

# **Methodology of dataset on criminal prosecutions related to the exercise of people's right to freedom of assembly since 2015**

OVD-Info publishes data on criminal prosecutions for the realization of people's right to freedom of assembly that were initiated in 2015 and later.

Initiating criminal cases for public events is one of the common methods of political persecution, a way to suppress protest and intimidate people trying to express disagreement with what is happening in the country by going out to the streets.

The most recent example is the criminal case for mass riots and use of violence against representatives of the authorities due to the popular gathering in Baymak (Bashkortostan) on January 17, 2024 — the day when the court issued its verdict to the activist Fail Alsynov. As of this writing, 29 people are known to be under prosecution in this case.

To make it easier to understand such criminal cases, we publish information about them in the form of datasets. With their help, you can study how the number of those prosecuted grew, what criminal articles were used, what sentences were handed down by the courts, and much more.

## ОБ ЭТОМ НИКТО НЕ УЗНАЕТ

Если об этом никто не напишет. Подпишитесь на регулярные пожертвования ОВД-Инфо, чтобы плохие дела не оставались в тишине.

### ПОДПИСАТЬСЯ

This dataset is a fragment of our previously published [database of politically motivated criminal prosecutions](#).

We have divided all prosecutions we know of that are related to the realization of the right to freedom of assembly into three dataset blocks:

- Data on cases directly related to public events in which more than one person was involved
- Data on cases indirectly related to public events
- Data on cases involving solitary pickets

## WHAT WE COUNT

The dataset is organized in such a way that the collected information is not centered around a criminal case but around the person under prosecution. There are two reasons for this.

First of all, our project overall is focused on disseminating information about specific people and providing them with assistance, including informational. Datasets that collect data primarily on people who have been persecuted meet these goals. The persecution of a specific person with specific consequences is more important to us in this sense than formal data on specific criminal cases. We think that information about pressure on specific individuals is of greater value and importance than information about criminal cases.

Second of all, it is not always obvious how to properly count criminal cases. More than one case may be initiated against one person in more or less the same period, and one person may have more than one criminal case opened against them. All these cases may be combined and separated, some of them may be severed from «collective» cases into separate proceedings, and so on. In addition, the same circumstances (in particular, the same public event) may trigger a series of various criminal cases, some of which may be stretched over time.

- For example, in the wake of the events of May 6, 2012, a mass riot case was initiated, as well as a series of individual cases for use of violence against representatives of the authorities. These cases were collectively referred to by observers as the «Bolotnaya case.» Still, some people were charged under only one article, others under both articles, some people's cases were divided into separate proceedings, and there were also collective cases, such as the «Case of the Twelve, » which later turned into the „Case of the Eight“ after four defendants were amnestied. Information about the alleged involvement of people in the events of May 6 was uncovered by the investigation over the next few years, which triggered new cases. All these circumstances make it very difficult to answer the question of how many criminal cases were initiated overall. The number of people against whom criminal cases were initiated is much easier to count.

Criminal prosecution affects many people — witnesses, as well as close relatives and sometimes even neighbors of the defendants. However, the circle of such people is so wide that we decided to narrow the focus of the datasets to the suspects, defendants, and criminally convicted. If we do not know the status of a particular person, we do not include them in the dataset.

## **WHY DO WE FOCUS ON CRIMINAL CASES**

The realization of the right to freedom of assembly in Russia can have different consequences — either in the form of extra-legal

pressure, or using articles of the Code of Administrative Prosecutions or the Criminal Code. It is important to note that the consequences of applying the Code of Administrative Offenses in some cases turn out to be quite comparable with the consequences of using the Criminal Code — a case in point is the fine for a «repeated violation of the established procedure for holding public events» (Part 8 of Article 20.2 of the Code of Administrative Offenses) that amounts to hundreds of thousands of rubles. From the point of view of international standards, an arrest under an administrative article is equivalent to imprisonment under a criminal one.

