

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES

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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1230 meeting (9-11 June 2015) (DH)

Item reference: Communication from a NGO (GayRussia) (02/06/2015) in the case of Alekseyev against Russian Federation (Application No. 4916/07)

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

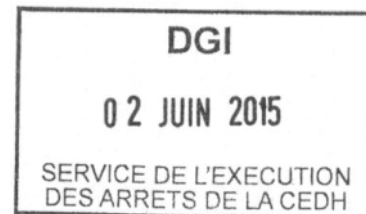
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Réunion : 1230 réunion (9-11 juin 2015) (DH)

Référence du point : Communication d'une ONG (GayRussia) (02/06/2015) dans l'affaire Alekseyev contre Fédération de Russie (Requête n° 4916/07) (**anglais uniquement**)

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



Committee of Ministers

Geneva, June 2nd 2015

Submission to the Committee of Ministers in the case of Alekseyev vs. Russia

Dear Members of the Committee of Ministers,

We would like to take to your immediate consideration this important note ahead of Tuesday June 9th meeting of the Committee during which the case Alekseyev vs. Russia will be reviewed by the Committee.

As the Committee is already aware, Russian authorities still refuse to authorize any Gay Pride/ LGBT public actions in Russia. The Committee has been made aware that a significant number of such actions regularly applied for by the applicant, Nikolay Alekseyev keep being denied. Denials are not only in Moscow but in other cities. Russian Courts refuses to take into account the decision made by the ECtHR in the case of Alekseyev vs. Russia.

Once again, this year, the Moscow Gay Pride March which was scheduled on May 30 has been rejected by the Moscow City Authorities. A local court has confirmed during the evening before the planned action that the ban was lawful though this decision had 10 days before coming into force.

The prosecution of Moscow handed a written warning to Nikolay Alekseyev at the Court that should he go ahead with the action, he will be judge with all the legal consequences. This warning was handed to him while he entered the Court before the case was even considered by the judge!

Nikolay Alekseyev and Vadim Gruzdev were arrested at the event as organizers of the action and Yevgeny Gerasimov was arrested as a participant. They were held in custody until a judge of the Tverskoy Court sentenced them to 10 days in prison for organizing an illegal action and disobeying to police orders.

Videos made by media and widely available clearly show that i) the police left the counterprotesters attacking and beating the participants and the organizers before they interfered to stop the clashes ; ii) Nikolay Alekseyev did not disobey police orders, but instead was brutally attacked and severely beaten as he was later transported to medical emergency by the police in a local hospital.

We would like to stress to the Committee that it is the first time that organizers of a LGBT public action are sentenced to prison term.

Counter protesters who were beating participants and organizers were immediately released.

Since the decision of the ECtHR came into force in 2011, the applicant has not been authorized to exercise his right to freedom of assembly in Russia. Now, he is being arrested and sent to prison for doing so.

An interim decision under Rule 39 has been filed with the ECtHR asking for the immediate release of Nikolay Alekseyev, Vadim Gruzdev and Yevgeny Gerasimov.

We further would like to ask the Committee to consider that recent legal development in Russia will make it impossible for the applicant to further apply for holding public actions in Russia.



Irina Fedotova
Vice President