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Solitary pickets

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A single-person picket is the only form of a public event that does not require a preliminary approval from the authorities and that allows citizens to express their views on important issues in a quick and efficient way.

However, OVD-Info has recorded frequent detentions of single-person picketers followed by administrative prosecution. The COVID-19 pandemic exacerbated the issue: within the first six months of 2020, more single-person picketers were detained in Moscow and St. Petersburg than throughout the whole year of 2019.

The issues with single-person pickets are mainly caused by flawed laws and regulations. Below we discuss the basic problems that cause disproportionate restrictions on free single-person pickets. These problems can be partially rectified by amending the federal law.

OVD-Info, Human Rights Centre Memorial and Moscow Helsinki Group, in their concern about the restrictive tendencies with respect to single-person pickets, addressed the Human Rights Commissioners from **Moscow** and **St. Petersburg** on September 7th with a proposal to introduce the needed amendments into the federal law through the regional legislative initiative.

THE CURRENT LAW CLASSIFIES SINGLE-PERSON PICKETS AS A PUBLIC ASSEMBLY.

Single-person picket is a form of freedom of expression, not the freedom of assembly, however, it is regulated by the law on public assemblies. In accordance with part 1 paragraph 2 of the aforementioned federal law, picketing, including single-person picketing, is a public assembly. Similar provisions exist in regional laws.

As a result, all the temporary restrictions on public assemblies introduced for various reasons are automatically applied not only to collective public events, but also to single-person pickets.

1 Restrictions due to the pandemic

From mid-March 2020, regional authorities began to restrict public assemblies. These restrictions were introduced as a measure to fight the new coronavirus pandemic. The first restrictions applied to assemblies with a large number of participants, but over time in certain regions, including Moscow and St. Petersburg, these restrictions spread to public assemblies of any size, including single-person pickets.

- In accordance with the Moscow Mayor's executive order No. 12-UM of March 5th 2020 «On the introduction of the regime of high alert», it was forbidden to conduct **«sports, cultural, public and other mass events»** in the city starting from March 16th (emphasis is by OVD-Info, here and below). In accordance with section 7.1 of the Moscow Mayor's executive order No. 68-UM of June 8th 2020 «On the steps to lift the restrictions introduced as part of the regime of high alert» (the version of July 9th 2020 introduced by the Moscow Mayor's Order No. 77-UM), those restrictions that applied to public events at the end of August 2020 are still in effect. This restriction is applied in practice to single-person pickets, even though they are not mass public events.
- Starting from March 16th in accordance with the executive order of the Government of St. Petersburg No. 121 dated March 13th 2020 «On the measures against the spread of COVID-19 in St. Petersburg» (as amended on August 31st 2020), it was forbidden to conduct **«sports, cultural and other mass events and public assemblies»**. In the version of St Petersburg Government Decree No. 658 of August 21st 2020, this restriction is valid until September 20th 2020, but it can be prolonged. In practice, this restriction is applied to single-person pickets as well, because they are officially classified as public assemblies.
- The Chief Sanitary Inspector of the Russian Federation issued **order No. 6 «On additional measures to reduce the risks of the spread of COVID-2019»** on March 13th 2020, according to which the heads of regions were tasked with «restricting mass gatherings». It says nothing about public events, not to mention single-person pickets.

As the number of cases of COVID-19 in Moscow and St. Petersburg started to decline, the quarantine measures in Moscow and St. Petersburg were gradually lifted, but not

those that applied to single-person pickets. That is why from March 16th 2020 to July 31st 2020, police detained 79 single-person picketers in St. Petersburg and 271 in Moscow, according to OVD-Info.

1 Restrictions due to international sporting events

The pandemic is not the only case where single-person pickets were restricted along with mass gatherings. In accordance with clause 11 of the Decree of the President of the Russian Federation of May 9th 2017 No. 202 «On the specifics of applying enhanced security measures during the 2018 FIFA World Cup and the 2017 FIFA Confederations Cup», additional requirements were introduced for public events not related to sports.

In some localities, restrictions were imposed by the municipal authorities. In Kaliningrad, Yekaterinburg, Rostov-on-Don, Kazan, Voronezh and a number of other cities, special areas were allocated for rallies, and it was prohibited to have them elsewhere. The duration of events was also limited: for example, in Kaliningrad, public events were allowed only from 9:00 to 13:00, in Yekaterinburg — from 14:00 to 16:00. [For details please see our dataset.](#)

[According to OVD-Info](#), at least 43 people were detained during the Confederations Cup at single pickets in Russia in 2017, and at least 45 people during the 2018 FIFA World Cup.

