to prepare announcements and materials about the course of the unauthorized event. The court received a video report filmed by S.M. Leybgrad, which has been admitted as evidence. In accordance with Article 5 of Federal Law No 54 (DD.MM.YYYY) (revised on DD.MM.YYYY) "On Assemblies, Ralies, Demonstrations, Marches, and Pickets," the legal grounds for the activity of a journalist at a public event is the press ID or another document

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					<p>that identifies the journalist and confirms the journalist's mandate. A journalist present at a public event is obliged to have a clearly visible press badge identifying him or her as a representative of mass media. Based on the submitted written evidence and the video recordings reviewed by the court, it follows that, despite S.M. Leybgrad's lack of a press badge identifying him as a mass media representative, his actions do not represent an administrative offense in accordance with Part 1 of Article 20.2.2 of the Russian Federation Administrative Offense Code, as S.M. Leybgrad, as a participant of a mass event in the role of a journalist, did not violate the requirements of the sanitary / epidemiological regulations.</p>
14	3.2.2021	Moscow	<p>NAME was present at the court hearing and pleaded innocent of having committed an administrative offense as per Part 8 of Article 20.2 of the Russian Federation Administrative Offense Code; he stated that, on the date indicated in the administrative offense protocol he was indeed present at the aforementioned location, but did not take part in illegal public events, which his spouse can corroborate; he stated that he does not know the reason why he was detained and petitioned to have the court hearing postponed and to have his work contract with Nash Sever media outlet, as well as his work assignment, requested by the court.</p>	<p>NAME had committed a repeated participation in an unauthorized protest while part of a group of at least 200 people and having been informed about the absence of authorization for the conducting of this public event; he participated in a public event in the form of a protest that was unauthorized by Moscow authorities; specifically, NAME had shouted slogans, attracting the attention of the public and of mass media, and disrupted pedestrian traffic, blocking the access of members of the public who were not participating in this public event to transportation infrastructure objects such as bus stops, ground level and underground pedestrian crossings, and to Pushkinskaya and Tverskaya metro stations. He did not react to multiple demands by police officers to stop wrongdoing, continuing to participate in the unauthorized protest. All members of the public received multiple explanations by the means of a Megaphone sound amplifier that the protest is unauthorized; multiple times, demands were voiced to leave the site of the unauthorized public event.</p>	<p>The court does not see satisfactory reasons for postponing the court hearing in order to request the work contract with Nash Sever media outlet and the work assignment, because the petition does not have a valid motive; at the time of detention, NAME did not communicate that he was carrying out his professional duties as a journalist and did not present a press ID.</p>

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15	3.2.2021	Moscow	During the date and time stated in the administrative offence report the accused was present at the address above but did not participate in the protest. They were present there solely in their capacity as a freelance journalist with an editorial assignment from a Russian-wide newspaper "Natsionalniy Kurs"	Participation in an unauthorized protest, which resulted in the obstructed functioning of critical city infrastructure facilities, transportation and social infrastructures, communication systems, movement of motorized vehicles and/or pedestrians, alternatively hindering citizens' access to housing, transportation, or other social infrastructures.	The court rejects the claim of the accused and his counsel that his actions did not constitute an administrative offense and were protected under the rights of a member of the press to report on public events. Given that <NAME> lacked anything that would identify him as a member of the media, and only presented evidence that he was a freelance journalist during the court hearing, his delivery to the police department and charge with an administrative offence are found to be legitimate.
16	2.2.2021	Moscow	During the court session <Name> completely denied his guilt. He explained that he was a journalist, but did not have any documents with him, and he also did not have a special vest. He was found at the place of detention because he had an intention to take photos and videos of people and police officers. He did neither share the opinions of the protesters nor shout slogans.	At <Date> <period of time> <Name> took a part in a group of 500 people in the central part of <address>. He chanted slogans attracting the attention of citizens, that is, voluntarily took part in an uncoordinated public event in a combination of forms of rally and picketing.	Since <Name> took part in a unauthorized with the executive authority of<address> mass public event in a combination of forms of rally and picketing, he was found guilty without any doubt in the commission of an administrative offense under Part 5 of Article 20.2 of the Code of the Russian Federation on the AP.
17	1.2.2021	Arkhangelsk Region	At the hearing Fokina E.I. pleaded not guilty, explained that she was present at the meeting, but did not take part in it, since she was executing her professional duties as a journalist.	January 23, 2021, approximately from 2:00 pm till 2:20 pm Fokina E.I. violated the established procedure of holding a public event: being a participant of the public event, which was not agreed with the Administration of the municipal formation "City of Arkhangelsk", which took place near the house #5 on the Lenin square in Arkhangelsk. She did not comply with the legal requirement of the police officer not to take part in an uncoordinated public event	Materials of the case and explanations of Fokina E.I. confirmed that Fokina E.I. was a voluntary participant

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18	1.2.2021	Komi Republic	... attended this event not as a participant, but as a media representative, which is confirmed by the editorial assignment dated 01/22/2021. At this event, <...> listened to people, took notes, which resulted in the publication of two articles dated January 23 and 25, 2021. In addition, he could not use visible distinctive features of a media representative, since they are not legally approved.	Being a participant of a public event held in a mixed form of rally / march, unauthorized by the Administration of the municipal district of Syktyvkar city, tha took pace on the territory of Teatralnaya Square, Stefanovskaya Square, venue of the Administration of the municipal district of Syktyvkar city, Mr V.V. Chernitsyn moved along the route from Teatralnaya square via Kommunisticheskaya street, Lenin street, Stefanovskaya square, Internatsionalnaya street to the territory near 22, Babushkina street, along the people shouting slogans, expressing their opinion on pressing problems of mostly socio-political and social nature, failed to comply with the lawful demands of police officers to terminate participation in an ongoing unauthorized public event, while he did not have visible distinctive features of a media representative.	The court can not take into account the arguments of Mr V.V. Chernitsyn that he was not a participant in a public event, but was a media representative, which is confirmed by the editorial assignment of 01/22/2021 and publications following his work, since he came to this event without an official assignment, without a badge, without a vest according to the statement by Mr V.V. Chernitsyn himself dated 01/28/2021.
19	1.2.2021	Moscow	At the court hearing, <Name> explained that on <date> he met with a friend of <Name> and was moving in a taxi to the <address>, but the traffic was blocked in near the <address>, he got out of the taxi with <Name> and began to shoot everything that was happening in this area on his mobile phone. He filmed everything for his own purposes, although he is a journalist, but there was no editorial assignment, there were no documents at the time of detention that he was a journalist and he did not present them. At some point, a group of police officers came to him and detained. He did not participate in the march, his rights were violated.	One of the participants of this event was <Name>, who in the period from 13:00 to 15:30 at the <address> interfered with the functioning of transport and social infrastructure, the movement of vehicles (including public transport) and pedestrians, blocking the access of citizens who are not participants of this public event to transport infrastructure facilities: ground transport stops, social infrastructure facilities (public catering facilities, shops, pharmacies), voluntarily assuming and performing the functions of a participant in a public event, in violation of the requirements of Federal Law No. 54-FZ "On Assemblies, Meetings, Demonstrations, Marches and Picketing", ignoring the explanations of police officers, voluntarily took part in a public event that was not authorized by the executive authorities of the Russian Federation in a combination of the forms of a march and a protest.	The arguments of <Name> and his attorney that he did not violate any laws, since he did not participate in the protest, but only filmed a video, the court finds untenable, since they are refuted by the evidence examined in the court session, including the testimony of police officers, which are consistent with each other and do not contradict each other. The viewed video does not indicate that the imputed offense is unproven, since <Name> did not have the distinctive marks of a journalist and did not show documents that he was a journalist to the police officers, which he reported to the court and is not a basis for exoneration from responsibility.

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20	1.2.2021	Khabarovsk Territory	<p>During the court hearing Semenov V. V. did not admit guilt in committing an administrative offense, referring to the fact that he has been working in mass media since <YEAR>, has only positive characteristics, certificates of honor and letters of gratitude. From <> he received an assignment to photograph the events at <DATA TAKEN>, around 12:40pm he arrived at <DATA TAKEN>, started work, photographed people participating in the protest, after a police officer demanded through a loudspeaker to stop participation in the unauthorized protest, he headed towards riot police, started filming the fighters, after which he was detained by police officers. Since he was in a rush to arrive at the start of the protest, he did not check that he had his badge, which he usually kept in an inner pocket of his outer jacket; as it turned out later, his children were playing with it at home. During the protest he only had his journalist ID (press card), which was in his jacket, no badge, no vest was issued to him by management. He assumed that his status as a journalist would not be questioned as police officers already know him, he has previously been at protests fulfilling editorial assignments.</p>	<p>According to the administrative offence report from <DATE> <NUMBER> Semenov V. V. <...> from 12:55pm to 1:10pm was <DATA TAKEN> at <ADDRESS>, participating in an unauthorized mass event that took the form of a protest, the goal of which was to express disagreement with the authorities and to show support for <NAME6> and <NAME7>, with about 60 participants, in violation of the established procedure for holding a public event, he did not fulfill the repeated legal demands of the police officer (inspector of the public order department of the Russian UMVD for the city of Khabarovsk, junior police lieutenant <NAME8>) to terminate the illegal actions voiced with the help of a sound-amplifying device, which violated Article 1 Clause 3, Article 1 Part 3 Clause 6 of the Federal Law on Assemblies, Meetings, Demonstrations, Marches and Picketing No. 54-FZ of 19 June 2004, by which he committed an administrative offense under Part 5 of Article 20.2 of the Russian Federation Administrative Offence Code.</p>	<p>Interrogated at the request of Semenov V. V. as a witness <NAME9> explained to the court that they, as a coordinator for work with the correspondent network, orally instructed freelance correspondent Semenov V. V. to take photographs, to stay away from people and closer to the police officers, and since <...> an unauthorized protest was taking place, the journalists were not required to have identification marks of belonging to the media. After the completion of the work, the footage was to be sent to <...> for the photo service, where all the images will be stored.</p> <p>The official who drew up the administrative offense report <NAME4> confirmed the circumstances set out in the report for the administrative offense, additionally they explained to the court that at the time of the unauthorized protest Semenov V. V. did not have any distinctive marks of a representative of the media, or editorial assignment, after his arrest, already at the police station Semenov V.V. stated that he was a correspondent for the Kommersant newspaper. A journalist attending a public event must have a clearly visible distinguishing mark (sign) of a media representative.</p> <p>As seen from the case materials, during the period from 12:55pm to 1:10pm Semenov V. V. participated directly in an unauthorized public event in the form of a protest. At the same time, Semenov V. V. did not have a clearly visible distinctive mark that would identify him as member of the media.</p> <p>Drawing from the available case files there is no evidence that during the time in question Semenov V. V. was covering this public event as a journalist.</p>

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21	1.2.2021	Arkhangelsk Region	At the hearing Fokina E.I. pleaded not guilty, explaining that she has posted her thoughts on the upcoming public event, but did not encourage anybody to participate in it and did not organize the public event.	Fokina E.I. has performed actions intended to organize the public event without notifying the authorities according to the law, specifically: has conducted preliminary agitation and informed the possible participants about the public event on January 23rd, 2021 in the city of Arkhangelsk by publishing a public news post on the Internet, <URL>, thus committing an administrative offence under article 20.2 part 2 of the Russian Federation Administrative Offense Code.	Case materials prove that Fokina E.I. published a public news post on the internet at VKontakte social network, available at URL <URL> on January 22, 2021 at 02:56 am, in which she conducted preliminary agitation and informed possible participants of a public event in the city of Arkhangelsk on January 23, 2021 without submitting a rally notice to the "Arkhangelsk city" municipality administration according to the law. Guilt of Fokina E.I. on an administrative offence apart from the administrative offence report is proven by police officer Ogorelkov A.V.'s report, explanations of Fokina E.I. at trial, a letter from the Director of the Organisational work and Protocol Department of the Administration of the "Arkhangelsk city" municipality dated Jan 22, 2021.
22	1.2.2021	Stavropol Territory	Ms. O. V. Vasilyeva did not plead guilty in committing this administrative offense. She explained that at 12.20 on DD.MM.YYYY, she was on Lenin Square in Pyatigorsk, acting lawfully as a journalist, following an oral order from the leadership of the "Glasnost Defense Fund", in order to cover the situation in Pyatigorsk city on DD.MM.YYYY, however, was unreasonably detained by police officers.	Ms. O. V. Vasilyeva on DD.MM.YYYY at 12.20 was at the address: Stavropol Territory, Pyatigorsk, sq. Lenina, 2. She took part in a massive simultaneous gathering of citizens in a public place that was not an official public event. This gathering interfered with the movement of pedestrians and citizens' access to social infrastructure.	Ms. O. V. Vasilyeva's guilt in committing an administrative offense under Part 1 of Art. 20.2.2 of the Code of Administrative Offenses of the Russian Federation is confirmed by the following factual data: (1) a protocol on an administrative offense from DD.MM.YYYY, drawn up against her; (2) testimonies of the witnesses FULL NAME1 and FULL NAME2 given on DD.MM.YYYY, consistent with the circumstances set out in the protocol on an administrative offense; (3) report of a police officer written on DD.MM.YYYY. On the basis of this evidence, Ms. Vasilyeva's presence on the described event and an event and her guilt as a person brought to administrative responsibility, are established.

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23	1.2.2021	Khabarovsk Territory	At the court hearing, Nuykina M.E. did not admit guilt of committing an administrative offense, referring to the fact that on <DD.MM.YYYY> she did not participate in the protest, probably on that date or on the other day she worked - she made a live broadcast report on YouTube channel using her mobile phone for that purpose.	On DD.MM.YYYY. from 12:00 p.m. to 2:00 p.m. 00 a.m. to 14:00 p.m. 00 a.m Nuykina M.E. participated in an unauthorized public event in the form of a protest that was followed by a march in support of former Governor of Khabarovsk Region <Name>, with about 1,150 participants. She moved in a procession, attracting citizens' attention, blocking crosswalks and the roadway completely, which caused interference with the movement of pedestrians and vehicles along the entire route of the march: from <address data is removed >. She did not respond to repeated and legitimate demands of police officers (traffic police crew) to stop unlawful actions, to stop participating in the unauthorized event, voiced through loudspeaker, and continued to participate in the unauthorized march as a group, thus violating Paragraph 1 of Art. Art. 3, par. 1; Art. 6, part 3, par. 1 of the Federal Law No. 54-FZ of 19 June 2004 "On assemblies, meetings, demonstrations, marches and picketing", Clause 4.1 of the Road traffic regulations of the Russian Federation, approved by Resolution of the Government of the Russian Federation No. 1090 of 23 October 1993, the responsibility for which is established by Clause 6.1 of Article 20.2 of the Russian Federation Administrative Offense Code.	The arguments of M.E. Nuykina stating she was a correspondent of the newspaper <data removed> and covered a public event held at DD.MM.YYYY following the editorial assignment, the court finds groundless. According to clause 7 of Article 47 of the Law of the Russian Federation No. 2124-1 of 27 December 1991 "On Mass Media", a journalist has the right to attend meetings and demonstrations. A press card or other document certifying the journalist's identity and powers is the basis for a journalist's activity at a public event. A journalist attending a public event must have a clearly visible sign of a mass media representative (Part 5, Article 6 of the Federal Act of 19 June 2004 No. 54-FZ (in the wording in effect at the time of the violation). As can be seen from the case materials, Nuykina M. E. participated directly in an unsanctioned public event held in the form of a protest/march on DD.MM.YYYY from 12.00 p.m. to 2.00 p.m. At the same time Nuykina M.E. had no clearly visible distinctive sign of a representative of the mass media. Based on the evidence presented in the case materials, there are no grounds to believe that during the imputed period Nuykina M.E. covered the public event as a journalist.

