



Rally on 27 July 2019, Moscow / Evgeny Feldman for Meduza

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The Moscow experiment

Русская версия: [Московский эксперимент](#)

SUMMARY

This report examines political repression, and primarily the violation of the right to freedom of assembly. The protests themselves, their causes and public reaction to them, are usually far from the focus of our attention. However, it is important to briefly set out the causes of the protests in order to understand the logic of the current wave of politically motivated repression.

It all began with a fundamental violation of human rights. The decision to exclude independent candidates from the elections to the Moscow City Duma, under far-fetched and unlawful pretexts, caused predictable public discontent. City hall's unlawful refusal to permit public protests led to the unlawful detention of protesters. These events, coupled with police violence which was also used as one of the elements of media intimidation of the public, transformed the

discontent of politically active citizens into widespread public indignation. Police violence, for its part, could not but lead to the institution of criminal proceedings against those arrested, and this only fed the protest mood among Muscovites. The standard response of the authorities to the growth of protest is to increase the level of political pressure, as seen in the initiation of new criminal proceedings. Our report is devoted to the description of this cycle, from the violation of human rights to protests and thence to repression, which in turn results in an increase in protest moods and the escalation of state violence.

For the last eight years OVD-Info has recorded different phases of this cycle, but this year the situation changed dramatically. Mass arrests at the protests this summer, followed by the jailing for offences under administrative law of protesters and candidates excluded from the Moscow City Duma elections, and the accompanying searches, interrogations and jailings of both political activists and sympathizers in the context of a very large number of criminal cases, prompted an extremely strong public reaction. Thousands of people have faced a range of repressive measures by the Russian state in a very short time span. Hundreds of thousands, if not millions of people, have seen close up the workings of this state machine. As a result, public perception of repressive measures has also changed. Society is no longer ready to accept them. Citizens openly demonstrate their opposition through engagement in public statements, pickets and rallies, public campaigns, collective letters, providing bail guarantees and fundraising in support of those jailed. The protests, originally concerned with the right to free and fair elections, have substantially transformed themselves into a movement against political repression.

From our perspective, a qualitatively different public reaction to repression is a new and highly significant component of current events, creating hope, as yet extremely fragile, yet hope nonetheless, for a way out of the cycle of protest and

repression without catastrophic consequences for society and the country. However, this report on the events of last summer looks at something else: the phase of the cycle that we have called repression. Our report focuses exclusively on negative phenomena: the scale, structure and specific details of the current wave of political repression.

We wish to enable the general public, as well as professional communities of journalists, researchers, political scientists, human rights activists, lawyers, activists and politicians, to form their own opinions about the current wave of political repression. That is why our first report is not evaluative, or even analytical, but purely factual in nature. The pace of developments and the sheer volume of information do not allow us to provide, so soon after the events, a complete analysis of what is happening, taking into account both the chronology and the legal context. However, even a simple factual record of events allows us not only to see the whole picture, but also to draw some preliminary conclusions.

The scale of repression

- The number of arrests at the demonstration on **27 July** was at least **1,373**, the highest in the entire history of OVD-Info observations (since December 2011). The previous record was registered on **26 March 2017** in Moscow when **1,043** people were arrested. The total number of arrests in a series of Moscow protests from 14 July to 31 August was about **2,700**. This figure is only comparable with the total annual number of arrests in Moscow during the years of the highest level of protest (2012 — 3,773 arrests at 187 protests; 2017 — 3,462 detentions at 199 protests).
- The number of criminal prosecutions, initiated under various articles of the Russian Criminal Code, related to the Moscow protests speaks for itself. The authorities have already initiated criminal proceedings under 10 articles, from the classic Article 318 ('use of force against a public official') and Article 212 ('riot') to the innovative Article 141 ('obstructing the functioning of the Electoral Commission') and Article 156 ('failure to fulfil responsibilities relating to the upbringing of a minor'). The number of people who have been interrogated and can potentially be charged with an offence under a particular article is in the hundreds.
- Almost all law enforcement agencies, federal and regional, are involved in the repression, including the Ministry of Internal Affairs and the Anti-Extremism Centre, the National Guard, the Investigative Committee, the Prosecutor's Office, the Federal Security Service (FSB), the court bailiff service, and military commissariats, all of whose involvement has been recorded.

The structure of repression

- Unregistered candidates for the Moscow City Duma: initially, there were searches and interrogations on the grounds of obstructing the functioning of the Electoral Commission, and then many of the candidates were jailed for alleged offences under administrative law.
- Participants in the protests: thousands were arrested and subjected to subsequent administrative law penalties, 15 have already been jailed.
- Students: in addition to the fact that students were arrested and subsequently jailed, many of whom came from the capital's universities, several universities have sought to put pressure on students to dissuade them from participating in protests.
- Anti-Corruption Foundation (ACF): in connection with criminal proceedings initiated against ACF employees, the bank accounts of the organization and of a number of employees were blocked, the ACF's office was searched several times, and criminal charges were brought against ACF director Ivan Zhdanov, who was also one of the unregistered candidates in the Moscow State Duma elections, for failing to comply with a court decision.
- Other organizations: as part of the criminal investigation into alleged riots, the security forces searched and seized documents from two NGOs: the Russian Justice Initiative and the General Lebedev Peace Mission; live on air during a broadcast by Dozhd TV, the editor-in-chief was handed a summons to appear for questioning as part of an unspecified criminal case.

The mechanics of repression

Some of the criminal cases initiated are one-of-a-kind, targeted, or propagandistic in nature. However, where arrests and criminal investigations following public protests are

concerned, the actions of various state agencies follow a logical sequence:

- Moscow City Hall refuses, without any legitimate or serious grounds, to approve protests, leading to the creation of unsafe conditions for protesters;
- The police and National Guard disperse peaceful demonstrations and detain participants instead of ensuring their safety, as required by law;
- At police stations, those arrested are registered and charged by officers with multiple violations of procedural rules; the protocols are often drawn up using a common template, and sometimes simply replicate one another;
- District courts do not consider the merits of the detainees' cases, violate their rights to legal representation and base their decisions solely on information provided by the police and the National Guard;
- The conviction en masse for alleged offences under administrative law sets the stage for the fabrication of criminal cases related to rallies.

Important Tendencies

- Konstantin Kotov has been charged with an offence under Article 212.1 of the Russian Criminal Code (for repeated breaches of the law on demonstrations). Under this Article, people arrested at a rally can now face criminal rather than administrative charges — if those already charged with three administrative offences now face a fourth under Article 20.2 of the Code of Administrative Offences concerning demonstrations. Early in 2017 the Constitutional Court had already described this practice as controversial and recommended against it except in those cases where the administrative offences committed represented a danger to the public. As of now, Kotov is the seventh person to be charged under this Article. Kotov's court case is significant because it shows that this Article can be used against those who had sought to stand as independent candidates in the Moscow City Duma elections and were subsequently jailed for offences under administrative law three or more times in a row.
- The speed of investigation: investigations against five suspects were completed extremely rapidly, in periods from two-and-a-half to twenty days.
- In the aftermath of the protest on 27 July, five companies, all to some degree affiliated with Moscow City Hall, lodged legal claims for over 14 million roubles against independent candidates in the Moscow City Duma elections and staff of the Anti-Corruption Foundation. These claims were intended to show the high cost of the damage allegedly caused by the peaceful protests. In the absence of any real proof that rioting took place, these claims could help the investigative authorities build a body of evidence.

- Police officers used excessive force when arresting people; at least 68 people were assaulted by the police. These assaults which were observed by many witnesses and journalists and, in particular, were shown live on Dozhd TV, later became a crucial element in a campaign of propaganda intended to intimidate city residents inclined to support the protests.

Taken together, all the above facts show that the current level of repression has reached a high point (at least since December 2011 when OVD-Info began its monitoring work). At the same time, the facts cited in the report give reason to suggest that the current wave of politically motivated violence is not at the initiative of any one specific government agency or department. The involvement of all law enforcement and security agencies, and the manner in which the courts and the city government, as well as federal institutions, have supported them, strongly suggest that this is all part of a single campaign coordinated from a single centre.

This hypothesis, which might appear banal to most people, is not entirely obvious to the authors. Observation and analysis of repressive measures over many years prompts us to believe that most politically motivated prosecutions have a departmental or, due to the emergence of quasi-judicial mechanisms, even an institutional character, and are not under the direct control of the political authorities. However, in this case, the situation is different and remains uncertain. The sequence of events yet to unfold may show a further increase in repression (the quantity of currently ongoing court cases suggests that this is the more likely scenario) or, alternatively, a reduction in repression (in response to the hitherto unseen level of public support for those arrested and jailed).

THE CAUSES OF THE PROTESTS

The Moscow City Duma elections were scheduled to take place on 8 September 2019. To register, an aspiring candidate had to gather the signatures of three percent of all voters in his or her electoral district (from 4,500 to 5,500 signatures). Candidates put forward by political parties represented in the State Duma were exempt from such a requirement. Candidates from non-parliamentary parties were to hand in their signatures by 6 July. The district electoral commission had ten days to decide whether to register a candidate or refuse to do so.

On 13 July district electoral commissions issued the results of their examination of candidates' signatures. Thirty-nine independent candidates were rejected. The official reason was a high percentage of rejected signatures (exceeding a 10 percent limit) for reasons including discrepancies between voters' personal data and the database of the Ministry of Internal Affairs, observations by handwriting experts and errors in paperwork.

Independent candidates accused the Moscow city election commission of fraud aimed at preventing the opposition from participating in the elections. They alleged that commission members made deliberate mistakes when entering personal data, handwriting experts presented no explanation of their methods of verification (nor any samples of their assessments), and certain documents were substituted, the one for the other. Many well-known public figures complained that commissions had rejected as counterfeit their signatures in support of candidates.

As of the end of August, only one appeal of twenty-three made by candidates had been upheld. One independent candidate who had already been registered was removed from the electoral list on the grounds that there had been a blank space instead of the word «None» in the questionnaire concerning foreign financial liabilities.

CHRONOLOGY OF PROTESTS IN SUPPORT OF CANDIDATES EXCLUDED FROM THE ELECTIONS

Moscow City Duma candidates met voters on 14 July

On 11 July, after it became apparent that the signature verification process for independent candidates was unfair, 17 candidates urged Muscovites to attend a meeting on Novopushkinsky Square on 14 July where voters would have a chance to meet candidates standing in the Moscow City Duma elections.

On 12 July the Moscow Prosecutor's Office stated that the meeting had not been approved by the authorities. The organizers were issued a warning that they must comply with the law currently in force. Those taking part set off in the direction of Moscow City Hall and later towards the headquarters of the Moscow city election commission where they demanded a meeting with the head of the commission, Valentin Gorbunov. A number of candidates engaged in a sit-in. According to information gathered by OVD-Info, after an attempt was made to set up a tent, police detained 39 people. Many testified to having witnessed assaults by police officers and at least three of those taken to police stations were hospitalized. At the protest outside City Hall, the candidates announced they would meet with their constituents on Trubnaya Square every day at 19.00.

Candidates in the Moscow City Duma elections meet with voters on Trubnaya Square, 15–19 July

At the start of the meeting on **15 July**, an unidentified person threw a smoke grenade and then left the event. Police officers

decided that two of the protesters had thrown the smoke grenade, and the two were later each **jailed** for three days. In addition, police detained two activists from the Russian Liberation Movement (SERB) for attempting to start a brawl. Subsequent meetings proceeded without arrests.

On 17 July police officers approached three unregistered candidates and attempted to hand them an official warning from the Prosecutor Office's that meetings with voters on Trubnaya Square were illegal.

'For Participation in the Elections.' Rally on Sakharov Avenue on 20 July

The Libertarian Party of Russia (LPR) organised the rally. According to the **White Counter** group, the rally was attended by approximately 22,500 people.

Aleksei Navalny and Ilya Yashin, in their speeches, proposed that in a week's time, if by then all independent election candidates had not been registered, a rally should be held outside Moscow City Hall regardless of whether it had official permission or not. Later, 16 unregistered candidates **published** a declaration stating their intention to hold a public meeting outside Moscow City Hall on 27 July at 14:00 if independent candidates had not been registered for the elections one week after the rally.

According to OVD-Info, six or seven people were detained at the 20 July rally. There is reliable information only about three of those arrested who were taken to Krasnoselsky district police station. One of the three was a minor, and he was released when his mother came to the police station to pick him up. Another of the detainees, Aleksei Kutenkov, had his arm broken at the time of his arrest. Later, Kutenkov was charged with an offence under Article 19.3, Section 1, of the Code of Administrative Offences (failure to obey a police officer). On 22 July, Moscow's Meshchansky district

court fined Kutenkov 1,000 roubles. The judge ruled that the police officer's reports were sufficient evidence and refused to allow a video to be submitted in evidence or to call witnesses.

Single-person pickets were held in front of Moscow City Hall during 21–26 July. Late at night on 26 July on Trubnaya Square four activists were detained handing out flyers with information about the 27 July rally. Two of them were minors.

‘We shall regain the right to free elections.’

Meeting with candidates on 27 July

In the morning, police detained four unregistered candidates for the Moscow City Duma elections. Until evening they were held at police stations and the courts.

Along the whole of Tverskaya Street, metal fences, buses, and police vans were drawn up. Eyewitnesses reported police were evacuating cafés located near Tverskaya Street. Arrests began two hours before the start of the rally.

Once the rally started, law enforcement officers forced protesters off Tverskaya Street and into the side-streets. The protesters walked around Moscow for several hours, shouting out demands for candidates in the Moscow City Duma elections to be registered and for Moscow mayor Sergei Sobyanin to resign. For a few minutes, the Garden Ring Road was closed to traffic in the area of Tsvetnoi Boulevard. Towards 20:00, OMON riot police dispersed the crowd that had gathered on Trubnaya Square.

Law enforcement officers beat people with batons, including on the head, as they dispersed the protest rally. They also inflicted injuries at the time of arrest — for example, when they pushed arrestees to the ground. Assaults continued inside some of the police vans. A *Mediazona* correspondent **reported** police officers set dogs on rally participants. Officers also assaulted journalists.

In total, **according to** OVD-Info, 1,373 people were detained, including approximately 25 minors. A minimum of 256 people were kept overnight at police stations.

In the early evening, police **broke into** the studio of the Navalny LIVE media project, which was broadcasting the protest rally, and carried out a search of the premises. Five people were detained. Police **visited** the editorial office of Dozhd TV station, which was also broadcasting the rally. They handed the editor-in-chief a summons to be interrogated in relation to an unknown criminal case. Later that day, the Dozhd website was hit by a hacker attack.

‘We shall regain the right to vote — 2,’ a walk along the boulevards on 3 August

On the night of 30 July, a group of independent city Duma members issued a **statement** urging people to attend a major rally in the centre of Moscow on 3 August at 14:00.

Initially, there were two attempts to obtain official permission to hold the rally — firstly, by representatives of the LPR, then by a group of unregistered candidates seeking election to the Moscow City Duma. None of the proposals to hold the rally suggested by the LPR were approved, except for Sakharov Avenue, which had been proposed by City Hall as the single option on 30 July. The LPR withdrew its request, and one of the party’s representatives, Mikhail Svetov, was detained while leaving City Hall. At the time of his arrest he was told in plain language: ‘You should have agreed to hold the rally on Sakharov Avenue.’ The next day, Presnensky district court **jailed** Svetov for 30 days for repeated violation of the rules governing public assemblies (Article 20.2, Section 8, of the Code of Administrative Offences).

The second group of unregistered candidates were refused permission to hold a rally.

