

## SECRETARIAT / SECRÉTARIAT

SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRÉTARIAT DU COMITÉ DES MINISTRES



Contact: Zoe Bryanston-Cross  
Tel: 03.90.21.59.62

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**DH-DD(2020)448**

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Meeting: 1377<sup>th</sup> meeting (June 2020) (DH)

Item reference: Action Plan (22/05/2020)

Communication from Russian Federation concerning the case of Lashmankin and Others v. Russian Federation (Application No. 57818/09)

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Réunion : 1377<sup>e</sup> réunion (juin 2020) (DH)

Référence du point : Plan d'action (22/05/2020)

Communication de la Fédération de Russie concernant l'affaire Lashmankin et autres c. Fédération de Russie (requête n° 57818/09) (**anglais uniquement**)

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**ACTION PLAN****on execution of the judgments of the European Court of Human Rights  
in applications:**

- no. 57818/09 *Lashmankin and Others v. Russia* (judgment of 7 February 2017, final on 29 May 2017);
- no. 36801/09 *Kapustin v. Russia* (judgment final on 8 October 2019);
- no. 51165/08 *Milinov v. Russia* (judgment final on 24 September 2019);
- no. 48310/116 *Kablis v. Russia* (judgment final on 30 April 2019);
- no. 60921/17 *Elvira Dmitriyeva v. Russia* (judgment of 30 April 2019, final on 9 September 2019);
- no. 6095/09 *Kalyapin v. Russia* (judgment final on 23 July 2019);
- no. 50271/06 *Ryabinina and Others v. Russia* (judgment final on 2 July 2019);
- no. 53545/13 *Makarova and Others v. Russia* (judgment final on 26 March 2019);
- no. 10970/12 *Grigoryev and Igamberdiyeva v. Russia* (judgment final on 12 February 2019);
- no. 42294/13 *Belan and Siderskaya v. Russia* (judgment final on 12 February 2019);
- no. 61443/13 *Nikolayev v. Russia* (Judgment final on 12 February 2019);
- no. 23814/15 *Muchnik and Mordovin v. Russia* (judgment final on 12 February 2019);
- no. 37513/15 *Ryklin and Sharov v. Russia* (judgment final on 12 February 2019);
- no. 69272/13 *Zinovyeva v. Russia* (judgment final on 8 January 2019);
- no. 16694/13 *Asainov and Sibiryak v. Russia* (judgment final on 4 December 2019);
- no. 29580/12 *Navalnyy v. Russia* (judgment final on 15 November 2018);
- no. 6312/13 *Lutskevich v. Russia* (judgment of 15 May 2018, final on 8 October 2018);
- no. 76191/12 *Aristov and Gromov v. Russia* (judgment final on 9 October 2018);
- no. 4966/13 *Barabanov v. Russia* (judgment final on 30 January 2018);
- no. 62630/13 *Polikhovich v. Russia* (judgment of 30 January 2018 final on 2 July 2018);
- no. 63686/13 *Stepan Zimin v. Russia* (judgment of 30 January 2018 final on 2 July 2018);
- no. 35000/13 *Tsukanov and Torchinskiy* (judgment final on 17 April 2018);
- no. 31475/10 *Annenkov v. Russia* (judgment of 25 July 2017, final on 25 October 2017).

**Violation**

In the aforementioned judgments, the European Court of Human Rights found violations by the Russian Government of the provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms related to the exercise by the applicants of the right to freedom of assembly, including:

- Article 11 taken in conjunction with Article 10 of the Convention – in connection with unlawful interference with the applicants' right to freedom of assembly and association and freedom of expression due to delivering by the authorities of decisions refusing to agree the time and venue for holding public events or the forced termination of such events, as well as bringing the applicants to administrative liability in case of holding by them of public events, the time and venue of which have not been agreed with the authorities; as well as Article 18 in conjunction with Article 5 and Article 11 of the Convention - in connection with the restrictions imposed on the applicant (in two of the seven episodes) for the purposes not provided for by the Convention (*Navalnyy v. Russia*);
- Article 6 of the Convention in connection with violation of the applicants' rights in

cases related to administrative offences, including in connection with the absence of the prosecuting party during the proceedings (*Ryklin and Sharov v. Russia*, *Navalnyy v. Russia*, *Makarova and Others v. Russia*, *Elvira Dmitriyeva v. Russia*, *Asainov and Sibiryak v. Russia*, *Aristov and Gromov v. Russia*, *Tsukanov and Torchinskiy v. Russia*, *Muchnik and Mordovin v. Russia*); failure to provide to the applicants sufficient time for preparing their defence (*Muchnik and Mordovin v. Russia*); failure to provide a possibility to interview witnesses (*Asainov and Sibiryak v. Russia*); the courts' failure to ensure proper analysis of the evidence proving the applicants' innocence (*Asainov and Sibiryak v. Russia*, *Lashmankin and Others v. Russia*, *Aristov and Gromov v. Russia*); as well as failure to ensure fair criminal proceedings due to keeping the applicant in a glass booth in the course of the court hearing, preventing his effective participation in the proceedings and obtaining assistance of the lawyer (*Yaroslav Belousov v. Russia*).

- Article 5 of the Convention in connection with the applicants' administrative arrest and their detention at the police stations (*Lashmankin and Others v. Russia*, *Grigoryev and Igamberdiyeva v. Russia*, *Kalyapin v. Russia*, *Ryabinina and Others v. Russia*, *Navalnyy v. Russia*, *Tsukanova and Torchinskiy v. Russia*, *Kapustin v. Russia*, *Elvira Dmitriyeva v. Russia*, *Zinovyeva v. Russia*, *Aristov and Gromov v. Russia*); failure to provide a compensation for the applicant's apprehension and escorting him to the police station (*Kalyapin v. Russia*); as well as in connection with the applicants' unjustified lengthy detention in the course of the criminal proceedings without provision of any adequate reasoning by the court as to the necessity of applying the respective measure of restraint (*Lutskevich v. Russia*, *Stepan Zimin v. Russia*, *Polikhovich v. Russia*, *Barabanov v. Russia*, *Yaroslav Belousov v. Russia*) and excessively lengthy examination of appeals against the decision to extend the detention time period (*Barabanov v. Russia*).

- Article 3 of the Convention in connection with the failure to provide adequate conditions of transporting of the applicants from remand prisons to the court and back (*Lutskevich v. Russia*, *Polikhovich v. Russia*, *Stepan Zimin v. Russia*, *Yaroslav Belousov v. Russia*) and keeping the applicants in a glass booth during the respective hearings (*Lutskevich v. Russia*, *Polikhovich v. Russia*); excessive use of force and handcuffing during administrative arrest and violation by the court of the presumption of innocence during examination of the applicant's complaint against those violations (*Nikolaeyev v. Russia*); excessive use of force during the applicant's administrative arrest and failure to ensure an effective investigation into their complaints about the ill-treatment (*Annenkov and Others v. Russia*);

- Article 13 of the Convention - in connection with non-availability of effective remedies against the claimed violations (*Kablis v. Russia*, *Ryabinina v. Russia*, *Elvira Dmitriyeva v. Russia*, *Lashmankin v. Russia*).