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24	1.2.2021	Vologda Region	A.Y. Peskov pleaded not guilty of the imputed offence, explaining that he is an outsource reporter for the online newspaper "<>". He saw the information about the unauthorised event on the police website and communicated this information to his editor. On dd.MM.yyyy he received an e-mail with the editorial assignment to cover this event, that was to take place after the Navalny's staff appeal. After that he set out for the square <address>, but he was restrained by the police officers before he could reach his destination. He didn't have any campaign materials on him. He had his reporter's license, a recorder and a camera. His editorial assignment copy was on his email inbox, as he didn't have any means to print it. He was not the owner of the email account, the technical features of the messenger allow anyone to use any username. There is no evidence that he is the owner of the account. He refused to answer whether he was chatting with the protesters referring to the 51 article of Russian Constitution.	From 15:33 up until 22:23 on DD.MM.YYYY Peskov A.Y. was preliminarily agitating the citizens on the Internet using social network "<>" by posting the appeals to participate in an unauthorised protest called "Honest elections, independent courts, freedom of speech, changeability of the power" accessible to an unknown number of people. He was also hanging agitation posters without submitting a notification to local authorities about the holding of a public event.	The arguments made by Peskov A.Y. and his attorney K, that there is no evidence to the imputed offense are reputed by the case's evidence, since from 15:33 up until 22:23 on DD.MM.YYYY Peskov A.Y. was preliminarily agitating the citizens on the Internet using social network "<>" by posting the appeals to participate in an unauthorised protest called "Honest elections, independent courts, freedom of speech, changeability of the power" accessible to an unknown number of people. He was also agitating to hang posters about the event, he uploaded the posters's texts so they could be freely accessed. The event was not authorised. Peskov A.Y. was restrained on his way to the event. Peskov's argument that we was going to the protest to cover it for his assignment from the online newspaper where he is an outsource reporter is considered not convincing since he did not have any editorial assignment on him at the moment when he was restrained by the police officers. He showed the copy of the assignment on his mobile phone on the email inbox, but there is no evidence that he received it before the unauthorised event.
25	1.2.2021	Khabarovsk Territory	At the court hearing Teplyakova A.A. partially agreed with the report, explaining to the court that she is a correspondent for the daily online publication RusNews, and that she carried out her professional activities as a journalist in accordance with the Mass Media Federal Law on the basis of an editorial assignment, without personally taking part in them she covers and films events related to political activities, protests, marches, and the life of the citizens of Khabarovsk, She indicated that she did not violate any of the legislation of the Russian Federation.	On 01/23/2021 from 12:50pm to 2:15pm Teplyakova A. A., being a journalist of the daily online publication RusNews took part in an unauthorized public event in the form of a protest, which later turned into a march, with a number of participants of 250, all united by a single organization, purpose and idea of the event, which was the expression and formation of opinions in defense of the opposition leader A. A. Navalny and in support of the former governor of the Khabarovsk Territory S. I. Furgal, as well as the expression of disagreement with the actions of the authorities; she moved in a marching column along the pedestrian part of the sidewalk along the following route: from the V.I. Lenin Square (<address> - to the V. I. Lenin Square in Khabarovsk), contributing to mass participation, attracting the attention of citizens to the subject of this event, completely blocking the pedestrian	In accordance with article 52 of the Law of the Russian Federation No. 2124-1 from December 27, 1991 "On Mass Media" the professional status of journalists established by the present Law shall extend to: staff workers of the editorial offices engaged in editing, writing, collecting or preparing communications and materials for newspapers with a large circulation and other mass media whose products are disseminated exclusively within one enterprise (association), organization or institution; authors who are not connected with the editorial office or section of a mass medium by labor or other contractual relations but are recognized by it as its free-lance authors or non-staff correspondents when they fulfil the editorial office's assignments. In accordance with Part 5 of Article 6 of the Federal Law "On Assemblies, Meetings, Demonstrations, Marches and Picketing", the basis for the activities of a journalist at a public event is an editorial badge or other document

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				<p>part of the sidewalk as part of the procession, which entailed interfering with the movement of other pedestrians along the entire route of the march; through dialogues on the relevant to the event topics with the participants she expressed the sole purpose of the event, while also broadcasting the march on the video hosting platform Youtube, on the RusNews channel under the name "Khabarovsk / Navalny / Furgal / Camera No. 1" with hashtags # Khabarovsk # Furgal # Navalny #, with open access to video viewing of an unlimited number of people, with comments in defense of opposition leader A. A. Navalny, as well as against the actions of the authorities, while she did not have a visible distinctive sign (identifier) of the representative of the media, as required by Part 5 of Article 6 of the Federal Law No. 54-FZ from June 19, 2004. To the demands of the police officer in charge of maintaining public order, senior police lieutenant Yudakov E. M., to stop participating in an uncoordinated public event and to disperse, she did not react, but continued to take part in the unauthorized public event, thereby violating the requirements of paragraph 1 of art. 3, p. 1 h. 3 art. 6, part 6 of art. 6, p. 4, p. 5, p. 7 of art. 6 of No. 54-FZ.</p>	<p>proving the identity and powers of the journalist. A journalist attending a public event must have a clearly visible distinctive mark of a media representative. This is why the arguments of A. A. Teplyakova that she is a journalist and, by virtue of her professional activity, has the right to cover any public event and that she did not participate in an unauthorized public event as a participant, are not accepted by the court. In addition, from the evidence presented in the case materials it does not appear that A. A. Teplyakova. at the time of participation in the public unauthorized event had the distinctive marks of a media representative. Thus, evidence presented in A. A. Teplyakova's case files, such as her press card and editorial assignment cannot serve as evidence that A. A. Teplyakova participated in a public event exclusively as a correspondent (journalist), since a journalist present at a public event must have a clearly visible distinctive signifier of a representative of the media, at the same time, the video presented shows that Teplyakova A. A. did not have any distinguishing features from other citizens who took part in an unauthorized event, unlike other representatives of the media, who did have their signifiers clearly visible. Teplyakova A. A. took part in an unauthorized event but did not indicate her status as a journalist. In addition, drawing from the materials presented and examined at the court hearing, it becomes evident that Teplyakova A. A. participated in a public event, during which she as part of the procession completely blocked the sidewalk which obstructed the movement of other pedestrians along the entire path of the march. The arguments made by A. A. Teplyakova's and her counsel are viewed by the court as just a line of defense and a way to further evade responsibility.</p>

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26	1.2.2021	Moscow	<p>A. A. Filchakov attended the court hearing and stated that he is not a member of any group. Knowing that the aforementioned public event was going to be happening on DD/MM/YYYY, he arrived at the location on DD/MM/YYYY in his role as a journalist carrying his press pass, since in his time off from work he is involved in making sketches and photographs of courtroom and public events similar to the aforementioned event. He did not have a work assignment to cover the event or a visible press badge or a vest designating him as a media representative, Filchakov explained. As A. A. Filchakov stated, he did not chant any slogans nor did he participate in the event. However, he was detained and escorted to a police van. In the police van, he stated that he is a journalist, but his statement was not heard.</p>	<p>In the time period between *min until *min, A. A. Filchakov, while at the address *, while aware of the illegal nature of his actions, having voluntarily accepted and fulfilling the functions of a participant in a public event, in violation of the legal requirements of Federal Law No. 54, ignoring the guidance by law enforcement officers, had voluntarily participated in a public event that comprised a protest and a march and was unauthorized by Moscow authorities. As such, he had disrupted transportation infrastructure and public amenities, disrupting traffic flow (including public transportation) and pedestrian flows, blocking the access by members of the public who were not part of this event to transportation infrastructure such as: public above-ground transport, Moscow Metro stations * and *, and public amenities (public catering facilities, shops, pharmacies, railroad stations * and *)</p>	<p>As was determined at the court hearing, in the course of the legally relevant period of time, A. A. Filchakov was directly involved in an event unauthorized by Moscow authorities, which consisted of a protest and a march with at least 2000 participants through the central streets of Moscow while chanting various slogans; A. A. Filchakov lacked any obvious visible press IDs identifying him as a representative of mass media. Based on the evidence submitted as part of this court case, as well as the written testimony by aforementioned law enforcement officers, there is no reason to believe that A. A. Filchakov was carrying out professional activities as a journalist during the attributable period.</p>
27	31.1.2021	Rostov Region	<p>Palamarenko M.I. appeared, pleaded not guilty, explained that he had come to the protest voluntarily to review the news, as he is a correspondent.</p>	<p>Palamarenko M.I., being at the address: [address] on 19.01.2005 about 1.20 p.m., participated in an unauthorized protest, a procession that caused interference to the functioning of transport infrastructure, the movement of pedestrians.</p>	<p>The reasons of Palamarenko M.I. for his innocence on the basis of his location: [address] in connection with his professional activities are considered unfounded by the court, since the latter does not deny that he is personally present at the meeting, however, the court was not provided with evidence to disprove his direct participation in the public event.</p> <p>However, it appears from the case file that Palamarenko M.I. was not merely in the place where the public event was held, but was directly involved in it, interfered with the passage of citizens and traffic, and provided no visual identifiers to prove that he was a member of the media; when he was arrested, he did not produce a press card to officers; provided the drafting task only during the proceedings before the court of first instance.</p>

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28	31.1.2021	Komi Republic	He admitted to the fact of participation, however, he does not consider his actions to be illegal since he is a journalist.	While being at Komsomolskaya square in Ukhta, Komi Republic by the house № 6, he participated in an unauthorised public event in form of a rally, which later transformed into a march taking the following route: Komsomolskaya square, 6, Ukhta – Lenina avenue, 2, Ukhta – Lenina avenue, 26, Ukhta (Palace of Culture). As a participant of this event, he was fulfilling the common goal of the event by expressing his disagreement with the policies adopted by governmental bodies. Lawful demands made by the police to stop participation in an unauthorized public gathering were ignored by him.	Considering the evidence submitted to the case documents, including written reports of police employees, and videos, there is no ground to establish that at the moment of his arrest Sandakov A.V. carried any visible sign distinguishing him as a member of the press. He also had neither editorial staff ID nor any other document confirming the journalist's identity and press credentials. Moreover, it was established throughout the case that in the aforementioned period Sandakov A.V. actively participated in an unauthorized event in a form of a rally, using means of visual propaganda.

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29	30.1.2021	Khabarovsk Territory	In the judicial hearing, Nuykina M.E. clarified that she had participated in the march and had been covering the event for work.	According to the administrative offense report dated 29.01.2021, on 26.12.2020 from 12:35 till 13:35 Nuykina M.E. was participating in an unauthorized public event taking the form of a march in support of the former governor of Khabarovsk district S.I.F., moving in the direction from **** to the intersection ****, with ca. 30 people participating; as a part of the walking group, she was moving down the pedestrian area of the pavement down the route in *** to the intersection ***, creating an effect of a mass gathering, drawing the attention of citizens, as part of the walking group fully blocking the pedestrian area of the pavement, which led to the creation of hindrances to the movement of other pedestrians along all the route of the march, so that pedestrians were consequently forced to go around the procession across the lawn or wait till the end of the procession. She ignored multiple lawful demands made with help of sound-amplifying devices on behalf of the police (by inspector in charge of the enforcement of public order of the Regional Office of the Ministry of Internal Affairs in Khabarovsk senior police lieutenant E.M.Yu.) for cessation of unlawful actions, to end the participation in an unauthorized event; she continued the participation in an unauthorized public event as a part of a group, thus violating paragraph 1 article 3, paragraph 1 part 3 article 6 of Feder, which provides administrative liability subject to paragraph 6.1 of article 20.2 of Russian Federation Administrative Offense Code.	<p>The fact of participation in the unauthorized public march on behalf of Nuykina M.E. is confirmed by the case materials submitted to the court, and parties' clarification notes.</p> <p>The court rejects the argument of Nuykina M.E. and the defense counsel that the participation in the march on 26.12.2020 was lawful and justified, and that she was performing her professional duty as a journalist, as under provisions of para. 8 art. 49 of the Law on Mass Media, a journalist must decline a task issued by a chief editor or any other member of the editorial staff, shall the task itself, or the fulfillment thereof, lead to a violation of the law. Journalist's rights relating to the fulfillment of the editorial task are not absolute and are not to violate the rights of other parties. While engaging in an unauthorized march, Nuykina M.E. was positioned on the pedestrian area of the pavement, thus hindering the passage of other pedestrians throughout the whole route of the march.</p>

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30	29.1.2021	Khabarovsk Territory	Ms E.G. Ishchenko against whom the proceeding is underway in the case of an administrative offense, and her attorney <FULL NAME8> did not appear at the hearing. Inspector of the public order enforcement department of Region department of internal affairs in Khabarovsk city, senior lieutenant of the police <FULL NAME9>, notified them both of the time and place of the hearing during issuing an administrative offence report. No motion was filed to hear the case with their mandatory participation, as well as to postpone the hearing of the case.	At the time the defendant was located at Lenin square in Khabarovsk at the address: <address>, and did not have on hand any visible distinctive features of a media representative, required by Art. 6.2 of the Federal Law No. 54-FZ, "On assemblies, meetings, demonstrations, marches and picketing", dated 19 June2004, which violated the established procedure for running a public event. Defendant did not comply with requirements to stop participating in an unauthorized public event and leave the venue, which were given by the senior inspector of the public order enforcement department of Region department of internal affairs in Khabarovsk city, police captain <FULL NAME7>, who was keeping public order and safety.	Facts of the case and Ms E.G. Ishchenko's guilt of violating of Art. 6.3.1, Art.6.7.4, Art.6.7.5 of the Federal Law No. 54-FZ, "On assemblies, meetings, demonstrations, marches and picketing", and of committing the alleged offence is confirmed by the following evidence: testimony of a witness <FULL NAME10, his statement of <DD.MM.YYYY> and a report, which contains data similar to statement given in court; police officers' reports; video recorded on a CD, that captured that at the time and venue indicated in the report Ms E.G. Ishchenko is among other participants of the unauthorized rally, and there are no visible distinctive features of a media representative, allowing to distinguish her from the participants of an unauthorized public event ran on <DD.MM.YYYY>; letter by the Deputy Mayor of Khabarovsk <FULL NAME11> of <DD.MM.YYYY> No. <DD.MM.YYYY>, where it is indicated that the city administration did not receive any notifications about public events in the city on 11th to <DD.MM.YYYY>.
31	29.1.2021	Tambov Region	At the court hearing, Stepanov C.G. did not admit guilt of the offense and indicated that as a journalist he should inform the public about socially significant events occurring at <address> and that he is not the organizer of the public event, since he did not post any appeals on his page on the social network Vkontakte but simply copied the specified video about the events on Navalny from the YouTube. At the event DD.MM.YYYY he has been as a journalist, he believes that the indictment violates Art. 31 of the Constitution of the Russian Federation and Art. 11 of the European Convention on Rights, and is a de facto obstruction of journalistic activities.	On January 20, 2021 at about 08:00 pm, Stepanov S.N. organized an unauthorized public event by posting on his page, which is open to all users, on the online social networking service Vkontakte, a public video call for the participation of citizens on January 23, 2021 at 02:00 pm in mass public event (march) in support of release Alexey Navalny with indication of the gathering place of all willing to take part in specified event — <address>, on January 23, 2021 the specified event took place wherewith he violated Part 1 of Art. 10 of the Federal Law of June 19, 2004 No. 54 Federal Law "On assemblies, rallies, demonstrations, marches and pickets»	The arguments of Stepanov S.N. that he, as a journalist, should inform the public about socially significant events taking place in <address>, the actions of the police officers are an actual obstacle to their journalistic activities, I find untenable. As established in the course of the consideration of the present case Stepanov S.N. at the present time is not connected with any mass media by labor or other contractual relations. The fact that he has a journalist's certificate also does not indicate that he has the status of an actual journalist, as defined by Art. 2 of the Law of the Russian Federation of December 27, 1991, No. 2124-1 "On the Mass Media". The arguments of Stepanov S.N. that he did not post any appeals, but simply copied the link with the video on his VKontakte page to inform citizens, I find untenable and refuted by the evidence examined above in its entirety, which reliably testifies that Stepanov S.N. deliberately posted on his page on the social network VKontakte a video calling on citizens to participate on January 23,

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					<p>2021 in a mass public event (march) in support of the release of Alexei Navalny in Tambov, as well as text comments on this video.</p> <p>I qualify the actions of Sergei Nikolaevich Stepanov under Part 2 of Art. 20.2 of the Code of Administrative Offenses of the Russian Federation - organization of a public event without filing, in accordance with the established procedure, a notification of the holding of a public event, with the exception of cases provided for in part 7 of this article.</p> <p>Proof of:</p> <ul style="list-style-type: none"> - statement FULL NAME7 dated January 27, 2021 in the Russian Ministry of Internal Affairs at <address>, in which the latter asks for verification on the fact of appealing citizens to participate on January 23, 2021 in an unauthorized public mass event; - written testimony of a witness; - an act of inspection of the Internet resource and a photo table; - the video watched during the consideration of the case; - message of acting duties of the head of the public relations department of the administration <address> dated January 21, 2021, according to which the notification about the holding of a public event on the territory of the urban district on January 23, 2021 - <address> has not been received, this event has not been agreed with the administration <address>