On 31 July individual members of municipal Moscow district councils **submitted** applications to hold 11 pickets along various parts of the Boulevard Ring. A **petition** signed by 82 municipal district council members asked the officials at Moscow City Hall responsible for public order in the city to refrain from the use of force against peaceful members of the public and to fulfil their obligations to ensure the security of all Russian citizens. On 2 August the applicants received **replies** from the Prefect's Office of the capital's Central Administrative District stating that the applications could not be approved because they were submitted too late.

The day before the rally, the **Ministry of Internal Affairs** and the **Moscow Prosecutor's Office** put out a statement to the effect that there could be no public assemblies without official agreement. A deputy to the General Prosecutor **said** that 'prosecutors should severely stop the actions of organisers of, and participants in, illegal public assemblies that do not have official agreement.'

On the day of the rally, police officers stopped people in the streets en masse, checked their documents and had them taken to police stations where they tried to issue them with written cautions as to the unlawfulness of the rally. During the day, mobile internet services were **shut down** in the city centre.

Law enforcement officers, as in the previous week, brutally detained and beat people who had gone out into the streets. According to OVD-Info, 1,001 people were **detained**.

At least 18 people were reported to have been assaulted by police officers. There were at least 81 minors and 14 journalists among those arrested.

Lawyers were refused access to almost all police stations until late in the evening. Officials from the Investigative Committee questioned the detainees, seized their mobile

phones and took DNA samples for analysis. Many of the detainees were summoned for interrogation.

Single-person pickets in support of Egor Zhukov

On 5 August, students at the Higher School of Economics held a series of single-person pickets in support of Egor Zhukov, a student at the university charged with rioting. Police officers considered the passing of placards from hand to hand as sufficient grounds to **detain** four people taking part in the pickets. One student was charged with organizing a public event without official permission. On 22 August, a court jailed him for eight days. Other detainees were fined.

Sakharov Avenue rally and subsequent walk in support of free and fair elections, solidarity events in other cities, 10 August

Of four applications for rallies and demonstrations, Moscow City Hall permitted only a rally on Sakharov Avenue on 10 and 11 August. In the course of the initial discussions, the city authorities **refused to allow** musical performances at the rally. However, the rally organizers disputed this restriction, citing the legal provision that the authorities have no right to interfere in the format of an event.

After the rally on 10 August a 'Walk in support of free and fair elections' was also planned. Its organizers insisted that 'Muscovites have the right to freely walk around their city, and not only along, a specific and fenced-off avenue under the supervision of police who assault them. And the authorities must ensure the right to walk around the city, including on 10 August.'

Before the start of the rally, Liubov Sobol, an unregistered candidate, was arrested. As on 3 August, police officers broke into the building where signatures were being collected,

searched the premises and took Sobol away in an unknown direction. Six hours later, she was brought to the Troitsky district police station, where she was charged with repeated violation of the rules governing public assemblies (Article 20.2, Section 8, of the Code of Administrative Offences).

Immediately after the rally, one of the speakers, Boris Zolotarevsky, was detained. He was later jailed for 30 days. That night, Aleksei Polikhovich, who had also spoken at the rally, was arrested and charged with 'petty hooliganism' for foul language during his speech and jailed for 13 days.

According to White Counter, the rally on Sakharov Avenue was the biggest since December 2011 with more than 50,000 people taking part. Aside from the registration of independent candidates for the Moscow City Duma elections, the rally's main demands were an end to the criminal investigation into alleged rioting and the release of those charged. Solidarity initiatives with the same demands — including rallies and single-person pickets — took place in more than 40 Russian towns and cities. Several thousand people participated all over the country.

After the rally on Moscow's Sakharov Avenue, some of the participants headed towards the Chistye Prudy and Kitai-Gorod districts where, once again, some of their number were roughly detained by the police. As a result, **according** to OVD-Info, 256 people were arrested in Moscow and a further 79 were arrested in St. Petersburg, 13 in Rostov-on-Don and two in Syktyvkar. Six people were assaulted by police officers. Among those detained were 28 minors and three journalists. Several police stations would not allow lawyers to enter and a group of investigators from the Investigative Committee arrived at one of the police stations.

On the day of the rally, armed men in uniform broke into the apartment from which the Navalny LIVE programme was being broadcast. The ten persons present — staff of the channel and of the Anti-Corruption Foundation — were

forced to lie face down on the floor. One of the men was hit in the groin. For five-and-a-half hours those detained were not allowed to see a lawyer. The cell phones, technical equipment and bank cards of the staff were seized and all ten were taken to a police station. They were released at approximately 22:00.

24–25 August

Four applications for rallies or marches with different routes were **submitted** to the City Hall. On 15 August City Hall **refused** to allow a rally on Bolshaya Yakimanka Street, citing obstruction to the movement of pedestrians and traffic and the fact that the street is used by officials who travel accompanied by protection details. City Hall proposed that a rally be held between the Maryino and Bratislavskaya metro stations instead, far from Moscow city centre. The organisers **rejected** this option.

On 16 August City Hall **refused** permission for a march and rally on the section of Sakharov Avenue that lies within the Garden Ring Road. When the organisers refused to conduct the rally outside the Garden Ring Road, City Hall **accused** them of ‘petty blackmail.’ Representatives of the LPR filed a lawsuit against City Hall, but on 23 August Moscow’s Tver district court **dismissed** the claim.

31 August

Three applications for rallies and marches with different routes were submitted to City Hall. On 22 August City Hall refused all the applications.

Representatives of the LPR were **refused** permission to hold a march on the Boulevard Ring, citing lack of space for such a large number of people — both for the rally itself and for the approaches to the rally, and also the obstruction for pedestrians and traffic that would be caused. However, City

Hall did not offer any alternative option. On 26 August Tver district court partially sustained the LPR's claim and obliged City Hall to offer an alternative time and place for the event announced for 31 August. However, several days later Moscow City Court quashed this ruling.

A request by a group of members of Moscow district municipal councils to hold a march on Tverskaya Street was refused for the same reasons: lack of space and obstruction of pedestrians and traffic. The second proposed route was not mentioned in the refusal.

One more application for a rally to be held on Mir Avenue was refused because the applicants had filed a request for a rally on Sakharov Avenue at the same time. The application for the rally on Sakharov Avenue was also refused because an application had already been made for another event. As with the LPR's application, City Hall offered no alternative option.

The same day it was learnt that there was to be a PROSummer festival organised by the Russian Youth Union (RYU) on Sakharov Avenue. **According to** the chair of the RYU, it had originally been planned to hold the festival at the Russian Exhibition Centre (VDNKh), but the RYU filed an application for one other venue. 'We have chosen Sakharov Avenue,' he said.

3 September

An application was filed with City Hall for a march from Novopushkinsky Square to Gogolevsky Boulevard.

City Hall again refused permission, citing the large number of events planned on the Day of Solidarity Against Terrorism and the reasons, already standard, of lack of space for a rally of the number of people predicted and the obstruction of pedestrians and traffic. Again, no alternative options were offered.

VIOLATIONS AT THE TIME OF ARREST AND IN POLICE STATIONS

Mass detentions at peaceful rallies

Moscow authorities banned rallies and pickets on 27 July and on 3 and 10 August on terms proposed by the organisers. As a result, the events that took place did not have a clear plan and were not restricted to a particular area. They transformed into separate groups of protesters walking around the city centre alongside other pedestrians. The police used force to stop these groups. The actions of the protesters were clearly peaceful in nature.

The only grounds for the arrests was not the actions of the protesters, but the 'unauthorized' status of the protests planned for those days. Moreover, the number of police and National Guard officers on the streets evidently attests to the fact that the authorities knew of the protests in advance and had the opportunity to take steps in advance to ensure public order (the main reason for the requirement that applications be submitted in advance, and for the procedure of negotiation).

Tensions appeared as a result of the actions of the police and the National Guard. There was a large number of 'law enforcement' officers on the streets, the streets were blocked, the movement of pedestrians was restricted. Several groups of pedestrians were encircled, assaulted and roughly detained.

‘While I was in the detention centre, I was reading a book on the Nazi invasion of our country,’ said Yulia Galyamina, one of the candidates for Moscow city Duma who were not allowed to run, in court. ‘It describes how the fascists used to encircle our troops and given them no way out. The same was done to peaceful citizens by the police, the Internal Ministry Troops and the National Guard on Trubnaya Square on 27 July 2019. They fenced off a large area. So peaceful citizens had no way to leave the cordon. When I asked the police «How can we leave?» the answer was: «Only in a police van.» There were no other options.’

Police did not try to identify individual ‘offenders’

Those detained at the protests included journalists who were covering the events. Thus, according to information received via the OVD-Info hotline, on 10 August 2019 in Moscow at least four journalists were detained, on 3 August at least 24 journalists were detained, and on 27 July at least 13 journalists were detained. Some of the journalists were released from the police vans. On 3 August at least five journalists were charged under Article 20.2 of the Code of Administrative Offences.

‘Before the protest in Moscow city centre started, ’ a [report](#) by the Union of Journalists and Media Workers on the events of 27 July states, ‘Reuters reporter Maria Tsvetkova was detained, even though she carried a press card, was accredited with the Ministry of the Foreign Affairs and had informed the Ministry of Internal Affairs beforehand about her presence at the demonstration. After spending four hours at the Khoroshevsky district police station, Maria was finally released. The police filed charges for an administrative offence against her under Article 20.2, Section 5. However, ultimately the police informed the journalist that there were going to be «no consequences.» There is no information available as to whether the charges did in fact reach the court.’

Many of those arrested say they had not intended to take part in the rally and had not even been aware it was going on. This suggests the police were either unable to distinguish between protesters and random passersby, or did not wish to, still less identifying individuals who represented a threat to public order ([see Annex](#)).

‘I came out of the café with a coffee and a roll and sat on a bench (the column of OMON riot police by that time had already passed by). Several other people sat down on the same bench, almost at the same time as me (some of them also carrying drinks from the café). Almost immediately a couple of OMON officers came up to us and without saying who they were or telling us that we were being detained (the others had been sitting peacefully, no shouting, no chanting) took me and the others to a police van, ’ one of those arrested on 3 August told OVD-Info.

The use of physical force during arrests

According to information received on the OVD-Info hotline, no fewer than six detainees were injured during arrests on 10 August 2019, at least 26 more on 3 August, and at least 36 on 27 July — at least three of whom were minors (see Annex).

‘As I was being arrested two huge police officers knocked me off my feet. I myself am a short person. After that they made me stand facing a wall and started hitting me in my kidneys, laughing and asking: «Do you like to demonstrate? How do you feel about getting some of this?» I shouted: «Why are you beating me up?» after which a girl behind me started filming. Then the police officer [who was beating me up] stopped, ’ said one of those detained on 27 July.

‘A policeman hit me. When I was being transferred into the police van. I wasn’t fighting back, just hanging on him. I was too heavy for him and he got angry.’ (27 July 2019)

‘I was arrested near Trubnaya 10, House No. 2, when I was walking my dog. Three people in masks twisted my arms behind my back and hit me hard in the kidneys. They wanted to take my dog away at first, but then allowed me to hold it in my arms. I need an ambulance.’ (3 August 2019, one of the messages on the OVD-Info hotline).

‘I was walking around the city centre with my dad. When I was arrested, I didn’t fight back. I was beaten up unlawfully.» (Related by one of those detained on 3 August 2019).

Procedural violations and anonymity of police officers

The police who made arrests never identified themselves and never stated the reason for the arrests ([see Annex](#)).

‘Neither those who held us with our arms behind our backs, nor those who transported us to the police station explained anything (the reasons for the arrest, etc.). I don’t know their names, rank or any other personal details.» (Related by one of the detainees of 3 August 2019).

Although the law ‘On the police’ requires police officers to wear identification numbers at all times, in reality police officers cannot be identified because the number [is hidden](#) under the uniform or not worn at all. Furthermore, at the demonstrations on 27 July and 3 and 10 August police officers wore balaclavas which hid their faces.

Such practices successfully protect the police from potential lawsuits from members of the public injured during the arrests. Take, for example, the case of a police officer (or a member of the National Guard) who hit a girl in the stomach. [A video](#), which attracted much attention on the Internet, shows an officer in uniform hitting a girl. Despite all attempts [to identify](#) the man, the National Guard [claims](#) he has nothing to do with them, while the Ministry of Internal Affairs says it has started [an internal investigation into the matter](#). In other words, neither agency can identify the person

in uniform who beat up a girl in the centre of Moscow, and both agencies have an easy way to avoid giving a direct answer to this question.

Misconduct in police vans and police stations

Harsh conditions and length of detention

Those arrested met with harsh conditions inside police transport vehicles. Police vans did not have enough seats and some people were forced to stand during the journey (this happened in at least five vans on 27 July and in at least five vans on 3 August). Detainees complained about the hot and stuffy air (in at least five vans on 27 July, which was an especially uncomfortable day given the hot weather in Moscow, and in at least three vans on 3 August).

Here are [the reports of people detained in Kitai-Gorod on 10 August](#) (they were later taken to the Kotlovka district police station):

‘Timur’s request to open the window was refused with the explanation that, if they opened the window, the detainees would have shouted and chanted out of it. People were not feeling well in the stuffy air, there was no water. Only when people were almost fainting were we given two bottles of water (to share between all of us).’

‘When we were put in the police van, our things were taken from us. They did not tell us where we were going. There were a lot of people inside the van, it was stuffy, and there was no water. We were forbidden to open the windows. One girl felt ill. We arrived at the police station very late, around 9pm.’

In some police stations people were not given any water or food or only offered tap water (see Annex). Those arrested were rarely given food or medicine. On 27 July 27 detainees were given no food or water in nine police stations.

Harsh conditions in the vans (lack of seating, high temperatures and stuffy air, lack of water, food or medicine, no access to toilets) were made worse by the fact that people were sometimes kept inside for hours. They were moved around the city or were taken to a police station but then not let out. On 27 July and 3 and 10 August journeys from the places of arrest to police stations sometimes took more than four hours (see Annex).

According to the law, the period of detention must not exceed three hours. The maximum term of 48 hours can only be applied in exceptional circumstances, if the arrested person might be charged with an offence for which they might be jailed, or if it is necessary to establish the identity of the person. However, this period begins not from the moment of detention but from the moment of arrival and registration in the police station. As for the time permissible for transportation to a police station, the law requires that it 'be executed as quickly as possible.'

But even after arrival at the police station, those arrested are not always officially registered as they should be (see Annex). At many police stations, those arrested stayed much longer than the three hours permitted by law, even if the charges came under Article 20.2, Section 5, of the Code of Administrative Offences for which the penalty does not include a custodial sentence. On 27 July detainees were held for more than three hours in at least 11 police stations. The longest periods of detention, over 10 hours, were recorded on 3 August when in almost every police station there were interrogations and information was being gathered as part of the criminal investigation into the events of 7 July (see

Annex). Those arrested were often released late at night when no public transport was available.

No access to lawyers

There were many recorded cases of violations of the right to legal representation at police stations. First of all, very many lawyers were refused access to police stations. According to OVD-Info, on both 27 July and 3 August lawyers were not permitted to visit detainees in at least seven police stations, and on 10 August this applied in at least three police stations (**see Annex**).

On 6 August the board of the Moscow Bar Association sent a letter to the Ministry of Internal Affairs, the General Prosecutor's Office and the Investigative Committee demanding an investigation into evidence of obstruction of the work of lawyers and violation of the constitutional right to legal representation with regard to those arrested on 27 July and 3 August.

