

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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RUSSIAN FEDERATION: ASPIRING OPPOSITION CANDIDATES IN DUMA AND LOCAL ELECTIONS THREATENED, PROSECUTED, JAILED

On 17–19 September 2021, elections to the State Duma will be held in Russia, along with local elections in some constituencies. Against the backdrop of the reported falling popularity of Vladimir Putin and his ruling United Russia party, the authorities are both stepping up reprisals against their critics and trying out ever more direct ways of eliminating their political opponents. In previous elections, the main tools for eliminating unwanted candidates were refusals to register them or their disqualification for minor or imaginary infringements of the electoral process. This time, the authorities are applying a much more heavy-handed and sinister approach.

Amnesty International notes a pattern of the Russian authorities opening criminal proceedings against prominent opposition figures after these indicate their intention to stand in the elections. Next, police raid their homes and campaign offices, and place them in pretrial detention, under house arrest or strict curfew as criminal suspects, thus depriving them of their liberty and impeding their election campaigns. Where the case ends in court, it inevitably results in conviction, however manifestly fabricated the charges are.

Such targeting of government critics ahead of the elections is a violation of their human rights, particularly the rights to freedom of expression and association, the right not to be discriminated against (including on the basis of political views or affiliations), and the right to a fair trial.

By silencing prominent public figures in such a brazen way, the Russian authorities are sending a chilling signal to all people in the country that criticism will not be tolerated. This campaign of intimidation against government opponents must stop, so people can freely take part in the country's political life, and everyone should be able to peacefully express their opinion of government policy, without fear of reprisals. The international community should monitor and report such violations, and use all appropriate means to seek to ensure that the Russian authorities respect, protect and fulfil human rights of every person in Russia, in the context of elections and beyond.

CHRONICLES OF PERSECUTION

Over the past several months, a clear pattern has emerged wherein prominent government critics have been targeted with criminal prosecution, searches, arrests and other restrictive measures upon emerging as aspiring candidates in the September 2021 elections. While many of these cases are ongoing, some have already led to trial and, invariably, conviction of the government opponent, under trumped-up charges.

On 23 December 2020, Moscow municipal deputy Yulia Galiamina was convicted by Tverskoy District Court under Article 212.1 of the Criminal Code (“repeated violation of regulations governing public events”)¹ and handed a two-year suspended prison sentence for organizing and participating in peaceful protests against amendments to the country's Constitution.² On 11 March 2021, the Moscow City Court upheld her conviction and sentence, which saw Yulia Galiamina lose her elected office and disqualify from running in the September Duma election (she had planned to contest the election).

In late January and early February 2021, ten associates and supporters of Aleksei Navalny were arrested and charged under the so-called “Sanitary Case”.³ They are accused of “incitement of violation of sanitary regulations” (Article 236(1) of the Criminal Code) by calling for protest rallies in Moscow against Aleksei Navalny's unlawful detention, and have been placed under house arrest or a strict curfew. If convicted, they each face up to two years' imprisonment. Several of them,

¹ Amnesty International, “Russia: Prominent activist is facing prison and severe restrictions for participating in peaceful protests”, 31 July 2020, [amnesty.org/en/latest/news/2020/07/russia-prominent-activist-is-facing-prison-and-severe-restrictions-for-participating-in-peaceful-protests](https://www.amnesty.org/en/latest/news/2020/07/russia-prominent-activist-is-facing-prison-and-severe-restrictions-for-participating-in-peaceful-protests)

² BBC Russian Service, “Московский депутат Юлия Галямина получила условный срок”, 23 December 2020, [bbc.com/russian/news-55408059](https://www.bbc.com/russian/news-55408059)

³ Amnesty International, “Russia: Activists detained under absurd ‘sanitary’ charges for social media posts in support of public protest”, 23 April 2021, [amnesty.org/en/documents/eur46/4027/2021/en](https://www.amnesty.org/en/documents/eur46/4027/2021/en)

including Lyubov Sobol, Nikolay Lyaskin, Oleg Stepanov, Anastasia Vasilyeva and Konstantin Yankauskas, were expected to participate in the upcoming Duma election. Municipal deputy Konstantin Yankauskas announced on 17 June that he would not run for the Duma⁴; his curfew was lifted a week later,⁵ and on 14 July, charges against him withdrawn.⁶