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32	29.1.2021	Khabarovsk Territory	During the hearing of the case Gritsaenko K.V. did not admit guilt in committing an administrative offense. She explained that at the time and place indicated in the protocol she was at a public event as a journalist, carrying out an editorial task, had an appropriate certificate with her, and therefore was unjustifiably brought to administrative responsibility.	From 12:00 till 14:00 on September 12th, Gritsaenko K.V. was taking part in an unauthorized public event in the form of a meeting on V.I. Lenin square, which later turned into an unauthorized public event in the form of a march in support of the former governor of the Khabarovsk S.I. Furgal, with the number of participants in the event about 800 people. Gritsaenko K.V. was walking the beginning of the marching column, recording what was happening on the video camera of the phone, emphasizing massive character of the event, attracting the attention of citizens, completely blocking pedestrian crossings and the road, which created obstacles to the movement of pedestrians and vehicles along the entire route of the procession in Khabarovsk. At the event Gritsaenko K.V. did not have distinctive signs of the media representative with her, did not react to the repeated demands of police officers to stop illegal actions, continued to participate in an unauthorized event as part of a group, which violated paragraph 1 of article 3, paragraph 1 of part 3 of article 6, paragraph 3 of part 3 of article 6 of the Federal Law of 19.06.2004 No. 54-FZ, clause 4.1 of the Traffic Law of the Russian Federation, approved by the Decree of the Government of the Russian Federation of 23.10.1993 No. 1090.	Established in the course of the hearing of the case event of an administrative offense and guilt of Gritsaenko K.V. are confirmed by an administrative offense report that meets the requirements of Article 28.2 of the Russian Federation Administrative Offense Code; report of transportation; reports of police officers about participation of Gritsaenko K.V. in an unauthorized rally, which turned into a march, who did not respond to the demands of the police to stop and leave the rally; the explanation of the police officer Korobekov V.A., who identified the participant in an unauthorized public event - Gritsaenko K.V.; photographs and video recording, which recorded participation of Gritsaenko K.V. in an unauthorized public event - a rally, which turned into a march, that completely blocked pedestrian crossings and the road, which created obstacles to the movement of pedestrians and vehicles along the entire path of the procession, while Gritsaenko K.V. did not have any clearly visible distinguishing mark of the representative of the mass media, which is also confirmed by the explanation of the official Korobekov V.A

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33	27.1.2021	Krasnodar Krai	<p><name> participated in the event in support of A. Navalny, since, on the basis of Article 31 of the Constitution of the Russian Federation, he has the right to express his opinion freely and without restrictions.</p> <p>From the Soviet Square, a column of people walked towards the River Station, people walked along the sidewalks and the central alley of Lenin Avenue, not interfering with transport and pedestrians; from <address>, where the traffic was blocked by police officers, the people went back, including along the carriageway, however, no obstacles to transport were created. He took part in this event as a journalist.</p>	<p><name> voluntarily took part in an unauthorized public event in the form of a procession that was not agreed in the established manner, following from the Soviets Square to <address> to the intersection of <address> and <address> (city <address> Lenina, 25), the purpose of which was to attract attention of others to the problem of a sociopolitical nature, namely: in support of Mr. Navalny A., while Rau V.F. together with other participants of this procession, chanting slogans of the following content: "Putin is a thief", "Freedom to Navalny", "Down with the Tsar", thereby informing about the purposes of this march, expressing their opinion and forming the opinion of others about this problem.</p>	<p>The materials of the case confirm the actual participation of V.F. Rau. in an unauthorized public event that caused interference with the functioning of transport infrastructure, the movement of pedestrians and vehicles; the event was massive, was held in a public place, the participants publicly expressed their opinion against the arrest of A. Navalny.</p>
34	25.1.2021	Moscow	<p>V. I. Nedopekin stated that on 21.01.2021 he was at the Pushkin Square in Moscow, but he did not participate in the protests, reporting in order to record the events and post it on the internet instead. He asked for the case to be closed for the lack of evidence. He also stated that the fine by the Ismailovsky court order of 02.09.2019 was paid by a third party on June 2020, Nedopekin does not possess proof of the transaction. Nedopekin's defender O. V. Filatchev asked for the case to be closed for the lack of evidence.</p>	<p>V. I. Nedopekin committed a repeated violation of Parts 1 to 6.1 of Article 20.2 of the Russian Federation Administrative Offence Code, unless his action contained a criminal offence. He voluntarily took part in an unauthorized rally in the form of a protest. He did not react to the demands of the police officers to stop his illegal actions.</p>	<p>Public events on 23.01.2021 were not authorised. V. I. Nedopekin was previously brought to administrative responsibility under Part 6.1 of Article 20.2 of the Russian Federation Administrative Offence Code on 02.08.2019. There is no information on the payment of a fine for this offence.</p> <p>The court assessed the explanations of V. I. Nedopekin and ruled that the fact he was among the protesters as a journalist and therefore was not a participant in an unauthorised public event is not a reason for exemption from administrative liability.</p> <p>Based on the case materials and explanations of Nedopekin, there are no grounds to believe that during the protests Nedopekin was carrying out out professional activities as a journalist.</p> <p>At the same time, the court takes into account the explanations of V. I. Nedopekin in the court session, according to which he did not have any visible distinctive signs of a mass media representative during the imputed period, and that he is not a journalist of any officially recognised media.</p>

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35	25.1.2021	Udmurtian Republic	At the hearing, F.V. Kasimov plead not guilty, did not dispute the substance of the events as set out in the administrative offence report. F.V. Kasimov clarified the circumstances of the imputed offense, stating that on January 23, 2021, he took part in these events, but as an outside observer, being a professional journalist. Throughout the event, he recorded the course of events with a camera, moving along Pushkinskaya Street, F.V. Kasimov switched from one side of the road to the other, stood in front of the head rally to take pictures. F.V. Kasimov did not take any active actions, did not shout out slogans. Despite knowing with certainty that the event was unauthorized, did not leave, wishing to record the course of events in order to sell the photographs. Personally F.V. Kasimov did not disturb anyone and did not obstruct public thoroughfare.	<p>"In the case of F.V. Kasimov an administrative offence report has been drawn up under Art. 20.2, p. 6.1, of the Administrative Offence Code.</p> <p>According to the report, from 2:10 pm till 2:25 pm. F.V. Kasimov took part in an unauthorized public gathering that took place in the form of a rally in the Izhevsk Central Square.</p> <p>Aware of the unauthorized nature of the gathering, F.V. Kasimov took part in it, following the rally and consistently recording the events throughout the course of the rally, despite the demands of law enforcement officials, did not cease to participate in the gathering that obstruct public thoroughfare, therefore, F.V. Kasimov's actions are subject to qualification under Art. 20.2, p. 6.1, of the Russian Federation Administrative Offence Code."</p>	<p>"The editorial card or other document attesting to the identity and credentials of the journalist does not bear any clear visible distinguishing mark or any indication of a representative of a mass media outlet on it.</p> <p>Evidence: Police reports; Eyewitness statements; a video recording of the violation."</p>
36	25.1.2021	Moscow	Mr. M. I. Nedopekin clarified that on January 23rd, 2021, he indeed was on Pushkinskaya Square in Moscow, but he did not take part in the rally. Instead, he was performing journalistic activities to record what was happening and to subsequently publish it on the Internet. He requested to terminate the proceedings due to the absence of the imputed offense in his actions. He also stated that the fine by the decision of the Commission for Minors and the Protection of Their Rights in the Dmitrovsky District of Moscow dated 08/14/2019 was possibly already paid: it was not he himself who likely paid it, but the third parties (he does not have any supporting documents). Filatchev O.V, Mr. M. I. Nedopekin's attorney, requested to terminate the proceedings due to the absence of an administrative offense.	Mr. M. I. Nedopekin committed a repeated administrative offense. Previously Mr. M. I. Nedopekin has been brought to administrative responsibility under part 6.1 of article 20.2 of the Administrative Code of the Russian Federation, which entered into force on August 27, 2019 (a penalty was imposed in the form of a fine, the fine was not paid). Now, on January 23rd, 2021, at 14:00 Mr. Nedopekin was at the address ... as part of a group of 6,000 people. He was attracting the attention of passersby and the media, by chanting slogans of various content. He, therefore, was voluntarily participating in an uncoordinated mass action in the form of a rally. In addition, he did not respond to the demands of police officers to stop his illegal actions, after which he was taken to the territorial OMVD of Russia in Moscow.	The court takes into account the explanation that Mr. M. I. Nedopekin gave during the court proceedings. According to Mr. Nedopekin, which he did not wear any obvious visible distinctive signs of a media representative during the imputed period, and he is not a journalist of any official mass media.

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37	25.1.2021	Khabarovsk Territory	S. V. Plotnikov pleaded guilty to all the charges he was accused of and explained, that he indeed had been a part of column that moved along the city streets at the place and time stated in the protocol of administrative offence. He was also filming these events as he works as a reporter for the online newspaper "Rus news", although he didn't have any distinctive features of a journalist. He agreed with the circumstances of the imputed offence, repenting of his actions.	On the 24/10/2020 S.V. Plotnikov was participating in an event that was unauthorized by the authorities of the city of Khabarovsk and that took a form of a procession. Plotnikov was a part of a column of people that blocked the roadway and the pedestrian zones, obstructing traffic for both vehicles and pedestrians.	The authorised official got the video of the events of 24/10/2020 through the public sources of the telecommunication network Internet. The fact the unauthorized event in a form of a demonstration the evolved in a procession supporting the ex-governor of the Khabarovsk Area Sergei Furgal took place is well-known and does not need any additional evidence.
38	25.1.2021	Kostroma Region	Y. A. Musina, as well as her defence counsel did not admit to guilt in the commission of the offence, and reiterated the written explanation statement contained in the case file, according to which, on <date>, during daytime, Y.A. Musina collected material for publication in the newspaper «What to do in Kostroma» as its reporter, arrived at <address>, did not take part in the event, was in proximity to people, recorded videos, did not hear any warnings on the unauthorized nature of the event either at <address> or during the movement along <address>. Upon receiving such a warning at the <address>, was about to leave, but was detained by police officers. Y.A. Musina did not take part in any public event, the video recordings in the case file did not show Y.A. Musina chanting slogans, and Y.A. Musina only held the sound-amplifying device for a short time in order to assist its owner.	Participated in an unauthorized public event in the form of a combination of a rally at <address> with a procession along <address>, with a demonstration of visual campaigning materials, played an active role in coordinating an unauthorized public event, used a sound-amplifying device for the purposes of the event, while the procession along the chosen route created a threat to road safety, and obstructed public thoroughfare, in violation of the requirements of Art. 5, 7 of the Federal Law of Russian Federation from 19th June 2004 № 54-FL "On assemblies, rallies, demonstrations, processions and picketing".	<p>"In accordance with p. 7 of Art. 6 of of the Federal Law of Russian Federation from 19th June 2004 № 54-FL "On assemblies, meetings, demonstrations, marches and pickets", "a journalist present at a public event in a professional capacity may not campaign in support of or against the purposes of the public event, actively take part in the discussion and decision-making, other collective actions in accordance with the goals of the public event, conceal the distinguishing mark of a media representative provided for in Part 5 of this Article.</p> <p>Musina Y.A. did not bear a clearly visible distinguishing mark of a representative of a mass media outlet, a journalist is not entitled to campaign in support of a public event. Y.A. Musina, aware of the unauthorized nature of the public event, took part in it, did not stop the public event, obstructing public thoroughfare.</p> <p>The fact of the administrative offense committed and the guilt of Musina are supported by the following evidence:</p> <ul style="list-style-type: none"> - an administrative offense report; - an administrative detention report; - a police report; - a video recording. "

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39	25.1.2021	Khabarovsk Territory	<p>In the trial, M.V. Kukushkin did not agree with the events established in the report, did not admit his guilt. He gave explanations according to which it follows that he did not take direct part in the rally as its participant, was among the participants as a journalist, a correspondent of the independent online-newspapers "Nabat" EAO. He was filming, conducted a report, was immediately sending the material to the editorial office, that is live broadcasting from the scene, did not chant slogans, always had a press card, moved along the sidewalk, crossed the roadway on a green signal traffic light, and as that did not create obstacles for pedestrians. After finding himself with the participants of the rally in Lenin Square, he went down along Gogol Street to Ussuriysky Boulevard, but he returned back to the square due to seeing the police vans down the street. He provided an agreement for attachment to the case file on information cooperation dated 01.07.2020 between the private institution "Editorial office of the regional independent online-newspaper" <data taken> "in the Jewish Autonomous Region" represented by the editor-in-chief FULL NAME9 and M.V. Kukushkin, referred to as "Freelance Correspondent"; an editorial assignment dated 01/22/2021 from FULL NAME9 on the topic of public events in Khabarovsk "festivities, processions, rallies, protests that may occur on 01/23/2021", which were not previously provided to the executive; certificate Kukushkina M.The. freelance correspondent of the regional online-newspaper "<data taken>" №№ press card, copies of birth certificates of children.</p>	<p>As a journalist for the regional independent online-newspaper "Nabat" (certificate number 006), he repeatedly took part in an unauthorized public events - a rally with about 250 participants held in order to protest against the authorities, support the opposition leader Navalny A.A. and the former governor of the Khabarovsk region Furgal S.I. As part of a group of citizens united by a single purpose and concept of a public event, he filmed the course of a public event on a cell phone with a tripod. He did not react to the repeated demands of the police officer who was protecting public order, inspector of Main Directorate of Ministry of Internal Affairs in Khabarovsk FULL NAME7, to stop participating in an uncoordinated public event, to disperse, voiced with a sound reinforcement device.</p>	<p>The arguments of M.V. Kukushkin and the defense counsel, including the absence of the event and the composition of this administrative offense, since he was at the rally as a journalist, concerning he was not a participant in an unauthorized public event, will not be taken into account, as they did not find their own confirmation at the hearing, they are found to be a way of protection, chosen in order to avoid administrative liability on the following grounds. A journalist attending a public event must have a clearly visible distinctive mark of a media representative.</p> <p>Based on the evidence presented in the case materials, established at the hearing, the grounds to believe that in the imputed period of time Kukushkin M.V. carried out exclusively his professional activities as a journalist, is not available. Kukushkin M.V. at the time of the events did not submit an agreement on information cooperation, editorial assignment, and was a participant in the above-described unauthorized public event, with a massive presence of citizens in the place established by the report on an administrative offense, took a direct part in the discussion of issues at the event, mainly of a sociopolitical nature, i.e. exercised his right to participate in a public event.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
40	24.1.2021	Udmurtian Republic	At the court Ponkina A.V. did not admit guilt and did not dispute the events set out in the protocol on an administrative offense. On the merits of the alleged offense, she explained that on January 23, 2021, she took part in a rally in Izhevsk, which she learned about on the Internet. Since she is engaged in journalistic activities, she decided to cover this event in the media. Meanwhile, she is not a full-time employee of any media, has no accreditation, and has not received assignments for participation and coverage of the event. In addition, at this event, she wanted to express her politic position regarding the illegal detention of Navalny. She joined the event as a journalist, moved from one side of the road to the other, while personally not interfering with anyone and did not create obstacles. Vehicles were passing along the roadway, there were no obstacles for them. In case of admission of guilt and the appointment of an administrative penalty, she asked to assign her mandatory work.	Ponkina A.V. took an active part in unauthorized public events held in the form of a rally on the Central Square of Izhevsk. She moved along the roadway as a part of the rally, which led to interference with the functioning of life-support facilities, transport or social infrastructure, the pedestrians and (or) vehicle traffic, or citizens' access to residential premises or objects of transport or social infrastructure	according to the letter of the Head of Administration and the Government of the Udmurt Republic, there were no notifications about holding a public event at 14:00 on January 23, 2021 at the building of the Government House of the Udmurt Republic or on the Central Square of the city of Izhevsk.k. Thus, A.V. Ponkina took part in uncoordinated public events. The statement of Ponkina A.V. that it is not her, but another person on the video, is not consistent and contradicts the video itself.
41	23.1.2021	Khabarovsk Territory	Zhirnov B.I. pleaded not guilty and explained that he did not take part in a public event. In the course of his journalistic activities, he covered the events taking place at the "___".	Zhirnov B.I, being a journalist of the newspaper «Arsenevsky news», having been charged with administrative offenses and subjected to an administrative penalty under article 20.2, paragraph 6.1, of the Code on Administrative Offences of the Russian Federation by a decision of the Central District Court of Khabarovsk on [date] №, which entered into force on [date], took part again in an unauthorized public event, namely on [date], in the period from 8 p.m. to 9 p.m. in the square named after V.I. Lenin (address) took part in an unauthorized public event - a protest with the number of participants of about 15 people united by a single organization, the purpose and intention of the event, with the aim of forming opinions and expressing protest against the authorities, Support for inmates of the NAME6 and NAME7 and participants in unauthorized public events. As part of a group of citizens expressed their involvement in the common	Zhirnov B.I. was a voluntary participant in the public event, as he expressed his involvement in the common design and purpose of the public event by means of dialogues with the participants of the event, voluntarily participated in the video shooting, produced on cellular phones by participants of a public event, in order to transmit video material to the Internet, independently filmed and broadcast the proceedings of a public event on the channel «Boris Zhirnov», has violated the established procedure of holding it. A journalist who attends a public event for the purpose of carrying out his or her professional activity is not entitled to take a direct part in the discussion and adoption of decisions or other collective actions in accordance with the objectives of the public event.