'According to information we have, in 12 police stations lawyers were not permitted to see those arrested for a long time, for between two and six hours. Two lawyers were never given access, despite having all relevant ID and formal requests for their services. In at least two police stations, officials from the Investigative Committee, who were questioning arrested people and taking DNA samples without lawyers being present, prevented legal assistance being given to those arrested, ' the **report states.**

In the words of those arrested and taken Kotlovka police station on 10 August, the police proposed they talk with some unidentified individuals who claimed to be lawyers from the Agora human rights organisation.

‘When we were led into the room we didn’t understand at first who they were,’ said one of the people arrested. ‘They asked what had happened very kindly. They played the roles of good cops, for some reason took photos of my tattoos, asked about my common-law spouse Nikolai and wrote down everything about me. They pretended to be from Agora, but I am convinced they were from a quite different kind of organisation.’

Confiscation of mobile phones

The refusal to allow lawyers to enter police stations is even more significant given that those arrested by no means always had the opportunity to consult lawyers by phone (see [Annex](#)). Phones were taken away at police stations and sometimes as soon as arrested people were in the police vans, though there were no legal grounds to do so.

Sometimes phones were not taken away but detainees were forbidden to use them. Finally, by the evening when legal assistance was particularly important because charges were being drawn up and the question of whether those arrested would be kept overnight in the police station or released was to be decided, the phones of many of those arrested had run out of power.

Alexander Kukin, arrested on 27 July: ‘I was carried to a police van, searched and told to put my phone away in my bag. Our things were kept separate from us in the van so that we couldn’t get in touch with OVD-Info at once. And at the police station (Filevsky Park) they began to give our things back only after two or three hours.’

Maria Eismont, lawyer, on the arrests of 10 August: ‘I could not get through on the phone to those arrested and taken to Sokolinaya Gora police station. Immediately after they were arrested their phones stopped answering. There was a whole big deal about entering the police station. I had to make a big fuss. When I got into the police station I was told that the police who had been with the detainees in the police van had taken away everyone’s phones and personal belongings.’

Those arrested on 3 August also experienced mass confiscation of phones and denial of access to lawyers when officials from the Investigative Committee were arriving at almost all police stations and legal assistance was extremely important ([see Annex](#)):

‘At 20:40 police officers took me and others who had been arrested out of the Bogorodskoe police station, put us into a GAZelle vehicle with the word Police on it, and drove us to an undisclosed location without giving reasons. As became apparent later, I was taken to the Preobrazhensky interdistrict offices of the Investigative Committee in the Eastern Moscow Administrative District.’ (3 August, Bogorodskoe police station)

‘I was at loss when talking to the investigator. I only found out next day that I could have answered by citing Article 51 of the Constitution.’ (3 August, Khoroshevsky Police Station)

‘I was released from the police station after midnight. The police officers said I was no longer detained but they didn’t let me leave the building until I had spoken with the investigator.’ (3 August, Severnoe Butovo police station)

That day many of those arrested did not get their phones back. This caused additional problems: how to get home at night, how to get text notifications about the court hearing, how to get copies of the official charge protocols (many people took photos of the documents drawn up at the police station), how to get in touch with a lawyer before the court hearing — all of this is much harder without a phone ([see Annex](#)).

‘I was released at 02:00 without any money or my phone and I had no idea which direction to go in to get home.’ (3 August, Gagarinsky police station)

Photos, fingerprints, DNA samples

OVD-Info hotline received numerous calls reporting that in various police stations detainees were being photographed and fingerprinted. Some detainees managed to refuse to take part in these procedures because, if the charge is under administrative law, police are allowed to fingerprint and photograph arrestees only if there is no other way of establishing their identity. However, according to reports received by OVD-Info hotline, in several police stations *all* detainees were fingerprinted. Moreover, many detainees were probably unaware they could legally refuse to be photographed and fingerprinted given that their right to legal representation was violated and their mobile phones were taken away.

In some cases arrestees who refused to be fingerprinted were threatened, forced or tricked into complying ([see Annex](#)).
On 3 August in at least four police stations detainees were forcibly fingerprinted, in six they were photographed.
On 27 July in at least one police station detainees were forcibly fingerprinted.

‘Detainees are being threatened with charges under Article 20.2, Section 6.1 [of the Code of Administrative Offences]. They are also told that if they refuse to be photographed and fingerprinted, the police will hold them in the station for 48 hours.’ (27 July, Troitsky police station)

‘A detainee was threatened with 48 hours’ detention because he refused to be fingerprinted. He was told that fingerprinting was necessary to establish his identity, although police officers had already found him in the database through his passport number.’ (3 August 2019, Yuzhnoe Medvedkovo police station)

‘If detainees refuse to be fingerprinted, they threaten to chop their fingers off.’ (3 August 2019, Lublino police station)

‘As he was leaving the offices of the Investigative Committee, he was forced to be photographed. They held his face and neck, strangling him somewhat and threatening him with a criminal prosecution.’ (August 3, 2019, Yuzhnoe Medvedkovo police station)

Many who were detained on 3 August were not only fingerprinted and photographed but also faced demands by the police that they should provide DNA samples for profiling in connection with the criminal investigation into rioting ([see Annex](#)).

Intimidation and threats

Detainees often had to face various kinds of pressure and threats. Police made detainees sign documents, be photographed and fingerprinted by threatening to use force, to hold them in the police station for 48 hours or to charge them with a criminal offence ([see Annex](#)).

‘In one police station an underage detainee was told that if his parents did not come to collect him, he would be sent into a temporary detention facility.’ (3 August 2019, Yuzhnoe Chertanovo, police station)

‘My personal data was given to an officer. He filled out some forms, was rude to me and threatened to run my name through the database to get me expelled from my university for refusing to name the university and department where I study.’ (10 August 2019, Akademichesky police station)

Problems with drawing up documents

Police also pressured detainees into signing documents such as charge protocols or ‘statements to the effect that at the time of arrest there were no violations’ ([see Annex](#)).

Detainees in one of the police stations reported that police were forcing them to sign documents:

‘They fetched people in order to draw up the charge protocols. One who came back said the officers beat him to make him sign something. Nothing was recorded in the police logbook.’ (27 July 2019, Krasnoselsky police station)

‘Almost none of the officers identified themselves. They made my lawyer wait four hours before being allowed to see me. They roughly took away my phone and passport, snatching them out of my hands. They treated us like animals. First, an officer led me to the fourth floor [...] and made me sign a statement (I wrote that I refuse to say anything without a lawyer being present). Next they asked me to rewrite the thing and add some extra articles, supposedly for my protection, Article 52 and others. When I started to argue, they immediately threatened to lock me up. They did not allow me to call anyone. Then they led me to an office [...] where there were officers from the Investigative Committee. They openly mocked me: they did not allow me to call anyone, they forbade me to wait for my lawyer and immediately started to draw up the official record of the interrogation. They said they’d keep doing that until I told them under which article I am entitled to a phone call and a lawyer. They summoned witnesses right away who confirmed that I had refused to testify without a lawyer. They did not give me a copy of the Investigative Committee’s official record saying I had no right to receive it since I did not sign it.’ (3 August 2019, Zamoskvoreche police station)

Furthermore, not all those arrested received copies of the charges laid against them ([see Annex](#)).

After the charge protocols had been completed, in some cases the article under which the person had been charged was subsequently changed. On 27 July arrestees reported from two police stations that after a certain ‘order’ had been received, Article 20.2, Section 5, which does not provide for a jail term, was changed to Article 20.2, Section 6.1, which entails a jail sentence ([see Annex](#)).

‘In Ramenki police station, after a charge protocol had been drawn up based on Article 20.2, Section 5, an order was received to reclassify it as an offence under Article 20.2, Section 6.1.’ (27 July 2019, Ramenki police station)

‘On the Moscow City Court website it says I am charged under Article 20.2, Section 8, although the official charge protocol contains Article 20.2, Section 5. I have not been charged under this Article previously.’ (3 August 2019, Teply Stan police station)

Detainees often reported that the charge protocols that were drawn up for violations of administrative law contained inaccurate information. These protocols, all based on an identical template and drawn up for use by all the officers at the same police station, contained false descriptions of the place of arrest and of the actions of those arrested.

The arrest protocols, which they started to draw up in the first three hours cited Article 20.2, Section 5 [of the Code of Administrative Offences of the Russian Federation: violation of the established procedure for holding a public event]. After three hours had passed, they started citing Section 6.1 of the same Article [violation of the established procedure for holding a public event involving the obstruction of traffic, for which, in contrast to Section 5, the penalty may be a jail term — OVD-Info]. Consequently, those who were processed later, were left to spend the night in police custody and were moved to other police stations where there were vacant places in the cells.’ (27 July 2019, Filevsky Park police station)

‘It is stated in my charge protocol that I «chanted slogans», moreover «in a group of 5,000 citizens.» The video recording shows that I did not chant anything and there weren’t more than 30 people in the street.’ (3 August 2019, Moskvoreche-Saburovo police station)

‘I am accused of clapping, shouting, actively gesticulating and attracting the attention of the press between 14:00 and 15:30. Photos prove that I was not yet in the police bus at 16:00. The video shows that I was not shouting or attracting any sort of attention [...] I also have a receipt from the Bratya Karavaevy café proving that I was in the café at 14:30 and could not possibly be where the police report says I was.’ (3 August 2019, Kuntsevo police station)

In some cases arrestees were held in a police station for a long time and then released without charge. They were told

to return in a few days so that the charge protocol could be drawn up (see [Annex](#)).

‘So far as I know, the charges for administrative offences will be drawn up by officers of the Bogorodskoe police station on 6 and 7 August.’ (3 August 2019, Bogorodskoe police station)

‘They held me in the police station for nine hours without even drawing up the charge protocol. Most likely they’ll charge me with an offence under Article 20.2, Section 5. The court hearing is on 23 August at 10:20. On 14 August they’ll issue the protocol.’ (10 August 2019, Golyanovo police station)

According to the law, a charge protocol for an administrative offence under Article 20.2 of the Code of Administrative Offences shall be drawn up immediately after the commission of an administrative offence has been confirmed. Where additional clarification of the circumstances of the case, or of the information about a detainee, is required a protocol shall be drawn up within 48 hours. Therefore, for those who were detained on 3 August the charge protocols should have been drawn up by 5 August, and for those detained on 10 August, by 12 August.

Arrests of minors

According to information received by OVD-Info’s hotline, at least 31 of those arrested in Moscow on 10 August 2019 were minors (at least one was injured during their arrest); on 3 August 2019 116 minors were detained (of whom at least three were injured during their arrest);

on 27 July 2019 63 minors were arrested (of whom at least three were injured during their arrest).

Minors face the same problems as other detainees: unreasonable detentions, use of force, violation of the right to legal representation, coercive fingerprinting, photographing and DNA testing, and signing of documents ([see Annex](#)).

Minors also face additional challenges, above all in getting out of the police station. They can be released only after the arrival of their parents, who are not always able to come on the same day ([see Annex](#)). There have been cases when parents who went to a police station were not allowed in (on 3 August 2019 at Fili-Davydkovo police station and on 10 August 2019 at Academichesky police station).

TRIALS OF THOSE CHARGED WITH OFFENCES UNDER ADMINISTRATIVE LAW

Article 20.2 of the Code of Administrative Offences

The main instrument used to prosecute participants and organizers of protest actions is Article 20.2 (violation of the established procedure for organizing or holding a meeting, rally, demonstration, march or picket) of the Code of Administrative Offences.

In the 15 years from the start of 2004 until the end of 2018, Russian courts [heard](#) 49,274 cases under this article and found 30,159 people guilty of violating the rules regulating public events. Fines totalled 160,912,688 roubles.

In 2018 in Moscow in 79% of the cases defendants were found guilty (76% across Russia), 18% of the cases were returned to the police for further investigation, 2% were

referred to other courts, and 0% were dismissed (7% across Russia). Excluding returned and transferred cases, the proportion of cases in which a guilty verdict was issued was 100%, while the proportion of discontinued cases was 0%.

Since the beginning of the large scale arrests on 27 July, 34 Moscow district courts received **2,320** cases under Article 20.2 of the Code of Administrative Offences. Of these, **1,797** cases came under **Section 5** (violation by the participant of the established procedure for holding a public event, punishable by a fine of 10,000–20,000 roubles), **432** cases fell under **Section 6.1** (participation in an event that did not have official permission, involving obstruction of traffic, punishable by a fine of 10,000–20,000 roubles or up to 15 days' jail), **37** cases came under **Section 8** (repeated violation of the procedure for holding a public event, punishable by a fine of 150,000–300,000 roubles or up to 30 days' jail), and **20** cases came under **Section 2** (organization or holding of a public event without notifying the authorities, punishable by a fine of 20,000–30,000 roubles).

Judicial violations

Violations of the right to defence of detainees

On the whole, the procedures and legislation are such that, if there are no people concerned that a detainee should have legal representation, keeping track of where the detainee is taken, or providing assistance, then detainees have no possibility to defend themselves.

Those arrested (under Sections 2, 6.1 and 8 of Article 20.2 of the Code of Administrative Offences) usually have their phones taken away from them and are held for up to two days in police stations, from where they are then taken to court. Detainees are not able to arrange legal representation in court and thus exercise their right to defence. Often they are not even allowed to call their

relatives to inform them of their detention. After 48 hours in detention, moreover, they are not in a fit state to be able to study the case files and conduct their own defence effectively.

The time of the trial is often unknown and depends on when the detainee is taken from the police station. Relatives, lawyers and witnesses for the defence are forced to spend the whole day in court in order to not miss the trial. In cases where the 48 hours of detention expires while the detainee is inside the court building, he or she is usually not released.

According to lawyers, those convicted and serving a jail term in special detention facilities found that some complaints were not considered within 24 hours, as required by the Code of Administrative Offences. Some of the detainees' letters of complaint were confiscated in special detention facilities, along with their belongings.

Absence of witnesses for the prosecution

The prosecution is based primarily on the testimony of one or two police officers and those are not always the same officers who took the protesters into custody. Most likely, they are simply the ones who filled out the necessary documents — detention and arrival protocols and other reports. These documents are filled with standard texts and may not coincide with the actual circumstances of detention. The only way to eliminate these contradictions is to interrogate the police officer. Often, however, police officers do not come to court, and judges usually reject requests to call them, depriving the defence of the opportunity to question key witnesses of the prosecution. Thus, the court proceedings lose their adversarial nature. Participants are left alone with the judge who, in effect, represents the prosecution. In the rare cases where police officers come to the court hearings, they read out what is written in the detention report and all other questions are answered with the words: 'I don't remember.' In cases where

police officers are confused and contradict each other, judges ask leading questions and give them guidance on how to answer them.

Refusal to call witnesses for the defence

As a rule, courts refuse to call defence witnesses or fail to take their testimony into account. Witnesses are not called even though they are in the court building during the trial. In the unlikely case of the witnesses being called and examined, the court points out that their testimony is not trustworthy because it contradicts documents in the case file.

Refusal to add documents to the case file

Judges refuse to add materials to the case file if they have been gathered by the detainees. For instance, a detainee might have collected photographs and video recordings that prove he or she was detained in a place and time different from those stated in the police report. In such a case the judges usually either refer to the lack of technical equipment needed to watch such photos and videos, declare the materials might have been edited, or simply refuse to attach them to the case file.

Sometimes the materials are nonetheless added to the case file, but in the ruling the judge states that the testimony should be treated sceptically because it contradicts other documents in the case file.

