

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: EUR 46/0593/2019

24 June 2019

Russia: Crackdown on environmental protesters in Arkhangelsk Region

steps up

Russian authorities continue to violate the rights of peaceful protesters who campaign against a landfill project near Shiyes in the Arkhangelsk oblast (north-western Russia).

An Amnesty International representative visited the site and documented the government's abusive tactics which include fabrication of criminal cases against local activists, arrests of peaceful protesters, imposition of heavy fines, and other forms of pressure intended to eradicate local protest against the landfill site construction. According to local activists, at the time of writing, the amount of fines alone wielded on the protesters totals to about 1 million rubles (more than US\$15,000). This is an extortionate amount for grassroots activists in one of the most economically deprived regions of the country. At the same time, while the activists have been confronted by reprisals from the authorities, they have also faced assaults and severe beatings by private security guards deployed at the construction site. These attacks and beatings have been ignored by the police, who have failed to investigate them.

Andrey Borovikov is a well-known activist, and an active member of the group of the political activist Alexey Navalny's supporters in the city of Arkhangelsk. Borovikov has taken part in many peaceful protests and has repeatedly spoken at rallies against the landfill site construction. Due to his activism and high profile, the authorities instigated criminal proceedings against him under the notorious Article 212.1 of the Russian Criminal Code. A considerable period of time had passed since Article 212.1 was last invoked, however Borovikov is now the second person this year to be prosecuted for this "crime".

According to this Article, introduced in 2014, a person who has violated Russia's draconian protest regulations four or more times within a period of 180 days commits a "crime" punishable by up to 5 years' imprisonment. Notably, the Russian Constitutional Court ruled in 2017 that this Article should only be used in relation to violations of the regulations which cause serious harm or make harm imminent, rather than for any possible violation. Since then, the Russian authorities avoided prosecuting anyone under Article 212.1 until earlier this year, when they opened a criminal case against Vyacheslav Egorov, an environmental activist from Kolomna (central Russia).

The criminal case against Andrey Borovikov is based on alleged administrative “offenses”, which consist of him taking part in the protest against the inauguration of Vladimir Putin as President on 5 May 2018, the protest against the pension system reform on 9 September 2018 (which the authorities interpreted as two separate “offences”, on account of the march as such and of the speeches made during it), and the protest against the landfill site construction on 7 April 2019. The authorities refused to issue permits for the protests and, consequently, regarded them as illegal. Accordingly, Andrey Borovikov is being persecuted solely for exercising his rights to freedom of peaceful assembly and freedom of expression. His criminal prosecution violates Russia’s obligations under regional human rights law, under the European Convention on Human Rights, as well as Russia’s own Constitution and the Constitutional Court’s decision.

At least three more participants in the protests in Shiyes are facing prosecution, all in connection with an incident that took place late in the evening of 14 March 2019. On that day, a group of activists set up a small camp on an unmarked road leading to the landfill construction site. At night, an excavator and 13 trucks drove toward the camp and the excavator intentionally rammed into a caravan trailer that stood on the road; one protester was injured by the excavator bucket. Police claim that the excavator’s driver was then dragged out of the cabin and beaten by the protesters; the protesters deny this. Police have charged three local activists with causing bodily harm, which is a criminal offence punishable by up to 5 years of imprisonment. Amnesty International could not independently verify what harm was caused and how. One of the accused, Vyacheslav Grigoryants, was reportedly several kilometers away from the scene at that moment, because he had fallen ill and stayed at another camp. At the same time, police have refused to begin investigation into the alleged injuring of the protester by the excavator.

As Amnesty International reported earlier this year, the authorities have also instigated administrative proceedings against another anti-landfill campaign leader, Elena Kalinina, under the newly introduced so-called “fake news law”. This is in connection with her Facebook post, in which she announced a forthcoming protest rally. Notably, the court had initially refused to consider the case against Elena Kalinina due to errors in the paperwork. The police then rectified the paperwork and resubmitted the case to court on 3 June. This is the first case of persecution under the new law and, if found guilty, Kalinina faces a fine of up to 300,000 rubles (US\$ 4,600). These proceedings against the activist are a blatant violation of her right to freedom of expression, and they epitomize the deeply flawed and discriminatory nature of the “fake news law”.

The Russian authorities should stop persecution of peaceful protesters in Arkhangelsk oblast, including by means of criminal or administrative proceedings, and respect the rights to freedom of expression and of peaceful assembly for all persons in Russia. They should also effectively investigate all alleged incidents of violence against the protesters, and bring anyone found responsible to justice in fair trial proceedings.

Public Document

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