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
				<p>design and purpose of a public event by means of appropriate dialogues with the participants of the event, voluntary participation in videos produced on cellular phones by participants of a public event, for the purpose of transferring video material to the Internet (including live), self-filming and broadcasting of the proceedings of the public event on the channel «Boris Zhirnov» on the video hosting «Youtube» [data deleted] [data deleted] to draw the attention of an unlimited number of persons to the subject of the public event. During the event, he made the following comments «but for Moscow still came little to the people», that is, he discussed the number of participants who came to support NAME7 in the [address], [data removed], that is, he discussed the number of participants in a public event, thereby taking part in the discussion of the detention of NAME07, he expressed, as a member of the group, public opinion in support of the NAME06 and NAME07, participants in unauthorized public events. In response to the request of the police officer in charge of public order, Captain of the Police NAME08, to stop participating in an unauthorized public event and disperse, he did not respond and continued to take part in an unauthorized public event, thus, he violated the requirements of paragraph 1, part 3, part 6, and paragraph 4, part 7, of the Federal Act of 19.06.2004 №54-FL, with no indication of an administrative offense under article 20.2, paragraph 6, of the Code of Administrative Offences of the Russian Federation.</p>	

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
42	28.12.2...	Khabarovsk Territory	At the hearing FULL NAME did not admit the guilty in committing an administrative offense, provided written explanations, indicated that DD.MM.YYYY he was present at the protest as a journalist of "People-DV" in the place of the public event which supports the former Governor <address> Furgal S.I. The above is confirmed by a press card. This publication has the registration certificate, the registration certificate No. issued by the Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor). He collected news for further publication on the site <data taken> He was not the participant of the protest DD.MM.YYYY and didn't violate the order of its conduct. He considers that there is no objective aspect of the administrative offense provided by Part 5 of Article 20.2 of the Code of Administrative Offenses of the Russian Federation in his actions, and therefore there is no composition for the administrative offense. He asks the court don't bring him to administrative responsibility.	She took part in an unauthorized public event - a march to support the former <address> Furgal S.I., with about 60 participants in the event. He violated the procedure of holding the public events, did not fulfill the repeated and legal demands of a police officer to stop illegal actions	During the consideration of the case it was established, and is not contested FULL NAME1 when considering the case, that the person took part in the procession, not having a clearly visible distinctive mark of the representative of the media, thus positioned himself as a citizen.
43	14.12.2...	Khabarovsk Territory	During the proceedings, T.P. Khlestunova did not plead guilty to the administrative offense. She is a freelance correspondent of the newspaper Prosto Gazeta, during the events, she was performing the task of the editorial office gathering information for covering the protest. She had a special sign of press and a press pass. She used her mobile phone as a recording device. On 28/11/2020 she was live streaming the actual events, which is evidenced by the recording. It was not possible to perform the duties of gathering information about the march remaining within the sidewalk: she was streaming her interviews with participants, commenting the events and dialogues she heard. None of this would have been possible, if she had stayed on the sidewalk. Her attorney, Bitiutsky A.A., asked to dismiss the case in the absence of the event and elements of administrative offense on the grounds of unfounded proceedings and insufficiently substantiated charge.	On 28/11/2020 within the period of 12.20 AM and 13.10 AM, Khlestunova T.P. was taking part in the unauthorized public event, namely in the march in support of S.I. Furgal, the former governor of Khabarovsk Territory. She was within the column of about 150 participants, marching in the direction of V.I. Lenin Square (Karl Marx street 56) along the Gogol street, Muravyov-Amursky street, until the intersection of Muravyov-Amursky and Volochayevskaya street of the city of Khabarovsk. Thereby she was contributing to mass participation, drawing attention of citizens, completely blocking pedestrian crossings and roadway, which caused obstruction of pedestrians and vehicles along the way of the column: from the V.I. Lenin Square (Karl Marx street 56), Gogol street, Muravyov-Amursky street, Turgenev street, Lenin street, Pushkin street, V.I. Lenin Square of the city of Khabarovsk. Legitimate demands to	As shown in the case materials, T.P. Khlestuniva is a special correspondent of the media Prosto Gazeta, which is supported by her press certificate №007 of 01/08/2020 (vol 1, sec. 29); by the editorial assignment of the media Prosto Gazeta of 01/08/2020 issued to cover events in Khabarovsk during 2020-2021 gathering video- and photo materials (vol. 1, sec. 40, 83, 84). On 10/12/2020 the editor-in-chief of Prosto Gazeta informed that T.P. Khlestunova is a freelance journalist of Prosto Gazeta. The media is registered by Office of the Federal Service for Supervision of Communications, Information Technology and Mass Media of the Amur Region (TU28-00120). Khlestunova signed a contract with Prosto Gazeta, according to which she performs her duties as a journalist sine die. She was given a press card and an editorial assignment to cover events in Khabarovsk making video-recordings, photos and Instagram live stream. Her materials were used by Prosto Gazeta in the issues 39-44 (13/10/2020, 20/10/2020,

#	Date	Region	As a journalist, T.P. Khlestunova performed her professional duties and followed the protestors, the same way as the law enforcement officials and emergency service workers did. As evidenced by the recording provided by the officials and the other recording of the live streaming provided by the defense, there is no evidence of T.P. Khlestunova shouting slogans or appeals, she had no any posters. She was live at the protest covering the events as is the first duty of any journalist, thereby the arguments of the officials are not credible.	stop performing unlawful actions, stop participating in the unsanctioned public event Prosecution's case	Other arguments
				voiced by loudspeakers, were ignored by Khlestunova, who kept participating in the unsanctioned public event in the group, contributing to mass participation, thereby she violated sec. 1 of the art. 3, sec. 1 of p. 3 of the art. 6 of the Federal Law of 19/06/2004 №54-FZ, sec. 4.1 of Traffic rules of the Russian Federation.	27/10/2020, 10/11/2020, 17/11/2020), which is confirmed by the issues attached to the case. According to article 2 of the Law of the Russian Federation on Mass Media (NO. 2124-1 of December 27, 1991), the journalist shall be understood to mean a person who edits, creates, collects or prepares messages and materials for the editor's office of a mass medium and is connected with it with labor and other contractual relations or engaged in such activity, being authorized by it. According to sec. 7 of the article 47 of the Law of the Russian Federation on Mass Media (NO. 2124-1 of December 27, 1991) the journalist shall have the right to visit specially protected places of natural disasters, accidents and catastrophes, mass disorders and mass gatherings, and also localities where a state of emergency is declared; to attend meetings and demonstrations. At the same time, according to sec. 9 of the article 49 of the given Law, the journalist shall be obliged to produce as soon as required the identity card issued by his editorial office or any other document that certifies his identity and rights, when he carries on professional activities. Professional status of the journalist, stated by the given Law, includes The professional status of journalists established by the present Law shall extend to: staff workers of the editorial offices engaged in editing, writing, collecting or preparing communications and materials for newspapers with a large circulation and other mass media whose products are disseminated exclusively within one enterprise (association), organization or institution; authors who are not connected with the editorial office or section of a mass medium by labor or other contractual relations but are recognized by it as its free-lance authors or non-staff correspondents when they fulfil the editorial office's assignments (article 52 of the Law of the Russian Federation on Mass Media (NO. 2124-1 of December 27, 1991)). Federal Law on Assemblies, Meetings, Demonstrations,

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
					<p>Marches and Picketing No. 54-FZ of 10 June 2004 of the Russian federation, section 5 of article 6 states grounds for the activity of the journalist in a public event, which are as following: press certificate or other document proving the identity and powers of the journalist. The journalist attending a public event must have a clearly visible distinctive mark of a media representative</p> <p>According to section 1 of article 2 of the Federal Law on Assemblies, Meetings, Demonstrations, Marches and Picketing No. 54-FZ of 10 June 2004 of the Russian federation, a march is defined as a public event.</p> <p>The recoding provided by the official of the administrative authority shows that T.P. Khlestunova walked among citizens marching on the roadway, wearing a mask, used a technical devise identical to a mobile phone to cover events and had a special sing of mass media of her clothes.</p> <p>The recording provided by the defense shows documenting the event including the march of cirizens from the V.I. Lenin Square along the Muravyov-Amursky street in Khabarovsk city, coved by T.P. Khlestunova, during which she interviewed citizens passing by, and commented what was taking place.</p> <p>After crossing the roadway, T.P. Khlestunova walked on the curbstone to the right of the roadway and on the sidewalk, continuing to cever the events.</p> <p>Thus, the presence of T.P. Khlestunova as a journalist at the march granted her the right to cover this public event, to collect information related to it, ask the participants questions in the march, and interview them. For objective reasons, that was the only possible way to collet the information (interviews, answers) from the participants of the march, because if she were on a distance from the column, she would be able neither to interview the participants, nor to hear their answers, as far as they moved with no stops.</p> <p>On the basis of the evidence examined during the consideration of the case, it was concluded that T.P. Khlestunove executed her professional duties of a journalist as defined by sec. 7 of article 47 of the Law of the Russian Federation on Mass Media (NO. 2124-1 of</p>

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					<p>December 27, 1991), by reason of the editorial assignment, issued to her name; the case file does not contain any evidences that prove her intention to directly take part in the unsanctioned public event, the march (vol. 1, sec. 16), as a participant of the march. Explanations of the officials, who claimed that T.P. Khlestunova shouted appeals and slogans in the march, are refuted by the video recording, which revealed that she was commenting the events and maintained video recordings.</p> <p>Under such circumstances, the actions of T.P. Khlestunova contain no guilt and no administrative offense, therefore proceedings of the case should be terminated in the absence of an administrative offense on the basis of sec. 2 of part 1 of article 24.5 of the Code of Administrative Offenses of the Russian Federation.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
44	9.12.2020	Khabarovsk Territory	<p>Ishchenko E.G. is a journalist, but denies the fact of participation in the rally and, in general, the fact of being in Khabarovsk.</p> <p>At the hearing Ishchenko E.G. pleaded not guilty, disagreed with the protocol on an administrative offense, explained to the court that on 26.07.2020 was absent from the city of Khabarovsk. From 17.07.2020 to 29.07.2020 she was in the city of Belogorsk, where she was helping to take care of her grandfather.</p>	<p>Took part in an unauthorized public action in the form of a march, in support of the former governor of the Khabarovsk region Furgal S.I. with about 100 participants in the event, along the route from Lenin Square to Komsomolskaya Square, carrying a poster "I / WE are Sergey Furgal", shouting slogans: "I / WE are Sergey Furgal". She moved as part of a marching column along the roadway of Muravyov-Amursky, Turgenev, Lenin, Pushkin streets, completely blocking, as part of the procession, pedestrian crossings and the roadway, which created obstacles to the movement of pedestrians and vehicles along the entire route, which violated paragraph 1 of Art. 3 of the Federal Law of 19.06.2004 No. 54-FZ "On Meetings, Rallies, Demonstrations, Processions and Picketing", Clause 4.1 of the Traffic Regulations of the Russian Federation, approved by Decree of the Government of the Russian Federation of 23.10.1993 No. 1090.</p>	<p>The claim of the defense that at the time and place specified in the protocol on an administrative offense Ishchenko E.G. was absent in the city of Khabarovsk and another person was recorded on the video, is refuted by the evidence examined in the court. The court has no doubts that it was Ishchenko E.G. that was recorded on the video recordings presented to the court. The court comes to this conclusion on the basis that in the court police officers Bryzgalov N.N. and Ivanov I.A. confidently identified Ishchenko E.G. as a participant in an unauthorized march on July 26, 2020. In addition, at the request of Ishchenko E.G. the court gave her the opportunity to provide the evidence, refuting the fact that she had a special sign - a tattoo in the form of a rose, by passing an examination in a state medical institution. However, Ishchenko E.G. I did not take advantage of this opportunity. The arguments of the defense about the presence of Ishchenko E.G. alibis, as confirmation of the absence of the event of an administrative offense, were checked by the court and did not find their confirmation in the course of the trial. In this situation, the testimony of the witness I.V. Korotkov, as well as the contract presented to the court dated 26.07.2020 without confirmation of the fact of payment, cannot serve as confirmation of the fact that on the 07/26/2020 Ishchenko E.G. was located in Belogorsk, because they contradict most of the refuting evidence.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
45	3.12.2020	Khabarovsk Territory	<p>She did not admit her guilt in committing an administrative offense. She explained that she was a freelance correspondent for «Prosto Gazeta», wrote an article on these events. She was given the task to participate in the march, she conducted a live broadcast and was telling what was happening. The recording shows that she is broadcasting as a journalist, that is, she provides reliable information. She had a press sign, a press card, she had an editorial assignment, and she provided these documents to a police officer. She had a cell phone as a recording device. The defense attorney explained that the case must be closed due to the absence of an offense event, since the duty of the state is, among other things, to protect the rights of journalists. The defendant had a distinctive press sign, it was clearly visible. The client did not shout any slogans; she participated in the procession as a journalist covering the current events. She did not have any leaflets or posters. The attorney also believes that the proceedings in the case may be terminated due to the insignificance, since the offense did not entail any harmful results. The detention of the client was carried out unlawfully, since no circumstances were established to confirm the lawfulness of the application of the preventive measure. And this measure, according to the defense attorney, was applied to the client as a repressive one. Also, in the protocol of an administrative offense, the client was unlawfully indicated as a "violator", while her guilt was not established. Art. 50 of the Federal Law "On Mass Media" does not allow abuse of the rights of a journalist in part of hiding any information, and therefore the client, while participating in the procession, acted in the interests of correct coverage of information. He also believes that the fact of bringing the client to administrative responsibility is a manifestation of censorship, which has already been recognized as unlawful by international courts.</p>	<p>Accused during the period (date, time) being at (address) with about 150 of participants, contributing to mass participation, attracting the attention of citizens, blocking pedestrian crossings and the roads, which entailed interfering with the movement of pedestrians and vehicles along the entire path of the procession. She did not respond to repeated and legal demands to stop illegal actions, to stop participating in an unauthorized event, including those voiced with the help of sound amplifying devices.</p>	<p>The judge cannot take into account the assertion of (Full name), and her defendant that she is a newspaper correspondent, that she has an editorial task to cover the protest at <address>, since it was established at the hearing that (Full name) is not a full-time newspaper correspondent. Also it was established that the editorial task given to her was given to cover the events taking place at <address> in 2020-2021, and not coverage of unauthorized protests at <address>. In addition, the editorial assignment does not give the right to violate the traffic rules of Russian Federation.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
46	17.11.2...	Khabarovsk Territory	A.A. Kurdyumov did not plead guilty to committing an offense specified in Article 20.2 Part 6.1 of the Administrative Offenses Code of the Russian Federation, he demonstrated that he was a correspondent for the publication <...> covering the events taking place in Khabarovsk related to S. I. Furgal on the basis of an editorial assignment. On 10/17/2020 he was present at the Lenin Square and the march, took photos and video recordings, interviewed people, moved around, covered events, was engaged in journalistic activities, was not an active participant, there were no slogans, he walked close to people, went live, commented on what the citizens wrote. The correspondent's ID was on his belt and was presented at the first request of the police officers.	Took part in an unauthorized public event in the form of a march in support of the former Governor of the Khabarovsk Krai S.I. Furgal, which had around 1000 participants. He was part of the procession, which was moving down the traffic area, recording the events with his telephone camera, thus contributing to the massive character of the event, attracting attention and completely blocking pedestrian crossings and the traffic area, which entailed the creation of obstacles to the movement of vehicles along the entire path of the procession.	The fact of commission of this act and the guilt of A.A. Kurdyumov are confirmed by the evidence examined during the court session:
47	16.11.2...	Khabarovsk Territory	At the hearing Kurdyumov A.A. pleaded not guilty and explained to the court that he was a correspondent for "Arsenyevskie Vesti" and carried out his professional activities as a journalist in accordance with the Federal Law "On the Mass Media" on the basis of an editorial assignment. He covers events related to political activities, protests, processions, the life of townspeople in the city of Khabarovsk, without taking personal part in them. He makes reports and films events. He indicated that he did not violate the requirements of the legislation of the Russian Federation, none of the police officers made demands on him to provide documents confirming his status as a journalist, there was no reason to draw up a protocol against him. Claims that he was detained illegally.	Took part in an unauthorized public event in the form of a march in support of the former Governor of the Khabarovsk Territory (Full name), with 20 participants, moved in a marching column, along the road, fixing what was happening on the phone camera, contributing to mass participation, attracting attention, completely blocking pedestrian crossings and the roadway, which entailed the creation of obstacles to the movement of vehicles along the entire path of the procession. Did not follow the requirement to wear a mask. He did not react to the repeated and legal demands of police officers to stop illegal actions, to stop participating in an unauthorized event, voiced with the help of sound amplifying devices.	The arguments of A.A. Kurdyumov and his defender that A.A. Kurdyumov is a journalist and by virtue of his professional activity has the right to cover any public event; that Kurdyumov A.A. did not take part in an unauthorized public event as a participant, will not be accepted by the court. In addition, from the evidence presented in the case materials, it does not appear that A.A. Kurdyumov at the time of participation in a massive unauthorized event had the distinctive marks of a media representative. Proofs: - protocols and reports of officials; - photo materials, videos, and other documents.