Refusal to hear defence evidence

Often defendants are denied the opportunity to present their evidence. Judges ask the 'offender' if they plead guilty at the very beginning of the hearings and then retire to consider their verdict. The defendants are not invited to present their explanations or to file any motions in violation of their right to a fair trial.

Failure to conduct trials

In some cases, the trials are basically not held at all. The detainees and their legal representatives may spend hours waiting near the courtroom doors to finally be told by the judge or the clerk of the court: 'We called you, but you simply didn't hear.' In that way, sometimes, judges issue rulings that violate the defendants' rights in judicial proceedings.

Distortion of trial participants' words

No stenographic record is made during the court hearing and judges often creatively transform the words of trial participants. For instance, a judge asks, 'Did you take part in the protest?' The defendant answers that, yes, they did participate. Then the judge asks, 'Do you plead guilty?' The defendant replies, 'No, I do not.' In the ruling, this dialogue is changed to: 'The defendant pleaded guilty in part as they did not deny their participation in the protest.' Such distortions create problems if cases reach the ECtHR, as the defendant has to provide lengthy reasoning to explain that they did not plead guilty but they did participate in a peaceful assembly.

Judges' lack of impartiality

Sometimes judges rebuke defendants and tell them they did a bad thing when they went to the protest, or on the contrary seek to shame defendants who tell the court they were just walking by and took no part in the event. In this way judges show a personal interest in the outcome of the prosecution.

Changing of jurisdiction

Hearings are held in district courts that have no relation to the place where the detainees were arrested. On 26 June 2018, the Supreme Court **ruled** that in case of a large public assemblies, violations are not identified at the moment when the person is arrested, but when they are brought to the police station and a charge is laid against them. However, the

police officer should have a clear understanding of the reason for the arrest at the very moment of the arrest and why it is necessary to take the person arrested to the police station. In practice, police officers use this Supreme Court ruling to lay charges, in the course of three hours, on the basis of offences which carry jail terms.

In that way everything is done in a legal and justifiable manner. The violation was identified not at the place of the arrest but in the police station. So the administrative case falls under the jurisdiction of the court to which the police station territorially belongs. In Moscow, the Supreme Court ruling was first used in connection with the 12 June protest. The practice continued at the protests on 27 July, 3 August and 10 August.

As a result of such changes in jurisdiction, ‘working groups’ of police officers and judges have been set up to speed up the court hearings. The police officer, as a representative of the executive branch, has the power to decide which court should try the detainee when putting them in a particular police van and thereby interfering with the work of the judicial authorities. Cases from a particular police station are always heard in the same court. The same police officers take part in drawing up the charge protocols, and the same judges hear the cases.

The closing off of the Garden Ring Road: the video evidence defendants were not allowed to see

Among the materials of the criminal investigation into the events of 27 July were disks that were not made available at the court hearing on grounds of technical feasibility. On those video recordings approximately 100 people walk across the Garden Ring Road. This disk figures as evidence for the prosecution in all the cases of those charged with violation of Article 20.2, Section 6.1, even if the person was arrested in a different place. The Supreme Court stated that a charge under Article 20.2, Section 6.1, can only be laid

if the actions of the suspect have been proven to cause obstruction to traffic or pedestrian infrastructure. The courts interpret the case materials in such a way that if a protester crosses the Garden Ring Road, this is taken to prove obstruction even if the person were detained in another place.

Detention of mothers with children under 14 years old for 48 hours

The mother of a four-year-old child was detained for 48 hours at one of the major protest rallies. She was then fined in court and released. The Code of Administrative Offences states that pregnant women and women who have children under 14 years of age, as well as individuals under 18 and those who have disabilities that fall in categories I and II, cannot be jailed for an administrative offence. However, there is no such ban on temporary detention on suspicion of commission of an administrative offence. In reality, conditions in police stations are not appropriate for the detention of pregnant women or women with children, and the separation of a mother from her child without a court decision contravenes the UN Convention on the Rights of the Child.

Abuse of Authority by Court Bailiffs

There has been an increase in cases where arrestees are fined and immediately afterwards receive a notification from court bailiffs that they must pay the fine. These notices are sent out when the court ruling has not yet entered into force and a person still has the right to file an appeal.

Police protocols

Police protocols, as previously has been the case, are drawn up like carbon copies of one another. They even contain the same spelling mistakes. In some cases, they copy police protocols used in 2017 after the protest known as 'He is not our Tsar.' The only thing modified is the date. The police

protocols state that the arrested person shouted out slogans: 'Dima, where did the money for Tuscany come from!'

If earlier there were protocols with blank lines for a name to be entered by hand, now in court hearings they use protocols for the arrest of a group of people with a separate list of names appended. All this is necessary to 'optimize' the court hearings. These protocols are simply printed and added to the evidence for the prosecution of a group of detainees (see Annex).

Serving a jail term for an administrative offence

Those jailed after the 27 July protests were sent to serve their jail terms not only in Moscow, but also in special detention centres in the districts of Moscow Region: in Lukhovitsy, Istra, Lyubertsy, Chekhov, Mozhaisk, Mytishchi, Sergiev Posad and Elektrostal. This meant that relatives of those jailed had to travel up to 135 kilometers from Moscow, while the prisoners themselves were deprived of the opportunity to have legal counsel during visits by law enforcement agencies to the special detention centres. In a number of detention centres, detainees reported that former prisoners were put in their cells to intimidate them.

On 28 July Aleksei Navalny, then serving a 30-day jail sentence in Moscow Special Detention Centre No. 1, was hospitalized. Doctors who examined Navalny reported that 'clinical complaints and symptoms correspond to acute toxic keratoconjunctivitis, dermatitis and general intoxication,' which was 'the result of the damaging effects of undefined chemicals.' On 29 July, Navalny was discharged from the hospital. He submitted a formal complaint to the Investigative Committee about a crime committed against him.

Prosecutions under administrative law of candidates excluded from the Moscow city Duma elections

From 27 July a series of jail terms were handed down to many candidates excluded from the Moscow City Duma election for administrative offences. When the candidates were arrested they had been charged under sections of Article 20.2 of the Code of Administrative Offences that provide for terms in jail as a penalty. The courts then sentenced them to terms in jail. After serving their sentences, the excluded candidates were again arrested as they left the special detention facilities where they had served their sentences, taken to court to be tried for another administrative offence, and then sentenced once again to serve a jail term in a special detention facility.

This was the fate of Ilya Yashin who received five consecutive jail terms for a total of 50 days. Konstantin Yankauskas was sentenced to three jail terms in a row totalling 26 days and a fine of 20,000 roubles. Yulia Galyamina was jailed three times consecutively for a total of 25 days. Ivan Zhdanov received two jail terms in a row totalling 25 days. Dmitry Gudkov was given two jail terms in a row totalling 40 days. Vladimir Milov and Vadim Korovin each received jail terms of 30 and 10 days as a result of a single court hearing. Liubov Sobol was fined 600,000 roubles as a result of two court hearings. Oleg Stepanov, coordinator at Navalny's Moscow headquarters, was given two jail terms totalling 23 days and a fine of 300,000 roubles in the same way. Ilya Yashin and Konstantin Yankauskas were both convicted twice for the same episode (participation in the 'organisation' of a public meeting with independent candidates on 14 July), which is prohibited by both the Code of Administrative Offences and the Constitution of the Russian Federation.

As a result of the large number of convictions, in the event of further arrests many of these unregistered candidates may face the possibility of prosecution under the criminal law on the grounds of repeated violation of the established procedure for holding public assemblies.

Commissions for Juvenile Affairs

According to Russian law, individuals under 16 cannot be held liable for an offence under administrative law. Only 'individual preventive measures' can be taken with regard to minors under 16.

The cases of minors older than 16 years are reviewed by the special Commission for Juvenile Affairs (CJA). In Moscow such cases are reviewed by CJAs set up in each municipal district. As in court, the review of an administrative case in the CJA is regulated by the Code of Administrative Offences and is generally carried out according to the same procedure. A key difference is that the case is reviewed collectively: the CJA should consist of three to 12 members. Minors, like adults in court, have a right to legal representation, to study all the materials of the case concerning the alleged violation of administrative law, to give explanations, submit motions, and so forth. Their legal representatives also have the right to make statements. If the discussion of any circumstances of the minor's case 'may have a negative effect on them,' the minor may be removed from the courtroom.

Under no circumstances can a minor be jailed under administrative law. The CJA may remove administrative responsibility from a minor by applying 'measures provided by federal law to protect the rights of minors.' The Criminal Code is the only federal law that contains a list of 'compulsory educational measures.' The Criminal Code lists the following types of educational and corrective measures: prevention (clarification of harm), placement under supervision (the

guardians are obliged to 'educate the minor'), responsibility to 'repair the harm caused,' restriction of leisure time and imposition of special requirements on the minor (prohibition from being in certain places, restrictions on time spent away from home).

As distinct from the consequences of prosecutions for administrative offences for adults, the consequences of the decisions made by CJAs may be longer lasting. The 'individual preventive measures' may be implemented on the basis of a CJA ruling. These 'measures' are implemented by police units for juvenile affairs. In practice, such 'measures' are usually periodical 'preventive chats' conducted by police officers. The time frame for the implementation of such 'measures' is very vague: 'individual preventive measures are implemented in the time necessary to provide social and other assistance to minors, or until the causes and conditions that have contributed to the neglect, homelessness, delinquency or antisocial actions of minors are resolved, or the minor reaches the age of 18.'

CRIMINAL CASES

Obstructing the work of an electoral commission

On 24 July the Investigative Committee began a **criminal investigation** into alleged obstruction of the work of an electoral commission by a group of persons with, or threatening the use of, violence (**Article 141, Section 2, Parts (a) and (b) of the Russian Criminal Code**) with regards to a rally on 14 July in support of independent candidates.

This article of the Criminal Code is very rarely applied. Since 2009, 49 people have been **prosecuted**, mainly for 'carousel voting,' bribing voters, or attempts by public officials to pressurise electoral commissions.

The Investigative Committee claims that ‘participants of one of the movements... organised manifestly unlawful rallies and pickets in Moscow without official permission outside the Moscow city Electoral Commission buildings and premises.’ According to the Investigative Committee, the aim was to put pressure on members of the city and district electoral commissions and obstruct their legitimate activities. The statement also contends that the ‘actions of the named individuals involved threats of violence towards members of the electoral commissions.’

Late on 24 July 24, the homes of excluded candidates Dmitry Gudkov and Ivan Zhdanov **were searched**. After the search, during which no evidence was seized, Zhdanov was taken for interrogation to the offices of the Investigative Committee. Law enforcement officials also searched the homes of Aleksandr Solovev and local council member Nikolai Balandin. Dmitry and Gennady Gudkov, Liubov Sobol, Elena Rusakova and Yulia Galyamina were also summoned for interrogation.

On the evening of 26 July, searches were conducted at the campaign headquarters of Liubov Sobol, Ivan Zhdanov, Ilya Yashin, Dmitry Gudkov and Yulia Galyamina. Other premises that were also searched (including at night) were the homes of Konstantin Yankauskas’ parents and grandmother, registered candidate Klochkov, registered candidate Daria Besedina, Gennady Gudkov’s campaign manager Elvira Vikhareva, local council member Vadim Korovin and Ilya Yashin. After the search ended at 01:00, Yashin was escorted by an elite police unit to a police station in Troitsk.

On the morning of 27 July the homes of Yulia Galyamina, Navalny’s press secretary Kira Yarmysh and Anti-Corruption Foundation employee Ruslan Shaveddinov were also searched.

On 26 July *RBC* **reported** that the Agency for Protection of the Constitutional Order and Combatting Terrorism of the

FSB was now taking an interest in the Investigative Committee's criminal case, citing a 'source close to the Agency.'

This Article of the Criminal Code carries a prison sentence of up to five years, but as of the end of August all those interrogated or whose home was searched have been classified as a witness in the case. There are no suspects in the case so far.

The Moscow case

'Rioting' and use of violence not endangering human life or health against a public official on 27 July in Moscow

On 30 July the Investigative Committee **started** criminal investigations into alleged 'rioting' (Article 212, Sections 1, 2, 3, of the Criminal Code) and use of violence against a public official (Article 318, Section 1). The cases were **merged** into a single investigation the same day.

The Investigative Committee stated that 'on the eve of a protest that did not have official permission, a group of persons repeatedly published on the internet calls to take part, knowing full well that such actions could provoke riots.

'As a result, on 27 July 2019 in central Moscow participants in the unsanctioned protest, ignoring the lawful demands of the authorities and in gross violation of public order, used violence against public officials, broke through a police cordon, entered the roadway and paralyzed the passage of traffic on the Garden Ring Road, also committing other illegal acts.'

At the moment there are 14 suspects in the case, all of whom are in custody awaiting trial and almost all have pleaded not guilty. Parts of the investigation were later split off into separate cases.

According to *Mediazona*, the investigative team working on the case of alleged riots comprises 84 investigators, some of whom also worked on the Bolotnaya Square prosecutions. On 14 August one of the defence lawyers **reported** the team of investigators is led by Major General of Justice Ruslan Gabdullin, who also supervised the Bolotnaya Square investigation.

Charges of riot

The investigative team alleges that Egor Zhukov (21 years old, student), Vladislav Barabanov (22 years old, activist) and Sergei Fomin (36 years old, Liubov Sobol campaign volunteer) ‘directed the actions of other persons.’ According to the investigators, Samariddin Radzhabov (21 years old, musician), Sergei Abanichev (25 years old, manager), Aidar Gubaidulin (25 years old, programmer) and Valery Kostenok (20 years old, student) threw plastic bottles and cans at police officers. Kostenok admitted to throwing two empty plastic bottles — 0.5l and 0.3l — at the police. Charges against Daniil Konon (21 years old, student) and Aleksei Minyailo (34 years old, Liubov Sobol campaign staffer) have not yet been specified. Minyailo claims that on 27 July he spent the whole day at the courthouse together with the recently detained Liubov Sobol, and was then detained in the evening near Trubnaya Square.

On 28 July it was **reported** that Nikita Chirtsov, previously on the wanted list, had been detained in Minsk.

According to *TASS*, one more person, Ilya Anokhin, has also been placed on the wanted list.

Charges of violence, not harmful to life or health, against public officials

Evgeny Kovalenko (48 years old, a security guard) has been charged with two episodes of violence against public officials. As a response to numerous assaults by police officers against

Muscovites sitting on Lubyanka Square, Kovalenko is said to have pushed a police officer who was beating up a person who had been arrested. According to the Investigative Committee, Kovalenko also threw a trash bin towards two law enforcement officers, while they were leading a detainee away. After his arrest, Kovalenko admitted his guilt, but subsequently withdrew his **admission**.

Kirill Zhukov (28 years old) is charged with attempting to lift up the visor of the helmet of a **National Guard officer**. Danil Beglets (26 years old, an entrepreneur) is charged with pushing an unidentified police officer or National Guard officer. He **pleaded** guilty at the preliminary court hearing and asked for his case to be tried under expedited procedure (without investigation or assessment of evidence). Ivan Podkopaev (25 years old, a technical worker) is charged with firing pepper spray in the direction of two National Guard officers. **According** to the Investigative Committee, Podkopaev admitted his guilt during the pre-trial investigation and his case will be handled under expedited procedure. On 20 August the Investigative Committee **reported** the investigations in the cases of Beglets, Zhukov, and Kovalenko were completed.

