

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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RUSSIAN FEDERATION: AUTHORITIES SUPPRESS CRITICISM OF THE PROPOSED CONSTITUTIONAL AMENDMENTS

The Russian authorities are resorting to their tried-and-tested methods of silencing all criticism while preparations are made to enact amendments to the country's Constitution. The amendments were proposed by President Vladimir Putin in January 2020. If adopted, they will, amongst other things, open the way for him to run for fifth and sixth terms as President, and give him the authority to fire judges.

The amendments have already been approved by both chambers of the Russian parliament and are currently being voted on by regional legislative assemblies across Russia. Meanwhile, those who try to stage protest against these changes face arrest and other reprisals by the authorities. The website created by the opponents of the constitutional amendments has been blocked by the authorities, and all assemblies of more than 5,000 people have been banned in Moscow.

Any measures aimed at stifling a free and open debate about the proposed constitutional changes is a clear violation of the rights to freedom of expression and freedom of peaceful assembly, and must stop immediately.

According to local human rights watchdog OVD-Info, on 12 March, at least 16 people were arrested in at least five cities across Russia for peacefully protesting—or merely planning to attend a protest—against the proposed constitutional amendments. Most of the protests were held as one-person pickets, which is the only form of spontaneous street protest permitted under Russia's unduly restrictive legislation. In Yekaterinburg, in the Ural Mountains, individual protesters were harassed, assaulted and arrested by police. A police officer reportedly pushed Elena Pariy when she was brought to a police station. As a result, she lost balance hit her head against the wall; the police then refused to allow ambulance to take her to the hospital. Another protester from Yekaterinburg, Sergey Khorenzhenko, was arrested and held for more than six hours for his public calls to take part in an “unauthorized” protest (a street rally which the authorities had banned because, they claimed, they had not been duly notified of it with “sufficient notice”). One more protester in Yekaterinburg, Sergey Tiunov, was arrested and sentenced to 10 days of administrative detention for a “repeated offense” of holding a picket. Two activists were briefly arrested in St Petersburg as soon as they left their homes to go to the pickets. Arrests were reported on the same day in Tula, in central Russia, Nalchik, in the North Caucasus, and Syktyvkar, in north-western Russia, and, in previous days, in Moscow, Novosibirsk, in western Siberia, and Nizhny Novgorod, in central Russia. Meanwhile, in some of the same cities, demonstrations held in support of the proposed amendments were allowed to proceed, without any restrictions.

Opponents of the proposed constitutional amendments created a website, net2020.ru, which hosts a petition against them as well as information and tips for those wishing to join the “NO” campaign. The website was blocked by the authorities on 12 March. The administrators received no communication and no official explanation from the authorities about the blocking. Authorities later said a court in Moscow had ordered that the website be blocked due to suspected violations of personal data laws.

On 10 March, the local authorities in Moscow banned all mass gatherings of more than 5,000 people in the city, purportedly as a preemptive measure against the COVID-19 (Coronavirus) outbreak. The decision was announced only hours after opponents of the proposed amendments announced plans for protest rallies in the city. In response, the organizers reduced the expected numbers of attendees to below 5,000, but the city authorities still banned the rally. Meanwhile, other mass gatherings, and particularly those organized by the local authorities themselves, were not affected by the new restrictions and were allowed to take place. While concerns over public health may be a legitimate reason for temporarily restricting freedom of peaceful assembly, they should not be used as an excuse for silencing critics. The Moscow authorities' decision appears politically motivated and aimed at critics of the proposed constitutional amendments.

International human rights standards allow states to limit freedom of assembly, if the limitations are provided by law and are necessary to protect certain specified legitimate aims, one of which is public health. However, states should ensure that measures are not discriminatory and that the limitations to human rights are proportionate to the objective sought to be achieved.

The Russian authorities should respect the rights to freedom of expression and of peaceful assembly of all persons in Russia. Discrimination, harassment, arrests and other punitive measures aimed at those who oppose the proposed amendments must stop immediately.

BACKGROUND

Vladimir Putin proposed to make amendments in the Constitution of the Russian Federation on 15 January 2020. The original proposal, published on 20 January, contained more than 20 changes which included an expansion of the presidential authority to remove judges and appoint heads of specific courts, and a provision under which Russia can ignore binding decisions of international treaty bodies if they “contradict” its Constitution.

On 10 March, further amendments were introduced under which Vladimir Putin will not be subject to the limit of two consecutive presidential terms in office, and will be allowed to run for President again in 2024 and 2030. This proposal was upheld on 11 March by both chambers of the Russian parliament, the State Duma and the Council of the Federation. Regional legislative assemblies have been convened across Russia, starting from 12 March, to approve the proposed amendments. The bill will then go before President Vladimir Putin for signing and sent for a review to the Constitutional Court. Finally, the so-called nationwide voting (which was not envisaged in Russian law, unlike is a referendum or election) is expected to be called on the proposed changes on 22 April.