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
48	15.11.2...	Khabarovsk Territory	<p>He did not admit his guilt, explained that he did not take part in the march and rally, but covered the events, carrying out his professional activities. He has been covering such events since 11.07.2020. He is a supporter of people who support the former governor. He was expressing with them his personal civic position. Confirms that he was without a mask. His press card was not visible. The Law "On Mass Media" of Russian Federation does not require this. It is enough to have the press card with you. He did not shout slogans, did not carry posters. He arrived at the V.I. Lenin square on the 07.11.2020 around 11:30, filmed the rally with his mobile phone Honor 10, then I took pictures of the marching people, while walking along the road (along the dividing strip), then returned with everyone to the square, where he was until 14:30 pm. In addition to the phone, he had a phone holder with him. Considers bringing him to administrative responsibility a violation of Art. 144 of the Criminal Code of the Russian Federation on obstruction of the legitimate professional activities of journalists. If had been covering events from the sidewalk, there would be no audibility or visibility. After 07.11.2020, he sent the photo to the newspaper's editorial office by email. Whether the article was published later or not, he does not know. He also has his own channel on the Internet. He posted videos from the rally and procession there</p>	<p>Took part in an unauthorized public event in the form of a rally on the V.I. Lenin square, which later turned into an unauthorized public event in the form of a march in support of the former Governor of Khabarovsk region S.I. Furgal. He did not follow the mask regime</p>	<p>The court does not accept arguments of B.I. Zhirnov and his lawyer that B.I. Zhirnov is a journalist and by virtue of his activities has the right to cover any public event. According to the Art. 52 of the Law of the Russian Federation of December 27, 1991 No. 2124-1 "On the Mass Media". From the evidence presented in the materials of the case it does not appear that B.I. Zhirnov at the time of participation in a massive unauthorized event had the distinctive marks of a media representative. Thus, the editorial assignment and the press card of the newspaper "Arseniievskie Vesti" presented in the case materials cannot serve as evidence that B.I. Zhirnov participated in public events as a journalist, since a journalist present at a public event must have a clearly visible distinctive mark of a media representative. From the materials of the case and the video recording, follows that B.I. Zhirnov does not have any distinguishing features from other citizens who took part in an unauthorized event. Guilt of B.I. Zhirnov is confirmed by:</p> <ul style="list-style-type: none"> - protocol on administrative offense No. DD.MM.YYYY., drawn up by a duly authorized official; - video recording and photographs; - the testimony of the official who drew up the protocol, I.A. Itsenko; - explanatory note, drawn by (FULL NAME) from DD.MM.YYYY
49	14.11.2...	Khabarovsk Territory	<p>During the hearing, Biyak E.N. did not admit her guilt in committing an administrative offense, explaining that she was not a participant in this public event, but conducted her professional activities as a journalist, covering events in live mode via the Internet.</p>	<p>She took part in an unauthorized public event in the form of a march in support of the former Governor of the Khabarovsk Krai Furgal S.I. with a total amount of about 20 participants in the event, she moved in a marching column, completely blocking pedestrian crossings and the roadway, which entailed interfering with the movement of pedestrians and vehicles along the entire path of the procession.</p>	<p>The official who drew up the protocol on the administrative offense Kuznetsova T.V. insisted on administrative responsibility for Biyak E.N., specifying that at the time of the alleged offense she did not have any distinctive signs of belonging to the media.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
50	12.11.2...	Khabarovsk Territory	At the court hearing, D. S. Timoshenko did not accept the administrative offence report as on 18.10.2020 he reporting on behalf of his newspaper. Attorney A. S. Gandurov did not accept the administrative offence report and stated in the court that the case materials do not contain enough proof of Timoshenko's participation in the protests of 18.10.2020 or Timoshenko's intent to obstruct pedestrian or vehicle traffic.	Took place in an unauthorized public event, a march in support of the former Governor of the Khabarovsk Territory S.I. Furgal, with 107 participants, moved in a marching column, on the carriageway as a part of the march, blocking pedestrian crossings and traffic, which lead to interfering with the movement of pedestrians and vehicles along the entire path of the procession, and therefore violated article 3.1 and article 6.3.1 of the Federal Law of 19/06/2004 №54-FZ, sec. 4.1 of Traffic rules of the Russian Federation, approved by the Decree of the Government of the Russian Federation of 23.10.1993 No. 1090.	- a video recording where A.A. Kurdyumov is seen moving together with the marching column along the entire route of its procession, taking pictures of the uncoordinated event, walking in the traffic area, interfering with the movement of vehicles and pedestrians, as well as other case materials.
51	12.11.2...	Khabarovsk Territory	At the court hearing, Khetagurov D. A. did not agree with the protocol, explained that he was at the protest itself at the time specified in the protocol, but did not participate in it, but covered the event, performing his labor duties, since he works in the company < data withdrawn> from ***	Took part in an unauthorized public event in the form of a rally. Moved in the marching column, holding a tripod on which a phone was installed, by means of which he recorded what was happening, creating a crowd, attracting the attention of citizens, completely blocking pedestrian crossings and the roadway, which caused interference to the movement of pedestrians and vehicles along the entire path of the march, while not complying the face mask requirement.	The arguments of the defense that participation in the rally and march *** Khetagurov D. A. was lawful and justified, that he performed his duties as a journalist of the company <data withdrawn> the court recognizes as invalid, since in accordance with the provisions of paragraph 8 of Article 49 of the Law on Mass Media, a journalist is obliged to refuse the task given to him by the editor-in-chief or the editorial office of the task, if it or its performance is associated with a violation of the law. The rights of a journalist in the performance of an editorial task are not absolute, and they should not violate the rights of others. Carrying out movement in a column of protesters Khetagurov D. A. was on the roadway. Participation in the march on the roadway, of course, created a danger for both those participating in this event and for other road users.
52	12.11.2...	Khabarovsk Territory	At the court hearing, D. S. Timoshenko did not accept the administrative offence report as on 18.10.2020 he reporting on behalf of his newspaper. Attorney A. S. Gandurov did not accept the administrative offence report and stated in the court that the case materials do not contain enough proof of Timoshenko's participation in the protests of 18.10.2020 or Timoshenko's intent to obstruct pedestrian or vehicle traffic.	Timoshenko was walking on the roadway in a crowd that blocked pedestrian crossings and the roadway, obstructing the pedestrian and vehicle traffic along the entire route of the crowd. According to witnesses, he did not wear any journalist insignia.	During the issuance of the administrative offence report, D. S. Timoshenko did not indicate he was a media representative, thus it was perceived from the video that he was in the specified protests as a blogger. There were no applications for a public event in the form of a march on the 18th of October, 2020.

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
53	9.11.2020	Khabarovsk Territory	<p>A.G. Solomakhin pleaded not guilty and explained to the court that he was a journalist for several publications. None of the police officers made any demands for the provision of documents confirming his status as a journalist nor had any grounds to draw up a protocol against him as he did not take part in an unauthorized public event; he was in the place specified in the protocol of an administrative offense exclusively for work.</p> <p>Defendant's attorney supported the position of their client and added that the detention of A.G. Solomakhin in the police department had been carried out with violations such as failure to provide meals, confiscation of religious paraphernalia and humiliation of the defendant's honor and dignity. The defense considers their client's being brought to administrative liability unlawful and in violation of the provisions of the Constitution of the Russian Federation and the principles of international law (mentions of the corresponding articles of the Constitution and the cases of the ECHR)</p>	<p>The defendant took part in an unauthorized public event in the form of a procession. He moved as part of said procession along the driveway, completely blocking pedestrian crossings and the road which entailed creating obstacles to the movement of pedestrians and vehicles along the entire route. During the procession he was filming and actively expressing his position as a participant in an unauthorized public event by making statements against the authorities and in support of the participants of the event. He did not react to the repeated and legal demands of the police officers (traffic police crew) to stop illegal actions, including those voiced with the help of sound amplifying devices, and continued to participate in an unauthorized event as part of a group.</p>	<p>A journalist attending a public event must have a clearly visible distinctive mark of a media representative, at the same time, in the video presented, it can be seen that A.G. Solomakhin does not have any distinguishing features from other citizens who took part in an unauthorized event, in contrast to the existing representatives of the press, who have distinctive signs. The court did not accept the arguments of A.G. Solomakhin and his defense attorney FULL NAME to the effect that by virtue of Art. 49 of the Law of the Russian Federation of 27.12.1991 N 2124-1 "On the Mass Media", a journalist is obliged to present an editorial card or other document proving the identity and powers of a journalist at the first request, which was not made by the police and is proved by the full video recording of the procession, since A.G. Solomakhin, taking part in the unauthorized procession, did not indicate his status as a journalist.</p>
54	7.11.2020	Khabarovsk Territory	<p>At the hearing A.G. Solomakhin refused to give his statement on the fact of drawing up the protocol and the events reflected in the protocol No. from DD.MM.YYYY on an administrative offense under Part 6.1 of Art. 20.2 of the Code of Administrative Offenses of the Russian Federation against A.G. Solomakhin, referring to the Art. 51 of the Constitution of the Russian Federation. However, he explained that he works as a journalist in the publications "RUSNEWS", "Krik-DV", "Soborizhn", "News Rider" and others.</p> <p>As a part of his contract he covers events related to political activities, rallies, processions and public life of citizens in the city of Khabarovsk, without taking personal part in them. He considers the compilation of administrative material against him under Part 6.1 of Art. 20.2 of the Code of Administrative Offenses of the Russian Federation to be associated with his professional activities, which are upsetting to the</p>	<p>A.G. Solomakhin took part in an unauthorized public event in support of the former Governor of Khabarovsk Territory S. I. Furgal. He moved as part of the procession along the driveway, completely blocking pedestrian crossings and the road which entailed creating obstacles to the movement of pedestrians and vehicles along the entire route. During the procession he was filming and actively expressing his position as a participant in an unauthorized public event by making statements against the authorities and in support of the participants of the event. He did not react to the repeated and legal demands of the police officers (traffic police crew) to stop illegal actions, including those voiced with the help of sound amplifying devices, and continued to participate in an unauthorized event as part of a group thus violating paragraph 1 of Art. 3, paragraph 1, part 3 of Art. 6 of the Federal</p>	<p>From the evidence presented in the case files it does not appear that A.G. Solomakhin at the time of participation in a massive unauthorized event, he had the distinctive marks of a media representative.</p> <p>A journalist attending a public event must have a clearly visible distinctive mark of a media representative, at the same time, in the video presented, it can be seen that A.G. Solomakhin does not have any distinguishing features from other citizens who took part in an unauthorized event, in contrast to the existing representatives of the press, who have distinctive signs.</p>

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			<p>leadership of the highest executive body of state power of the Khabarovsk Territory and the police officers.</p> <p>He believes that his coverage of public events taking place in Khabarovsk recently had lead to a personal negative bias of executive authorities of the region and police officers against him, in particular the meetings in July 2020 with the Acting Governor of the Khabarovsk Territory FULL NAME, during which he had a conversation with FULL NAME and asked questions that were unfavorable for this official and took pictures of these meetings; therefore at present they are carrying out provocative measures against him in the form of persecution and attacks.</p> <p>The indicated circumstances were suggested as the reason for drawing up a protocol on an administrative offense against him. He states that he did not violate the requirements of the legislation of the Russian Federation since none of the police officers had demanded him to provide documents confirming his status as a journalist so there was no reason to draw up a protocol against him.</p>	<p>Law of 19.06.2004 No. 54-FZ, clause 4.1 of the Traffic Rules of the Russian Federation, approved by the Decree of the Government of the Russian Federation of 23.10.1993 No. 1090.</p>	