## **Individual Measures**

### **1. Just Satisfaction**

**1.1. Judgment in the case of *Lashmankin v. Russia* (in respect of the applicants, in respect of which information on just satisfaction was not provided in the previous report (DH-DD(2018)420).**

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Yevgeny Vitallyevich Ikhlov 31040/11	-	7,500	3,800	The payment was made in full on 04.06.2019 in roubles at the exchange rate at the date of payment (payment order no. 411752 in the amount of RUB 550,353.63).
2.	Dmitriy Aleksandrovich Milkov 19700/11	-	7,500		The payment has not been effected yet as, despite the explanations of the ECHR regarding the need to provide the bank account details, the applicant has not yet provided the respective details. After provision of the bank account details by the applicant the payment will be effected in accordance with the established procedure.
3	Grigoriy Aleksandrovich Yelizarov 47609/11	-	10,000	3,000	The payment was made in full on 04.06.2019 and 09.04.2019 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment orders no. 411749 and no. 180927 in the amounts of RUB 55,035.36 and RUB 733,617.00).
4.	Pavel Nikolayevich Nagibin 20273/12	-	7,500		The payment was made in full on 16.04.2019 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 223960 in the amount of RUB 601,071.59).
5	Boris Nikolayevich Batyy 20273/12	-	10,000		The payment was made in full on 04.06.2018 in Euro (payment order no. 25 in the amount of EUR 10,750).
6	Siranush Khachaturovna Moshian 20273/12	-	7,500		The payment was made in full on 15.08.2018 in Euro (payment order no. 63 in the amount of EUR 8,250).

## 1.2. Judgment in the case of *Kapustin v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Vladimir	-	2,000	650	The payment was made in full

	Yakovlevich Kapustin  36801/09				on 24.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 359844 in the amount of RUB 137,995.60).
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### 1.3. Judgment in the case of *Milinov v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Aleksey Shabanovich Milinov  51165/08	-	9,750	850	The payment was made in full on 14.04.2020 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 72956 in the amount of RUB 790.845,90).

### 1.4. Judgment in the case of *Kablis v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Grigoriy Nikolayevich Kablis	-	12,500	2,500	The payment was made in full on 23.04.2020 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 766289 in the amount of RUB 1,255,239.00).

### 1.5. Judgment in the case of *Elvira Dmitriyeva v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Elvira Rashitovna Dmitriyeva  60921/17	149	12,500	2,700	The payment was made in full on 23.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 348796 in the amount of RUB 878,499.99).

### 1.6. Judgment in the case of *Kalyapin v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
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1	Igor Aleksandrovich Kalyapin  6095/09	-	1,000	2,600	The payment was made in full on 26.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 382134 in the amount of RUB 68,406.50).
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### 1.7. Judgment in the case of *Ryabinina and Others v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Yelena Zusyevna Ryabinina  50271/06	15	5,000	5,800	The payment was made in full on 17.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 294432 in the amount of RUB 760,139.92).
2	Lev Aleksandrovich Ponomarev	-	7,500	5,000	The payment was made in full on 27.04.2020 in roubles at the exchange rate at the date of payment (payment order no. 773698 in the amount of RUB 609,291.90).
	Mikhail Aleksandrovich Kriger	-	7,500		The payment was made in full on 24.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 359825 in the amount of RUB 1,041,942.39).
	Mikhail Yakovlevich Shneider  4718/07	-	7,500		The payment was made in full on 20.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 332763 in the amount of RUB 1,050,507.36).
3	Lev Aleksandrovich Ponomarev	<i>No claims were lodged</i>	7,500	5,000	The payment was made in full on 27.04.2020 in roubles at the exchange rate at the date of payment (payment order no. 773687 in the amount of RUB 609,291.90).
	Yuriy Vladimirovich Samodurov  Mikhail Aleksandrovich Kriger  Mikhail Yakovlevich	<i>No claims were lodged</i>	7,500		Despite the explanations of the ECHR, the applicant has not yet provided the bank account details for provision of compensation. Along with that, after submission of the bank account details by the applicant the payment will be effected in accordance with the established procedure.

	Shneider  24121/07	<i>No claims were lodged</i>	7,500		The payment was made in full on 24.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 359825 in the amount of RUB 1,041,942.39).
		<i>No claims were lodged</i>	7,500		The payment was made in full on 20.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 332763 in the amount of RUB 1,050,507.36).
4	Aleksey Ivanovich Kanurin  7624/08	<i>No claims were lodged</i>			-
5	Mikhail Nikolayevich Sharabanov  53088/08	<i>No claims were lodged</i>			-
6	Nataliya Andreyevna Poletskaya  64311/10	<i>No claims were lodged</i>	7,500	2,500	The payment was made in full on 18.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 306328 in the amount of RUB 525,865.21).
7	Vadim Vilyevich Khayrullin  6737/11	26	10,000	3,700	The payment was made in full on 13.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 279826 in the amount of RUB 710,222.65).
8	Aleksandr Vladimirovich Kostyrin  74971/11	<i>No claims were lodged</i>			-
9	Yevgeniy Nikolayevich Labudin  64746/13	<i>No claims were lodged</i>			-

### 1.8. Judgment in the case of *Makarova and Others v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
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1	Tatyana Andreyevna Makarova	-	9,800	-	The payment was made in full on 05.06.2019 in roubles at the exchange rate at the date of payment (payment order no. 417798 in the amount of RUB 740,553.46).
	Aleksandra Yuryevna Astakhova	-	9,800	5,000	The payment was made in full on 24.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 271621 in the amount of RUB 703,103.94).
	Yelizaveta Antonovna Fokht- Babushkina  53545/13, 56703/13	-	9,800		The payment was made in full on 24.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 271608 in the amount of RUB 703,103.94).