At the end of 2018, the practice of restrictions in connection with international sports events was enshrined in the Federal Law «On Physical Culture and Sports». However, there were no exceptions for single-person pickets.

Similar bans may be introduced in the summer of 2021: matches of the 16th European Football Championship will be held in St. Petersburg.

1 Territorial restrictions

Single pickets are subject to all territorial restrictions that federal law imposes on public events. As a result, they are prohibited, for example, in «areas immediately adjacent» to:

- «hazardous production facilities and other facilities, the operation of which requires compliance with special safety rules»;
- presidential residences;
- court buildings;
- «territories and buildings of penitentiary institutions».

The exact boundaries of «adjacent territories» are not defined. There is no publicly available list of the president's official residences either.

From February 2017 to March 2020, at least 15 people **were detained** at single-person pickets near court buildings. At least 35 people **were detained** from July 2018 to March 2020 due to single pickets on the Red Square near one of the presidential residences — the Kremlin.

Since 2012, federal law has given regional legislators the right to impose additional territorial restrictions on public events, but not for pickets. However, by 2019, local lawmakers have banned pickets in certain areas in seven regions. After trials and appeals to the prosecutor's office, this problem **was resolved**.

THE AMBIGUOUS LEGAL STATUS OF A SINGLE-PERSON PICKETER

The Federal Law on Public Events sets different requirements for participants and organizers of events. Thus, a person cannot be a picket organizer if they are a minor, do not have the Russian citizenship or have recently been

brought to justice at least twice for violating the procedure for holding public events (under Article 20.2 of the Administrative Code) or under a number of other articles of the Administrative Code and Criminal Code. In addition, the organizer is required to «bear the distinctive sign of the organizer of the public event» There are no such requirements for participants, but they are forbidden to hide their faces.

At the same time, the status of people holding single pickets is not clearly defined: it is not clear whether they are participants or organizers of a public event. It may be that categories such as organization or participation do not apply at all.

The Law on Public Events does not contain the concept of «single-person picket», it refers to «picketing conducted by one participant» or «carried out by one participant». In practice, the picketer may be considered the organizer of a public event.

- On November 13th, 2017, by the decision of the Tverskoy District Court of Moscow in case No. 05-2795 / 2017, a single-person picket participant **was held administratively** liable on the grounds that she was a citizen of the Republic of Belarus and could not be the organizer of a public event in Russia. Subsequently, the decision **was canceled** in the Moscow City Court.
- According to OVD-Info, in the summer of 2020, police told the detainees that due to previous administrative cases they were prohibited from participating in single pickets. Apparently, the officers proceeded from the fact that anyone doing a single picket was the organizer of a rally.
- The legal uncertainty puts underage single-person picketers in a vulnerable position, since, in accordance with the Federal Law on Public Events, they can be participants in an event, but not organizers.

THE LAW DEMANDS TO GET APPROVAL FROM THE AUTHORITIES FOR SINGLE-PERSON PICKETS

1 Defining a single-person picket as a rally

In order to distinguish several single-person pickets conducted simultaneously from a rally, which authorities have to be notified about beforehand, the law introduces the concept of the «minimal allowable distance». This distance is defined by regional authorities as 50 meters.

If the minimal allowable distance in the region is defined as 50 metres, it means that two single picketers standing at a distance of 49 meters from each other become lawbreakers.

- In September 2015, police issued an administrative offence report in regard to Victor Rau — one of the participants of single-person pickets demanding the return of mayoral elections in Barnaul. Police decided that the distance between picketers was less than allowable: «one of the police officers (the tag on his uniform said «expert») paced out the distance between Rau and other picketers, and then came to the conclusion that the distance was less than 50 meters permitted by law», - **reported** Altapress. The court **dismissed** the case.
- In April 2017, the Moscow court **fined** two participants of a single-person protest which took place in front of the General Prosecutor's Office on January 28th in support of Yuri Dmitriev, the head of Karelian regional branch of Memorial. During the hearing of appeal, one of the policemen **confirmed** that the police colonel gave the order to detain picketers after pacing out the distance between them. The distance «constituted around 40 ordinary steps, therefore the distance was less than 50 metres, ” reported the witness. According to Yandex.Maps the distance between the picketers was around 50,9 metres. Nonetheless the court upheld the punishment.

