



H/Exec(2015)13 - 07 May 2015

Alekseyev v. the Russian Federation

Statistical information on the organisation of public events similar to those at issue in Moscow and St Petersburg, as well as in the Kostroma, Arkhangelsk, Murmansk and Tyumen regions between 1 May 2014 and 1 February 2015

Memorandum prepared by the Department for the Execution of Judgments of the European Court of Human Rights

The opinions expressed in this document are binding on neither the Committee of Ministers nor the European Court.

City / Region	Requests received	Requests accepted and/or refused	Events that actually took place	Judicial review
St Petersburg City¹	2 (one of the requests concerned the organisation of 1 public meeting and 1 procession planned for 26/7/2014)	1 (events planned for 26/7/2014): the authorities refused the request for public meeting because another cultural event was planned previously in the same venue and the request for procession because construction works were ongoing in the same venue (authorities proposed alternative venue and time) 1: request sent back to the organiser for corrections to be made in	0	None (no complaints lodged against the refusals) (additional information: 1) in a complaint lodged against a police officer on account of excessive force used during an event that took place on 12/10/2013 (i.e. outside of the reference period), a St Petersburg Court decided that the force used in that event was proportionate; the appeal proceedings lodged against this decision are pending; 2) no person was held administratively liable for propaganda of non-traditional sexual relationships during the reference period in St Petersburg).

¹ In addition to the above figures, the Russian authorities indicated that 2 events took place in the specially designated area for holding public events in St Petersburg without prior request made and authorisation given. These events aimed at attracting the public's and the authorities' attention to the problems of LGBT persons, called for broadmindedness and tolerance.

		compliance with the law (the organiser had lodged the request to a wrong State body and failed to indicate the form of the planned public event)		
Kostroma Region	2	<p>1 (event planned for 1 June 2014 – “the Child’s Protection Day”): refused for safety concerns and on the ground of the prohibition of propaganda of non-traditional sexual relationship</p> <p>1 (event planned for 2 June 2014): authorities accepted, but the event did not take place because emergency repair works had to be carried out in the area where the event was supposed to take place</p>	0	<p><i>The event planned for 1 June 2014:</i> On an unspecified date the Sverdlovskiy District Court annulled the decision refusing to hold a public event on 1 June 2014. On 8 September 2014 the Kostroma Regional Court upheld this decision². These courts found that the authorities failed to assess diligently the security risks and that the event’s aim (which was to draw public’s attention to the problems of LGBT community) did not constitute propaganda. The appeal lodged by the Kostroma city administration is pending before the Supreme Court.</p> <p><i>The event planned for 2 June 2014:</i> the Kostroma Regional Court found that the scope and the nature of the repair works had not been such a large scale to prevent the organisation of the public event</p> <p>(additional information: 1) courts examined two complaints that were lodged in respect of refusals of requests to hold public events which were planned to take place outside of the reference period: - on 11/06/2014 the Sverdlovskiy District Court found unlawful the refusal to agree to a picket planned for 10/04/2014. The court, referring to the Convention and the Court’s case-law, indicated that the picket near the City Hall could not negatively influence the minors’ moral values and that, accordingly, the authorities’ reference to the “anti-propaganda” legislation was ill-founded; it was also found that the authorities failed to propose an alternative time and venue for the holding of the event; this decision was upheld at appeal. - on the same day the same court found that the refusal to hold a public event planned for April 2014 was lawful; this decision was quashed as ill-founded; appeal proceedings are pending. 2) all complaints above were lodged after the date of the planned event. 3) no person was held administratively liable for propaganda of non-traditional sexual relationships during the reference period in Kostroma region).</p>
Arkhangelsk Region	3	<p>1 request was refused on account of traffic and safety concerns; 2 requests were refused on the basis of the federal “anti-propaganda” law (the authorities proposed to</p>	0	<p>None (no complaints lodged against the refusals)</p> <p>(additional information: no person was held administratively liable for propaganda of non-traditional sexual relationships during the reference period in Arkhangelsk region)</p>

² Information provided on 19/05/2015

		change the place of the event).		
Murmansk Region³	3	3 requests were refused because another cultural event was supposed to take place in the same venue and sanitation/cleaning works were planned (the authorities proposed to change the place and the date of the venue – the organiser of one of the events agreed to change the place of the event and it took place).	1	None (no complaints lodged against the refusals) (additional information: no person was held administratively liable for propaganda of non-traditional sexual relationships during the reference period in Murmansk region)
Tyumen Region	1	1: request was sent back to the organiser because it failed to fulfil the time limits ⁴ in Law on Assemblies	0	1 complaint was lodged but was rejected (the domestic court returned the complaint to the applicant as a result of his failure to comply with the statutory requirement while preparing the complaint, the court invited the applicant to rectify the shortcomings found, however the applicant did not rectify the shortcomings and did not lodge another complaint) ⁵ . (additional information: no person was held administratively liable for propaganda of non-traditional sexual relationships during the reference period in Tyumen region).
Moscow City	9	9: authorities refused all requests on the basis of the laws of the Russian Federation including the federal “anti-propaganda” law	0	7 complaints were lodged against the refusals of Moscow city authorities (4 of these complaints concerned previous refusals); all these complaints were dismissed on the ground of children’s interests. 4 appeals lodged subsequently were also dismissed. In parallel proceedings, 4 complaints were lodged with the Kostroma Regional Court against the refusal of the Moscow city authorities. These complaints were rejected because the organisers expressly intended to hold public events in places crowded by minors; this demonstrated their intention of popularising or imposing information on non-traditional sexual relations on minors. Appeal proceedings are pending before the Supreme Court in one case (6 of these 11 appeals were lodged after the planned date of public events). ⁶ (additional information: no person was held administratively liable for propaganda of non-traditional sexual relationships during the reference period in Moscow).

³ On 17/05/2014 a public event in the form of a flash mob took place in the city of Murmansk. The participants freely expressed their views on discrimination on the grounds of sexual orientation, necessity of respect for the principle of equality and tolerance in the society.

⁴ Information provided on 19/05/2015

⁵ Information provided on 19/05/2015

⁶ Information provided on 19/05/2015