### 1.9. Judgment in the case of *Grigoryev and Igamberdiyeva*

1	Yakov Aleksandrovich Grigoryev	-	1,700	-	The payment was made in full on 30.05.2019 in roubles at the exchange rate at the date of payment (payment order no. 400428 in the amount of RUB 123,272.06).
	Kamola Dimuratovna Igamberdiyeva  10970/12		-		-

### 1.10. Judgment in the case of *Belan and Sviderskaya v. Russia*

1	Yelena Sergeyevna Belan  42294/13  Svetlana Olegovna Sviderskaya  42585/13	<i>Not awarded</i>			-
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### 1.11. Judgment in the case of *Nikolayev v. Russia*

1	Eduard Anatolyevich Nikolayev  61443/13	-	9,800	-	The payment was made in full on 10.06.2019 in roubles at the exchange rate at the date of payment (payment order no. 437866 in the amount of RUB
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					719,529.29).
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### 1.12. Judgment in the case of Muchnik and Mordovin v. Russia

1	Viktoriya Sergeyevna Muchnik  23814/15	286	5,200	-	The payment was made in full on 16.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 223962 in the amount of RUB 398,842.07).
2.	Mikhail Viktorovich Mordovin  2707/16	143	5,200	-	The payment was made in full on 24.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 271612 in the amount of RUB 383,335.14).

### 1.13. Judgment in the case of Ryklin and Sharov

1	Aleksandr Yurievich Ryklin  37513/15	-	5,000	500	The payment was made in full on 15.07.2019 in roubles at the exchange rate at the date of payment (payment order no. 568938 in the amount of RUB 390,562.70).
2.	Sergey Aleksandrovich Sharov  37528/15	-	5,000	500	The payment was made in full on 24.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 271612 in the amount of RUB 383,335.14).

### 1.14. Judgment in the case of Zinovyeva v. Russia

1	Kristina Nikolayevna Zinovyeva  69272/13	-	5,000	500	The payment was made in full on 24.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 271609 in the amount of RUB 538,753.15).
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### 1.15. Judgment in the case of Asainov and Sibiryak

1	Andrey Feritovich Asainov  16694/13	-	7,500	-	The payment was made in full on 31.05.2019 in roubles at the exchange rate at the date of payment (payment order no.
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					404836 RUB 544,421.79).
2.	Mariya Igorevna Sibiryak  32701/13		7,500	-	The payment was made in full on 24.04.2019 in roubles at the exchange rate at the date of payment (payment order no. 271598 in the amount of RUB 540,301.08).

### 1.16. Judgment in the case of *Navalnyy v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Aleksey Anatolyevich Navalnyy  29580/12	-	51,025	12,653	The payment was made in full on 25.12.2018 in roubles at the exchange rate at the date of payment (payment order no. 805739 in the amount of RUB 4,959,790.27).

### 1.17. Judgment in the case of *Lutskevich v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Denis Aleksandrovich Lutskevich  6312/13	-	12,500	-	The payment was made in full on 21.12.2018 in roubles at the exchange rate at the date of payment (payment order no. 782665 in the amount of RUB 961,721.25).

### 1.18. Judgment in the case of *Aristov and Gromov v. Russia*

1	Vyacheslav Vyacheslavovich Aristov  76191/12	-	7,500	-	The payment was made in full on 20.12.2018 in roubles at the exchange rate at the date of payment (payment order no. 779946 in the amount of RUB 573,556.50).
2.	Aleksandr Nikolayevich Gromov  5438/13	-	7,500	-	The payment was made in full on 20.12.2018 in roubles at the exchange rate at the date of payment (payment order no. 779957 in the amount of RUB 573,556.50).

**1.19. Judgment in the case of *Barabanov v. Russia***

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Andrey Nikolayevich Barabanov 4966/13, 5550/15	-	10,000	300	The payment was made in full on 22.08.2018 in roubles at the exchange rate at the date of payment (payment order no. 420412 in the amount of RUB 796,695.73).

**1.20. Judgment in the case of *Polikhovich v. Russia***

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Aleksey Alekseyevich Polikhovich 62630/13, 5562/15	-	12,500	300	The payment was made in full on 14.08.2018 in roubles at the exchange rate at the date of payment (payment order no. 398518 in the amount of RUB 993,944.32).

**1.21. Judgment in the case of *Stepan Zimin v. Russia***

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Stepan Yuryevich Zimin 63686/13, 60894/14	-	12,500	300	The payment was made in full on 30.12.2019 in roubles at the exchange rate at the date of payment (payment order no. 411928 in the amount of RUB 867,120.90).

**1.22. Judgment in the case of *Tsukanov and Torchinskiy v. Russia***

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Filipp Igorevich Tsukanov 35000/13	-	10,000	3,064	The payment was made in full on 29.06.2018 in roubles at the exchange rate at the date of payment (payment order no. 277219 in the amount of RUB 733,222,83).
2.	Artyom Aleksandrovich Torchinskiy	144	10,000		The payment was made in full on 06.06.2019 in roubles at the exchange rate at the date of

	35010/13				payment (payment order no. 217482 in the amount of RUB 737,892.29).
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### 1.23. Judgment in the case of *Annenkov and Others v. Russia*

Item No.	Full name of the applicant, case no.	Pecuniary Damage	Non-Pecuniary Damage	Legal Costs and Expenses	Payment
1	Mikhail Georgiyevich Annenkov	-	12,000	60	The payment was made in full on 14.02.2018 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 757009 in the amount of RUB 859,725.83).
2.	Yelena Vladimirovna Suprunova	-	8,500	460	The payment was made in full on 15.02.2018 in roubles at the exchange rate at the date of payment (payment order no. 827346 in the amount of RUB 631,982.85).
3	Yelena Yevgenyevna Guseva	-	8,500	60	The payment was made in full on 13.02.2018 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 754014 in the amount of RUB 610,834.68).
4.	Olga Mitrofanovna Zakharova	-	8,500	60	The payment was made in full on 28.12.2018 in roubles at the exchange rate at the date of payment (payment order no. 675915 in the amount of RUB 583,072.77).
5	Mikhail Valentinovich Finskiy	-	7,500	60	The payment was made in full on 16.02.2018 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 763348 in the amount of RUB 535,278.11).
6	Maya Yuryevna Khavantsev	-	7,500	60	The payment was made in full on 15.12.2018 in roubles at the exchange rate at the date of payment, including interest for the delay of payment (payment order no. 597293 in the amount of RUB 524,700.29).
7	Igor Aleksandrovich	-	7,500	60	The payment was made in full on 15.02.2018 in roubles at the

	Khripunov				exchange rate at the date of payment (payment order no. 760332 in the amount of RUB 285,438.78).
8	Gennadiy Nikolayevich Buzov	-	4,000	-	The payment was made in full on 21.12.2018 in roubles at the exchange rate at the date of payment (payment order no. 622268 in the amount of RUB 156,382.43).

2. The Action Plan regarding the individual measures taken in connection with the established violations of Article 11 taken in conjunction with Article 10 of the Convention, committed against Lashmankin A.V. (Judgment *Lashmankin and Others v. Russia*) has been sent earlier (document DH-DD(2018)420).