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
55	5.11.2020	Khabarovsk Territory	<p>At the court hearing, S. S. Zimin told the court that, on Nov 3, 2020, he was detained at Aerodromnaya Str. 22, without a press pass or a work assignment. He disputes the detention report and believes himself to only have violated traffic regulations when he stepped out into the roadway. He petitioned to have Article 2.9 of the Russian Federation Administrative Offense Code applied. He does not have disabilities of the 1st or 2nd group, nor any chronic conditions or infectious diseases, and has one child as minor dependent. He had covered significant events, tried to gather information, and had briefed others on preventing provocations. He was aware that the march in support of Furgal was going to be conducted on Oct 31, 2020. He did not obtain a permit for conducting an authorized protest, nor did he apply for one. He had carried a press badge which he had put away because it got in his way when hung around his neck, as well as his ID as a string reporter for the Narodny Avangard newspaper, and a work assignment.</p>	<p>The defendant had taken part in an unauthorized public event in the form of a march in support of the former Governor of Khabarovsk Territory S. I. Furgal. While holding the Victory Banner, i.e. the combat banner of the Idritsa Rifle Division No. 150 of the Order of Kutuzov 2nd Class, he walked as part of the marching column, contributing to mass participation, attracting the attention of the public, and completely blocking pedestrian crossings and the roadway, which led to disrupting pedestrian and vehicle traffic along the entire route of the march. He continued his participation in the subsequent unauthorized public event in the form of a protest.</p>	<p>S. S. Zimin's arguments that, during the public event, he was carrying out his responsibilities as a journalist and was carrying his ID as a string reporter for the Narodny Avangard newspaper, a press badge, and a work assignment, are not a reason to release him from administrative liability.</p> <p>In accordance with §§ 6 and 7 of Article 47 of the Russian Federation Law on Mass Media, a journalist is entitled to conducting recordings, including by technical (audio and video) means, as well as photo and film shooting, unless otherwise provided by law; he or she is entitled to visit cordoned-off sites of natural disasters, accidents, and catastrophes, mass unrest, and mass gatherings, as well as locations where state of emergency has been declared; to attend protests and demonstrations.</p> <p>At the same time, as follows from a literal interpretation of this statutory provision, a journalist is entitled to visiting the sites of mass unrest and mass gatherings, to attend protests and demonstrations, but not to participate in them.</p> <p>It follows, based on case evidence, that S. S. Zimin did not only attend the protest, but had also actively participated in this unauthorized public event. Thus, the provisions of the Law on Mass Media do not apply to him. Moreover, he did not present his press badge, work assignment, or his ID of a string reporter to the court, nor did he petition for a postponement of the court hearing for the administrative offense case.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
56	20.10.2...	Khabarovsk Territory	D. S. Timoshenko did not plead guilty and stated that on 20.07.2020 he was reporting the protest as a media representative, but at the time of the protest, he did not have the editorial assignment. At the same time, the police officers did not inform the participants of the march that their actions were unauthorized and did not explain how to behave on such a march.	D. S. Timoshenko took part in an unauthorized public event - a march of about 70 participants in support of the former governor of the Khabarovsk territory <Name4>. Timoshenko held a loudspeaker and shouted "Khabarovsk come out!" while he was moving on the roadway as part of the march, completely blocking pedestrian crossings and the roadway, which interfered with pedestrian and vehicle traffic. Thus he violated paragraph 1 of Article 3 of Federal Law No. 54 of June 19, 2004 "On assemblies, rallies, demonstrations, marches and pickets", paragraph 4.1 of the Traffic Laws.	The fact of committing an administrative offence and the guilt of D. S. Tymoshenko is confirmed by the following evidence: - administrative offence report; - police reports, which state that D. S. Timoshenko took part in an unauthorized public event; - video records; - other case materials. Thus, the reasoning of D. S. Tymoshenko that he participated in the march of 20.07.2020 as a journalist is not supported by the evidence.
57	19.10.2...	Khabarovsk Territory	At the court hearing, A. G. Filimonov pled innocent of the offense and stated to the court that on DD.MM.YYYY he did indeed take part in certain public events as a reporter, but on DD.MM.YYYY he had not planned to participate in the protest, as he had work appointments to attend. On DD.MM.YYYY, he was at <Data redacted> cafe near Lenin Square, talking to a foreign colleague from Japan, NAME15, who had arrived in Khabarovsk to cover public events for mass media. After this, around DD.MM.YYYY, he had escorted his colleague to Lenin Square, where he talked to other journalists, and following this, took a bus to <address> street, where, with a colleague, they viewed a facility for rent as an office space. Nearer to DD.MM.YYYY he returned to Lenin Square and there, talked with a woman he knew. There was music playing at the square, groups of people were also there, nothing was happening. He stood with his back to the building of Khabarovsk Territory Government, near the fountain. At some point, an acquaintance approached him and asked him to take a look at what was happening. As he turned around, he saw a piling up of people and riot police. Security officials had approached him from behind, took him by the arms, and led him off to the patrol car; he stated that he is a journalist, but no one heard him because of the music. He did not participate in the protest, neither had he planned to participate in it,	On DD.MM.YYYY, A. G. Filimonov, in a public space - <address>, acting as a participant in an unauthorized public event in the form of a protest, in violation of the requirements of Paragraph 1 of Part 3 of Article 6 of the Federal Law (19.06.2004) No. 54 "On Assemblies, Rallies Demonstrations, Marches, and Pickets," did not comply with the repeated demands by a law enforcement officer, the police marshal in charge of enforcement of public order of the Regional Office of the Ministry of Internal Affairs in Khabarovsk NAME14 to stop participation in an unauthorized public event, thus committing an offense as per Part 5 of Article 20.2 of the Russian Federation Administrative Offense Code, i.e. the violation by a participant of a public event of the prescribed procedure for conducting an assembly, rally, demonstration, march, or a picket, with the exception of cases outlined in Part 6 of this article, as determined by the official authorized to compile reports on administrative offenses outlined in Article 20.2 of the Russian Federation Administrative Offense Code <address>.	Filimonov was dressed in a black leather jacket, jeans, a baseball hat, and did not have any sort of a press ID on his clothes identifying him as a reporter. Filimonov did not demonstrate any documents demonstrating his professional activities, he only stated that he is a reporter and also that he has no documents on him that confirm this. City administration had sent recommendations for conducting the protest at another location, in front of the central entrance to the Dynamo Stadium. The recommendations were delivered on Sep 25, 2020, and since protest organizers did not respond before Oct 1, 2020, the event on Lenin square was not authorized; no notifications about conducting a march had been submitted. A.G. Filimonov's statements that he did not take part in the unauthorized event on DD.MM.YYYY, but was attending to his personal affairs on Lenin Square in Khabarovsk at the time indicated in the administrative offense protocol are evaluated by the court to be misleading and made to protect himself, since they are overturned by the weight of evidence. The defense's arguments that A.G. Filimonov did not chant slogans and thus did not participate in the protest, are untenable, since, in accordance with provisions in Article 2 of the Federal Law (June 19, 2004) No. 54 On Assemblies, Rallies, Demonstrations, Marches, and Pickets, a rally is a mass gathering in a certain location

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			<p>neither as a journalist, nor as a private person. He did not chant any slogans, did not shout, did not wave his arms, did not hold any signs, did not hear any requests by law enforcement officers, the music was loud and so he did not engage in any arguments. He recognizes himself in the video on the disc submitted as case evidence. During the court hearing, attorney NAME19 had found it necessary to terminate the proceedings due to the absence of an offense, as case evidence does not contain enough evidence of wrongdoing, Filimonov's presence at <address> was lawful, the square is not a restricted access facility, and Filimonov was exercising his constitutional right to freedom of movement.</p>		<p>for the purpose of publicly expressing the public opinion on current problems of primarily public and political nature; accordingly, it is not necessary for every participant to express public opinion to participate in the rally.</p>
58	12.10.2...	Khabarovsk Territory	<p>D. S. Timoshenko disagreed with report at the court hearing and explained to the court that he was a representative of the online media "****" and had participated in the procession on July 24, 2020 as a journalist. Attorneys A. Yu. Zhdanov, A. A. Bityutsky disagreed with administrative offence report and explained to the court that D. S. Timoshenko had participated in procession as a media representative, which was confirmed by case file, in particular by the task of the editorial office to cover the socio-political and socio-economic situation in Russian Federation. It was also explained to the court by attorneys that numerous violations of Russian Federation Administrative Offense Code had been committed during the preparation of the report, his rights and obligations had not been explained to D. S. Timoshenko, documents confirming his status as a journalist were had not been requested.</p>	<p>He took part in unauthorized public event - procession in support of the former governor of Khabarovsk Territory on ***, with the number of participants of event about 100 people, moved in a procession column holding a loudspeaker in his hands, chanted slogans: "****", completely blocking crosswalks and roadway, which caused obstruction of the movement of pedestrians and transport along the entire route of the procession: from *** st., thus violating Paragraph 1 of Article 3 of the Federal Law (19.06.2004) No. 54, Paragraph 4.1 of the Russian Federation Traffic Rules approved by the Government Resolution of 23 October 1993 No. 1090.</p>	<p>The court recognizes untenable defense's arguments that D. S. Timoshenko's participation in procession was legal and substantiated, that he participated on the rights of a media representative, since the information that the latter was a journalist at the time of the incriminated act does not contain in his case file and was not given to the court, on the contrary, during the preparation of an administrative offence report D. S. Timoshenko did not indicate his place of work and position, explaining that he was absent in the city of Khabarovsk.</p> <p>In objective terms, the fact of D. S. Timoshenko's participation in an unauthorized public event in the form of a procession is confirmed by the case file provided to the court and the explanations of the parties. From the evidence presented to the court, both in written and verbal form, it follows that D. S. Timoshenko, dressed in a light-colored T-shirt, dark pants, with a backpack, was moving along the roadway from st. ****, holding a loudspeaker and chanting slogans.</p> <p>This public event was not authorized with the executive authorities in accordance with the procedure established by law.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
59	12.10.2...	Khabarovsk Territory	<p>At the court session, <Name1> pleaded not guilty and stated that he was a correspondent of the website "Newsader" and covered the protests for the website and respective YouTube channel. He cannot certainly say from the submitted photo and video materials if he is on them as the materials are blurred. He does not remember whether he took part in the protests on the day of DD. MM. YYYY as a correspondent, as he does not always cover protests.</p> <p>Attorney <Name3> explained in the court session that the presented evidence does not confirm <Name1>'s participation in the protests. The video recording attached by the police does not confirm that it is <Name1> captured on this video; the video does not display when it was taken and it was downloaded from an unknown source. Since the participation of <Name1> in an unauthorized public event is not proven, all doubts must be interpreted in favour of the offender, which entails the case closure for lack of evidence of a violation of Part 6.1 of Article 20.2 Russian Federation Administrative Offence Code.</p>	<p><Name1> took part in an unauthorized march of about 20 people in support of the former <address> <Name5>; <Name1> was walking in a column, contributing to mass participation, attracting the attention of citizens, completely blocking pedestrian crossings and the roadway, which entailed interference with the vehicle traffic along the way. After the end of the march, he stayed beside the building on <address> and continued to participate in an unauthorized event in the form of protests, chanting "One for all, and all for one!" and other slogans; he did not oblige to COVID-related mask regulations. He did not react to the repeated lawful demands of the police officers voiced through loudspeakers to stop illegal actions and participation in an unauthorized event; he continued to participate in an unauthorized march as a group and violated Paragraph 1 of Article 3, Paragraph 1 of Part 3 of Article 6 of Federal Law.</p> <p>From the response of the administration at <address> on DD.MM.YYYY No. DD.MM.YYYY-13002 it follows that during the period from DD.MM.YYYY to DD.MM.YYYY, the administration at <address> received 5 applications for public events. However, the events were not authorised by the administration at <address> on the basis of Paragraph 5 of Article 5 of the Federal Law of DD.MM.YYYY No. 54 "On assemblies, rallies, demonstrations, marches and pickets".</p>	<p>It is clear that in the video shown in the court <Name1> is dressed in a burgundy sweater, a dark-coloured jacket and jeans, as described by the police officers; when issuing a police report on DD.MM.YYYY, <Name1> moved along the roadway in the first row. Taking into account the fact that the specified public event was not authorised by the executive authorities and took place in the central part of <address>, where the most significant objects and many people are found; thus, the march interfered with the functioning of life-support facilities, transport and social infrastructure and pedestrians traffic. Thus, the court qualifies <Name1> as a participant of an unauthorised public event, which violated Part 6.1 of Article 20.2 of the Russian Federation Administrative Offence Code.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
60	21.9.2020	Kemerovo Region	<p>At the court hearing Krechetov V.V. did not plead guilty in the alleged administrative offence, he used the 51st Article of the Constitution of the Russian Federation.</p> <p>Defender of Krechetov V.V. - Miropoltsev D.D., acting on the basis of a written application, at the court hearing asked to terminate the court proceedings under Part 5 of Article 20.2 of the Code of the Russian Federation on Administrative Offence due to the lack of evidence of crime in the actions of V.V. Krechetov. Defender indicated that Krechetov did not shout slogans, but was at the specified place and time as a press correspondent on the basis of an editorial order.</p>	<p>Krechetov V.V., being <data taken> <data taken>, being a participant in an unauthorized public event in the form of a rally, for public <data taken> <data taken> actively communicated with the participants of the unauthorized event. Krechetov V.V. did not respond to repeated warnings of police officers that were delivered with the help of sound amplifying devices (megaphone) stating that the given public event was not authorized. Krechetov V.V. did not react and ignored police officers' repeated demands to stop illegal actions.</p>	<p>Based on the evidence presented in the case materials, as well as the testimony of witnesses for the defense, as well as written testimony of witnesses read out at the hearing, who were warned of responsibility under Article 17.9 of the Code of the Russian Federation on Administrative offence, there is no reasons to believe that Krechetov carried out <data taken> during the stated period of time. Krechetov chanted simultaneously "<data taken>" with the citizens which indicates the unity of Krechetov with other participants of the unauthorized public event regarding the goals of the public event. V.V. Krechetov carried out the organization of an unauthorized public event, consisting in the expression of slogans, despite repeated warnings from police officers about the termination of actions, he continued to coordinate the audience, offered slogans for chanting, actively shouted slogans. Krechetov V.V., being a participant in an unauthorized public event, did not fulfill the obligation established by Part 3 of Article 6 of the Federal Law of DD.MM.YYYY N 54-Federal Law "On meetings, rallies, demonstrations, processions and pickets", namely on repeated police warnings and demands for a termination of actions he continued to shout slogans.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
61	1.9.2020	Moscow	<p>Parkhomenko P. S. appeared at the hearing, did not admit the guilt in committing the offense, explained that on July 13, 2020 he was indeed near the Lefortovo SIZO, but did not participate in any rallies and pickets, did not violate public order, was sent to this address in connection with the execution of his official duties and editorial assignment to cover the indictment of ex-journalist Ivan Safronov. At some point, police officers approached him and, without explaining the reasons, detained him, after which they took him to the police wagon. He (P. S. Parkhomenko) was indeed wearing a T-shirt with a print with the words "ShpionoVania, #FreeSafronov", because he believes that Ivan Safronov must be freed.</p>	<p>On July 13, 2020 at 14:40, at the address: "address in the immediate vicinity of the special institution of the Federal Penitentiary Service of Russia — SIZO-2 Lefortovo", using a means of visual agitation — a T-shirt with a print and an inscription "ShpionoVania, #FreeSafronov", realizing the unlawful nature of his actions, voluntarily assuming and performing the functions of a participant in a public event, in violation of the requirements of the Federal Law of 19.06.2004 No. 54-FZ "On assemblies, rallies, demonstrations, marches and pickets". 2007 No. 10 "On providing the conditions for the realization of the right of citizens of the Russian Federation to hold assemblies, rallies, demonstrations, marches and pickets", ignoring the explanations of police officers, took part in a public event in the form of a picket-assembly that was not approved by the executive authorities.</p>	<p>Parkhomenko P. S. was a participant in a public event, which is evidenced by the fact that Parkhomenko P.S. together with the citizens, using a means of visual agitation — a T-shirt with a print and an inscription "ShpionoVania, #FreeSafronov", was in the place of an unauthorized public event, and, despite the demands of the police, he did not stop the illegal actions, which in the aggregate directly testifies to demonstration of their frames of mind and views, and takes the form of a public event, from which one can see P. S. Parkhomenko's direct intention to commit this administrative offense. At the same time the editorial assignment and the audio recording of the radio station's live broadcast presented by Parkhomenko P. S. do not testify to his innocence of committing the offense imputed to him, since P. S. Parkhomenko being near the Lefortovo pre-trial detention center for work purposes was not an obstacle to his participation in an uncoordinated public event. From the photographs presented in the case, it appears that P. S. Parkhomenko is together with the citizens, using a means of visual agitation — a T-shirt with a print and an inscription "ShpionoVania, #FreeSafronov", while not carrying out the activities in accordance with the presented editorial assignment, is answering questions from another person with a microphone.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
62	25.8.2020	Kemerovo Region	At the hearing Krechetov V.V. denied guilt in the alleged administrative offense, but confirmed his presence at the specified time and place. Also he confirmed the refusal to sign the administrative offense protocol, explaining that he did not organize the protest. <data was taken> about the events of the protest, which take place in the tent camp <address>, against the construction of a coal-loading station. On 18 August 2020 he arrived at the place, where the locals organized a 24-hour post around the clock, he began filming. About 200 people gathered there. They spoke out, read the prepared text with demands, held posters in their hands, where the localities were written. He tried to interview the,, but there were a lot of people. They made a common decision to read out the general text. He only, <data taken>, said how to stand and where, supervised only video filming. He does not remember the content of the text, it was an appeal to the owner of the section <data taken>. He also edited the text of the appeal, which the citizens themselves wrote, changed several lines in places. He told how to write a scheme so that the viewer has an interest in the topic. Having filmed the video from 19.00 until 19.40 o'clock left by bike.	Krechetov V.V. allowed the organization or a holding of a public event without authorization in accordance with the established procedure. It requires a notification of the holding of a public event, with the exception of the cases provided for in part 7 of this article, in the following circumstances: DD.MM.YYYY at 19 o'clock. 00 minutes on a site located at a distance of about 600 meters from <address>, Krechetov V.V., organized a public event in the form of a meeting for public expression of public opinion of a socio-political nature. It was directed against the construction of the Kuznetskaya coal-loading station. It was organized by placing the participants in the public event, calling for the chanting of the slogans: "Frank, shame!", "Tsvilev, resign!». This violated art. 3, art. 5, clause 2.1 art. 7, clause 2.1 art. 8, art. 10 of the Federal Law of June 19, 2004. № "On assemblies, meetings, demonstrations, marches and picketing."	There is no reason to believe that Krechetov carried out <data taken> during the time period. At the same time, the court takes into account that the <data taken> Krechetov neither at the time of arrest, nor while drawing up a protocol in the case of an administrative offense did not present, <data taken> by the defense at the hearing, from which it follows that the task <data taken> was given to Krechetov. In particular: to prepare a photo and video material for the arrangement of a new tent camp "Podgorye" in the area <address>; prepare material with interviews with defenders of Cheremza, find out what they think about the events of August 13, learn about their new requirements and conditions. Interview at least five Cheremza defenders. Edit and send the finished video story before <data taken>. Moreover, it was established in the case that during the imputed period Krechetov performed organizational functions. The circumstances of the offense are confirmed by the protocol on an administrative offense, by reports of police officers; by explanations of witnesses <data taken>., who were warned about administrative responsibility under Art. 17.9 of the Administrative Offenses Code of the Russian Federation, a certificate describing the video files contained on the DVD; by protocol <data taken> of delivery of a person for committing an administrative offense from <data taken>, protocol of administrative detention <data taken>, as well as by submitted to the court video recordings, and other case materials.
63	16.8.2020	Republic of Buryatia	At the court hearing Bairov D.G. did not plead guilty to the administrative offense, referring to the fact that he did not participate in the protest, as he was present at the event as a journalist, interviewed the participants.	Took part in a public event in the form of a protest, the holding of which had not been approved in accordance with the established procedure. During the rally he shouted the following phrases: "You are not the power for us", "We are the power", "Putin should resign", "We cannot live in a criminal regime", "Khabarovsk, we are with you", "Stop living in the criminal Putin regime", "Put Markhaev in charge of the republic",	The court found that D.G. Bairov, having been brought to justice by a decision of the judge of the Soviet District Court.. from DD/MM/YYYY to administrative liability under part 5 of 20.02 of the Russian Federation Administrative Offense Code, DD/MM/YYYY from period ... to... participated in a public event in the form of a protest, outside specially designated places, without notifying the local government ... about the purpose, form, date, place and time of the public event, the