According to amended Federal Law on Assemblies, Meetings, Demonstrations, Marches and Picketing (2012), several single-person protests «unified by the same intentions and shared organization» can be considered a single public event. The court can decide post-factum that single-person pickets (which do not require approval by law) were subject to preliminary approval, making the picketers lawbreakers.

In summer 2018, the Plenum of the Supreme Court suggested indicative criteria for courts to use while considering cases of a series of single-person protests:

- having the same organiser;
- unified notification of potential participants and a preliminary campaign;
- production and distribution of campaign materials for several pickets.

Hypothetically, such definition can be applied to regular single-person protests dedicated to the same cause and held by the same person, which demonstrates the possibility for a broad interpretation of such norms and, as a result, a lack of legal certainty of the law and its judicial interpretations.

In practice, several single-person pickets on the same topic held simultaneously at a distance from each other, and single-person protests dedicated to the same issue and held in one place on different days, are both defined as collective public events.

- In the spring 2020, Kazan court **ordered** 30 hours of community service to an eco-activist due to her not getting the approval from the authorities for a series of single-person pickets against the construction of the incineration plant. Every day for a month, one person picketed outside the building of the Cabinet of Ministers of Tatarstan on Freedom Square. The court regarded these actions as a hidden form of a public event.
- In May 2020, Nazarovo town court in the Krasnodar Territory imposed a RUB 20 thousand **fine** on the single-person picketer who supported the President and constitutional reform. The administrative prosecution was based on the fact that another single-person picket took place with similar slogans at the same time. The court's order highlights the following: «single-person pickets conducted by I. and K. were united by the same goals and common organization, they were held simultaneously and geographically gravitated towards each other; I. and K. used identical campaign materials and made common demands and appeals.»

A single-person picketer can be detained because of the actions of provocateurs joining single-person pickets in order to compromise them or make them formally fall under the definition of a collective picket.

- In July 2020, Russia Today's journalist was detained during a single-person protest outside the FSB building in Moscow. It was due to a member of the SERB movement coming up to the woman during the protest with a poster saying «SMERSH». The police **detained** both of them.
- In 2019, police **detained** a retired officer during his single-person picket with a poster «Putin fooled me. Hunger strike». Like in the previous case, the grounds for the detention were the fact that near the picketer an unknown woman stood next to the protester and unfurled the poster saying «Stop the fifth column». The man himself called the police, after which law enforcement officers detained both him and the woman.

In some cases, police can detain only one protester, referring in the case files to the fact that the rest of the protesters fled. In 2016, after the intervention of a Human Rights Commissioner, the Supreme Court **canceled** the court order in a similar case, which **impacted** subsequent legal practice. However, detentions of the participants of single-person pickets based on unconfirmed assumptions by police officers **continue** to this day.

1 The use of «quickly erectable collapsible structures»

Since 2017, the Federal Law on Public Events requires the same notice period for «*picketing carried out by one participant using a prefabricated collapsible structure that creates obstacles to the movement of pedestrians and vehicles*» as for a collective picket.

At the same time, the law allows a single-person picket to be held without notification, unless a collapsible structure is used. It is unclear whether notification about pickets using such a structure should be filed if it does not obstruct pedestrian and vehicle traffic.

It is not clearly defined what exactly is considered a «collapsible structure».

- In April 2018, journalist Alena Popova was detained near the State Duma. She was protesting against sexual harassment: police **considered** the cardboard figure of Duma member Leonid Slutsky to be a «collapsible structure».
- In September 2019, a resident of Birobidzhan, Georgy Natsvlishvili, went on a **hunger strike** near the government building of the Jewish Autonomous Region, demanding help with housing for orphans and flood victims. He was accused of protesting without approval and was penalised with 30 hours of compulsory work, which was then replaced with a RUB 20 thousand fine. The court considered the tourist tent, which Natsvlishvili set up nearby **to rest**, a «prefabricated collapsible structure».
[More about this case.](#)

It is not well defined what is meant by «use».