Charges of violence, harmful to life or health, against public officials

Pavel Ustinov (24 years old, an actor) is accused of dislocating the arm of an OMON riot police officer at the time of arrest. Ustinov himself claims he 'could not physically harm a person three times stronger' than him. 'I was not taking part in the protest and did not intend to cause harm. I was standing to one side, with a mobile phone in one hand and earphones in the other, and then I was grabbed and beaten by them with their special equipment, I did not resist at all.'

Based on **analysis** of a **video** posted by the defendant's sister, Memorial Human Rights Centre has concluded Ustinov

is innocent. 'It is clearly seen that Ustinov's movements were reflex actions and showed no signs of being aggressive, while the OMON officers detaining him used excessive force and special equipment.'

Charges against Dmitry Vasilev dropped

On 9 August investigators arrested 43-year-old television director Dmitry Vasilev, who suffers from Type 1 diabetes. Vasilev was questioned overnight at the Investigative Committee and then placed in a temporary holding facility where, according to his attorney, his insulin and sugar level monitor were taken away. On 10 August Vasilev **was hospitalised** with high blood sugar levels, a condition described as severe by doctors. On 11 August at a court hearing an investigator requested Vasilev be remanded in custody. A judge refused to consider a request without Vasilev being present. On 12 August Vasilev **returned** home, but on 13 August he was once again **hospitalised** due to a deterioration in his condition.

On 18 August the charges of rioting against Vasilev **were dropped**. Currently his status in the case is as a witness.

Widespread searches and interrogations

The first searches and interrogations, that later would take on a mass character, began on the night of 31 July. **According to** the *TASS* news agency, those taking part were officers from the FSB's Agency for Protection of the Constitution and Combatting Terrorism, and from two subdivisions within the Ministry of Internal Affairs: the Main Directorate for Combatting Extremism (GUPE) and the Moscow Centre for Combatting Extremism.

According to OVD-Info, on 3 August officers from the Investigative Committee visited at least 37 police stations. Sometimes detainees were taken away to local offices of the Investigative Committee. During interrogations

by investigators in connection with the alleged riots, lawyers were denied access to detainees in most police stations.

According to the 'Apology for Protest' project, lawyers were denied access on the orders of the Moscow subdivisions of the Ministry of Internal Affairs and the Investigative Committee. Apart from the widespread seizures of mobile phones (see Annex) and taking of DNA samples (see Annex), according to detainees in some cases investigators examined the contents of phones and even summoned for interrogation people who were not present at the rally on 27 July. Many detainees were summoned for interrogation as witnesses. On 7 August the Investigative Committee announced that more than 800 people of those arrested on 3 August had been interrogated as witnesses.

On 10 August investigators again visited detainees, but only in the Kotlovka police station, where detainees were questioned about their participation in rallies on 27 July and 3 August.

Searches of the offices of the Russian Justice Initiative and the General Lebedev Peace Mission

On 14 August the Moscow offices of the Russian Justice Initiative (RJI), an organisation that takes cases to the European Court of Human Rights (ECtHR), were raided by agents of the FSB and the National Guard's Rapid Response Unit (SOBR). The law enforcement officers seized mobile phones from RJI employees, took photographs of their passports and tried to open the director's office. The owner of the premises reported that another office on the same floor, but not connected to the project, was also searched at the same time.

On the morning of 16 August police officers arrived at the RJI's offices in Nazran on account of the criminal investigation into alleged riots in Moscow. A warrant to search the premises stated that 'as a result of measures taken to identify persons involved in the riots that took place

on 27 July 2019 and 3 August 2019 in Moscow, it was established that an unidentified group of people who are coordinators of the work of NGOs that receive foreign funding and are located in the North Caucasus Federal Districtone is one of the organisers of the unauthorised protests.'

The order warrant stated that this group of people 'may be involved in organising unauthorised protests and rallies in the North Caucasus region, accompanied by riots, and also using the resources of non-profit organisations deriving from foreign funds to finance the above-mentioned illegal actions and extremist activities to destabilise the socio-political situation.' According to the police, the actions of the 'unidentified group of people' may possibly constitute an offence under Article 212 (riot), Article 282 (incitement of hatred or enmity), and others.

On the same day in Pyatigorsk, [according to the Presidential Human Rights Council](#), police carried out a 'search and investigation of the premises' of the General Lebedev Peace Mission, an NGO, 'resulting in seizure of the originals of the NGO's charter and financial documents with no explanation.' The grounds for the search were, again, the events in Moscow of 27 July and 3 August.

The billion-rouble money-laundering case

On 3 August the Investigative Committee announced it had opened a [criminal investigation](#) into financial transactions relating to funds known to have been acquired by third parties by criminal means (Article 174, Section 4, Part (b) of the Russian Criminal Code). According to investigators, 'from January 2016 until December 2018 persons connected to the work of the Anti-Corruption Foundation (ACF), an NGO, including employees, received a large amount of money in Russian roubles and foreign currency, which was

paid into accounts at several banks by «third persons» via Cash-in and Recycling ATMs in Moscow.’

On 8 August there were a number of searches of the offices of the ACF and the homes of ACF lawyers Vyacheslav Gimadi, Aleksandr Golovach, Evgeny Zamyatin, Aleksandr Pomazuev and Vladlen Los, as well as area manager Anastasia Kadetova and video editor Vitaly Kolesnikov. Pomazuev’s attorney reported the use of force against their client: ‘During the arrest, they struck Pomazuev’s face against the ground. He suffered a cut to the eyebrow, an injury to the forehead, an injury to the nose with bleeding.’ Searches were also carried out at an accountancy company working for ACF and the home of an accountant who worked for the ACF in 2012–2013.

The same day the Investigative Committee’s press service **announced** that ‘court orders on freezing the bank accounts of the non-profits Anti-Corruption Foundation and Citizens Rights’ Protection, and also more than 100 accounts of persons and legal entities, have been passed to credit organisations for enforcement.’

According to the ACF, documents received from the investigators state that ACF employees ‘received from unknown sources’ more than 75 m Russian roubles in cash. Leonid Volkov **reported** that this is the sum that was paid into employees’ accounts in cash via ATMs over the past three years. According to him, part of the donations to ACF were made in bitcoins which, in order to be converted into Russian roubles on the cryptocurrency exchange, are sent to the purchaser, who, in turn, pays cash into the account via Cash-in. ‘This is a simple, well-known and totally legal transaction,’ Volkov said.

According the **RBC** news agency, the main suspect in the case is Leonid Volkov, the former head of Aleksei Navalny’s campaign headquarters, against whom law enforcement is trying to gather evidence. *RBC* also reported, citing internal

sources, that the investigation is led by Aleksandr Lavrov who has the rank of colonel (of Justice) and is senior investigator for particularly important cases, directly subordinate to the chair of the Investigative Committee. Lavrov is known to be one of those who worked on the prosecution for bribery of Kirov region governor Nikita Belykh. He also led the investigation into the so-called Seventh Studio case against Kirill Serebrennikov.

Aleksei Navalny **published** the decision by the Investigative Committee ordering the commencement of legal proceedings which was signed by Major General (of Justice) Gabdullin. Gabdullin had led the investigation in the Bolotnaya Square prosecutions and, possibly, is heading the investigation in the case of alleged rioting on 27 July.

On 21 August Anna Biryukova, the wife of Leonid Volkov and head of the ACF's social services, was detained in St. Petersburg. Investigators interrogated her and searched her hotel room. Anna Biryukova was released after five hours.

If convicted under the article of the Criminal Code on 'Legalisation or laundering of money acquired by a person as a result of committing a crime, ' defendants can be imprisoned for up to seven years.

The case of threats on Twitter against children of law enforcement officers

On 31 July Vladislav Sinitsa, a financial manager, commenting on the question as to whether law enforcement officers should be entitled to anonymity, tweeted: 'They will look at the happy family photos, find the geotags, and later the child of the valorous law enforcer will simply not arrive at school one day. Instead they will receive a CD with a snuff-video by post.' The Investigative Committee **judged** that in this tweet Sinitsa had called for 'unlawful acts of a violent nature against children of law enforcement officers' and

a criminal investigation was opened for the offence of hatred against a group of persons with threat of violence (Article 282, Section 2, Part (a), of the Criminal Code). Sinitsa **admitted** he wrote the tweet but denied it was threatening. He claimed he had just been talking about possible consequences. If convicted, Vladislav Sinitsa faces a prison term of up to six years.

On 20 August the Investigative Committee **announced** the investigation into Sinitsa's case had been completed. He has currently been remanded in custody.

Case against families with children

On 5 August the home of Sergei Fomin's relatives was **searched**. Fomin has been placed on a wanted list as one of the suspects in the case concerning alleged rioting on 27 July. On 6 August Olga and Dmitry Prokazov made public that they were facing charges for the alleged offences of 'endangerment' (Article 125 of the Criminal Code) and 'failure to fulfil the duty to educate a minor' (Article 156 of the Criminal Code). According to the investigation, the Prokazovs handed over their child to Sergei Fomin during the 27 July protest, thereby endangering the child. Federal media broadcast a version according to which Fomin used the child to escape from the police cordon.

The same day, the Moscow Prosecutor's Office **petitioned a court** to deprive the Prokazovs of their parental rights. The Prosecutor's announcement also stated that Dmitry Prokazov 'does not have the right to vote in the September 2019 Moscow elections since he has only temporary residence registration in Moscow.' Prokazov **refuted** this allegation and accused the Prosecutor's Office and the Investigative Committee of lying. Olga Prokazova **said** the Prosecutor's Office had not even contacted them, but immediately petitioned the court. After interrogation by the investigators, Prokazov's lawyer said the investigation **had**

no claims on them. On the night of 8 August Sergei Fomin **attended** the police station of his own volition. Investigators interrogated him about this case; Fomin confirmed the Prokazov's testimony. Later the criminal charges against him were dropped. The court hearing on the Prosecutor's Office's suit to deprive the Prokazovs of their parental rights will be held in early September.

On 26 August it became known that the Prosecutor's Office had gone to court to deprive Petr and Elena Khomsky's family of their parental rights. On 3 August Petr and Elena were on Pushkin Square with their three daughters and they could be seen there in REN TV's news broadcast. The video became grounds for the lawsuit. The Prosecutor's Office asserts the Khomskys took their children with them to avoid being arrested and has demanded that two of their daughters — one three years old, the other three months old — be taken away from their parents. Petr Khomsky **told** *Novaya gazeta* they were walking with the children along the boulevards, playing on the children's playgrounds, and at a certain point came out from the underpass near Pushkin Square without seeing a large group of National Guard officers. According to Khomsky, they cannot have looked at all like protesters. They did not shout slogans or carry posters. They kept away from the crowds. Moscow's Children's Ombudsman Evgeny Bunimovich **noted** that this situation looks like political blackmail.

Prosecution for repeated violation of the procedures for holding a public event

On 10 August 2019 police detained civic activist Konstantin Kotov during a walk after the rally for free and fair elections.

He was released on 12 August on condition he attend the police station the next day for charges to be drawn up. Late on the evening of 12 August, Konstantin Kotov was **detained** near his apartment. He was taken to the Moscow office of the

Investigative Committee where he was charged with repeated violations at public assemblies (Article 212.1 of Russian Criminal Code).

Article 212.1 attracted a great deal of attention when Moscow activist Ildar Dadin, who had been convicted of an offence under this Article, alleged he had been tortured in the prison camp where he was serving his sentence. Dadin's conviction was quashed and he was released. Before his release, the Russian Constitutional Court **had recommended** that Article 212.1 of the Russian Criminal Code be applied only when a person's actions constitute a public danger. The decision by the Investigative Committee to bring charges against Kotov states that he 'had been obstructing traffic and the movement of pedestrians.' On 14 August Moscow's Presnensky district court **remanded Kotov in custody**. This is the first time a court has remanded a suspect in custody with regard to an offence under this Article. On 15 August, two days after Kotov was charged, investigators **claimed** the investigation had been completed. If found guilty, Konstantin Kotov faces up to five years' imprisonment.

Prosecution for avoiding conscription

On 13 August 2019 the local beat police officer arrived at the home of a 20-year-old student at the Russian State Humanitarian University and took him and his brother to the Kuntsevsky district offices of the Investigative Committee. According to **Lenta.ru**, an investigator opened a criminal investigation into the offence of 'evading obligatory conscription in the absence of lawful grounds for exemption' (Article 328, Section 1, of the Russian Criminal Code) against one of the brothers, while the possibility of an investigation against the other is still being looked into. The student was later released.

The student's lawyer pointed out that 'my client is a full-time student according to his parents. The investigator said they have already opened three criminal investigations of this kind in their department. As we understand, all rally participants are being checked for conscription registration, there could be more of these cases.'

Prosecution for deleting a movie about Dmitry Medvedev

On 22 August 2018 a criminal investigation **was opened** against Ivan Zhdanov, a candidate for the Moscow city Duma who was excluded from the elections, for an offence of not carrying out a court order (Article 315, Section 2, of the Russian Criminal Code).

Zhdanov's lawyer said the investigation was opened because 'as the head of the ACF, Zhdanov has failed to carry out the court's ruling and has not deleted the movie, He Is Not Dimon To You, from the Internet.' Zhdanov may face up to two years' imprisonment if convicted. Roman Rubanov, a former director of the ACF, was the first to be charged in this case. Rubanov, who has left Russia, was **placed on the wanted list** in February 2019. Investigators **have already interrogated** more than 15 ACF employees as they work on the case.

The speed of investigations

On 20 August 2019 the Investigative Committee **announced** the completion of a number of high profile investigations, namely: into the use of violence against public officials in the cases of Danil Beglets, Kirill Zhukov and Evgeny Kovalenko; into the case regarding incitement of hatred or enmity against Vladislav Sinitsa; and in that of repeated violation of the procedures for holding public assemblies against Konstantin Kotov. The announcement by the Investigative Committee stated: 'On the relevant facts the investigation has also collected a sufficient evidential base and the criminal

cases have been forwarded to the courts with recommendations that the defendants should be found guilty.'

It can be seen, therefore, that the investigation into the case against Konstantin Kotov lasted two and a half days, while that against Vladislav Sinitsa 17 days, that against Kirill Zhukov 18 days, against Evgeny Kovalenko 20 days, and against Danil Beglets 20 days.

OTHER FORMS OF PRESSURE

Lawsuits

Following the 27 July 2019 protest, numerous companies filed lawsuits for compensation totalling more than 14 million roubles [*about \$280,000*]. Lawsuits were brought against candidates excluded from the Moscow City Duma elections Julia Galyamina, Ivan Zhdanov, Vladimir Milov, Liubov Sobol, Aleksandr Soloviev and Ilya Yashin, and also against ACF employees Aleksei Navalny, Georgy Albuov and Oleg Stepanov.

For example, Mosgortrans, a state-owned corporation, claimed in its lawsuit that the protest resulted in the blocking of roads in various parts of the city, delays in public transport and missed flights. Automobile Roads, another state corporation, announced losses related to the allocation of goods vehicles for organizing road traffic safety and minor damage to roads and street furniture. ANKOR, a company owning the Armenia restaurant on Tverskaya street, claimed it had to close for the security of its staff and visitors between 10:00 and 20:00. The state-owned public transport corporation, Moscow Metropolitan, and the taxi company, M.Taxi Communications, also brought lawsuits.

'Identifying' Conscripts

On 26 July the press service of the Moscow city department for regional security and anti-corruption told *TASS* news agency, ‘On 27 July 2019 in the city centre, including outside the Moscow city government building, special groups will be used to identify citizens liable for conscription.’

The *TASS* journalist noted that ‘information about the requirement to serve in the military forces will be entered in the personal files of detained minors. Military conscription departments located at educational institutions will also possibly become more active in their work with minors — those detained will be investigated regarding their fulfilment of the requirements of the educational institution, attendance at classes and the quality of their studies.’