Oleg Stepanov, former head of Aleksei Navalny's regional office (*shtab*) in Moscow, was the only defendant in the Sanitary Case who tried to campaign despite being under house arrest. On 1 July, law enforcement officers raided his campaign office, ostensibly as part of an investigation into the activities of Aleksei Navalny's organizations (which had been arbitrarily declared "extremist" on 10 June), and confiscated phones, computers and a projector.⁷

On 19 March, Aleksei Vorsin, the head of Aleksei Navalny's regional office in Khabarovsk (Russia's Far East), was charged under Article 212.1 and put under house arrest. He is accused of holding protests in support of former governor Sergey Furgal who had been detained as a criminal suspect in July 2020. Aleksei Vorsin had previously said he planned to participate in the Duma election.⁸

On 19 May, Gagarinsky District Court in Moscow convicted Nikolay Platoshkin, the leader of the Movement for a New Socialism, of "incitement of riots" (Article 212(1.1) of the Criminal Code) and "disseminating knowingly false information... creating social tension and giving rise to social protest" (Article 207.1) and sentenced him to a five-year suspended sentence. Amnesty International concluded that the case was fabricated to prevent Nikolay Platoshkin from participating in the September elections.⁹

On 31 May, authorities removed Andrey Pivovarov, the former head of the Open Russia movement, from a flight to Warsaw he had boarded at the St Petersburg airport, and arrested him.¹⁰ He was accused of "participating in activities of an undesirable organization" for his August 2020 Facebook post which endorsed several candidates in local elections. Authorities state the post promoted the project United Democrats, allegedly run an organization arbitrarily labelled "undesirable".¹¹ Under Article 284.1 of the Criminal Code ("carrying out activities" of an "undesirable" organisation), Andrey Pivovarov faces up to five years' imprisonment. He is held in pre-trial detention in Krasnodar and was forced to abandon his plans to stand in the Duma election.

On 1 June, former opposition Duma member Dmitry Gudkov and his aunt Irina Ermilova, were arrested in Moscow on suspicion of "causing material damage" to the Moscow Government by allegedly failing to pay rent for an office several years earlier. Their homes as well as the homes of two Gudkov associates were searched. Dmitry Gudkov was held for two days in custody before being released. He said his family members were told by individuals connected with the Presidential Administration that he should leave the country, otherwise he would end up in prison. On 6 June, Dmitry Gudkov left Russia for Ukraine. He had contemplated running for the Duma and believes his prosecution aimed to prevent his campaign.¹²

On 4 June, officers of the police Anti-Extremist Center in Lipetsk (a city in western Russia) raided the home of local activist Dmitry Krasichkov and confiscated his car, computers and personal documents. Krasichkov was accused of insurance fraud (Article 159.5(2) of the Criminal Code) related to a car accident he had had in 2016, an offense that carries up to

⁴ Znak.com, "«Просто нет никаких моральных сил и полная протрация»: Мундеп Янкаускас отказался от участия в выборах в Госдуму из-за смерти своего отца", 17 June 2021, bit.ly/3kiHdRh

⁵ Mediazona, "Суд не стал продлевать меру пресечения московскому муниципальному депутату и фигуранту «санитарного» дела Янкаускасу", 24 June 2021, zona.media/news/2021/06/24/yankauskas

⁶ Meduza, "СК прекратил «санитарное дело» против муниципального депутата Константина Янкаускаса", 14 July 2021, meduza.io/news/2021/07/14/sk-prekratil-sanitarnoe-delo-protiv-munitsipalnogo-deputata-konstantina-yankauskasa

⁷ Oleg Stepanov's team, Telegram post on 1 July 2021, t.me/o_stepanow/6269

⁸ DVHAB, "Люди проснулись: в Госдуму собрался Алексей Ворсин", 25 December 2020, dvnovosti.ru/khab/2020/12/25/124504

⁹ Amnesty International, "Russian Federation: Nikolay Platoshkin's conviction must be quashed", 28 May 2021, amnesty.org/en/documents/eur46/4214/2021/en

¹⁰ Amnesty International, "Russia: Immediately release Open Russia leader detained after being hauled off flight", 1 June 2021, amnesty.org/en/latest/news/2021/06/russia-immediately-release-open-russia-leader-detained-after-being-hauled-off-flight

¹¹ Interfax, "Андрею Пивоварову предъявлено обвинение по делу о нежелательной НПО", 8 June 2021, interfax.ru/russia/771143

