

JOINT PUBLIC STATEMENT

8 August 2019

AI Index: EUR 46/0895/2019

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Russian Federation: Appeal to the Russian authorities to conduct investigation into excessive use of force by security forces during peaceful protests of 27 July and 3 August 2019

In the centre of Moscow on 27 July and 3 August, protests were held against the refusal to register opposition candidates in the Moscow City Duma. The participants planned to express their views through peacefully assembling in the centre of the city. Individual law enforcement officers conducted excessive and illegal actions against the participants.

Thousands of troops of the Ministry of Internal Affairs and of the National Guard were involved in policing the peaceful protest. Numerous streets in the centre of the city were closed off. Individual personnel, seemingly from both agencies, used physical violence against the protesters. This included use of police batons, handcuffs and other means and combat techniques despite superior numbers and the option to use alternative methods. They 'swept' the streets of the city and arrested individuals, who were publicly and peacefully expressing their views (through interviews, posters and slogans). Rights of journalists covering the protests were violated. Restrictions on their rights to take photographs and videos are a violation of their professional rights guaranteed by Article 47 of the Mass Media Act. Personnel of the security forces further violated the law when they failed to explain their actions, failed to disclose their names, did not identify themselves or wear any means of identification, such as badges, and covered their faces.

These violations, specifically those concerning the right to peaceful assembly, the right to personal liberty and security, the right to practice one's profession (in the case of journalists), and the right to legal protection, have been documented and confirmed by numerous testimonies of victims, participants and other witnesses as well as by publicly available, photographs and videos. Police and National Guard personnel blatantly violated both Russian

and international law. The right to peaceful assembly is enshrined in both the Constitution of the Russian Federation and in international law and cannot be arbitrarily restricted. The mere participation of individuals in an “unapproved” meeting does not provide sufficient grounds for their arrest, let alone the use of physical force against them or their persecution under criminal or administrative law.

The measures taken by law enforcement personnel not only violate the rights of those participating in public protests and bystanders, but they also elevate societal tensions and undermine the faith of citizens in the state and its representatives.

The Council of Europe Commissioner for Human Rights Dunja Mijatović has expressed her concern regarding the conduct of police officers and the National Guard during the protest of 27 July. In particular, she noted the unjustified arrests of peaceful protesters, the excessive use of force against them, the impossibility to identify law enforcement personnel, the refusal of access to lawyers, among other violations of the law that were committed by security forces. We fully share the concern of Ms Mijatović and are open to cooperation in order to prevent such practice from repeating in the future.

In particular, we call on:

The Investigative Committee of the Russian Federation and the Internal Security Forces to

- Launch an investigation into the conduct of law enforcement personnel during the public protests in capital. This should include constructive cooperation with representatives of civil society organizations and groups;
- Make public the results of investigation of all such facts;
- Bring the perpetrators to criminal and disciplinary liability for their actions.

Ministry of Internal Affairs and the National Guard of Russia to

- Take measures to ensure that the police and the National Guard maintain a balance between enforcing order and respecting the right of citizens to hold public protests in Moscow and other regions going forward;
- Ensure that all security personnel involved in dealing with public protests are equipped with the appropriate forms of identification.

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