The human rights initiative, Citizen & Army, **claimed** that after 3 August individuals started to receive summons from the Military Prosecutor’s Office requiring them to attend to provide explanations regarding compliance by citizens and district military commissariats with the federal law, ‘On Military Duties and Military Services.’ Staff at Citizen & Army told of dozens of cases of summonses to military conscription commissions and Military Prosecutor’s Offices. Citizen & Army also stated that it is unacceptable ‘to suspect citizens of an offence (evasion of conscription) based only on the fact they participated in peaceful protests in order to express their political position.’

Consequences of prosecution under administrative law

Police officers may hand a ‘notification’ to an employer of the person convicted of an administrative offence, or to the educational organization where such a person is studying. This document states that an ‘offence’ was committed and that its causes must be eliminated. Under the law, the organisation must take appropriate measures and report on them within a month. As a rule, this means conducting

a conversation with the person in question. Sometimes the person is reprimanded, but the individual may also be fired or expelled from the university for activism. At the same time, the employer or educational institution try to formulate the official reason for their action in such a way that it complies with the Constitution, which guarantees equal rights regardless of beliefs, membership in associations, and other factors.

However, on the eve of 3 August several Moscow universities directly announced they would expel students for attending unauthorized protests.

For example, the rector of the Russian State University for the Humanities, Aleksandr Bezborodov, **stated** that the university would be required to act 'if a student commits an administrative or, in particular, a criminal offence.' Bezborodov also said there were bodies of student self-government in higher education institutions that assess the actions of students who break the law. 'They may suggest that the university expel such a student, and if a serious breach was committed then the authorities' response will be tough — even up to expulsion. It is essential for us to warn young people that unauthorized things are unacceptable.'

The rector of Moscow State Pedagogical University, Aleksei Lubkov, **announced** that students' participation in unauthorized rallies 'may affect their future, because according to the rules and regulations of our university charters, a serious offence is incompatible with remaining in higher education.'

Another measure to influence students is that of preventive supervision. The law states that preventive supervision means the collection, registration and storage of information about a law-breaker. The idea is that police officers should have an 'educational impact' and eliminate factors 'that have a negative influence on behaviour.' In such cases, the police usually limit themselves to preventive conversations.

Although in theory local beat police officers have a lot of options: they may observe people, their lifestyle and social network, question their relatives, neighbours and others. They can also apply measures of administrative coercion: from document checks to arrest.

Leaks of Personal Data

On the night of 9 August, personal data of three thousand people **was published** by an anonymous Telegram channel, Comrade Major. The data published included that of people arrested at the protests on 27 July and 3 August, as well as of journalists. People who found their phone numbers on the database said after publication they began to receive text messages urging them to disguise themselves at the 10 August rally and to organize groups to coordinate action. A few hours later, the post with the personal data was deleted. In the wake of the leak the news website *Meduza* **published** an investigation that claimed the database contained personal data of those who took part in rallies on 27 July and 3 August but were not detained by the police, of those who gave their signatures in support of candidates to the Moscow City Duma, as well as data of some people apparently chosen at random. According to one of the newspaper's informants, the source of the database was information gathered in the course of investigations by the Ministry of Internal Affairs. Another informant said it could be considered as a threat from the city authorities to the organizers of the rally on 10 August.

A similar leak took place before the protest on 3 August. The day of the rally a website appeared that had apparently been created to intimidate participants in the protests. It contained a database with names, photos and links to profiles on social networks of participants in the 27 July protest. The inscription on the home page read: 'Participation in riots. Article 212. From three to eight years.'

Mobile Internet shutdown in Moscow

Numerous testimonies by detainees indicate that on the afternoon of 3 August the Internet was not working on mobile phones in central Moscow. The Internet Protection Society (IPS), on the basis of a **study** it conducted, claims that the shutdown was carried on direct order of the authorities. According to the report, mobile phone service providers are obliged to cut off services as directed by law enforcement agencies, but they are not allowed to disclose information on the matter. The IPS report shows the shutdown of mobile data transmission covered approximately 13 square kilometers of central Moscow.

On 3 August some protesters **reported** that they had attempted to connect to Wi-Fi in nearby cafés, but staff told them the network had been disconnected at the request of law enforcement authorities.

Discussion of tightening legislation on protests and rallies

In early August members of the Federation Council announced a new bill, pursuant to which one specific place would be allocated for 'political assemblies' in each city and rallies would be prohibited outside such locations.

This topic was the subject of discussion at an extraordinary meeting of the Interim Commission for the Protection of State Sovereignty and the Prevention of Interference in the Internal Affairs of the Russian Federation at which the protests were discussed in the context of foreign intervention. Liudmila Bokova, first deputy chair of the Federation Council Committee on Constitutional Legislation and State Building, **suggested** returning to a consideration of 'interference by foreign states' as well as 'establishing locations for political assemblies and rallies in legislation.'

Head of the Commission, Andrei Klimov, **confirmed** to a *Kommersant* correspondent that the Federation Council will draw up a bill ‘on establishing precise locations for assemblies of a political nature — and laying down where they must not be held under any circumstances.’

The next day, Sergei Neverov, head of the United Russia group in the State Duma, **announced his support** for the initiative. He said it was unacceptable to hold unauthorized rallies ‘in places where ordinary citizens spend their days off and where provocations may take place.’ Neverov also suggested making Sakharov Avenue the only place in Moscow for holding demonstrations.

On 9 August it became **known** that members of the Federation Council aim to draft amendments by the end of September. On 15 August Senator Liudmila Bokova **stated** she saw no need for additional bans, since ‘all necessary restrictions exist in current legislation.’ As of the end of August there is no information as to whether amendments to the law on assemblies are being drafted.

ANNEX

Excerpts from messages received on the OVD-Info hotline and by OVD-Info’s legal support services.

Arbitrary Arrests

‘We were passing by without any posters’, ‘People in the police van are mostly those who just came out of the metro.’ (27 July, Nizhegorodsky district)

‘Several people were arrested in an especially brutal way. One has a painful arm but nothing critical. Some of the people arrested were just passers-by.’ (27 July)

‘You can see [on the video] that no rules about holding rallies were broken. However, the arrest was violent and unlawful.’ (3 August)

**‘I was detained by police officers for filming on my phone on Pushkin Square on 3 August. I was acting out of curiosity and I happened to be on Pushkin Square since I was heading to my office on Tverskoi Boulevard.’
(3 August)**

‘The timeline of the arrest is as follows: approximately at 15.10–15.12 I entered the Mac Café near the Pushkin metro station and joined a line. At the same time on Novopushkinsky Square, an OMON riot police unit started forcing back everyone and randomly arresting passers-by (I saw it out of the café window).

At 15.19 I paid for my order (there is an online-bank confirmation). I then waited for my order to be prepared about seven or ten minutes. After that, I left the café with a coffee and a bun and sat on a bench (by that time the OMON unit had already passed on ahead). Almost at the same time as me, several other people sat down on the bench (some of them also with drinks from the café). Almost immediately OMON officers approached the bench and without identifying themselves or telling us why we are being arrested (we were sitting calmly, without shouting or chanting anything) escorted us all to a police van. I called my husband from the police van at 15:35. From when I left the café until I was arrested, it was five or seven minutes.’ (3 August)

‘There were several witnesses who saw how the police grabbed both me and them while we were sitting on a bench (!) without shouting anything, just peacefully relaxing.’ (3 August)

‘I was sitting on a bench making a video. Nobody was allowed to leave Trubnaya Square, and all exits were blocked.’ (3 August)

**‘I was arrested unlawfully. I didn’t even shout any slogans.’
(3 August)**

‘In fact, I was just passing by. I wasn’t chanting anything, didn’t hold placards or anything. I was arrested purely because I was on Bolshaya Dmitrovka Street.’ (3 August)

‘I was with someone who witnessed the arrest (and who also saw I was just standing there waiting for a green light).’ (3 August)

‘The manner of my arrest was the following: on Novinsky Boulevard people started running and scattering as OMON riot police came into view. I was just calmly walking straight ahead. An OMON officer approached me and said, «Also arrest this young lady».’ (3 August)

‘Got out of the metro at Trubnaya station. Stood to one side. They arrested me.’ (3 August)

‘I did not attend the protest action on the 3 August but I passed by the corner of Vozdvizhenka and Mokhovaya streets at 19:00 where I was arrested. I simply didn’t know there was a rally going on. Also the route I took that day was recorded by the Google Fit app I have.’ (3 August)

'We were playing Pokemon GO, we didn't know there was a rally. An officer wearing a mask approached us and without stating the reason for arresting us asked us to proceed to the police van. They searched us without any witnesses being present and, still without naming the reason for our arrest, told us to get in the police van. None of the arresting officers identified themselves or showed us their ID. It was only at the police station we found out about the rally. People who were detained with me have proof that we had nothing to do with it (screenshots of the route we took).' (3 August)

'We were just walking, passing by Pushkin Square, my father was taking pictures with his phone. Four or maybe six officers approached us and asked him whether he was a journalist, and then just took him away. My friend asked what was the reason, and they took her as well.' (3 August)

'I sat down on a ledge at the entrance to a metro station building, which was closed. I drank some water, got up and went towards Lubyanka Square (if I didn't confuse the direction, that is) and then two National Guard officers bravely snuck up on me from behind. And yes, I was taking photos there, but it can hardly be classified as a rally.' (3 August)

‘I just stopped to take some pictures for my personal archive. They approached me, grabbed both my arms and led me to the police van. While they were leading me I asked them to identify themselves and state the reason for my arrest. They did not reply.’ (3 August)

‘I was detained as I was waiting at a traffic light on Trubnaya Square. Other people were detained with me, who also had been waiting to cross the street.’ (3 August)

**‘I sat with my friend in the Prime café on the corner of Tsvetnoi Boulevard and Sadovaya-Samotechnaya Street. The cashier said the café was closing and sent me back out into the street. There was a police cordon, I was let through at the cashier’s request. After a couple of steps I was attacked from behind. I’m being charged. I’d like to point out that when I went into the café there was no cordon, there were no people chanting slogans and so on. I had an expensive laptop with me and other valuable and fragile things that I would not have taken with me to a rally, if I would have gone there at all.’
(27 July)**

‘I was detained next to the Moscow Book House on the corner of Kamergersky Lane and Bolshaya Dmitrovka Street. I was recording a video, I was not shouting anything. At the end [of the video] one can see how a man in uniform asked me: «Why are you filming that?» He took me by the arm and led me to the Moscow Book House where I had to wait for the police van with some other people. One of the people also waiting there had receipts from the Moscow Book House. He is ready to testify that I did not do anything, just stood there.’ (27 July)

‘I was detained on Trubnaya Square as I was giving the OVD-Info phone number to a woman whose husband had been arrested. I did not shout any slogans or anything of the sort, I did not resist. I made all this plain in the statement I gave at the police station.’ (3 August, Konkovo police station)

Detention of journalists

‘They ripped the press card off my neck and took it away, didn’t give it back.’ (3 August)

‘When they were arresting me, nobody cared I was a journalist. They took me to a police station as if I was a rally participant. Nobody stated the reason for my arrest. I was classified as a witness in the criminal investigation into the organisation of the rallies. All the officers understand that detaining journalists is bad, but they could not do anything. They had an order that all detainees must sign their official protocols — therefore everyone had to... Today they came to my dad’s home, where I have my residence registration. They were searching for me, they wanted me to write a statement promising I will not participate in rallies in the future. All law enforcement agencies ignore the fact that I’m a journalist.’ (3 August, Vostochnoe Degunino police station)

Arresting officers do not identify themselves or state the reason for the arrest

‘I was going to take part in the peaceful protest, but was arrested at 15:26. I did not do anything reprehensible. I consider my arrest and detention illegal. The National Guard officers who arrested me did not identify themselves, did not show me their ID, did not explain why they were arresting me. During the arrest I did not resist. One of the National Guard officers bruised me.’ (27 July)

‘They did not identify themselves to him. When he asked them to do that, they yelled «Do not resist!» ’ (3 August)

‘The only thing the officers told me is that I must go with them, then they forced me to go to the police bus. Despite my demands, the officers did not identify themselves, did not show me their ID, did not state the reason for my arrest.’ (3 August)

‘Neither those who twisted my arms behind my back or those who took me to the police station did not explain the reason for my arrest, and so on. I don’t know their names, ranks or any other details.’ (3 August)

‘Police officers wearing masks pinned me to the ground, one of them hit me in the stomach, they put me in the police van. They didn’t identify themselves, didn’t state the reason for my arrest.’ (3 August)

Use of force during arrests

‘When I was being arrested two huge police officers knocked me down. I’m not a tall person myself. Then they placed me against a wall and started to punch me in the kidneys, mocking me and asking, «Are you enjoying going to the rallies? And are you enjoying getting beaten?» I yelled: «Why are you beating me?» Then a woman behind me started to film it, and the officer stopped. Later in the police van they began to teach a minor who had been arrested a lesson. They took him out, handcuffed him and started to punch him in the kidneys, stomach and I think also the legs. They didn’t give him any water, and he had heart problems. They had water for themselves.’ (27 July)

‘By the way, an officer punched me when they were putting me in the police van. I wasn’t resisting, I just hung on him. It was too heavy for him, so he got angry.’ (27 July)

‘I was detained on Dmitrovka Street. The police van stood next to the Zharovnya restaurant. They were brutally beating people up. There was one person there, he was severely beaten, and they’d promised to come back and beat him again. He is sick, his head is spinning, his blood pressure is high.’ (27 July)

‘I was taking a walk in the city centre with my father. I did not resist arrest. I was unlawfully beaten up.’ (3 August)

‘Police wearing masks knocked me down, one of them punched me in the gut, they put me in a police van. They did not identify themselves, they did not state the reason for my arrest.’ (3 August)

‘His head is bleeding from a baton blow. They do not allow us to use our phones. In the police van. He’s asking for medical help.’ (3 August)

‘They called an ambulance, his leg is bleeding.’ (3 August)

They tore my T-shirt and took away my backpack.’ (3 August)

‘They took the phone away from a detainee who is underage and punched him in the face.’ (3 August)

‘His nose and eyebrow are bleeding.’ (3 August)

‘They smashed the juvenile’s head twice against the side of the police van.’ (3 August)

‘They twisted his arms and punched him in the gut.’ (3 August)

‘They arrested me near Trubnaya Square [...] while I was walking my dog. Three officers wearing masks twisted my arms behind my back, punched me hard in the kidneys. They wanted to take away my dog, but eventually allowed me to keep it in my arms. I need an ambulance.’ (3 August)

‘One of the detainees has a broken nose.’ (3 August)

‘They punched people in the face, in the legs.’ (3 August)

‘They punched me in the stomach, I’ve been beaten, my glasses are broken.’ (3 August)

‘A detainee’s collarbone was dislocated, an ambulance is taking him away. The police only drew up the official protocol that the detainee had been taken to the police station, they told him he had to come back.’ (10 August)

‘I was beaten when they were putting me in the police van.’ (10 August, later transferred to Tagansky police station)

Holding detainees in police vans for a long time

‘They were detained around 16:20 and then driven around in a police van in the heat for two hours.’ (27 July, Nagorny police station)

‘They took us to the Troitsk police station, locked us in the police van, nobody is being let out. It’s hot in the van, my phone shows it’s 40 degrees.’ (27 July, Troitsk police station)

‘They let three or four people out of the police van at a time to get processed. Others have to sit in the overheated vehicle.’ (27 July, Yuzhnoportovy police station)