¹² Dmitry Gudkov, Facebook post on 6 June 2021, facebook.com/dgudkov/posts/5600126456695415

five years' imprisonment.¹³ After the raid, Dmitry Krasichkov was summoned to the Anti-Extremism Center and was pressured by its officers not to run in the election of the Lipetsk City Duma next month and also not to criticize Governor Igor Artamonov. Krasichkov also recalls that the head of the Anti-Extremism Center cited in detail his telephone conversations with the Yabloko Party in which he discussed his plans to run for the State Duma.¹⁴ On 12 July, Krasichkov was arrested at the doorstep of an electoral commission in Lipetsk, on his way to submit petitions needed for his registration as a candidate. A video posted by his wife Darya Krasichkova shows a police officer and a man in plain clothes stop Krasichkov and physically prevent him from entering the building before he is led away by two other police officers.¹⁵ This time, he was accused of failure to pay child support (Article 5.35.1(1) of the Code of Administrative Offenses) and almost immediately was led to a court building for a hearing. The real goal of this arrest was undoubtedly to prevent him from submitting paperwork for his registration, which would have resulted in the invalidation of his candidacy. However, Krasichkov did manage to leave the court building during a break and submit the documents merely minutes before the deadline.¹⁶

On 16 June, police in St Petersburg arrested deputy leader of the Libertarian Party of Russia, Marina "Rina" Matsapulina, at her home. She was questioned about traffic disruptions during the January 2021 protest rallies in Moscow (which she states she hadn't attended) and then released. Four days earlier, Rina Matsapulina had announced her intention to participate in the election to the St Petersburg Legislative Assembly this September.¹⁷

On 17 June, incumbent opposition member of the St Petersburg Legislative Assembly and outspoken government critic, Maksim Reznik, was arrested and charged with possession of marijuana for personal consumption (Article 228(1) of the Criminal Code), which had been found at the home of one of his relatives. Maksim Reznik was put under house arrest, which jeopardized his re-election campaign.¹⁸

On 18 June, Moscow municipal deputy Ketevan Kharaidze, was arrested on fraud charges and placed in pre-trial detention, which was replaced with house arrest on 12 July. Details of the case against her had not been disclosed at the time of writing, but according to her lawyers the charges may be connected to her support for protests against a new construction project in her municipality.¹⁹ Ketevan Kharaidze denies the accusations and insists that her prosecution is a means to stop her political activities. Ketevan Kharaidze in May announced her intention to run for the State Duma. Under Article 159(4) of the Criminal Code, she is facing up to 10 years' imprisonment.

On 9 July, police in Murmansk (a city in north-western Russia) opened a criminal case against Violetta Grudina, former head of the regional office of Aleksei Navalny and candidate for Murmansk City Council. She is accused of "violation of sanitary regulations" for leaving her home while supposedly in self-isolation for Covid-19. Grudina says that her self-isolation period had already ended when she left home.²⁰ Although her recent tests for Covid-19 proved negative²¹, on 14 July, a court granted the authorities' request for her forced hospitalization. Violetta Grudina believes this decision and her prosecution are a way to discredit her and to stop her campaign.²²

¹³ Dmitry Krasichkov, *"Полный полицейский беспредел в Липецкой области"*, 16 June 2021, [youtube.com/watch?v=hMIW2K5K988](https://www.youtube.com/watch?v=hMIW2K5K988)

¹⁴ Interview by voice call with Dmitry Krasichkov, 13 July 2021.

¹⁵ Dmitry Krasichkov, *"АРЕСТОВАЛИ!! Крaсичкова Дмитрия Сергеевича"*, 12 July 2021, [youtube.com/watch?v=8mDbWPMmx6g](https://www.youtube.com/watch?v=8mDbWPMmx6g)

¹⁶ LipetskNews.ru, *"Кандидат в депутаты Дмитрий Крaсичков смог убежать из суда и отдать подписи перед самым закрытием ТИК"*, 13 July 2021, lipetsknews.ru/articles/proisshestviya/kandidat-v-deputaty-dmitriy-krasichkov-smog-ubezhat-iz-suda-i-otdat-podpisi

¹⁷ Interview via an instant messenger with Rina Matsapulina, 1 July 2021.

