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Public Statement

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Russian Federation: Human rights defender sentenced after mourning the victims of the Beslan hostage tragedy

Amnesty International strongly condemns the arrest of human rights defender Lev Ponomarev, who on 26 September was sentenced to three days' detention for organizing a memorial event for the victims of the Beslan hostage tragedy.

Lev Ponomarev, the head of the non-governmental organization *Movement "For Human Rights"*, had – in accordance with Russian law - informed the authorities about his intention to hold a picket on 3 September 2006 on the Lubyanka square in the centre of Moscow to commemorate the victims of the hostage tragedy in Beslan in September 2004.

The organizers of the picket received a response from the authorities suggesting they hold the picket on another day. Reportedly, the authorities wanted to ensure "maximum security for the participants of the picket".

When about 50 human rights activists went ahead with the meeting on 3 September they were met by a large group of policemen, who immediately started to disperse the crowd. Several persons were detained briefly, 13 were charged with offences under the administrative code of the Russian Federation, including Lev Ponomarev. His case was the first to be heard in court.

Amnesty International considers the detention of Lev Ponomarev a violation of his human rights and considers him a prisoner of conscience, who should be immediately and unconditionally released.

Background:

According to several legal experts, including the Russian Ombudsman for human rights, Vladimir Lukin, the *Federal Law of the Russian Federation on assemblies, meetings, demonstrations, procession and pickets* requires organizers of such pickets to inform the authorities about their intention to hold a picket.

While the authorities may suggest other locations or another date for a picket or may prohibit or prevent a public meeting if it violates laws of the Russian Federation, organizers of a picket do not need permission as such to hold a picket.

The internationally recognized rights to freedom of expression and peaceful assembly are not absolute rights. However, any interference with these rights has to be prescribed by law; and it has to be necessary in a democratic society to meet a legitimate aim. While Amnesty International recognizes that authorities have a responsibility to regulate public meetings according to the needs of public safety and public order, the authorities also have an obligation to protect the right to freedom of assembly.