- In the aforementioned case from the Jewish Autonomous Region, the defense emphasized in court that the tent not only did not interfere with pedestrians, but was not part of the protest, however, the court did not accept these arguments. «The arguments of the complaint that the single-person protest held near the government building of the Jewish Autonomous Okrug that was not obstructing traffic, was not a violation of public order and caused no harmful consequences, where the tent was not used as a tool for holding a single-person protest, and that its presence was not a way to express the position of G.Z. Natsvlishvili, cannot serve as a basis for canceling the court order», — **says** the resolution.
- According to the **text** of another court order, in May 2019, Igor Gorlanov held a protest in Novosibirsk demanding the provision of housing and the resignation of the government. The decree says that he carried out the protest «in the form of a single-person picket and set up a prefabricated collapsible structure (a tent) as a campaigning tool on a hill in the center of the square for public events, without submitting a notification to the local authorities». In June, the court found him guilty and sentenced him to ten days in jail, while the appellate court upheld the sentence in August. Meanwhile, Gorlanov himself noted in his complaint that he was holding a single-person picket without using a prefabricated collapsible structure, and that he used the tourist tent «for living because of the lack of housing in the city».

DETERMINATION OF THE FACT OF PICKETING, ITS PARTICIPANTS AND THEIR NUMBER

Federal law distinguishes **public events** from other phenomena through their purpose — «free expression and formation of opinions, the advancement of demands

on various issues of the country's political, economic, social and cultural life and foreign policy issues.»

Picketing is defined as «a form of public expression of opinions, carried out without movement and the use of sound-amplifying equipment by placing one or more citizens using posters, banners and other campaign material as well as prefabricated collapsible structures at the picketed facility.»

A **single-person picket** means picketing by one participant.

In practice, the criteria from the federal law are insufficient to determine what constitutes picketing and who is considered to be a participant in it. As a result, from the point of view of the law, it is not always unambiguously clear whether a person is holding a picket, and, therefore, whether the requirement for prior approval and other restrictions imposed on participants in public events are applicable to such individual. This becomes the basis for detention, administrative harassment and restrictions on freedom of expression.

In some cases, the problem arises already when trying to distinguish a single-person picket from a non-public event.

- In August 2019, the *Ustkulom* court of Komi recognized the collection of money at the administration building as an *unauthorized* collective picket and imposed a fine of RUB 20 thousand on the woman who was collecting the money. In **the decision** published on the website of the court, the position of the accused is presented as follows: «The court was told that on DD.MM.YYYY, she came to <address> on her own business, and decided to help her acquaintance Witness 1 to collect money for a fine. She went out to the square, near the house of culture, stretched out whatman paper, put the box so that people could understand why she was collecting money, while Witness No. 1 was standing nearby».
- During the election campaign in Ulyanovsk in 2019, the city electoral commission and the police **decided** that the very fact of assembling and then dismantling a metal structure with campaign banners constituted a picket with the use of a prefabricated collapsible structure. The court dismissed the case, stating that «the officer's allegations that under Art. 20.2 of the Code of Administrative Offenses of the Russian Federation, installation of a collapsible structure with campaign material placed on it without an appropriate permission would constitute a violation of the law, were based on an incorrect interpretation of the legislation».

Problems also arise when trying to qualify a person's actions as picketing. According to the law, the picketing criterion is the presence of a picketed facility. Meanwhile, we see from the texts of court decisions that such a facility is often absent.

- In August 2019, a court in the Voronezh Region **declared** that people who walked on the Don highway with posters against the construction of pig farms were participants in illegal protests.
- In October 2019, police **detained** Polina Simonenko on the Red Square. She was holding a sheet of paper with the inscription «Death». The court found her guilty of picketing in a prohibited area, although Simonenko **noted** in court the absence of the picketed facility.

The reason for an apprehension can be as simple as the movement of the protester during the single-person picket — the federal law defines picketing as a public event «carried out without moving from one place to another».

- In the summer of 2019, Natalya Krylova, member of the Asbest (Sverdlovsk region) City Duma, **was detained** in Ekaterinburg Koltsovo airport. Krylova was meeting the delegation of the Russian president, holding a banner with an invitation to Putin to come visit «Lesozavod» village to see people living without access to gas and other utilities. The protester's single step to the side was the motive for apprehension, being a violation of established procedure for holding a single-person picket.

Lastly, probably the most common issue is drawing the line between the protester and other people, and, consequently, between a single-person and a group picket.

