

# L'OBSERVATOIRE

pour la Protection des Défenseurs des Droits de l'Homme

**THE OBSERVATORY**

for the Protection  
of Human Rights Defenders

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para la Protección  
de los Defensores de Derechos Humanos

## PRESS RELEASE

### RUSSIA: New Law Restricts Public Demonstration

**Paris – Geneva, July 13, 2004** - The Observatory for the Protection of Human Rights Defenders, a joint program of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), wishes to express its concern about a new bill passed by the Russian State Duma on June 4, 2004 and signed into law by President Vladimir Putin on June 21 that severely restricts the rights of civil society to peaceful public demonstration.

The law creates significant obstacles to the planning and execution of peaceful, legal demonstrations. Requirements for receiving authorization for a demonstration now include, *inter alia*, that local authorities must be notified about the event ten days in advance, including the provision of an hour-by-hour program of the event, and that the organizers must demonstrate that they will be responsible for general security concerning the event. Even providing for these regulations, authorization may still be denied. Additionally, there are considerable restrictions on permissible time and place for demonstrations. No public gatherings may be held after 11:00 pm, thereby banning all long-term demonstrations. A number of places are listed in which events are not allowed, including "close to the president's residence, to court rooms and to prisons." In fact, local officials have the legal authority to decide and/or change the location of the demonstration, giving the coordinators as little as three days notice.

Though considerably revised from its original form, having removed the ban on any demonstration of which the "aim and form would go against commonly accepted moral norms," the current law still significantly impedes the right to peaceful assembly. The Observatory recalls that The Russian Federation is a signatory party to the **International Covenant on Civil and Political Rights**, adopted by the UN General Assembly on December 16, 1966, which states in Article 21 that "the right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others." Russia has also signed and ratified the **European Convention on Human Rights**, adopted in Rome on November 4, 1950, which states in Article 11 that "everyone has the right to freedom of peaceful assembly (...) » and that « no restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others." In addition, Article 31 of the **Constitution of the Russian Federation** states that "citizens of the Russian Federation shall have the right to gather peacefully, without weapons, and to hold meetings, rallies, demonstrations, marches and pickets." Finally, these obstacles to free demonstration disregard the **Declaration on Human Rights Defenders**, adopted by the UN General Assembly on December 9, 1998 which states in article 5(a) that, "everyone has the right, individually and in association with others, at the national and international levels to meet or assemble peacefully."

The Observatory urges the Russian authorities to review all relevant legislation to insure compliance with these international, regional, and national regulations and to fulfil their obligation to ensure the protection of freedom of assembly and the right to peaceful demonstration.

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