¹⁸ BBC Russian Service, *"Петербургского депутата Резника отравили под домашний арест по делу о наркотиках. Он планировал переизбраться"*, 18 June 2021, [bbc.com/russian/news-57513535](https://www.bbc.com/russian/news-57513535)

¹⁹ Open Media, *"Задержанная в Москве муниципальный депутат Кетеван Хараидзе стала обвиняемой по делу о мошенничестве"*, 19 June 2021, openmedia.io/news/n2/zaderzhannogo-mundepa-po-tverskomu-rajonu-ketevan-kharaidze-obvinyayut-v-moshennichestve

²⁰ Meduza, *"«Я уверена, что меня закроют в больнице»: На бывшую главу штаба Навального в Мурманске завели уголовное дело по «ковидной» статье. А еще пригрозили ей принудительной госпитализацией"*, 10 July 2021, meduza.io/feature/2021/07/10/ya-uverena-chto-menya-zakroyut-v-bolnitse

²¹ Violetta Grudina, Facebook post, 12 July 2021, [facebook.com/violetta.grudina/posts/4164360880311556](https://www.facebook.com/violetta.grudina/posts/4164360880311556)

²² Interview by voice call with Violetta Grudina, 14 July 2021.

HARASSMENT OF THE OPPOSITION IS A VIOLATION OF THEIR BASIC HUMAN RIGHTS

Russia's Constitution guarantees the rights to freedom of speech, association and peaceful assembly, to participate in managing state affairs, to elect and be elected to state bodies of power, and prohibits discrimination. The International Covenant on Civil and Political Rights likewise guarantees the rights to hold and freely express one's opinions, to hold peaceful assemblies and to associate with others as well as to take part in the conduct of public affairs. It expressly prohibits discrimination on grounds of political or other opinions. The European Convention on Human Rights, of which Russia is a state party, contains similar provisions.

Amnesty International is concerned that in all the cases listed in this document, the actual grounds for criminal prosecution and for other forms of pressure were the political views of these individuals who are critical of the present government in Russia, and their affiliation with opposition groups or independent civil society initiatives. The apparent goal of these reprisals was, conversely, to punish them for peacefully exercising their human rights to freedom of expression and association. In at least some cases (including Yulia Galiamina, Lyubov Sobol, Nikolay Lyaskin, Oleg Stepanov, Anastasiya Vasilyeva, Aleksei Vorsin and Lina Matsapulina) the targeted individuals have also suffered violation of their right to freedom of peaceful assembly while their attempts to exercise this right has also directly led to their prosecution. This practice also indicates discrimination on grounds of political opinion and association.

The Russian authorities are legally obliged to respect, protect, promote and fulfil human rights for everyone, at all times. These obligations apply equally in the context of elections and when applied to prominent public figures. Failure to protect rights can have a serious effect on the entire society, spreading fear of reprisals and undermining trust in the government's commitment to human rights.

RECOMMENDATIONS

Amnesty International calls on Russian authorities to:

- immediately release everyone deprived of their liberty solely for exercising their rights to freedom of expression, association and peaceful assembly, including the individuals listed in this document;
- end the practice of targeting political activists with views critical of government policy with unfounded criminal proceedings and, as a first step, close the criminal cases against political activists named in this document and quash relevant convictions, in particular:
 - abolish Articles 212.1 and 284.1 of the Criminal Code as they contravene Russia's human rights obligations, drop all related proceedings and guarantee everyone prosecuted under these articles full reparation including reinstatement of their rights (restitution), compensation, satisfaction and guarantees of non-repetition;
 - close the "Sanitary Case" and drop charges under Article 236(1) of the Criminal Code against its suspects;
 - conduct an effective and impartial investigation of threats and other reprisals against Dmitry Gudkov, Dmitry Krasichkov and their associates;
- conduct prompt, effective and impartial investigation into the practices of opening politically motivated criminal cases, summoning for questioning, conducting police raids and house searches, arresting, detaining and placing under pre-trial detention, house arrest or curfew of opposition figures as criminal suspects, to impede their legitimate political and civic activities; and bring to account all those responsible for such abuses of the criminal justice system for political purposes;
- stop the campaign against members and supporters of Aleksei Navalny's organizations and revert their arbitrary designation as "extremist"; repeal the laws that restrict civil rights of former members, employees, supporters and donors of organizations labelled as "extremist", people associated with organizations labelled as "foreign agents" and others.

Amnesty International calls on the international community to:

- monitor human rights violations, including politically motivated prosecutions, in Russia and regularly report the findings;

- use all available forums to raise with Russian authorities, publicly and privately, issues of human rights violations in the country, including persecution of opposition politicians, and demand that Russia complies with its obligations under international human rights law;
- instruct diplomats based in Russia to attend trials and publicly condemn abuse of the criminal justice system and other means of silencing opposition activists.