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**STATEMENT BY MR. ANDREY KELIN,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 985th MEETING OF THE OSCE PERMANENT COUNCIL**

27 February 2014

**In response to the statements by the European Union and the
United States of America on Bolotnaya Square**

Mr. Chairperson,

We note the statements by the representatives of the United States of America and the European Union on the sentencing of participants in the riots on Bolotnaya Square on 6 May 2012. We shall inform our capital of the concerns of our Western partners and also of the uncalled-for attempt by them to exert pressure on the independent judicial system in our country.

We do not understand how the representatives of the European Union can claim that there were any violations of freedom of expression and assembly. All of the accused were found guilty by the court of having taken part in mass riots and of using force against police officers.

I recall that the protest by the opposition on Bolotnaya Square, which had been authorized by the Moscow authorities, degenerated into a clash with the police as a result of provocation by demonstrators. As a consequence of the riots ten people were injured and more than 400 detained. There was a threat that the mass riots would escalate throughout the country. Moreover, the overwhelming majority of those detained were quickly released.

Only 28 persons were charged with criminal offences under Article 212 (Mass riots) and Article 318 (Use of violence against a representative of authority) of the Criminal Code of the Russian Federation. Some of these were later granted amnesty. Only eight were ineligible for amnesty as they were charged with the use of violence against representatives of law enforcement bodies. According to Russian law they are entitled to appeal or petition the Head of State for a pardon.

Regarding the events in the centre of Moscow on 21 and 24 February, I should like to point out that they were not sanctioned and were thus illegal. The arrests were made after repeated admonitions by the Ministry of Internal Affairs personnel to desist from the illegal acts. Many participants in the protests were released after their details had been taken down. Boris Nemtsov and Aleksey Navalny were charged under Article 19.3 of the Code of

Administrative Offences of the Russian Federation (Failure to follow a lawful order of a police officer). They received administrative sentences of ten and seven days' imprisonment.

Recent events in a neighbouring country have shown that the absence of a timely and appropriate response by the authorities within the framework of the law to provocation by demonstrators and the disruption of law and order can lead to a bloody tragedy with far-reaching consequences.

As for the "disproportionate" sentences, it is strange to hear this from the United States of America, where the Russian pilot Konstantin Yaroshenko was sentenced to 20 years on a trumped-up charge. What is more, he was not even sentenced for having committed a crime but merely for the "intention" of doing so. We already spoke at the last Permanent Council meeting about how "humanely" he is being treated in prison.

It would also be interesting to hear what our United States partners think of the sentencing last week in the state of Tennessee of three pacifists and human rights activists from the Transform Now Plowshares movement for their protest on the premises of the nuclear facility in Oak Ridge involving the unfurling of a banner with quotes from the Bible and the chipping away of pieces of the wall.

For this act they were sentenced to imprisonment for three to five years and fined 53,000 US dollars for damaging property, in spite of the absolutely peaceful nature of the protest and the advanced age of the participants.

Moreover, in the United States of America no one calls these three protestors political prisoners and victims of a repressive regime nor are any concerns voiced about the absurdity of the accusations of sabotage and damage to national security.

It would seem therefore that human rights activists are not allowed to break United States laws but they can break Russian ones. This makes for interesting "standards".