



# Implementation of the Judgment “Lashmankin and others v. Russia”

Systemic problems with the freedom of assembly in Russia

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## **Last Decision of the CoM (03/09/2020)**

The CoM noted certain positive steps of the Government. Simultaneously, the CoM strongly urged Russian Authorities

- to continue legislative reform
- to improve domestic court practice
- to exclude criminal sanctions
- to provide information and statistics
- to send messages of tolerance of peaceful assemblies

# **Government's recent Action Plan (03/05/2021)**

Wide dissemination of the ECtHR's findings in Lashmankin case

Legislation changes:

- Code of Administrative Court Procedure
- Public Event Act (at the End of 2020)
- Regional legislation

Constitutional Court's judgments

Supreme Court's resolutions and overviews

# Current Situation

- Spontaneous assemblies are still not authorized in Russian law.
- Procedure of approval of assemblies became more strict. The organizers are obliged to agree with the alternative places proposed by the authorities;
- There is still a legal possibility to detain individuals for the participation in the non approved assemblies. The administrative fines are very high and the administrative arrests still exist.
- There is still a criminal liability for the multiple participations in the non approved assemblies and it was applied during the last year.
- More than 13,000 individuals were detained during the opposition rallies during the last year. Many individuals faced different punishments as well as police violence and hard conditions of detention.

# Freedom of Assembly in Numbers in 2021

**Detained protesters**

**More than 13,000**

**Protesters under criminal prosecution**

**At least 126**

**Criminal cases against police violence**

**0**

# Key Shortcomings in the Government's Actions

- There is no proposals for legal reforms necessary for implementation of Lashmankin's case, including the authorisation of spontaneous assemblies, the liberalization of the procedure of approval of assemblies, the abolition of criminal liability for the multiple participations in the non approved assemblies.
- There is no valuable explanation for the new legal restrictions concerning the right to freedom of assembly.
- There is no valuable explanation for the mass detentions occurred during the assemblies during the last year and for different forms of prosecution of the participants in the assemblies.

# What is Necessary to Implement the Judgment

- to legally authorise the spontaneous assemblies in Russia;
- to liberalise the procedure of approval of the assemblies. The organisers should freely choose the place and time of the assembly.
- to abolish the criminal liability for the multiple participation in non authorised assemblies.
- to abolish the administrative arrests for the non authorised assemblies and to reduce administrative fines.
- to regularly provide to CoM the information about the number of the assemblies approved and non approved by the authorities and the consequences of it.

# Q&A

Thank you for your attention!

We would be glad to answer your questions.