Even pins/buttons, writings/inscriptions or fabric prints are occasionally taken by police as a sign of participating in a protest.

- There is a case where the defendant's participation in a single-person picket in a prohibited area (near the Moscow Kremlin) was proven by the fact of «wearing a white T-shirt bearing a thematic inscription» (Tverskoy District Court of Moscow, [court ruling](#) of 11 November 2019).
- In July 2020, journalist Kseniya Sobchak [was](#) amongst those detained for pickets supporting Ivan Safronov in front of the FSB building in Moscow. Sobchak didn't have a banner with her, yet she was wearing a T-shirt that said «Free Ivan Safronov». However, the journalist was pointing out that she arrived at the protest's location only to catch it on video for the television. Later, a [report](#) was written up on her for violating the established procedure for holding a public event (Article 20.2.5 of the Administrative Offences Code of the Russian Federation).
- Olga Allenova, correspondent for the Kommersant, [was](#) charged an administrative fine of RUB 10 thousand for a T-shirt that expressed support for Ivan Safronov. On 13 July 2020, Allenova was wearing it on her visit to Lefortovo detention facility — Safronov was held there, accused of treason, — to prepare a journalistic report. The police considered the T-shirt to be a campaign medium, and Allenova to be a participant of an unauthorized event.

The distribution of leaflets or balloons can also be considered an unauthorized picket.

- In December 2018, a man and a teenager **were detained** in Naberezhnye Chelny for handing out flyers and white balloons which read «Bessrochka» a month earlier. Both were held responsible under Article 20.2 of the Administrative Offences Code of the Russian Federation, and subsequently **fined** 20,000 roubles each.
- In August 2019, a single-person protester, acting in support of those arrested for participation in peaceful protests for fair City Duma elections in Moscow, **was detained** in Belgorod. He was accused of holding a collective public event without prior notice. The very detention was triggered by the presence of another man nearby, who was distributing leaflets. The court eventually dismissed the case due to lack of evidence.
- In July 2019, an activist of the Drugaya Rossiya party **was detained** in Tolyatti for handing out leaflets close to an authorized rally of the Communist Party of the Russian Federation.

Single-person pickets are sometimes equated to collective pickets if the protester is surrounded by observers, journalists, or passers-by. In 2018, the Supreme Court **highlighted** that the former should not be equated with the latter «in cases of manifestation of casual attention by those who took an interest in the picket». The legal position of the Supreme Court is fair by all means, yet police officers keep detaining the participants of such protests, and courts keep imposing fines.

- In March 2018, a member of a district electoral commission taking part in a single-person picket after the presidential election with a banner that said «Mother of God, drive Putin away in the name of the Holy Constitution and common sense. Alumen», **was detained** in Sochi. According to the police, the two photographers taking pictures of the picket were participating in a collective protest that had to be authorized by the authorities. The court **decided** to impose a penalty of 20 days arrest.
- In October 2018, in Nizhny Novgorod, a single-person protester holding a banner with an inscription «There can be no political arrests in a country where there's order» **was detained**, and so was the photographer who was shooting the protest.
- In November 2017, Cheboksary Court **imposed** a penalty of 32 hours of community service on a woman who allegedly participated in an unauthorized public protest. «Accusation of group picketing was based solely on the fact that, according to the police, the activists were pointedly observing the single-person picket of their associate Rybakov», **said** Yury Sidorov, who represented the interests of the detainee being a lawyer of the regional office of the public organization Open Russia.

Sometimes, the line of those waiting to participate in a single-person picket after the previous protester (the so-called picket line) is declared to be a public protest.

- Tverskoy District Court of Moscow in its ruling on holding accountable a single-person protester **describes** the alleged offence as follows: «Standing near the President’s Administration building, he was holding an A4 banner that read „We want justice in our country. We are not criminals“. A group of four people was located in close proximity to the protester; they approached a backpack lying nearby, took out banners, approached the Administration building, and, one by one, stood in a picket line, surrounded by journalists, giving interviews and answering questions». In June 2020, they were given a penalty of 15 days of administrative arrest for such «menace to the public».
- In October 2019, on Coming Out Day, protesters were **detained** near the Moscow Mission of the Republic of Chechnya. The protest in the form of a single-person picket line was held to draw attention to the oppression of LGBT people in Russia. Police officers considered it to be unauthorized group picketing. The court agreed, even though the prosecution witnesses said that the pickets were sequential, and not simultaneous. [Read more about the case.](#)

OVERVIEW OF IDENTIFIED ISSUES

We have indicated a number of specific and systemic issues associated with single-person protests:

Treatment of single-person protests as public events.