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
				<p>"Tsydenov should resign". In the course of protest the citizens, including D. G. Bairov, expressed their opinions on current problems of social and political character; in particular, they spoke in support of Khabarovsk protesters, expressed dissatisfaction with the order of management, preservation of Lake Baikal, used posters: "Hands off Baikal", "Russia! Take Khabarovsk as an example! Stand up against Putin! How much longer are Fuhrer Putler's fascists going to rob Russia?", "I am We are Khabarovsk," as well as microphones, through which their statements were broadcast live on YouTube of the "Republic of Buryatia" channel for an undetermined circle of people. Demands from the police to stop the event were ignored by Bairov D.G., who continued to participate in it.</p>	<p>estimated number of participants. The conclusions of the court are supported by the evidence collected in the case: administrative offence report, a report on the receipt of a message about an event on ..., answers of the Ulan-Ude City Administration's Department of Public Security from DD/MM/YYYY ..., from DD/MM/YYYY ..., Yentaev G.V.'s explanations from DD/MM/YYYY, investigation of the Internet resource, the video recordings attached to the case file. According to the video recordings viewed during the trial and attached to the case, it was established that D.G. Bairov directly participated in the discussion of the issues raised at the event, i.e. he exercised his right of a participant in a public event to freely express his position. This is also consistent with the purpose of the public event, which can include an exchange of views, discussion of issues and problems, and speeches by participants. In such circumstances, the court does not take into account the arguments of D.G. Bairov and his defense counsel that he was not a participant of the public event. Based upon the foregoing, because to directly adjacent to public transport stops and roads, and this area by virtue of the Law of the Republic of Buryatia of 22.12.2012 N 3075-IV is a place where holding public events is prohibited, the court concludes that D. Bairov is guilty of committing an administrative offense under Part 8 of the Russian Federation Administrative Offense Code. At the same time, committing by Bairov D.G. such actions as shouting out phrases which are stated in a protocol and using posters were not confirmed during the court proceedings. The video records attached to the case file contain no such information, D.G. Bairov denies these circumstances. Furthermore, materials in this case do not confirm the violation by Bairov D. G. of part 3, clause 1 of article 6 of the Federal Law on Assemblies, Meetings, Demonstrations, Marches and Picketing No. 54-FZ of 19 June 2004, as they do not hold any information on demands from the police officers to stop the public</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
					event. As it follows from the video recordings and his written explanations, G. V. Yentaev, an official of Ulan-Ude City Administration, did not make any demands of the participants of the public event.
64	15.8.2020	Khabarovsk Territory	(This case is similar to the one in line 44, but this report doesn't contain the data of the respondent. Two reports for the same action with the same date of the action.)	<FULL NAME1> took part in an unauthorized public action in the form of a march in support of the former governor at <address> <FULL NAME3>, the number of participants in the event was about 100 people, the route was from Lenin Square (<address>) to Komsomolskaya Square at <address>, Amurskogo street, then to Slavy Square (<address>), then following the address <address>, and at <address> to Lenin Square <address>, she held a poster "JE SUIS Sergey Furgal", shouted slogans: "JE SUIS Sergey Furgal", as part of a marching column she walked along the roadway of Turgenev street, Lenin street, Pushkin street <address>. As part of the march, she completely blocked pedestrian crossings and the roadway, which caused obstacles to the pedestrian and vehicle traffic along the entire route.	Being a participant of an unauthorized public event in the form of a march, <FULL NAME1> violated the prohibition established by Article 3.1 of the Federal Law No. 54-FZ, "On assemblies, meetings, demonstrations, marches and picketing", as well as paragraph 4.1 of the Rules of the road traffic, which caused interfering with the movement of pedestrians and vehicles, and by her actions she committed an administrative offense under Article 20.2.6.1 of Russian Federation Administrative Offense Code, "participation in an unauthorized march, resulting in interference with the movement of pedestrians and vehicles".

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
65	14.8.2020	Moscow	<p>Allenova O. V. pleads not guilty to the alleged offense, stating that on **/**/**** y. she arrived at the building of the Federal Penitentiary Service Office *** to carry out professional duties with the purpose of interviewing, communicated with colleagues, did not interfere with anyone, did not violate public order, but she indeed was wearing a T-shirt with the words: "****", which her colleagues gave her as a present; that she likes it a lot, because it matches her mood. At some point the police officers came up and detained her, took her to the police station, and therefore she could not fulfill her professional duties.</p> <p>O. V. Allenova's defence counsel, lawyer Telnov S. N., also pointed out during the hearing that there was no element of an administrative offence in the actions of his client: everyone has the right to personal inviolability and non-interference during journalistic activities; at the time of her arrest the client wasn't carrying any weapons, any prohibited items or substances, did not hide her identity, did not violate public order. On the contrary, gross violations of the law were committed: the rights of O. V. Allenova were not explained to her, the arrest report was not issued</p>	<p>Using a means of visual agitation — a black T-shirt with the inscription "****" on her, Allenova O. V. voluntarily took part in an unauthorised rally in the form of a picket-assembly and ignored demands of the police officers to stop her illegal actions.</p>	<p>Contrary to the arguments of O. V. Allenova and the defense the court has objectively established that Allenova O. V. was informed about the illegality of the above-mentioned public event, which also follows from the evidence in the case file, including the reports of the police officers and their written explanations. Under those circumstances, O. V. Allenova, despite knowing about the illegality of the public event, took part in it, and did not try to stop the public event.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
66	7.8.2020	Khabarovsk Territory	<p>S. A. Naumov did not plead guilty at the court hearing, explaining that he disagree with offense. He has a dependent underage child, unofficially works as a journalist and earns by this work. He is a journalist and has his own channel on which he posted his coverage. He arrived at Khabarovsk early in the morning from Komsomolsk-on-Amur. He disagrees with report and he was not informed that rally was unauthorized. He does not repent of what he has done. On that day he personally interviewed several people involved in this event.</p>	<p>According to administrative offense report of DD.MM.YYYY, S. A. Naumov on DD.MM.YYYY during the period from 12.00 p.m. till 3.00 p.m., in the area from Lenin Square, located at <address>, to Slavy Square, located at <address>, and along <address> to Lenin Square, Khabarovsk, took part in an unauthorized public event in the form of a procession in support of the former governor of <address> <NAME3> as a participant of the public event with a total number of 5000 people, chanted slogans : "Freedom!", in continuation of the unauthorized event took part in a procession, covering the events of the unauthorized event held on the territory of <address>, with subsequent broadcasting of the coverage on a public channel "Sergey Naumov" "Rally in Khabarovsk on 1 August live broadcast", located on the "YouTube" channel, moved in a procession column, on the roadway, completely blocking, as part of the procession, crosswalks and the roadway, which led to the obstruction of the movement of pedestrians and transport vehicles on the entire route of the procession, thus violating Paragraph 1 of Article 3 of the Federal Law of June 19, 2004 No. 54, Paragraph 4.1 of the Russian Federation Traffic Rules.</p>	<p>Evidence of guilt: Police reports and statements, video recording. The fact of S. A. Naumov's participation in the public event and his coverage of an unauthorized event, chanting slogans: "Freedom!", commenting positively on unauthorized public events.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
67	31.7.2020	Moscow	<p>The attorney by order of Vyshkvarka N.A. - Sheremetyeva E.N. at the hearing explained that 15.07.2020, Vyshkvarka N.A. really was in the center of Moscow (Pushkinskaya Square, Strastnoy Boulevard, Krapivinsky Pereulok, Petrovka St.), where he performed the editorial task of the legal information portal «White News», as a journalist. The task was to collect material about the events taking place in Moscow. She asked to terminate the proceedings because of the lack of corpus delicti of administrative offense.</p>	<p>Vyshkvarka N.A. as part of an about 500 people group, attracting the attention of citizens and the media, ignoring the explanations of police officers, chanted slogans of various content. That means he voluntarily took part in an uncoordinated mass action in the form of a protest and march through the central streets of Moscow, during which interfered with the movement of pedestrians and vehicles, blocking pedestrian sidewalks and the roadway, thereby violating the above requirements of the Federal Law of June 19, 2004 No. 54-FZ "ON ASSEMBLIES, MEETINGS, DEMONSTRATIONS, MARCHES AND PICKETING " and the requirements of the law of the city of Moscow No. 10 of 04.04.2007 "On ensuring the conditions for the realization of the right of citizens of the Russian Federation to hold meetings, rallies, demonstrations, processions and pickets in the city of Moscow». He did not react to repeated requests from police officers to stop their illegal actions.</p>	<p>Evaluating the written explanations of Vyshkvarka N.A. that he carried out an editorial assignment as a journalist, in support of which he presented with a copy of the PRESS certificate No. 25, issued on behalf of White News LLC, and a copy of the editorial assignment of White News LLC. This was submitted to prove that Vyshkvarka N.A. during the imputed period, was at a protest as a journalist, and therefore was not a participant in an uncoordinated public event, is not a reason for his release from administrative responsibility.</p> <p>Based on the evidence presented in the case materials, as well as written explanations of the aforementioned witnesses, there are no grounds to believe that during the imputed period Vyshkvarka N.A. carried out exclusively his professional activities as a journalist.</p> <p>In this case, the court takes into account the explanations of the defender of Vyshkvarka N.A. at the hearing, according to which he did not have the obvious visible distinctive marks of the representative of the media.</p> <p>Vyshkvarka N.A. was informed about the unlawfulness of his actions and the illegality of the above-mentioned public event. It follows from the evidence presented in the case materials, including the reports of the police officers and their written explanations. He knew that the public event was unauthorized. Vyshkvarka N.A. still took part in it, did not stop participating in a public event, interfering with the movement of pedestrians.</p> <p>Links of the defender Vyshkvarka N.A. to freedom of expression and assembly, does not enable the person expressing this right to violate the rights and freedoms of others.</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
68	30.7.2020	Moscow	The accused - appeared at the hearing, did not plead guilty in conducting an administrative offense and explained that he did not perform unlawful acts, he was on Manezhnaya Square performing a labor activity, since he is the editor-in-chief of the channel "Stalingrad».	Being a participant in a public event he violated the established procedure for holding a meeting, protest, demonstration, procession or picketing under the following circumstances. On June 22, 2020 at 18 p.m. 20 minutes. at the address: Moscow, Manezhnaya square, d. 1 (near the monument to G.K. Zhukov) a citizen - being in a group citizens of at least 150 people and being aware of the lack of authorization for this public event, he took part in unauthorized by the executive authorities represented by the body of the Moscow Government public event in the form of a protest. He shouted the slogans "Putin, resign!", "We are the power here!", "Putin is a thief!", attracting the attention of citizens and the media. Did not react to repeated demands of police officers to stop illegal actions by continuing to take part in an unauthorized protest.	<p>Guilt is proved by evidence:</p> <ul style="list-style-type: none"> - a protocol on an administrative offense; - police reports; - protocol of the delivery of the person who committed administrative offense. <p>In order to prevent the spread on the territory Moscow city of coronavirus infection holding the specified public events was not authorized. The organizers were informed about this by phone and by letter to the place of residence and email address on June 10, 2020 - the statutory deadline. At the same time, as established by the court, there is no information that - during an unauthorized protest the defendant had the distinctive sign of a media representative, journalist ID and editorial assignment.</p>
69	6.7.2020	Moscow	<Name1>, <Name1>'s defender - <Name2> appeared at the court hearing, <Name1> pleaded not guilty to the offense described above, indicating that he did not participate in the rally, that <Name1> is a journalist and arrived at the address indicated in the protocol of administrative offence on the grounds of an editorial assignment for the purpose of covering the events taking place at <address> <date>, and also to express solidarity with people who are against the universal fascization, injecting microchips and forced vaccination of people. Moreover, at the time of the action, the prefecture had not sent its organizers a response regarding the approval (refusal to approve) of their planned public event, therefore the said event should be considered authorized. Witness <Name3> testified that on the <date> at <address> <Name1> was fulfilling an editorial assignment, did not shout any slogans, did not carry out agitation; the witness did not see any other people with means of agitation, but did witness the detention of people who were approached by police	<Name1>, having been previously brought to administrative responsibility by the ruling of the judge of the Tverskoy District Court <address> <date of ruling> for committing an administrative offence under part 5 of Article 20.2 of the Code of Administrative Offences of the Russian Federation, which came into legal force on <date> at the address: <address> took part in a public event in the form of a rally within a group of 100 people without filing the notification of its holding in the prescribed manner, therefore, committed an administrative offence provided for by part 8 of Article 20.2 of the Code of Administrative Offences of the Russian Federation.	<p>The arguments of <Name1> and his defender <Name2> that <Name1> did not participate in the rally at the time and place indicated in the protocol of administrative violation are unfounded. The event was not authorised. Based on the evidence presented in the case file, there are no grounds to believe that during the imputed period <Name1> carried out exclusively his professional activities as a journalist. At the same time, the judge takes into account that as it follows from the video recording presented by <Name1>, at the time of detention <Name1> was in the crowd of people participating in the rally and had no obvious visible distinguishing signs of a representative of the mass media.</p> <p>The testimony of these witnesses does not indicate that <Name1> did not take part in a mass public event, the holding of which was not approved by the executive authorities. At the same time, the judge is critical of the testimony of witness <Name3> that <Name1> performed an editorial assignment on the date at the address, because, as the judge found earlier, based on</p>

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
			<p>officers and taken away to a police van, although witness did not see any detention protocols.</p> <p>The witness <Name3> testified during the interrogation that on <date> a group of citizens filed a notice to the Government of Moscow about the holding of a rally at the address: <address> with the number of participants of 30,000 people, which was organized by <Name> and <Name3> (witness), but the Department of Regional Security and Counteraction to Corruption refused to authorize the said rally. Also the aforementioned organizers of the public event submitted a notice to the prefecture <address> about holding a picket <date> on the abovementioned address to commemorate the fight of the people against fascism, but the prefecture did not respond to this notice. On the <date> at <time> the witness arrived at the proposed place of the public event and saw police officers, who cordoned off the area and asked all those who were present to leave the public event. <Name1> was not shouting any slogans, just carried out video filming.</p>		<p>the evidence collected in the case, there is no relevant data indisputably indicating that during the imputed period <Name1> was engaged exclusively in his professional activities as a journalist.</p>
70	9.6.2020	Moscow	<p><Name> did not appear at the court hearing. <Name> stated his reasons in written form.</p> <p>At the time and place stated in the administrative offence protocol <Name> as a journalist was carrying out an editorial order.</p>	<p><Name> being a participant of a public event, he violated the established procedure for holding a public event, to wit: <Date> <Time> <Name>, being at the address: <Address> took part in a rally, the holding of which in violation of the Federal Law from <Date> No. 54-FZ "On meetings, rallies, demonstrations, processions and picketing "was carried out without notifying the executive authority of Moscow, that is, he committed an administrative offence under Part 5 of Art. 20.2 of the Administrative Code of the Russian Federation.</p>	<p><Name>'s argument, that was developed in his written explanations, that at the time and place specified in the administrative offence protocol, <Name> who is a journalist was carrying out an editorial order, cannot be the basis for exempting <Name> from administrative liability, since it is considered by the judge as an attempt to get away from responsibility for his/her actions.</p> <p>Evidence:</p> <ul style="list-style-type: none"> - reports and written explanations of police officers; - photo materials; - screenshots; - response from the Department of Regional Security and Anti-Corruption; - protocols; - testimony of witnesses.