In connection with the delivery of the judgment of the European Court, A.V. Lashmankin applied to the Leninskiy District court of the city of Samara with an administrative claim against the Head of the city of Samara, seeking to recognize as unlawful the earlier delivered decision on refusal to agree the time and place of holding of the respective public event. The Leninskiy District court of the city of Samara, by its judgment of 6 February 2018, granted A.V. Lashmankin's claims, and recognized unlawful the decision of the authorities of the city Samara on refusal to agree holding of the challenged public event. This decision was never challenged.

In connection with the CMCE decision of 7 June 2018 it is noted that quashing the court decisions delivered in A.V. Lashmankin's case (in reply to his petition lodged with a national court in connection with the ECHR's judgment) remedies the non-pecuniary damage caused to the applicant, in addition to the monetary amount awarded by the ECHR. Moreover, quashing the Russian courts' decisions that are incompatible with the Convention, also directs them to apply the Conventional approach in examination of the respective category of cases.

The other applicants in the judgment *Lashmankin and Others v. Russia*, in whose complaints, violations related to administrative proceedings have been found, did not lodge any petitions with the courts.

Information on applications to the national courts, lodged by the applicants in other European Court's judgments, which concerns respective questions, has been requested and is awaited.

3. The Action Plan regarding the individual measures taken in connection with the violations established by the European Court, committed in the course of the criminal proceedings against Ya.G. Belousov has been sent earlier (see DH-DD(2018)420).

Within the framework of execution of the Court's judgment in the case of *Stepan Zimin v. Russia*, the Presidium of the Supreme Court of the Russian Federation, following the submission made by the Chairman of that court, resumed the criminal proceedings in case of Mr. Zimin S.Yu. due to newly discovered circumstances on 21 November 2018. Upon its results, the unjustified decisions on extension of the applicant's detention periods, which formed subject of examination by the European Court, were declared unlawful and quashed.

According to the Supreme Court of the Russian Federation, in connection with the violations established in the course of the criminal proceedings against the applicants in the cases of *Barabanov v. Russia*, *Kalyapin v. Russia*, *Kapustin v. Russia*, *Lutskevich v. Russia*, *Polikhovich v. Russia*, the issue regarding possible reopening of the proceedings in the applicants' criminal cases is currently being considered.

4. Measures were also taken in connection with the violations, established by European Court, related to excessive use of force.

4.1. In connection with the Court's judgment in the case of *Nikolayev v. Russia* on 15 April 2020 the Investigation Division of the Investigative Committee of the Russian Federation for the Rostov Region quashed the earlier delivered decision refusing in initiation of a criminal case based on the fact of use of force and handcuffing by the police in respect of E.A. Nikolayev. Additional review is organized, the course and results of which are under control of the prosecution bodies.

4.2. According to the Prosecutor General's Office of the Russian Federation, in connection with the European Court's judgment in the case of *Annenkov and Others v. Russia*, on 20 April 2020 the prosecutor of the Sovetskiy District of the city of Voronezh filed a motion with the court seeking to quash the earlier delivered decision on termination of the criminal case based on a statement regarding ill-treatment of applicants M.G. Annenkov, Ye.V. Suprunova, Ye.Ye. Guseva, O.M. Zakharova by police officers during their apprehension and escorting to the police station.

### **General Measures**

5. A number of measures were taken by the Russian Government for wide dissemination the judgments of the European Court at hand and to study the legal stances set forth therein.

5.1. Russian translations of the judgments have been sent to the Constitutional Court of the Russian Federation (hereinafter – the Constitutional Court) and to competent state authorities – the Supreme Court of the Russian Federation (hereinafter – the Supreme Court), to the courts of the constituent entities of the Russian Federation (in which the violations took place), the General Prosecutor's Office of the Russian Federation (hereinafter – the General Prosecutor's Office), the Ministry of Internal Affairs (hereinafter – the MIA of Russia), to local authorities (in the territories of which the violations took place), for them to factor legal stances of the European Court in their practice and to take measures within their competence to prevent analogous violations in the future.

The competent state authorities forwarded the copies of the European Court's judgments to their structural subdivisions and territorial bodies with necessary instructions to factor the European Court's legal stances in their practice.

5.2. Unofficial Russian translations of the Court's judgments in Lashmankin group of cases have been published on the Supreme Court's internal website in the Departmental Contour section (folder – "International Law"), accessible to all courts of general jurisdiction and justices of the peace, and in the automated information retrieval system "Judicial practice" of the specialised territorially distributed system "Lawyer" of the MIA of Russia. The majority of the judgments translated into Russian have been published in

*Consultant Plus* and *Garant* legal reference systems.

**5.3.** The Supreme Court and regional courts held workshops with judges and court apparatus staff to study the ECHR's judgments.

Study of legal stances of the European Court is also organised as part of training programs at the Russian Academy of Justice.

**5.4.** According to the information received, all regional and local authorities also organised the studying of the corresponding judgments of the European Court. Along with this, the relevant authorities conducted an in-depth study of the clarifications of the Constitutional Court and the recommendations of the Supreme Court on this issue.

For example, according to the Government of Moscow (the region where most of the Convention violations took place), all the Court's judgments delivered in cases of this category have been studied in detail. It is also reported that Moscow civil servants annually take advanced training courses, which include studying of the Convention provisions and the practice of the ECHR, including on the issues under consideration.

The Russian Government believe that the measures taken to raise awareness of the Court's legal stances will have a positive impact on the practical activities of the competent state bodies and local authorities.

**6.** It is recalled that on 8 March 2015 the Code of Administrative Procedure of the Russian Federation ("the CAP RF") was adopted, which, *inter alia*, contains provisions relating to judicial protection of the right to freedom of assembly and association and which created an effective domestic remedy that meets the international standards and allows citizens to take advantage of new improved appeal procedures against decisions of public authorities. This Code also provides for shorter periods for consideration of cases, related to public events.

**7.** In its judgments No. 24-P of 18 June 2019<sup>1</sup> and No. 33-P of 1 November 2019<sup>2</sup> the Constitutional Court set out important legal stances regarding the norms of the Russian law.

**7.1.** In its judgment No. 24-P of 18 June 2019 the Constitutional Court recognised that the interrelated provisions of Federal Law No. 54-FZ of 19 June 2004 "*On Meetings, Rallies, Demonstrations, Marches and Pickets*" (hereinafter – Law on Public Events) were in compliance with the Russian Constitution<sup>3</sup>.

At the same time, it is emphasised, with direct references to the ECHR's judgments in cases against Russia and other states, that according to European legal standards "the state should refrain from taking arbitrary measures that can violate the right to peaceful public events, and does not have an absolute discretion even in case of violation of the established rules for holding meetings, rallies, demonstrations, marches and pickets by their participants".