However, in general, the application of the Criminal Code has a much more severe impact on the individual. As a rule, it is associated with searches, interrogations, and lengthy investigations — all this affects, as mentioned above, not only the person under prosecution, but also his relatives. Punishment under the Criminal Code, as a rule, is significantly more severe than under the Code of Administrative Offenses; in addition, it has consequences in the form of a criminal record, and therefore a significant loss of rights. In light of this, we think that it makes sense to separately analyze criminal prosecution in connection with the realization of the right to freedom of assembly.

Actions that triggered administrative charges under articles of the Code of Administrative Offenses are mentioned here only if they became one of the grounds for initiating criminal cases — such a possibility is set forth in the article on repeated violation of the established procedure for holding public events (Article 212.1 of the Criminal Code) or the one on repeated discrediting of the use of the Armed Forces (Part 1 of Article 280.3 of the Criminal Code).

Of course, we cannot claim that we have collected complete data on all criminal cases initiated in connection with the realization of the right to freedom of assembly from 2015 to the beginning of 2024. Some information may have gone unnoticed, primarily because some cases are considered without any publicity, are covered purely at the local level and without any details,

or information about them is available only in the text of the verdict on the court's website, where it would not occur to us to look due to the absence of additional information. In addition, the persecuted individuals themselves may be against the dissemination of any information about their cases.

## **TIME PERIOD AND RELEVANCE**

We have collected information about people against whom criminal cases have been filed since 2015. The data is continuously updated, i.e. it is entered into the datasets almost immediately after we receive it. Thus, the datasets contain the most current information available to us.

The time period refers to the year in which the case was initiated. This means that the datasets may include people against whom cases were opened in connection with events that occurred before 2015 — in particular, the persons involved in the above-mentioned «Bolotnaya case, » who began to be prosecuted in 2015, are included here.

The year of 2015 is an important milestone in the history of criminal prosecution of participants in protest rallies in Russia: it was in this year when the authorities began applying the criminal article on repeated violation of the established procedure for holding public events (Article 212.1 of the Criminal Code) for the first time, and in December of that year, Ildar Dadin was sentenced to three years in prison under the article. This was the first (but, alas, not the last) case of deprivation of liberty solely in connection with the realization of the right to freedom of assembly. Over time, we plan to supplement the datasets with the data we have for 2011–2014.

In 2023, public events as a form of resistance have become less popular than in previous years due to the continuation of the full-scale war in Ukraine, tightening of the repressive legislation, and generally due to pressure on almost any type of protest and disagreement with the authorities. This, however, does not mean

that street protest has completely disappeared: solitary pickets and rallies with the participation of a larger number of people took place throughout the year and were accompanied with arrests and administrative prosecution. The activity of the wives of the mobilized who demanded that their husbands be allowed to return home, as well as the above-mentioned events in Bashkortostan, which began as an environmental protest (the convicted activist Fail Alsynov, for supporting whom a criminal case was opened, was known, in particular, as one of the leaders of the environmental movement in the republic), demonstrate that people feel the need to realize their right to freedom of assembly even under the conditions of increasing repression. This once again indicates the relevance of the data we present.

The information contained in the dataset includes:

#### Personal data

- name;
- year of birth;
- age;
- sex;
- citizenship;
- occupation;
- health issues (if any);
- whether the person is located outside Russia;
- photos.

data related to the properties of the datasets

- the dataset number (see above);
- what kind of action related to the event is at the heart of the case — the rally itself (or a solitary picket), a statement about the rally or the consequences of the rally (the options are listed above);
- how the action relates to the event in time: during the event, before or after.

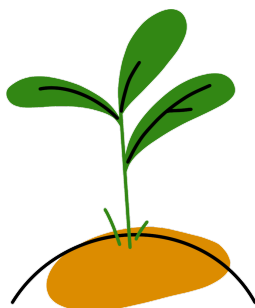
data related to the actual criminal case