#	Date	Region	Testimony of a person being prosecuted	Prosecution's case	Other arguments
71	25.2.2020	Moscow	<p><Name> and his attorney, advocate <Name>, challenged lawfulness of <Name> 's administrative liability at the court hearing. They explained that <Name> had not taken part in the public event being a journalist with an editorial assignment at the place of his detention. They asked to dismiss the proceeding. <Name> claimed that he was a photojournalist carrying out an editorial assignment.</p>	<p><Name> as a participant of the public event violated its established procedure. <Name> being one of the eight participants took part in a public event in the form of picket unauthorised by the executive authorities and placed his perviously prepared thematic banner on the fence (DD.MM.YY, <time>, <address> near the building of the State Duma of the Russian Federation). He did not react to the policemen's demands to stop that public event and continued keeping the banner on the fence. Thus, he violated the Federal Law № 54 on Assemblies, Meetings, Demonstrations, Marches and Picketing of <day> <month> <year>.</p>	<p>This offence by <Name> is confirmed by the following:</p> <ul style="list-style-type: none"> - police report; - police statements and written explanatory notes; - report of transportation of the person who committed an administrative offence; - deputy prefect's message according to which the prefecture had not received any notices of public events to be held on <day> <month> <year> at <address>. <p>That public event had not been authorised by the respective executive authorities of the constituent entity of the Russian Federation.</p> <p>The court recognises defence's arguments for <Name> to be a photojournalist carrying out an editorial assignment as a chosen standpoint of the defence not supported by any other proofs except the already mentioned information.</p> <p>The provided editorial assignment does not refute the fact that <Name> actually took part in the picket witnessed by <Name> and <Name>.</p>

Exhibit No. 19. Prosecution for Disseminating Information about Solidarity Actions with Khabarovsk in 2020

#	Region	Date	Information channel	Consequences	Fine (rub)
1	Altai Territory	2020-08-24	TikTok	Fine	10000
2	Chelyabinsk Region	2020-07-31	Vkontakte	Fine	25000
3	Chelyabinsk Region	2020-08-27	Vkontakte	Police call	
4	Irkutsk Region	2020-08-05	YouTube	Fine	20000
5	Khabarovsk Territory	2020-08-04	WhatsApp	Fine	20000
6	Khabarovsk Territory	2020-08-25	WhatsApp	Oral warning	0
7	Khabarovsk Territory	2020-12-02	Instagram	Arrest	15
8	Khabarovsk Territory	2020-07-28	Instagram	No consequences	0
9	Khabarovsk Territory	2020-08-12	WhatsApp	Fine	10000
10	Khabarovsk Territory	2020-08-05	WhatsApp	Fine	10000
11	Khabarovsk Territory	2020-07-27	Vkontakte	Fine	20000
12	Khabarovsk Territory	2020-08-04	Instagram WhatsApp	Fine	10000
13	Khabarovsk Territory	2020-11-17	Instagram	Fine	25000
14	Khabarovsk Territory	2020-07-28	Telegram	Fine	20000
15	Khabarovsk Territory	2020-11-05	Instagram	Arrest	20
16	Krasnodar Territory	2020-07-16	WhatsApp	Arrest	5
17	Krasnodar Territory	2020-08-01	Instagram Telegram	Fine	20000
18	Moscow	2020-07-31	Telegram	Warning	
19	Novosibirsk Region	2020-08-13	Telegram	Fine	20000
20	Primorye Territory	2020-07-29	leaflet	Fine	10000
21	Pskov Region	2020-08-01	Vkontakte	Warning	
22	Sverdlovsk Region	2020-08-31	TikTok	Fine	20000
23	Vologda Region	2020-10-29	Vkontakte	Fine	20000
					SUM 260040

Exhibit No. 20. Minors detained during the January and February 2021

Minors are usually subject to additional human rights violations, by the police and courts, during protest related detention and prosecution. In this respect, Russian law and enforcement practices can, at best, be described as substandard.

Violations during detentions

The Code of Administrative Offences prohibits detaining a minor for more than three hours, but this prohibition is commonly violated. Persons detained during the January and February 2021 protests, including minors, were held for many hours in police vehicles while no formal records of their detention were made.

These minors and other detainees were confined for hours in police vehicles and law enforcement officials failed to notify their legal representatives of the detention. This is a violation of Part 4 of Article 27.3 of the Code of Administrative Offences that requires notification of parents or legal guardians of a minor's administrative detention. Likewise, the police failed to notify legal representatives when minors were brought to police stations.

Questioning without parents

After the January and February 2021 protests, administrative proceedings against minors were often initiated and minors were questioned in the absence of their legal representatives.

Such a situation is possible because of flaws in Russian laws. Specifically, the Russian Code of Administrative Offences does not regulate with sufficient clarity how a minor's legal representative must be involved in administrative proceedings brought against the minor. In particular, the Code of Administrative Offences does not make such legal representation mandatory during questioning and taking of a statement from a minor, as part of administrative proceedings against him/her or during other actions undertaken in such administrative proceedings. According to Part 5 of Art. 25.3 of the Code of Administrative Offences, a court or other body considering administrative charges against a person under 18 years of age is not required by law to ensure legal representation of the minor but can decide on this matter at its own discretion.

According to Part 4 of Article 25.6 of the Code of Administrative Offences, minors under 14 can be interviewed as witnesses only in the presence of an educator or psychologist, while the presence of the minor's legal representative is optional. This means that child witnesses can be interviewed in the absence of their parents or legal guardians. Law enforcement officials often make arbitrary decisions as to whether or not to involve a minor's legal representative during questioning; this not only denies minors the essential protection of their rights and legitimate interests, but leaves room for corruption.

No mitigation of punishment in courts

Being a minor should be a mitigating factor in administrative sentencing (Part 1, Para. 9, of Article 4.2, Part 2 of Article 4.1 of the Code of Administrative Offences). However, courts often fail to comply with these rules with respect to minors, and refuse to take into account the defendant's age.

Exhibit No. 21. Civil society's initiatives and relations with the government

Russian human rights NGOs take various steps in order to improve the situation with respect to freedom of assembly in Russia, in addition to filing submissions on the implementation of the Lashmankin judgement. In particular:

- 1) promoted legal and media campaigns for the withdrawal of unconstitutional local bans on assemblies in certain places.

As a part of the Lashmankin case implementation campaign, a smaller Kablis v. Russia Judgment execution campaign is running. The Kablis case is part of the ECHR's Judgment from the Lashmankin execution group. It concerns regional territorial bans for public events in Russia. The Public Verdict Foundation applied to the Constitutional Court after Kablis v. Russia Judgement. As a result the Constitutional Court issued two decisions declaring unconstitutional restrictions for gatherings near state (public) buildings.¹ After that, the Foundation continued to work in courts in order to recognize the refusals to approve public protests near state buildings as illegal. As result, some courts (in the Republic of Komi² and Kamchatka krai, Kostroma region³) found such refusals illegal.

In this Kablis campaign, the NGO coalition is supported by members of the Presidential Human Rights Council, who communicate on the issue with the heads of Russian regions, and by the Russian Commissioner for Human Rights, who send out relevant proposals for changing local laws to the regional parliaments. The positive effect of this work is already apparent: some local laws have been changed during the last year in order to allow assemblies near the above mentioned places.

- 2) sent petitions and appeals against the adoption of "Vyatkin's set of amendments", i.e. set of amendments proposed by the deputy Mr Vyatkin that were aimed at the deterioration of the situation with freedom of assembly.⁴
- 3) started a campaign against the restrictions of solo demonstrations, appealing to the authorized representatives of the St. Petersburg and Moscow city councils.
- 4) appealed the January and February 2021 detentions to UN special rapporteurs and to CoE Commissioner. The special rapporteur, the UN Secretary General reacted to this appeal and issued their respective statements. The CoE Commissioner also sent her statement to the Minister of Internal Affairs.
- 5) launched a petition against the "Fortress" plan, which prevents lawyers from entering police departments to consult with detainees,⁵ and will address the authorized representative and the HRC about attorneys being banned from court houses due to quarantine restrictions.

¹ See: <https://t.me/publicverdict/890> (accessed on 26 April 2021).

² See: <https://t.me/publicverdict/922>, <https://t.me/publicverdict/1654> (accessed on 26 April 2021).

³ See: <https://t.me/publicverdict/923> (accessed on 26 April 2021).

⁴ See: <https://ovdinfo.org/reports/legislative-restrictions-freedom-assembly-end-2020> (accessed on 26 April 2021).

⁵ See: <https://www.change.org/p/разрушим-крепость-вернём-задержанным-право-на-защиту> (accessed on 26 April 2021).

After the protests in January and February 2021⁶, the issue of access of detained protesters to legal assistance was raised more widely (it is spoken by the Russian Federal Bar Association⁷ (RFBA) as well as by the government oriented All-Russia civil forum⁸ and so on).

- 6) help hundreds of detainees to protect their rights in the Russian courts;
- 7) after the events of 2019, Memorial and OVD-Info filed almost 600 complaints to ECHR, the Public Verdict Foundation filed more than 60 complaints to ECHR; after the mass arrests of 2021, NGOs plan to file more.
- 8) continue to work with local communities, activists, and authorities, as well as to monitor the situation with regard to regional bans on gatherings in the special territories.

However, it is clear that only the Russian Government has the power and resources to fully implement the Lashmankin decision. Only the Government has the power to repeal restrictive laws, draft laws, and control the reaction of police and other authorities to peaceful protests. Despite our efforts and suggestions, the Government is not communicating with us or taking real action aimed at the protection of the right to freedom of assembly in Russia.

Human rights organisations dedicated to protecting the rights of protesters do not receive financial or other support from the Government. On the contrary, their efforts have been obstructed by governmental bodies. Memorial, the Committee against Torture, and the Public Verdict Foundation have been officially labeled as “foreign agents”, which has resulted in additional restrictions and fines on these organizations.

⁶ See: <https://ovdinfo.org/reports/winter-2021-supression-en> (accessed on 26 April 2021).

⁷ See: <https://fparf.ru/news/media/advokaty-ne-soglasny-ostavatsya-za-stenami-kreposti/> (accessed on 26 April 2021).

⁸ See: <https://civil-forum.ru/news/pervoe-otkrytoe-obsuzhdenie-za-stenami-kreposti-nedopusk-zashchitnikov-k-zaderzhanym-grazhdanam-sos.html> (accessed on 26 April 2021).

Exhibit No. 22. Relevant OVD-Info's Reports and Datasets

#	Title	Abstract	Date
1	Effective remedies and access to justice in the context of freedom of assembly in Russia	The report covers accountability and access to justice in the context of the rights to freedom of peaceful assembly and of association and the crucial role lawyers play in securing the enjoyment of such freedoms.	4.3.2021
2	Crackdown on peaceful protests in January — February 2021 in Russia	This is an overview of the main instruments that the authorities used to suppress peaceful protests and to persecute their participants in January-February 2021.	19.2.2021
3	Suppression of rallies in support of Alexei Navalny on January 17 and 18, 2021	Review of violations in the suppression of peaceful assemblies in support of Alexei Navalny on January 17 and 18.	22.1.2021
4	Legislative restrictions of freedom of assembly at the end of 2020	The review presents an analysis of the main legislative changes at the end of 2020, which are aimed at restricting the freedom of assembly, solo pickets, and the work of journalists during rallies.	30.12.2020

#	Title	Abstract	Date
5	Single-person pickets. The law and what should be changed about it	The report analyzes how the regulation in place hinders single-person pickets - the only form of public event, which, according to the Russian law, does not require prior approval from the authorities. In fact, the issues with this form of freedom of expression are mainly caused by flawed laws and regulations. Therefore, the report discuss the basic problems that cause disproportionate restrictions on free single-person pickets and proposes ways how this problem can be mitigated by amending the federal law.	18.9.2020
6	Freedom of Assembly in Russia During the Pandemic: Summary	The report examines bans and restrictions imposed by the Russian authorities due to the COVID-19 pandemic on pickets, rallies, and other public events outside, which were still in effect in September 2020.	17.9.2020
7	Violations of the Right to Peaceful Assembly for Women and Girls in Russia from 2010 to 2020	This review was prepared in June 2020 as a response to a request from the UN Special Rapporteur on Freedom of Peaceful Assembly and Association: at the 75th session of the UN General Assembly in September 2020. The material is designed to help him prepare s report on how women exercise their rights.	24.7.2020
8	Restrictions on public assemblies near schools, hospitals, churches and military facilities	On June 4, the Constitutional Court ruled illegal the bans on holding rallies near hospitals, educational organizations, places of worship and military facilities. Regions are required to amend laws by the end of 2020. OVD-Info has analyzed the laws of all regions to assess the scale of the upcoming changes, and also sent an appeal to the Human Rights Council with a request to take the situation under control.	15.7.2020
9	Suppression of peaceful assembly in Russia from 2015 to 2020 from a coalition of human rights organizations' report for the United Nations Human Rights Committee	Data used for the report is dedicated to the subject of restrictions of peaceful assemblies in Russia from 2015 to 2020. It is a part of the bigger report of a coalition of human rights organizations, submitted to the UN Human Rights Committee, about Russia's compliance with the International Covenant on Civil and Political Rights over the past five years.	13.7.2020

#	Title	Abstract	Date
10	Russia's Constitutional Court and freedom of assembly for better or worse?	More than a half of Russian regions were obliged by the Russian Constitutional Court to change their laws on rallies by May 1, 2020. The report describes which regions managed to repeal defective norms, and which did not, and where even more stringent restrictions were introduced.	12.6.2020
11	Freedom of assembly in Russia during the pandemic. What happened from March 10 to April 22, 2020	In March 2020, the first restrictive measures were introduced in Russia to contain the spread of coronavirus infection. In this review, OVD-Info analyzes how these measures affected freedom of assembly from March 10 to April 22, 2020. The report also includes an assessment of the measures introduced in terms of their legality and proportionality, leaving aside the question of their feasibility and effectiveness in a pandemic.	27.4.2020
12	The Art of the Ban-2: Review. How local legislators restrict rallies and other protests in Russia	<p>The Federal Law «On Meetings, Rallies, Demonstrations, Marches and Pickets» delegates the determination of the procedure for filing notices of public events to regional legislative authorities. Regional regulation in certain cases becomes the reason for the prohibition of public events. Among the problems there are complexity of regional regulatory framework and cases of apparent contradictions between the laws.</p> <p>A large amount of documents, lots of factors affecting the approval procedure and the poor quality of regulatory framework in general make it difficult to conduct the public events within the law. The process is further complicated by the low level of digitalization: in the sphere of public rallies approval this parameter is far beneath than in other areas requiring the interaction between citizens and authorities.</p>	4.3.2020