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<sup>1</sup> Judgment of the Constitutional Court of the Russian Federation of No. 24-P 18 June 2019 "*On the case of review of constitutionality of Article 5 § 4(5) and Article 7 § 3(6) of the Federal Law on Meetings, Rallies, Demonstrations, Marches and Pickets*".

<sup>2</sup> Judgment of the Constitutional Court of the Russian Federation no. 33-P of 1 November 2019 "*On Certain Issues of Holding Public Events in the Republic of Komi*".

<sup>3</sup> The Federal Law on Meetings, Article 5 § 4(5) and Article 7 § 3(6).

The attention is also drawn to the fact that “public authorities should show a certain degree of tolerance towards peaceful assemblies even when they can cause some disturbance in everyday life, including impediment of traffic, since otherwise freedom of assembly would lose its essence ...” and that “restriction of political speech or discussion of other important issues of public life needs sound reasons, in the absence of which such restrictions may adversely affect the general respect for freedom of expression and have a ‘chilling’ effect on the right to freedom of assembly ...”.

The attention is drawn to the need to distinguish between security measures taken in connection with a public event by the organiser, and security measures, that must be taken by state and municipal authorities, which, by virtue of their constitutional legal status, have the appropriate public powers. The authorities should consider the application for holding a public event, even if it contains an indication of such forms and methods of ensuring public order and medical care that are not consistent with the Law on Public Events. After consideration of such notifications, reasonable proposals on changing, supplementing or clarifying the forms and methods of ensuring public order should be sent to the organiser of the event, and, in case of acceptance of such proposals, the authorities should not impede holding of the public event.

**7.2.** By the judgment No. 33-P of 1 November 2019 of the Constitutional Court, certain provisions of the Law of the Republic of Komi of No. 91-RZ of 29 November 2012 “On Certain Issues of Holding Public Events in the Komi Republic” were declared to be inconsistent with the Constitution of Russia. It was indicated that the said law provided for a blanket ban on holding public events in a number of places without taking into account whether a particular public event poses a real threat to the rights and freedoms of people and citizens, the rule of law, law and order, and public safety.

**8.** A number of measures have been taken to improve regional legislation, taking into account the ECHR’s case-law.

According to the General Prosecutor’s Office, the prosecutors of the constituent entities of the Russian Federation analysed the regional legislation. Upon such analysis with taking into account the above explanations of the Constitutional Court and the ECHR’s case-law, the documents of the prosecutor’s response to bring regulatory legal acts in compliance with the legislation were introduced and approved.

For example, on 25 December 2019, the provision of the Law of the Tomsk Region “On Holding Meetings, Rallies, Demonstrations, Marches and Pickets in the Tomsk Region”, which provided for a ban on holding public events within 100 meters from the perimeter of buildings, occupied by railway stations, river ports, airports, fire departments and ambulance stations, was repealed.

The law of the Kaliningrad Region of 27 December 2019<sup>4</sup> excluded from the list of places, where holding of public events is prohibited, the territories directly adjacent to buildings and other facilities occupied by federal executive authorities, authorities of the Kaliningrad Region and local authorities.

Similar amendments were introduced to the laws of the Volgograd and Saratov

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<sup>4</sup> The Law of the Kaliningrad Region of 27 December 2019 *On Amending the Law of the Kaliningrad Region “On Securing the Conditions for Holding Assemblies, Meetings, Demonstrations, Marches and Pickets in the Kaliningrad Region”*.

Regions.

The corresponding work is ongoing.

**9.** In the light of the findings of the European Court, great importance is attached to ensuring compliance with the Convention requirements in the activity of police officers.

**9.1.** To this end, the Ministry of Internal Affairs of Russia held meetings with the participation of the Representative of the Russian Federation at the ECHR (hereinafter – the Representative) and the staff of his Office. Topical issues related to the actions of the bodies of internal affairs during public events and in the course of suppression of violations and ensuring public order were discussed at these meetings. Upon the results of such meetings, decisions aimed at improving the respective activity were made, the execution of which has been taken under control.

Similar meetings were held at the regional and local levels.

**9.2.** Based on an analysis of the Court’s case-law, prepared by the Representative’s Office, the Russian MIA developed and disseminated on 24 January 2019 among subordinate authorities *special Methodological recommendations for the bodies of internal affairs of the Russian Federation on the implementation of the legal stances set out in the judgments of the European Court of Human Rights and the Resolution Plenum of the Supreme Court of the Russian Federation in the field of ensuring the right to peaceful assembly*.

The said Methodical Recommendations contain detailed explanations regarding the importance of constitutional and conventional right of citizens to hold peaceful public events and the state’s obligations to protect this right. It was noted that this right may be restricted only on the basis of a federal law and taking into account the principle of proportionality.

The Methodological Recommendations refer to the provisions of the Constitution of the Russian Federation, federal laws and clarifications by the Plenum of the Supreme Court, which should be conformed in practical activity.

Particular importance is attached to the actions of bodies of internal affairs both in terms of interaction with competent state bodies and in the course of ensuring law and order and public safety during public events (including a comprehensive assessment of the situation, a balanced approach to decision-making on termination of events, initiation of the question of responsibility of its participants, detention and delivery to the bodies of internal affairs, compliance with the necessary requirements when drawing up protocols and other documents, *etc.*).

**10.** The Supreme Court adopted a number of effective measures.

**10.1.** In order to improve judicial practice and increase the effectiveness of domestic judicial remedies in the domain of regulation in question, on 26 June 2018 the Plenum delivered the Resolution “On certain issues arising before the courts when considering administrative cases and cases on administrative offenses related to the application of legislation on public events” (hereinafter – Resolution of the Plenum on public events).

The resolution contains substantive explanations to the courts on almost all problems identified by the ECHR.

- In particular, regarding the day which should be considered as the date of submission of a notification on holding a public event, it noted that the deadlines for filing a notification, stipulated by the law<sup>5</sup>, calculated in calendar days, do not include the day of sending a notification on holding a public event. Therefore, such a notification should be received by the public authority no earlier than the day immediately preceding the 15-days term before the day of holding the public event, and no later than the day immediately preceding the 10-days term before the day of holding the public event.

- It is also noted that in accordance with the Law on Public Events<sup>6</sup>, authorities may refuse to agree a public event only when the notification is submitted by a person who, in accordance with the said law, is not entitled to be its organiser, or if, according to the law, holding of the public event is prohibited in the place chosen by its organiser<sup>7</sup>. At the same time, as stated, the authorities must offer the organiser an alternative place and time for holding a public event, which will ensure achievement of its legitimate goals and which correspond to its social and political significance<sup>8</sup>.