Because of that, they fall under temporary restrictions, such as those introduced in connection to a pandemic or international sports events, and under territorial bans provided in the federal law on public assemblies.

Ambiguous legal status of a single-person protester: participant or organizer.

The fact that it is not clear if they are a participant or an organizer leads to problems and challenges for non-Russian citizens, minors and those who have already been found guilty of violating the rules of public assembly and several other legal provisions.

The line is not always clear:

- Between a single-person protest and an action that is not a public event. Thus, any fundraising activity, distribution of leaflets or balloons, installation and dismantling of campaign cubes or wearing clothes with political statements on them have been declared single-person protests. At the same time, additional requirements — for violations of which special provisions already exist — are introduced for single-person protests.
- Between a single-person protest and other forms of public assembly. If a single-person protester starts to move, they can be declared a participant of a demonstration. It is also not clear if an action should have a «picketed facility» to be considered a «picketing».
- Between single-person protesters and other people who express interest in the action, such as journalists, passers-by, those waiting in line to start their own single-person protest and so on.

Legislators do not always harmonize the newly introduced rules with the existing ones.

This leads to gaps and legal uncertainty: it is not clear how to coordinate a series of single-person protests, and in what cases it is necessary to notify the authorities about the use of a prefabricated collapsible structure when holding a single-person protest.

Unreasonable demands for preliminary approval by local authorities of single-person protests where:

- The distance between single-person protests happens to be less than the minimum distance allowed by regional law. In this regard, challenges are presented by a formal approach (if the minimum permitted distance is 50 metres, single-person protests with 49 metres between them are recognized as an offence) and by measurement inaccuracies — in practice, the distance is evaluated rather roughly by police officers themselves.
- Single-person protests are declared by the court to have a common purpose and organizer. There have been cases of single-person protests being declared to be one coordinated mass event when held simultaneously in separate places (even with fulfilled minimum distance requirement) or at one place at different times (sometimes throughout a month). Moreover, there is no explicit legal provision for getting approval for protest actions of this kind.
- Single-person protests that use «prefabricated collapsible structures». The legislation does not clarify which constructions fall under this definition, what is meant by its «use», and if this structure should obstruct pedestrians and cars' movement to create a need for preliminary approval.
- Single-person protests joined by provocateurs. This is used both to discredit the theme of the single-person protest and as a formal basis for the clampdown on the protester's action and detention.

The above-listed problems would not loom so large if it were not for the large-scale **problem with coordination of events**. In theory, the approval procedure allows the organizers to reach an agreement with the authorities on how to carry out these events with minimal risks and negative consequences for the participants and the others. However, in Russia, the requirement for prior notification has transformed into an extremely complicated approval procedure with broad powers given to the authorities

to interfere with the event in one way or another. In addition, administrative liability was introduced for the very fact of participating in a public event of «unauthorized status» as well as for holding such events, regardless of the occurrence of negative consequences. In practice, this becomes the reason for suppression of public events, detention of their participants, prosecution for participation or even for disseminating information about them.

A single-person picket in these circumstances remained the only form of public expression requiring a relatively simple organization, which allowed one to immediately express one's opinion on an pressing issue. However, after the changes in the law on public assemblies in 2012 and 2017, requirements were introduced to coordinate single-person protests under certain conditions, while a «rubber stamp» approach leads to the fact that in any disputable situation an unauthorized single-person protest can be considered a group event and deemed illegal. This seems to us unreasonable and in our opinion, hardly pursues the goal of ensuring the safety of the wider public.

Russian legislation has a wide range of regulations that enable termination of various particular infringements (hooliganism, infliction of physical harm and so on). Any additional capability to prosecute participants in single-person protests, for instance, over the use of a «prefabricated collapsible structure» or because of another person standing nearby, seems excessive. This approach does not take into account whether any harm has been inflicted in each particular case. As a result, the goals of legal regulation are substituted: it is no longer protection of the rights and interests of people, but a clampdown on voicing opinions.