‘They held us in the police van from 16:00 until 20:20.’ (27 July, Fili-Davydkovo police station)

‘They held us in the police van for more than two hours.’ (27 July, Sviblovo police station)

‘3 underage detainees and one other were taken to be processed. The rest have been sitting in the police van for more than two hours. They are asking for a lawyer.’ (27 July, Alekseevsky police station)

‘They’ve been holding us for more than three hours, they don’t give us any water, we have no lawyer.’ (27 July, Rostokino police station)

‘They’ve held us in the police van for more than three hours, some have been here for more than five hours.’ (27 July, Khoroshevo-Mnevniko police station)

‘They do not give water to the people in the police van, they don’t let them out of the van (there are four in the van), they are not letting lawyers or members of the local council in.’ (3 August, Arbat police station)

‘They’ve held us in the police van for four hours.’ (3 August, Obruchevsky police station)

‘We started driving at 16:00 and they kept us in the police van until 20:00.’ (3 August, Maryino police station)

‘They take people out of the police van one by one, take their phones and passports away, and then put them back in again.’ (3 August, Pechatniki police station)

Detainees not registered on arrival at the police station

‘They took people to be processed, the person who returned said officers beat him and made him sign something. Nothing was registered in the station logbook.’ (27 July Krasnoselsky police station)

‘They did not show us the station logbook and they have not even started to register us. We just sit here. (3 August, Veshnyaki police station)

‘They do not register us in the station logbook.’ (3 August, Tekstilshchiky police station)

‘Detainees are not being registered in the station logbook even after they demanded to be registered.’ (10 August, Butyrsky police station)

‘Was not registered in the station logbook.’ (10 August, Danilevsky police station)

‘Was not registered in the station logbook.’ (10 August, Akademichesky police station)

Exceeding the detention period

‘Even according to the official record of our arrival we had been waiting since 09:13 (in reality longer), and no official protocols of administrative charges had been drawn up. They are promising to hold us for 48 hours «in accordance with the law.» Which law? «In accordance with the law.» They don’t give out paper to write complaints about the officers’ conduct.’ (27 July, Maryino police station)

‘They aren’t drawing up the official protocols, it’s been five hours already.’ (27 July, Shcherbinsky police station)

‘They’ve held us here for more than three hours, they haven’t let anyone out yet.’ (27 July, Liublino police station)

‘Three hours have passed, they are processing us, but they don’t let us go.’ (27 July, Filevsky park police station)

‘I was detained at 14:00 on 3 August 2019. I was taken to the Teply Stan police station at approximately 18:00. They let me out only around 04:00 on 4 August 2019. All detention periods were exceeded and my rights were violated.’ (3 August, Teply Stan police station)

‘They’ve held me at the police station for more than 10 hours. They wanted to hold me even longer because I refused to give them saliva samples. But Ekaterina Vinokurova, a member of the Presidential Council for Civil Society and Human Rights, came to the police station to our rescue, and thanks to her insistence we were let out within an hour.’ (3 August, Teply Stan police station)

‘They held us at the police station for 11 hours.’ (3 August, Yasenevo police station)

‘They delivered us to Bibirevo police station at 16:30, I left it at 00.05. I signed the charge protocol for the administrative law violation at some point after 21:30 (I don’t remember the exact time, I think it was around 22:00.’ (3 August, Bibirevo police station)

‘We were held at the inter-district police station for more than seven hours.’ (3 August, Zamoskvoreche police station)

‘I was detained at 15:45 on 3 August, next to the Izvestiya building. I managed to leave the police station only at about 03:30. Thus, my detention lasted much longer than three hours. In the official record of my arrival, I noted the time I was taken there. The protocol was drawn up at 21:22.’ (3 August, Maryino police station)

‘They held me at the police station for five hours, maybe more. Then they took me to the Investigative Committee office at Preobrazhenskaya Square, No. 2. They held me for eight hours in total.’ (3 August, Bogorodskoe police station)

‘They didn’t register me when they brought me in and they’ve detained me for more than four hours already.’ (4 August 3, Timiryazevsky police station)

‘They brought me in at about 19:20 and let me out around 01:00.’ (3 August, Yuzhnoe Medvedkovo police station)

‘They let the last person out of the Liublino police station at around 02:00.’ (3 August, Liublino police station)

‘They let me out at 05:00.’ (3 August, Kapotnya police station)

‘They have been holding us for more than three hours without drawing up any official protocols.’ (10 August, Khoroshevo-Mnevniki police station)

‘They have been holding us for more than three hours. They won’t give us copies of the official protocols.’ (10 August, Akademichesky police station)

‘One and a half hours have passed since the legally allowed detention period expired.’(10 August, Khamovniki police station)

Poor conditions in police stations

‘They ask for water and food, as there isn’t a water fountain in the building.’(27 July, Moskvoreche-Saburovo police station)

‘The lawyer reports that the detainees had not received any food since the previous day.’ (27 July, Shchukino police station)

‘He was thrown to the ground so roughly at the time of his arrest that his back and head hurt and grazes remain on his leg. He has been held in a stuffy room since 16:00. What is more, the water he was given by other people was taken away from him.’ (27 July, South Butovo police station)

‘The detainees hadn’t received any food since the day before.’ (27 July, Shchukino police station)

‘The police officers took away all detainees’ personal belongings including their phones. They gave detainees water and let them use the toilet but didn’t give any food and stated there wasn’t any.’ (10 August, Kotlovka police station)

Police stations refused to accept parcels with food, water and medicine for detainees

‘She isn’t allowed to give the medicine to her mother.’ (27 July, South Tushino police station)

‘They don’t accept food parcels at the police station.’ (27 July, Alekseevsky police station)

‘They refused to accept food parcels brought by detainees’s relatives.’ (27 July, Troitsky police station)

‘They don’t accept food parcels and don’t let anyone visit the detainees.’ (27 July, Bibirevo police station)

‘They don’t allow food in, even though they’ve promised to do so. The volunteers, who’ve brought the food, have been waiting for more than an hour now.’ (27 July, Bibirevo police station)

‘They don’t allow relatives to bring parcels.’ (3 August, Arbat police station)

‘They don’t allow people to bring water for the detainees.’ (3 August, Kapotnya police station)

‘It’s Plan Fortress — they don’t allow any parcels to be handed over.’ (3 August, Danilovsky police station)

‘We were arrested outside the police station when we brought food. They took us into the building without any explanations. They just told us they wanted «to check if we had done anything illegal.» When we asked them why, they simply told us «because they wanted to.» ’ (3 August, Danilovsky police station)

‘The police officers are eating the food brought for detainees.’ (3 August, Otradnoe police station)

‘They don’t allow parcels to be delivered.’ (10 August, Khoroshevo-Mnevniko police station)

Lack of access for lawyers

‘Lawyers are «not allowed in because, they say, the power of attorney had not been printed yet.» ’ (27 July, Troitsky police station)

‘They aren’t letting an OVD-Info lawyer meet with detainees. The detainees and the lawyer are trying to explain to the police officers they have to let him in.’ (27 July, Veshnyaki police station)

‘The lawyer is not being let in to the police station in Fili-Davidkovo. They say the power of attorney should have the detainee’s signature on it. In the end he was let in a bit later.’ (3 August)

‘The ones who came back told us they were questioned as witnesses in a criminal case. They weren’t allowed to see a lawyer.’ Later: ‘The interrogations by Investigative Committee officers are still in progress and they still aren’t allowed to see their lawyer.’ ‘The lawyer has not been allowed in on the grounds that there is no special room for them to meet.’ (3 August, Kapotnya police station)

‘They won’t allow the lawyer from OVD-Info in without a completed power of attorney from every detainee.’ (3 August, Bibirevo police station)

‘The lawyer was kicked out.’ (3 August, Beskudnikovo police station)

‘The ambulance arrives, the detainee’s nose is broken. The lawyer is not allowed in until all the paperwork is done. The police officers took the detainees’ phones.’ (3 August, Arbat police station)

‘When he asked to see a lawyer he was also told that he had no right to a lawyer or any other rights at all.’ (3 August, South Medvedkovo police station)

‘Some people have already been released. The police officers refused to let the lawyer in, or anyone else for that matter.’ (10 August, Kotlovka police station)

‘They don’t let the OVD-Info lawyer in.’ (10 August, Khoroshevo-Mnevniko police station)

Restrictions on communications

‘I was carried to the police van, searched, and told to put my phone in my bag. Our belongings were in another police vehicle, so we couldn’t get in touch with OVD-Info immediately. The police officers only began giving back our belongings two or three hours later.’ (26 July, Filevsky Park police station)

‘I couldn’t get through on the phone to the detainees taken to Sokolinaya Gora police station. Immediately after they were arrested their phones stopped working. Entering the police station was another whole story. I had to make a fuss. When I finally got inside, I was told the police officers who had travelled with them in the police van had taken everyone’s phones and other personal belongings.’ (Lawyer Maria Eismont, 10 August)

‘The police officers seized the arrested people’s phones and didn’t let the mother of one of the detainees in.’ (27 July, South Orekhovo-Borisovo police station)

‘The detainees are being asked to go out into the yard and leave all their personal belongings, including phones, behind so that the police officers, in their words, can take the phones.’ (27 July, Shcherbinsky police station)

‘The officers at the police station are lying when they say no detainees have been brought to the station. They take the detainees’ phones away.’ (27 July, Brateevo police station)

‘The police officers take detainees out of the police van one by one, take away their phones and passports and then put them back in the van.’ (3 August, Pechatniki police station)

**‘They forcibly confiscated phones from people as soon as they were put in the police van. There is no information about who was inside. They let three people go.’
(10 August, Kotlovka police station)**

‘There was a guy calling... They didn’t let him finish what he was saying.’ (27 July, Shcherbinsky police station)

‘His head was bleeding from a blow with a police baton. They don’t let people use their phones. Police van. He’s asking for first aid.’ (3 August, a police van that went to Troparevo-Nikulino police station)

‘A girlfriend passed on the information. [...] They don’t allow people to use their phones.’ (3 August, Troparevo-Nikulino police station)

‘We aren’t allowed to call, ’ (3 August, Yasenevo police station)

Seizure of mobile phones, 3 August

‘The phone was taken from him at the Investigative Committee. When he asked to make a call they first said wait, then they refused, saying he did not have the right to make a call.’ (3 August, South Butovo police station)

‘Those who were released showed messages, views on YouTube, bookmarks.’ (3 August, Arbat police station)

‘Some of the detainees were released, without their phones, others (some 10–12 people) were still there at that time, some waiting for interrogation by the investigator, some for a protocol to be written up on the seizure of their phone (all phones were seized).’ (3 August, Bibirevo police station, 01:16)

‘Everyone is questioned for half an hour. After interrogation an inventory is made of things and they confiscate phones.’ ‘A lawyer reported detainees as saying the police were using some software on laptops to unblock phones: they connect phones to a laptop and crack the passwords.’ (3 August, Kapotnya police station)

‘The Investigative Committee seizes phones. They take the phones from the police who seized them from the detainees.’ (3 August, Moskvoreche-Saburovo police station)

‘They took the phone and used intimidation to obtain the password.’ (3 August, Koptevo police station)

‘They took away the phone. They gave the right to make one call, the detainee asks for a lawyer, they threaten to keep them overnight if they don’t confess, they threaten them with a criminal prosecution.’ (3 August, Koptevo police station)

‘They took the phone by force, I had refused to give it up voluntarily. Now we are writing a complaint about the seizure. They refused to give any receipt for the seizure of the phone.’ (3 August, Bibirevo police station)

‘The phone was returned and they forced the owner to enter the password, they looked at messages on Telegram and calls that had been made.’ (3 August, Tagansky police station)

‘Neither the police nor the Investigative Committee, who took the mobile phone, gave any receipt for the phone.’ (3 August, Dorogomilovo police station)

‘The investigator forcibly took the phone out of the bag. After I was released, they seized the phone and did not give any receipt.’ (3 August, Bibirevo police station)

‘They took my phone away and are not giving any information about where it is, what’s happened to it and when I’ll get it back. My demands that they at least give me some kind of receipt to say they had taken the phone from me were met with refusal.’ (3 August, Khoroshevsky police station)

‘The Investigative Committee interrogated me, seized my phone and SIM card, no receipts were given. They just seized everything.’ (3 August, Bogorodskoe police station)

‘The phone was also seized, they refused to give me a receipt for the seizure, my lawyer was expelled from the police station and was not allowed inside.’ (3 August, Beskudnikovo police station)

Additional difficulties without phones

‘His phone was seized when he said all his bank cards were on it and he simply wouldn’t be able to get home. The officer tricked him into leaving the police station grounds and released him without returning his phone.’ (3 August, Nizhegorodsky police station)

‘They took the phone and sealed it in a bag, took the SIM cards; I had locked the phone and the apps [...]. I didn’t sign anything, except a sheet accepting notification by text message about the court date.’ (3 August, Kapotnya police station)

‘I took a picture of the police protocol but, since I was a witness in the riot case, the investigators seized my phone with the photo of the protocol on it.’ (3 August, Konkovo police station)

‘I was released at 02:00 without my money or phone or any idea which way I should go to get home.’ (3 August, Gagarinsky police station)

‘I have none of the documents, the phone on which I photographed all the documents was seized by the Investigative Committee.’ (3 August, Konkovo police station)

‘I gave my home landline number, since my mobile phone was seized.’ (3 August, Bibirevo police station)

‘My phone was seized, I don’t know the date of the trial. I’ll try to find the device, please write me an email about what to do when I get in touch.’ (3 August, Krasnoselsky police station)

‘I received no text message with the date and time of the trial. My phone was seized.’ (3 August, Yasenevo police station)

‘I have not bought a new phone yet, I couldn’t immediately restore the SIM card, there’s no Internet at home. So I have communications problems.’ (3 August, Maryino police station)

Fingerprinting, photographing, taking of DNA samples

‘Detainees are scared they will be charged under Article 20.2, Section 6.1 of the Code of Administrative Offences and they are scared that if they refuse to be photographed and fingerprinted they will be held for 48 hours.’ (27 July, Troitsky police station)

‘They threatened to hold him for 48 hours because he refused to give fingerprints, he was told this was necessary for personal identification, although they had already found him in the database on the basis of his passport number.’ (3 August, South Medvedkovo police station)

‘They are threatening to chop off my fingers if I refuse to give fingerprints.’ (3 August, Liublino police station)

‘They forced me to give fingerprints.’ (3 August, Arbat police station)

‘They tried to forcibly take fingerprints at the way out. I did not give in and they let me go.’ (3 August, Kapotnya police station)

‘As he was leaving the offices of the Investigative Committee, he was forced to be photographed. They held his face and neck, strangling him somewhat and threatening him with a criminal prosecution.’ (3 August, South Medvedkovo police station)

‘A police officer in the presence of a lawyer shouts that anyone who refuses to be photographed will be stripped naked.’ The same police station: ‘When she refused to be photographed, the investigator began to yell that he would undress everyone. As a result, they all were photographed and gave saliva samples.’ (3 August, Teply Stan police station)

‘I signed a refusal to give fingerprints and be photographed. But I was photographed secretly by the police.’ (3 August, Obruchevsky police station)

**‘They say they will hold us for 48 hours if we do not give fingerprints. They will feed us with cup noodles.’
(3 August, Obruchevsky police station)**

**‘Four people were taken away to be photographed under the pretext that they wanted to show that they were OK.’
(3 August, Koptevo police station)**