- Attention is drawn<sup>9</sup> to the prohibition of violation by the authorities of the deadlines<sup>10</sup> for bringing to the notice of the organiser of a public event of the proposition to change the place and/or time of holding the public event, as well as proposals to change the goals, forms and other conditions of holding the public event, which do not meet the legal requirements. It is indicated that the extension of the legal deadlines for sending relevant proposals to the organisers of public events in case of one of the days of this period falling on a non-working day, is not permissible<sup>11</sup>. In this regard, the public authority should use all available means of communication and delivery, allowing to bring the contents of these documents to the attention of the organiser of a public event within the specified period of time, with confirmation of receipt of the relevant information by the addressee.

Emphasised<sup>12</sup> is the possibility and necessity of interaction between the organiser of a public event and a public authority in order to reach a consensus in determining the place and/or time of holding the public event. In this regard, attention is drawn to the fact that legislation does not exclude the possibility for the organiser of a public event to send, in response to a proposal by the public authority to change the place and time of the public event, a counter-proposal for another place and/or time of the event, taking into account the time required for its approval<sup>13</sup>.

It noted, however<sup>14</sup>, that a public event can be regarded as approved, including when the question of bringing its participants to administrative liability is considered, if, after receipt of the notification about the event within the time period established by the law, the

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<sup>5</sup> Federal Law no. 54-FZ of 19 June 2004 *On Assemblies, Meetings, Demonstrations, Marches and Pickets* ("the Law on Public Events"), Article 7 § 1.

<sup>6</sup> The Law on Public Events. Article 8 § 2.1, Article 12 § 3.

<sup>7</sup> Resolution of the Plenum on public events, para. 9.

<sup>8</sup> *Ibid.* para. 13.

<sup>9</sup> *Ibid.* para. 10.

<sup>10</sup> The Federal Law on Public Events, Article 12 § 1 (2).

<sup>11</sup> *Ibid.* Article 12 § 1 (2).

<sup>12</sup> Resolution of the Plenum on public events, para. 13.

<sup>13</sup> The Federal Law on Public Events, Article 5 § 4(2).

<sup>14</sup> Resolution of the Plenum on public events, para. 10.

authorities failed to inform the event organiser about the relevant substantiated proposals (except for cases when the organiser evades receiving them).

- The necessity for public authorities to comply with the principle of proportionality when sending to the organiser a proposal to change the place and/or time of holding the public event is particularly highlighted.

Including, but not limited to, it is indicated<sup>15</sup> that the proposal of the public authority to change the place and/or time of the beginning and end of the public event cannot be arbitrary and unmotivated, and should contain specific data indicating the objective impossibility of holding the event in the proposed place and time due to the necessity to protect public interests. The judgment describes cases that can be classified as exceptional, based on the requirements of the law<sup>16</sup>.

It also noted that when considering cases challenging the refusals to hold public events and proposals to change the place and/or time of their holding, the courts should take into account that the inconvenience caused by the public event for citizens not participating in them, as well as the assumptions of the public authority concerning the possibility of occurrence of such inconveniences, cannot by themselves serve as a viable reason for changing the place and/or time of the public event<sup>17</sup> (such reasons can be represented, for example, by inconveniences connected with the need to change transport routes, obstruction of pedestrian traffic, if traffic conditions and the conduct of its participants are within acceptable standards and will not contribute to traffic accidents).

- The Plenum explained that the possibility of holding several public events at the same time and place is not excluded, provided that their simultaneous holding does not exceed the maximum occupancy rate of the venue and will ensure their peaceful nature<sup>18</sup>.

- It is emphasised<sup>19</sup> that the actions (inaction) related to impediment of organization, holding, participating in a public event, as well as to coercion to participate in it, constitute *actus reus* of the administrative offense provided for by Article 5.38 of the Code of Administrative Offenses of the Russian Federation (“the CAO RF”).

It is noted that for the purposes of Article 5.38 of the CAO RF, creation (contrary to the requirements of the law) of obstacles to the exercise of the constitutional right to conduct public events is considered as impediment to participation in a public event. For example, it may consist of prohibiting a citizen from entering the venue of the public event by illegally raising barriers or fences, and of preventing the participant of the public event from expressing his/her opinion in a manner that does not violate public order and the rules of the event.

- It is emphasised<sup>20</sup> that holding the organiser of a public event administratively liable in connection with exceeding the maximum occupancy rate (capacity) of the territory (premises) on which the event is held is possible only if such excess is associated with a threat to public safety and law and order and was caused by actions (inaction) of the

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<sup>15</sup> Resolution of the Plenum on public events. para. 12.

<sup>16</sup> The Federal Law on Public Events, Article 8 § 2.2.

<sup>17</sup> Resolution of the Plenum on public events, para. 12.

<sup>18</sup> *Ibid.* para. 15.

<sup>19</sup> *Ibid.* par. 22, 25.

<sup>20</sup> *Ibid.* par. 32.

organizer of the event.

- It is stated<sup>21</sup> that the courts, when considering cases concerning administrative offenses, should examine the procedure of drawing up the protocol of the administrative offence and reports on application of measures of restraint provided for by the CAO RF<sup>22</sup>.

- The attention was drawn<sup>23</sup> to the fact that a measure of restraint can be applied to a person in order to ensure the proceedings of an administrative offense case (administrative detention, bringing to a police station in order to draw up protocol of an administrative offence) only in exceptional cases when the application of such measures is dictated by real necessity.

- A possibility is emphasised, provided for by Chapter 22 of the Code of Administrative Procedure, using which organisers of the event can challenge decisions of public authorities that violate or impede the applicants' right to freedom of assembly and association, actions and decisions to suspend or terminate public events, to use interim measures, including detention and delivery to the body of internal affairs. In this regard, the Resolution of the Plenum drew attention to the following:

- consideration of appeals against such decisions, actions (inaction) shall be performed as soon as possible, allowing to make a decision before the day of the proposed public event, but no later than ten days from the day of lodging of an administrative claim with a court (Article 222 § 4 of the CAP RF);

- the decision considered before the day or on the day of the public event should be sent to the persons participating in the relevant case immediately after its production (Article 227 § 6 of the CAP RF);

- a court's judgment concerning unlawfulness of the decision of the authority regarding time and place of holding a public event, should be executed immediately (Article 227 § 8 of the CAP RF);

- appeals filed against courts' judgments prior to the day of the public event regarding allegedly illegal decision of the public authority are to be considered no later than the day preceding the day of the public event (Article 305 § 3 of the CAP RF);

- the law establishes the obligation of the public authority to provide the court with all evidence confirming the existence of specific circumstances that impede holding of a public event at the proposed time and place, as well as the obligation of the court to examine such evidence, assessing it for relevance and sufficiency for interference with the right to freedom of assembly and associations<sup>24</sup>.