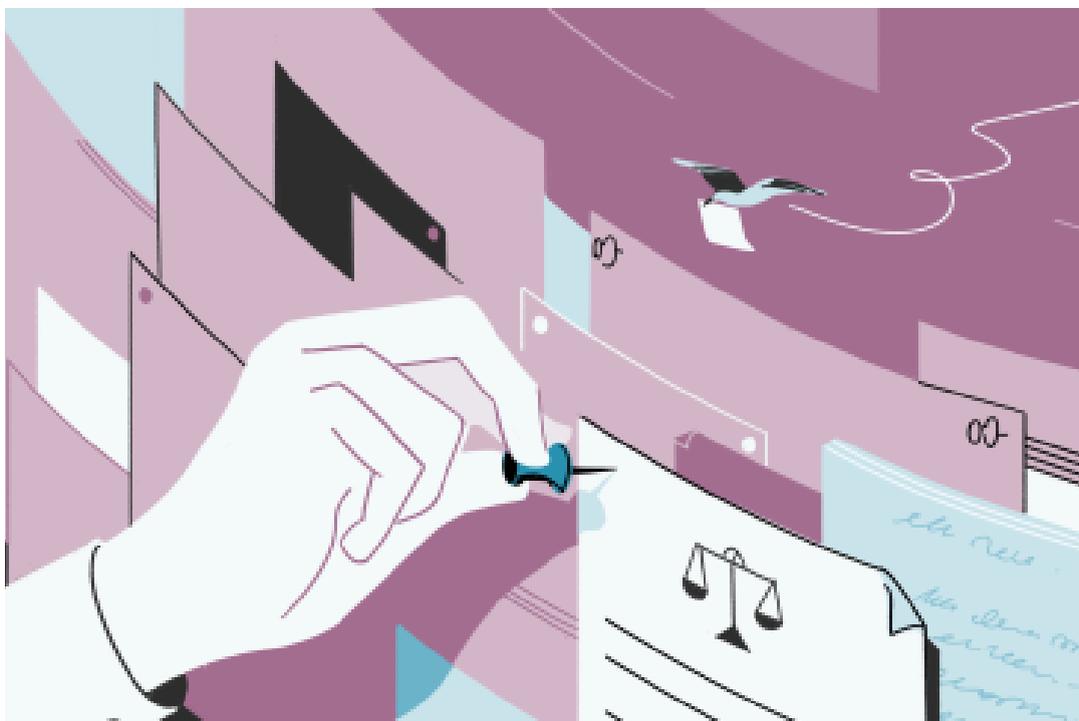
NECESSARY CHANGES IN REGULATORY DOCUMENTS

While many of the listed problems arise out of the conceptual framework used in the law, articulation of a more detailed and specific definition of each term is unlikely to completely fix the freedom of expression restriction problem faced by single-person protesters. Any definition, even the most accurate, does not exclude interpretations by law enforcement officials — the police and judiciary. Large-scale systemic changes in the regulation of freedom of assembly are deemed necessary to solve these problems, in the first instance regarding the rules for public events coordination and liability for violations during events.

At the same time, some problems can be solved by introducing targeted changes to the existing legislation. We deem it necessary:

- 1** To amend the Federal Law No. 54-FZ of June 19, 2004 «On Assemblies, Meetings, Demonstrations, Marches and Picketing» correspondingly, and the regional legislations in particular:
 - To clarify the special legal status of single-person protests, that is, they are not mass public events, and should not be subject to corresponding restrictions.
 - To specify the provisions of the federal law that the person holding a single-person protest is a participant in it, and therefore not subject to the restrictions set for the organizers of a public event (age, citizenship, etc.). Participants of single-person protests cannot be held liable for violating the procedure for organizing a public event.
 - To specify the provisions of the federal law that observers of a single-person protest, as well as people waiting for their turn for picketing, are not participants in the picket, and therefore, such cases should not be qualified as a form of mass event.
 - Requirements for the approval of single-person protests using auxiliary structures as well as for the recognition of several single-person protests as a unified action should be excluded from the federal law.
- 2** Bodies of administrative and criminal offenses providing for liability for violations during single-person protests should be exclusively «material», that is, provide for punishment only in case of real negative consequences from the actions of the person brought to justice.
- 3** Cancel or simplify as much as possible the procedure for approving public events, so that single-person protests were not the only form of public expression with a relatively simple organization.

More to read



Advocacy