

# Briefing to the Committee of Ministers

## Lashmankin v. Russia group

Strasbourg  
3 March 2022



# Structure of this presentation

---

1. Overview
2. Background of the Legal Situation
3. Legal Developments
4. Events between April 2021 and January 2022
5. Persecution of civil society working on freedom of assembly
6. Events following the start of the Ukraine conflict
7. Substantive Recommendations to the Committee of Ministers
8. Procedural Recommendations to the Committee of Ministers

## Sources:

- Rule 9.2 from 11 Russian civil society organisations, 18 January 2022
- OVD-Info Website: [www.ovdinfo.org](http://www.ovdinfo.org)

# 1. Overview

---

- New legal barriers to freedom of assembly introduced
- Hundreds or thousands of people detained on multiple occasions
- Police violence during/following detentions, including torture
- Tens of thousands of administrative cases brought
- Pressure on civil society working on freedom of assembly
- Silencing of dissent against the Ukraine war

## 2. Background Legal Situation

---

- No authorisation under Russian law for spontaneous assemblies which are not pre-approved
- Huge restrictions on pre-approval of assemblies
- Punishments for participation in non-approved assemblies:
  - Administrative prosecution, including arrests, detention, very high fines
  - For multiple participations, criminal liability

# 3. Legal Developments

---

*Rule 9 pages 4-5*

- Additional restrictive laws were introduced that indirectly affect the freedom of assembly
- Constitutional Court rulings:
  - No damages for illegal non-approval of assemblies;
  - Prohibition of “serial” un-approved single pickets.

## 4. Events April 2021 – January 2022

---

### *Rule 9 pages 5-6*

- Detentions on the day of assemblies:
  - e.g. anti-corruption assembly of 21 April 2021: 2246 people detained
- Detentions after assemblies:
  - e.g. after the assembly of 21 April 2021: around 378 detained
- Administrative prosecutions:
  - 16,000+ cases in first six months of 2021; 14 000+ indictments.
- Criminal prosecutions:
  - e.g “Palace case”: 170 criminal charges.
- Violence, torture, aggressive police actions
- Declaration of Navalny organisation as extremist: multiple prosecutions

# 5. Persecution of civil society working on freedom of assembly

---

*Rule 9 pages 6-7*

- September 2021: OVD-info declared a “foreign agent” – including for work on Rule 9 submissions
- December 2021: authorities blocked OVD-Info’s website
- December 2021: authorities ordered liquidation of Memorial International and dissolution of HRC Memorial

## 6. Events following Ukraine invasion

---

- 7600+ people arrested for protesting the conflict, in 120+ cities
- Punishments for protesting: fines from 2,000 to 300,000 rubles (16 to 2,500 EUR), arrest for up to 30 days.
- Police brutality
- Detention of journalists



# 7. Substantive Recommendations

---

*Rule 9 pages 8-9*

CM to request the Russian Federation to:

- Make spontaneous assemblies lawful
- Abolish criminal liability for multiple unauthorised assemblies.
- Abolish administrative arrests for unauthorised assemblies; reduce fines.
- Liberalise procedure of approval of assemblies.
- Regularly update CM with info on number of assemblies approved and unapproved + consequences

# 8. Procedural Recommendations

---

CM to:

- Issue Interim Resolution
- Consider the case at every CM/DH meeting

End

Strasbourg  
3 March 2022