**10.2.** Along with the aforementioned Resolution of the Plenum, dissemination and study of the judgments of the European Court on the issues under consideration (see paragraphs 5.1 - 5.4, 10.1 above), the Supreme Court distributed among all lower courts and posted on its official website:

- "Summary of the legal positions of interstate bodies for the protection of human rights and freedoms and Special Rapporteurs (working groups) operating within

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<sup>21</sup> Ibid. par. 40.

<sup>22</sup> Chapter 27, Articles 28.2 and 28.3 of the CAO RF.

<sup>23</sup> Resolution of the Plenum on public events, para. 40.

<sup>24</sup> Ibid. par. 9, 12.

the UN Human Rights Council on the issue of protection of freedom of assembly for the year 2019” prepared by the Supreme Court;

- information concerning current practice of the UN General Assembly, including:

- Resolution of the UN General Assembly (“the UNGA”) of 17 December 2018 “Promotion and Protection of Rights and Fundamental Freedoms, Including the Rights to Peaceful Assembly and Freedom of Association” (A/RES/73/173);
- UNGA Resolution of 18 December 2019 “Combating the Glorification of Nazism, Neo-Nazism and Other Practices that Contribute to the Escalation of Modern Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance” (A/RES/74/136);

- Opinions of the Human Rights Committee (including on cases against Russia and other states), including:

- Yelena Popova v. Russian Federation (Opinion of 6 April 2018);
- Valeriy Rybchenko v. Belarus (Opinion of 6 April 2018);
- Berik Zhagiparov v. Republic of Kazakhstan (Opinion of 25 October 2018);
- Andrey Strizhak v. Belarus (Opinion of 25 December 2018);

- the information about reports of the UN Special Rapporteurs on the right to freedom of peaceful assembly and association (documents A/74/349 of 11 September 2019, A/HRC/41/41 of 17 May 2019 A/73/279 of 7 August 2018);

- The CMCE Recommendation to the Member States No. CM/Rec(2018)11 of 28 November 2018 “On the Need to Strengthen, Protect and Promote the Civil society Space in Europe”.

**10.3.** The Supreme Court is working on the translation into the Russian language and dissemination among lower courts Guidance on the case-law “Mass Protests” prepared by the European Court within the framework of the “Network of Supreme Courts” (operating under the auspices of the ECHR).

Period of execution — 1st half of 2020.

**10.4.** The measures taken contributed to improvement of judicial practice of consideration of cases related to approval and holding of public events, and to respect of citizens’ rights, bringing to liability and other restrictive measures.

The Supreme Court provided around 60 recent judicial decisions (in each of them the applicants’ claims were fully or partially granted), confirming the balanced approach of the Russian courts to consideration of relevant cases. As it follows from those decisions, the judges were guided not only by legal requirements, but also by the legal stances of the Constitutional Court, the European Court and the explanations given by the Plenum of the Supreme Court (mentioned above). The information about examples of court practice is attached (see attachment on 5 pages).

**11.** The work on solution of the problems associated with respect of the applicants’ rights in connection with their holding in glass cabins during trials is carried out as part of execution of the ECHR’s judgments in *Svinarenko and Slyadnev* group of cases; and the work on solution of the problems associated with the failure to ensure adequate conditions of transportation is carried out as part of execution of the judgement in the *Guliyev* group

of cases, and the “pilot” judgment in *Tomov v. Russia* case.

Annex

to the action plan of the Russian Government  
on the execution of the European Court's judgment  
in the Lashmankin group of cases

**Information**  
**on certain examples of the practice of Russian courts after**  
**delivery of the Resolution of the Plenum of the Supreme Court of the Russian**  
**Federation of 26 June 2018 *On certain issues arising before the courts when***  
***considering administrative cases and cases on administrative offenses related to the***  
***application of legislation on public events in view of legal stances of the Constitutional***  
**Court of the Russian Federation and the European Court of Human Rights**

- By its cassational ruling of 17 August 2018 the Supreme Court quashed the decision of the Khoroshevskiy District Court of the city of Moscow and the appeal ruling of the Judicial Division for Administrative Cases of the Moscow City Court. A new decision was delivered in the case, which declared unlawful the refusal of the Prefecture of the North-Western Administrative District of the city of Moscow to authorize the time and venue of the public event, since the prefecture did not send to the event organizer reasonable proposals to change the proposed venue and time of the event.

- By its cassational ruling of 5 July 2019 the Supreme Court quashed the decision of the Sverdlovskiy District Court of the city of Belgorod and the appeal ruling of the Judicial Division for Administrative Cases of the Belgorod Regional Court. A new decision was delivered in the case, which declared unlawful the refusal of the Belgorod City Administration to authorize the time and venue of the public event in connection with the failure of the Administration to send to the event organizer a reasonable proposal to change its date and time.

- By its cassational ruling of 5 November 2019 the Supreme Court quashed the decision of the Petropavlovsk-Kamchatskiy City Court of the Kamchatka Region and the appeal ruling of the Judicial Division for Administrative Cases of the Kamchatka Regional Court. Substantiating its decision, the Supreme Court indicated that the courts of first and appellate instances failed to examine the refusal of the Administration of the Petropavlovsk-Kamchatksk Urban District to authorize the venue and time of the public event from the standpoint of legality of the corresponding refusal as regards its proportionality to the legitimate aims, taking into account the specific situation, as well as assignment by the said authority of the place proposed for holding the public event to the sites, where holding of public events was prohibited.

- By its appeal ruling of 14 November 2018 the Judicial Division for Administrative Cases of the Rostov Regional Court quashed the decision of the Zernogradskiy District Court of the Rostov Region, which upheld the refusal of the Administration of the Kagalnitskiy rural settlement No. 774 to authorize the time and venue of the public event. A new decision was delivered, by which the court declared the corresponding refusal unlawful, since the Administration did not send to the public event organizer reasonable proposals to change the venue and time of the event.

- By its cassational ruling of 18 July 2018 the Supreme Court quashed the decision of the Tverskoy District Court of the city of Moscow and the appeal ruling of the

Judicial Division for Administrative Cases of the Moscow City Court. A new decision was delivered, which declared unlawful the response of the deputy head of the Regional Security and Anti-Corruption Department of the city of Moscow in which it refused to authorize the time and venue of the public event, since that response did not contain a proposal to the event organizer regarding the specific place and time for holding the event.

- By its decision of 11 October 2019 the Moskovskiy District Court of the city of St. Petersburg declared the proposal sent by the Administration of the Moskovskiy District of the city of St. Petersburg to the organizer of the public event unlawful. Substantiating its decision, the court indicated that the Administration's proposal to the event organizer to additionally receive consent concerning the venue of the owner of SCC "Petersburgskiy" was unlawful, since the respective territories were under the jurisdiction of the District Administration. At the same time, the District Administration was obliged to re-examine the organizer's notification about holding the public event in the previously proposed place and time.

