



Oral Statement

ITEM 3: General Debate

HUMAN RIGHTS CENTRE MEMORIAL

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Mr President,

This statement is delivered jointly by Human Rights Center Memorial and Right Livelihood Award Foundation.

We welcome both the reports by the Special Rapporteur on Freedom of Peaceful Assembly and Association and the Special Rapporteur on Freedom of Opinion and Expression. The most dangerous and outrageous way of violating the rights to freedom of expression, assembly and association is imprisonment in the framework of criminal prosecution.

In Russia, freedom of expression is severely restricted by law both online and offline. Article 148 of the Criminal Code in fact punishes blasphemy, article 280 and 280.1 punish calls for broadly defined extremist activities, as well as, for violations of the country's territorial integrity, under which virtually any discussion on this topic is potentially exposed to prosecution. Broadly defined provision such as incitement of hatred or enmity (art 282) and justification or propaganda of terrorism (Art.205.2) severely compromise freedom of opinion and expression.

In Russia, freedom of assembly is also maliciously violated. We welcome the Special Rapporteur's mention to the Yarovaya Law" which prohibits "inducing, recruiting or otherwise involving" others in the organisation of "mass unrest"; and the recognition that, the broad language employed potentially makes it a crime to promote, discuss or seek or link to information regarding a protest event.

The unconstitutional article 212.1 of the Criminal Code, which provides for penalties for the repeated violation of the procedure for organizing a public event, is another flagrant violation of freedom of peaceful assembly and association.

Non-violent actions aimed at participating in peaceful protests are qualified as preparation for or attempted mass riots.



The use of police violence to halt peaceful actions and the subsequent prosecution of their participants on false accusations of violence against the police adds to the list of abuses.

Mr President, today at least 7 political prisoners are being prosecuted for the peaceful realization of the right to freedom of assembly.

The arbitrary declaration of organizations and communities as extremist or terrorist and the prosecution of their members has also curtailed freedom of association in the country. On such charges, hundreds of people are behind bars, including opposition activists, Jehovah's Witnesses, members of Hizb ut-Tahrir and other religious organizations.

Freedom of association is particularly flagrantly violated by Article 284.1 (carrying out the activities of the "undesirable organization"). 4 activists of the Open Russia Movement are illegally persecuted under this law.

In total, there are at least 297 political prisoners in Russia today and this is an absolutely unacceptable situation. The situation in this area is described in detail in a comprehensive report commissioned by the Coalition for the release of Kremlin political prisoners (<https://www.4freerussia.org/wp-content/uploads/2019/04/The-Kremlins-Political-Prisoners-May-2019.pdf>).

We call on the Human Rights Council to draw its attention to the violation of fundamental freedoms in Russia.

Thank you.