- the city (s) and region (s) in which the prosecution is being carried out (the investigation and the trial);
- articles of the Criminal Code;
- the name of the case and the «collective case» — i.e. the group of cases to which the case is related (for example, the «Bolotnaya case» as a set of criminal cases initiated in connection with the events of May 6, 2012 in Moscow on Bolotnaya Square);
- the «plot of the case», that is, what is imputed within a specific case to a specific persecuted person;
- the month and year of the beginning of the persecution — here we can refer to both the month and year when the case was initiated, and the month and year when the person was searched; in some cases, the date of the beginning of the persecution may be even earlier than the date of the initiation of the case — sometimes a person who has gotten into the crosshairs of the authorities is first detained and arrested on trumped-up administrative charges, and then a criminal case is initiated;
- the month and year of the end of the persecution — this may mean release, the end of probation, termination of work, the end of the term of restriction of freedom, the end of the term of administrative supervision, etc.;
- preventive measures;
- detention centre;
- types of verdict;
- the essence of judgement;
- the current status of the persecuted (deprived of liberty or not, in a pre-trial detention center or in a colony, etc.);



- information about a public event (rally); sometimes the reason for persecution is a failed rally or a rally that took place in the occupied territories, about the dispersal of which the persecuted wrote a post on social networks — in such cases, the corresponding field remains empty;
- the fact of torture;
- information about the lawyer;
- a detailed story, including a description of the person's activities and details of various types of pressure on him, including the initiation of a criminal case or cases, if there were more than one — in different rows deal with the «persecution» of the same person, you can see the same story).

All fields are translated into English.



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### ЧТО Я МОГУ С ЭТИМ СДЕЛАТЬ?

Прочитать, рассказать, поддержать. Подпишитесь на регулярные пожертвования ОВД-Инфо, чтобы как можно больше людей узнали о политических репрессиях в России сегодня.

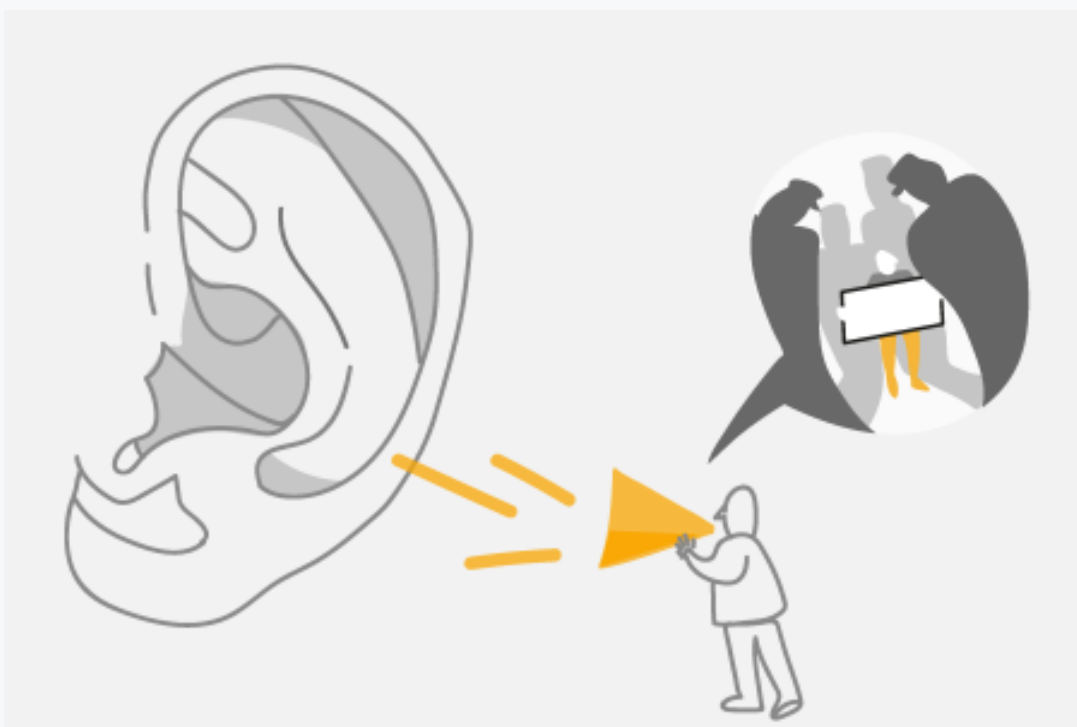
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