- By its decision of 25 June 2019 the Tsentralniy District Court of the city of Krasnoyarsk declared unlawful the response of the Department of Public Security of the Krasnoyarsk City Administration, by which it refused to authorize the time and venue of the public event. Substantiating its decision, the court noted that the Administration's requirement to receive consent regarding the time and venue of the event of the owner of the territory, where it was planned to be held, was unlawful, since the interests of the owner were represented by the District Administration.

- By its appeal ruling of 29 August 2018 the Judicial Division for Administrative Cases of the Altai Territorial Court quashed the decision of the Tsentralniy District Court of the city of Barnaul. A new decision was delivered, by which the court declared unlawful the proposal of the Committee for Work with Citizens' requests and Public Associations of the Barnaul City Administration to change the venue of the public event, since that proposal did not contain adequate reasons for changing the venue of the public event proposed by the organizer.

- By its decision of 21 August 2019 the Yalta City Court of the Republic of Crimea declared unlawful the response sent to the organizer of the public event by the Head of the Yalta City Administration. Substantiating its decision, the court indicated that the response of the Head of the Yalta City Administration did not contain motivated reasons for changing the venue of the public event proposed by the organizer.

- By its decision of 12 April 2019 the Tsentralniy District Court of the city of Novosibirsk declared the proposal of the Novosibirsk Mayor's Office to change the venue of the public event unlawful. Substantiating its decision, the court indicated that the proposal in question was sent in violation of the statutory three-day time-limit for sending to the organizer of the public event proposals to change the place and time of holding the public event.

- By its cassational ruling of 20 December 2019 the Second Court of Cassation of General Jurisdiction quashed the appeal ruling of the Judicial Division for Administrative Cases of the Moscow Urban District and upheld the decision of the Taganskiy District Court of Moscow, which declared the refusal of the Prefecture Central Administrative District of the city of Moscow unlawful. Substantiating its cassational ruling, the court

indicated that the court of appeal was not entitled to uphold the prefecture's refusal to agree the venue and time of the public event, since the reply sent to the organizer did not contain reasonable proposals to change the venue and time of the corresponding event.

- By its decision of 18 September 2018, the Pyatigorsk City Court of the Stavropol Region declared unlawful the proposal sent by the city of Pyatigorsk Administration to the organizer of the public event asking to bring the conditions for holding the public event in line with legal requirements. Substantiating its decision, the court indicated that the Administration's requirement to eliminate the violation (one of the organizers indicated different place of actual residence and registration) was illegal and objectively impeded the exercise of the right to freedom of assembly and of association. At the same time, the Administration of Pyatigorsk was obliged to re-examine the received notification on the public event within three days.

- By its decision of 8 November 2018 the Taganskiy District Court of the city of Moscow declared unlawful the refusal of the prefecture of the Tsentralniy Administrative District of the city of Moscow to authorize the time and venue of the public event with reference to disruption of operation of critical facilities and transport infrastructure, and creation of obstacles for persons not participating in the public event. Substantiating its decision, the court indicated that in the letter of refusal to authorize the event the administration did not propose a different venue and time for holding the event.

- By its decision of 18 February 2020 the Smolnitskiy District Court of the city of St. Petersburg declared unlawful the response sent by the Administration of the Tsentralniy District of the city of St. Petersburg to the organizer of the public event, according to which the organizer had to bring the conditions for holding the public event indicated in the notification in line with legal requirements (in connection with the alleged need to obtain the consent of the St. Petersburg Committee for Provision of Urban Amenities). Substantiating its decision, the court indicated that the St. Petersburg Committee for Provision of Urban Amenities was not the owner of the site where holding of the public event was planned to take place and that it was not competent to issue permits for holding public events. At the same time, the Administration of the Tsentralniy District of the city of St. Petersburg was obliged to re-examine (no later than the day following delivery of the judicial act) the notification about time and venue of the public event.

- By its decision of 14 August 2018 the Oktyabrskiy District Court of the city of Arkhangelsk declared the response sent to the organizer of the public event by the Administration of Municipal Entity "Arkhangelsk City" unlawful. Substantiating its decision, the court indicated that no motivated proposal to change the venue was sent to the organizer of the relevant event. At the same time, the Administration was obliged to send to the organizer of the public event a reasoned proposal to change the venue of the public event.

- By its decision of 24 June 2019 the Shadrinskiy District Court of the Kurgan Region declared unlawful the response sent by the Administration of the city of Shadrinsk to the organizer of the public event, in which it refused to authorize the time and venue of the public event. Substantiating its decision the court indicated that the Administration's requirements to eliminate the alleged violation of the law by the organizer (in terms of

clarifying information about the organizer) were unlawful, since the notification contained all the necessary information for its consideration.

- By its decision of 19 December 2018 the Tatarskiy District Court of Novosibirsk Region declared unlawful the refusal of the Head of the city of Tatarsk of the Novosibirsk Region to authorize the venue for holding the public event. Substantiating its decision the court noted that the reference of the Head of the city of Tatarsk to the impossibility of holding the event in the proposed venue because another event was planned to be held there was unlawful, since the corresponding events were planned to be held at different times and in different parts of the same site.

- By its decision of 27 February 2020 the Kirovskiy District Court of the city of Irkutsk declared unlawful the response sent to the organizer of the public event by the Irkutsk City Administration, in which it proposed to change the time of holding the public event, because other (previously agreed) public events were going to be held at the venues selected by the organizer. Substantiating its decision, the court noted that the Irkutsk City Administration did not provide evidence of that it would be impossible to ensure safety of participants in the course of holding several public events together. At the same time, the Administration was obliged to re-examine the notification filed by the organizer of the public event.

- By its decision of 4 April 2019 the Vilegodskiy District Court of the Arkhangelsk Region declared unlawful the letter sent to the organizer of the public event by the Administration of Municipal Entity Safronovskoye, in which it refused to authorize the time and venue of the public event due to performance of snow removal works and sporting events at that place. Substantiating its decision the court indicated that snow removal works, as well as sporting events, were not public events within the meaning of the Law on Public Events and could not be considered as a legal justification for refusing to authorize the public event. At the same time, the court obliged the Administration to authorize holding of the public event in the proposed venue and time.

- By its decision of 4 November 2018 the Sergachskiy District Court of the Nizhniy Novgorod Region declared unlawful the response sent by the Administration of Sergachskiy Municipal District to the organizer of the public event, in which it refused to authorize the time and venue of the public event. Substantiating its decision the Sergachskiy District Court of the Nizhniy Novgorod Region found the arguments of the Sergachskiy Municipal District Administration concerning non-compliance of the public event with the objectives stated in the notification unsubstantiated. At the same time, the court ordered the Administration not to impede holding of the public event in the proposed venue and time.

Similar decisions have been delivered in a number of other cases.