‘We were photographed with our passports.’ (3 August, West Degunino police station)

‘They use intimidation here. Those who do not agree to be photographed are threatened.’ (3 August, Beskudnikovo police station)

**‘They wanted to force me to give fingerprints, I managed to avoid this. Also, a man in civilian clothes (possibly one of the investigators) photographed me on his mobile.’
(3 August, Khoroshevsky police station)**

‘Under threat of prosecution for disobedience to the authorities, I gave my fingerprints and they let them take photos of me.’ (10 August, Khoroshevo-Mnevniko police station)

‘They took saliva samples, said it was necessary to understand whether the detainee had previously been convicted.’ (3 August, Troparevo-Nikulno police station)

‘The investigator told the lawyer that they would take samples of epithelium from everyone.’ (3 August, Timiryazevsky police station)

‘They are taking samples of epithelium for comparison with those taken on 27 July.’ (3 August, Teply Stan police station)

‘They take fingerprints and saliva samples from everyone. The police do this first, then the Investigative Committee. All the minors agreed to do this. They didn’t know you can refuse.’ (3 August, Severnoe Butovo police station)

‘Officers from the Investigative Committee are trying to get DNA samples from children at the East Degunino police station.’ (3 August, East Degunino police station)

‘DNA samples were taken from a minor.’ (Arbat police station)

Threats

‘The lawyer was removed from the police station with the threat that anyone who demanded a lawyer would be held for 48 hours.’ (27 July, Novo-Peredelkino police station)

‘Detainees are asking for a lawyer. They threaten to hold people for 48 hours. There is only one phone left between us.’ (27 July, Alekseevsky police station)

‘He says that some other law enforcement personnel have arrived, they are pressuring them. Officers say that for 15% of detainees the reason for arrest will be changed to Article 318 of the Criminal Code, and for 10% to some other.’ (27 July, Shcherbinsky police station)

‘They took away his phone, allowed him to make one call, the detainee asks for a lawyer, they threaten to keep him at the station overnight if he doesn’t say what they want, they threaten him with criminal prosecution.’ (3 August, Koptevo police station)

‘They threatened to hold him for 48 hours because he refused to give fingerprints, he was told this was necessary for personal identification, although they had already found him in the database on the basis of his passport number.’ (3 August, South Medvedkovo police station)

‘On leaving the offices of the Investigative Committee they forced him to be photographed, holding his face and neck, strangling him somewhat and threatening him with a criminal prosecution.’ (3 August, South Medvedkovo police station)

‘They use intimidation here. Those who do not agree to be photographed are threatened.’ (3 August, Beskudnikovo police station)

‘There were threats of beating in the room allocated for those detained for offences under administrative law.’ (3 August, Arbat police station)

‘A police officer in the presence of a lawyer shouts that anyone who refuses to be photographed will be stripped naked.’ In the same police station: ‘When she refused to be photographed, the investigator began to yell that he would undress everyone. As a result, they all were photographed and gave saliva samples.’ (3 August, Teply Stan police station)

‘In the police station, a minor is told that unless their parents come for them they will be sent to a temporary detention centre.’ (3 August, South Chertanovo police station)

‘I gave my personal information to a police officer, he filled out some cards, behaved rudely, promised to run a check for my name in the database so that I would be kicked out of the university because I refused to tell him at which university and faculty I was studying.’ (10 August, Akademichesky police station)

‘They threatened to beat me for demanding that they register my detention properly.’ (10 August, Moskvoreche-Saburovo police station)

‘Under threat of facing charges of disobeying lawful authorities I agreed to be fingerprinted and photographed.’ (10 August, Khorosheevo-Mnevniko police station)

Demands to sign documents

‘Ten people are left. They are trying to persuade us to sign the official protocol without a lawyer,’ (27 July, Khorosheevo-Mnevniko police station)

‘People are asked to sign something: «Sign it and we’ll let you go.»’ (27 July, East Degunino police station)

‘They took people away to draw up the official protocols. One person when he came back said the police beat him and forced him to sign something. Nothing was entered in the logbook.’ (27 July, Krasnoselsky police station)

‘They are forcing a minor [...] to sign an official protocol.’ (27 July, Kapotnya police station)

‘They are forcing me to sign a statement that there were no violations at the time I was arrested.’ (3 August, Kapotnya police station)

‘Almost no one gave me their name or rank. I was not allowed to see a lawyer for 4 hours. They roughly took away (seized) my phone and passport. The attitude was bestial. First a police officer led me to the fourth floor [...] and forced me to sign a statement (where I wrote that I refused to answer questions without a lawyer). Then they asked me to rewrite it with extra offences under additional Articles, supposedly for my defence, Article 52 and others. Whenever I objected they immediately threatened me with jail. They did not let me make a single phone call. Later, they took me to a room [...] where there were investigators from the Investigative Committee [...] who openly mocked me. They refused to let me make a phone call and I was forbidden to wait for a lawyer. They immediately began to draw up the charge protocol. They said they wouldn’t let me see a lawyer or make a phone call until I said the number of the relevant article of the Code of Administrative Offences. They immediately summoned witnesses to sign a statement that I refused to testify without a lawyer. The protocol drawn up by the Investigative Committee was not given to me (they said, since I didn’t sign it, I had no right to it).’ (3 August, Zamoskvoreche police station)

‘They are trying to force detainees to sign some strange document to the effect that they have been informed not to go on any more rallies, and so on.’ (10 August, Golyanovo police station)

Copies of protocols not given

‘Five of 29 people were released. The rest were held overnight. For the time being they are in the auditorium, then they will be transferred to other police stations. About three people refused to sign the charge protocols as they were not provided with copies. Most detainees have been charged under Section 6.1.’ (27 July, Moskvoreche-Saburovo police station)

‘The photocopier was broken, copies of the protocols were not provided.’ (3 August, Khamovniky police station)

‘The police didn’t give me a copy of the charge protocol, although I asked them about it. I asked for a copy of the protocol.’ (3 August, Gagarinsky police station)

‘We don’t have any of the documents. The phone I used to photograph all the documents was seized by the Investigative Committee.’ (3 August, Konkovo police station)

‘Detained more than three hours. Copies of the charge protocols were not given.’ (10 August, Khoroshevo-Mnevniky, police station)

‘I was not given anything. I was not provided with a copy of the charge protocol, I don’t know what article of the Code I am charged with.’ (3 August, Dorogomilovo police station)

Changes to charges laid in the official protocol

‘He says they began drawing up the charge protocols at 01:55. At first they were drawn up in relation to offences under Article 20.2, Section 5. Then they said they had «got the order» to draw them up under Section p.6.1.’ (27 July, Moskvoreche-Saburovo police station)

‘After the charge protocol had been issued at Ramenky police station for an offence under Article 20.2, Section 5, an order came through to reclassify the offence as coming under Article 20.2, Section 6.1.’ (27 July, Ramenky police station)

‘The cop made a mistake while printing the protocol and changed Article 20.2, Section 8, to Article 20.2, Section 5, with a pen and said that is how it would be. There is nothing on the court’s web page so far. All the same, Article 20.2, Section 5, is better.’ (3 August, Presnensky police station)

‘There was an interrogation by the investigator from the Investigative Committee. And the investigator said that possibly after they had checked if I was at the rally on 27 July [...], then possibly they would change Section 5 to Section 6 and court hearings would be rescheduled to another date.’ (3 August, Aeroport police station)

‘On the Moscow City Court website my case is shown as being for an offence under Article 20.2, Section 8, whereas the police protocol gives Article 20.2, Section 5. I had not been arrested for an offence under this article before.’ (3 August, Teply Stan police station)

False information in police protocols and reports

‘Those who were charged in the first three hours after their arrest were charged for an offence under Article 20.2, Section 5, of the Code of Administrative Offences [violation of established procedures for conducting an assembly]. After three hours they started to bring charges under Article 20.2, Section 6.1 [violation of procedures for conducting an assembly involving obstruction of traffic, and as distinct from Section 5 carrying a potential jail sentence — OVD-Info]. Consequently, those who were charged later were left in detention overnight and were transported to other police stations that had room in the cells.’ (27 June 2019, Filevsky Park police station)

‘It is stated in the police protocol that the detention took place at 14.30 at Tverskaya Street, No. 8. In fact it took place at 12:45 near Okhotny Ryad metro station.’ (27 July, East Degunino police station)

‘I am charged with clapping, shouting, gesticulating actively and attracting media attention in the period from 14:00 to 15:30. But it is clear from photos that at 16:00 I was not yet in the police van. It can be seen on the video that I didn’t shout anything and in no way sought to attract attention. [...] I have a receipt from the Bratya Karavaevy café showing that I was there at 14:30 and could not have been at the location specified in the police report.’ (3 August, Kuntsevo police station)

‘Absolutely identical police protocols were issued for all those detained and brought to Otradnoe police station.’ (3 August, Otradnoe police station)

‘The police protocol states: «shouted slogans» and more — «in a group of 5,000 people.» The video shows that I shouted nothing and there were not more than 30 people in the street.’ (3 August, Moskvoreche-Saborovo police station)

‘The texts we all have here in Bibirevo are identical: «was at the rally, shouted slogans.» ’ (3 August, Bibirevo police station)

‘The formal police protocols are all identical.’(3 August, Yaroslavsky police station)

‘The place of detention is incorrectly recorded in the police protocol as Tverskaya Street No. 3 (I haven’t been there at all). In fact I was arrested near Tverskaya Street No. 18, Building 1.’ (3 August, Khoroshevsky police station)

‘It is stated on the second page that while I was on Trubnaya Square I sought to attract attention and shouted slogans. None of this happened at all (except that unfortunately I did visit the Square).’ (3 August, North Butovo police station)

‘The formal protocol for the administrative offence was «copy-pasted» and contains no actual information about my arrest. The surname of the sergeant who detained me at the Okhotny Ryad metro station is not given.’ (3 August, Khamovniky police station)

‘I was going to the city centre to meet my friend’s mother and her grandchildren, to walk in the Zaryade park with them. We agreed to meet near Kitai Gorod metro station by 15:00. When I arrived at the platform (about 14:45) at Kitai Gorod metro station, I tried to call her mobile phone at 14:48, but there was no network. I went to exit No. 8 at Kitai Gorod metro station. While I was waiting, I went into a café (at about 14:55) called One Price Coffee located at Solyanka Street No. 2/6 and ordered a coffee with a cake [...]. I tried to call several times while in the café [...] but had no luck. Around 15:10 I left the café and went back to exit No. 8 of Kitai Gorod metro station. I saw several OMON riot police officers on the street near the metro but it was quiet on the street, like an ordinary weekend day. I was standing outside the exit for about five minutes. One of the officers came up to me and asked me to show him my ID. I showed my internal passport. He looked at it for a long time. He thought that a mark on page 19 of my passport was strange. He said: «Your passport was issued on 6 February 2015, while it says on page 19 it was issued on 7 February 2015.» I replied, «On page 19 is the date of issue of my passport for foreign travel.» He considered that odd and sent me to the police van. Several people in National Guard uniform examined my passport there. They searched me and my bag. And they said I had to go with them to authenticate my identity and the validity of my passport. [...] I was held until about 23.00 without any explanation for my detention. The official protocol for my arrest was only drawn up at the end of my detention, when it was given me to be signed. I learned that I had supposedly participated in a banned rally. I was summoned to appear on Monday, 5 August 2019, to receive an official charge protocol for an administrative offence. When I was given the document to sign, it stated I was in a group of about 50 people on Slavyanskaya

Square and shouted slogans — something that has nothing to do with reality.’ (3 August, West Izmailovo police station)

Formal protocols are issued several days after the arrest or in the absence of the person arrested

‘As far as I know, the formal protocols for the administrative offence will be issued by the officers at Bogorodskoe police station on 6 and 7 August.’ (3 August, Bogorodskoe police station)

‘I was detained and released after six hours without a formal charge protocol being drawn up. They told me I had to come back on 5 August for the protocol to be issued.’ (3 August, Beskudnikovo police station)

‘I was not present when the official protocol for the administrative offence was issued. That’s why I haven’t seen the protocol itself.’ (3 August, Beskudnikovo police station)

‘I was held for nine hours, and they didn’t even draw up an official protocol. It is highly likely to be for an offence under Article 20.2, Section 5. The court hearings are on 23 August at 10.20. The protocol will be issued on 14 August 2019.’ (10 August, Golyanovo police station)

‘The protocol was issued in my absence. I was not shown it, I didn’t sign anything. At the time I was arrested, my personal belongings were seized, I didn’t have the chance to use my phone.’ (10 August, Kotlovka police station)

‘I have been summoned to the police station on 13 August 2019 to receive the charge protocol for an administrative offence. They promise the court hearing will be held the same day.’ (10 August, Sokolinaya Gora police station)

Detention of minors

During arrest and in police vans

‘[...] a female minor from the town of Lobnya, her parents are out of town now. She stutters and is very frightened.’

‘Minors were told at the time of arrest they looked like suspicious persons.’ (3 August 2019)

‘A minor had his head struck twice against the side of a police van.’ (3 August 2019)

‘They took the phone [...] from the minor and hit him in the face [in the police van].’ (3 August 2019)

‘The minor [...] is suffering from an old hand injury and during transportation to the police station they hit him on the leg.’ (3 August 2019)

‘The female minor began to feel bad (she has asthma). She was let out of the police van and sat outside the police station.’ (10 August 2019, Khoroshevo-Mnevniky police station)

At the police station

‘A minor [...] is being forced to sign the charge protocol.’ (27 July 2019)

‘Fingerprints and saliva are taken from everybody, first by the police and then by officers from the Investigative Committee. All the minors gave samples, they didn’t know they had the right to refuse.’ (3 August 2019, North Butovo police station)

‘Investigators from the Investigative Committee tried to take DNA samples from minors in East Degunino police station.’ (3 August 2019, East Degunino police station)

‘Mother and grandmother, who came to take their children, are not allowed to enter.’ (3 August 2019, Fily-Davydkovo police station)

‘A mother came for her children, but she is not allowed to enter.’ (10 August 2019, Akademichesky police station)

‘A minor is photographed and his fingerprints are taken.’ (10 August 2019, Moskvoreche-Saburovo police station)

Difficulties in getting out of police stations

‘Two minors, both from Cheboksary. They released one, the other is being held until tomorrow. His parents are on the way to him from Cheboksary.’ (27 July 2019)

‘Taken to hospital as the child’s parents haven’t come for three hours’ (27 July 2019)

‘Lawyers have powers of attorney for 10 clients. There are 23 people at the police station, including two minors. Parents have come to collect one of them, the other is being taken to hospital as nobody has come for him.’ (27 July 2019)

‘Parents have to fetch the minor. The child hasn’t been in touch with parents for two years, grandmother is not available.’ (3 August 2019)

‘They say at the police station that if they are not fetched by their parents, they would be sent to a temporary detention camp.’ (3 August 2019, South Chertanovo police station)

‘The minor is going to be sent to a special detention centre since the parents won’t come for him.’ (3 August 2019, Troparevo-Nikulino police station)

‘They won’t release the minor without the mother, and she will only get back on Monday. He has been transferred to a special detention centre for minors until his parents arrive.’ (3 August 2019, Timiryazevsky police station)

‘They called the parents, but they were in Saransk. They could not come right away.’ (3 August 2019, Bogorodskoe police station)

‘The minor’s parents are in Orenburg. He only has his uncle in Moscow.’ (10 August 2019, Ochakovo-Matveevskoe police station)

‘The minor has been taken to a temporary detention centre for minors.’ (10 August 2019, Khamovniki police station)
