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The Russian Constitution 20 years on: Continuing erosion of rights and freedoms

On 12 December Russia will mark the 20th anniversary of the country's constitution following the collapse of the Soviet Union.

The Constitution proclaims the rule of law and guarantees fundamental human rights to Russian people. The responsibility to safeguard these constitutional rights falls to the President of the Russian Federation.

However, Vladimir Putin's current presidency has led an onslaught against civil and political rights and other freedoms in Russia. This amounts to an erosion of the Constitution itself, as Amnesty International's analysis below sets out:

The Russian Constitution:	Recently adopted legislation violating the Russian Constitution and its effect:
<p>Article 19</p> <p>1. All people shall be equal before the law and court.</p> <p>2. The State shall guarantee the equality of rights and freedoms of man and citizen, regardless of sex, race, nationality, language, origin, property and official status, place of residence, religion, convictions, membership of public associations, and also of other circumstances. All forms of limitations of human rights on social, racial, national, linguistic or religious grounds shall be banned.</p>	<p>A law targeting lesbian, gay, bisexual, transsexual or intersex (LGBTI) individuals came into force on 30 June 2013.</p> <p>It imposes extortionate fines on those accused of engaging in "propaganda of non-traditional sexual relations". The law further increases the discrimination and harassment against LGBTI people and effectively denies young people the right to sex education. It has served as a legal basis for denying the LGBTI community's right to hold any public events.</p> <p><u>Russia: New laws an affront to basic human rights</u></p>
<p>Article 28</p> <p>Everyone shall be guaranteed the freedom of conscience, the freedom of religion, including the right to profess individually or together with other any religion or to profess no religion at all, to freely choose, possess and disseminate religious and other views and act according to them.</p> <p>Article 29</p>	<p>A new law criminalizing blasphemy came into effect on 1 July 2013.</p> <p>It envisages heavy fines and up to three years of imprisonment for public actions that may be deemed as disrespectful or insulting to the religious beliefs of others.</p> <p>This law was proposed in the aftermath of the 2012 trial and conviction of three members of the all-female Russian punk group Pussy Riot for "hooliganism on grounds of religious hatred" after they sang a protest song in Moscow's main Orthodox cathedral. It has paved the way for criminal prosecution for criticism of religious leaders or commentary</p>

<p>1. Everyone shall be guaranteed the freedom of ideas and speech.</p>	<p>on religious doctrine and tenets of faith in a way that is clearly inconsistent with the freedom of expression.</p> <p>Amnesty International believes the trial of Pussy Riot members was politically motivated. The organization considers the imprisoned activists to be prisoners of conscience, detained solely for the peaceful expression of their beliefs.</p> <p><i>Russian court jails Pussy Riot for two years</i></p> <p><i>Russia: New laws an affront to basic human rights</i></p>
<p>Article 30</p> <p>1. Everyone shall have the right to association, including the right to create trade unions for the protection of his or her interests. The freedom of activity of public association shall be guaranteed.</p>	<p>The Federal Law “On Introducing Changes to Certain Pieces of Legislation of the Russian Federation as Regards Regulation of Activities of Non-Commercial Organizations Performing the Functions of Foreign Agents” came into effect on 21 November 2012.</p> <p>This so-called “foreign agents law” imposes a legal obligation on Russian non-governmental organizations which receive foreign aid in any form and engage in what the law loosely defines as “political activities” to register as “organizations performing the functions of foreign agents”. In Russian, the expression “foreign agents” is akin to spying, and is yet another step in the on-going smear campaign against human rights and other independent civil society organizations.</p> <p>The law introduced hefty fines and other severe administrative penalties for the violation of the above legal requirement; its repeated violation envisages criminal prosecution, including imprisonment, for NGO leaders.</p> <p><i>Russian Federation: Freedom of association at imminent risk</i></p>
<p>Article 31</p> <p>Citizens of the Russian Federation shall have the right to assemble peacefully, without weapons, hold rallies, meetings and demonstrations, marches and pickets.</p>	<p>A law which came into effect on 8 June 2012 hiked up fines 150-fold for protesters taking part in unsanctioned rallies. Organizers of public meetings face hefty fines if participants cause disorder or damage.</p> <p><u><i>Russia: Putin urged to reject law restricting the right to peaceful assembly</i></u></p> <p>Hundreds of people were detained following mass protests in May 2012 in Bolotnaya Square in Moscow over contested parliamentary and presidential elections in 2011 and 2012. Twelve people are on trial and several others are still awaiting trial or appeal hearing in this case. Amnesty International considers 10 of them to be prisoners of conscience arrested for their right to express their views, and calls for their immediate and unconditional release.</p> <p><i>Anatomy of Injustice: The Bolotnaya Square trial</i></p> <p>Mikhail Kosenko, one of the 10 prisoners of conscience from the Bolotnaya case, was sentenced to forcible incarceration in a psychiatric unit in a move smacking of the worst</p>

excesses of the Soviet era.

Russia: Abhorrent use of punitive psychiatry to silence dissent

The Bolotnaya 3: Protesters held for over a year