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Russia: Ongoing judicial prosecution of human rights defender Ernest Mezak

Since January 2021, human rights defender **Ernest Mezak** has been facing increasing pressure from the authorities in relation to his participation in rallies and demonstrations protesting the judicial process and continued imprisonment of opposition politician Alexei Navalny. Since January, five administrative cases have been brought against him, on charges of: “violation by a participant of a public event of the established procedure for holding a meeting, rally, demonstration, march or picket” in one case, for which he was convicted and fined, and “refusal to obey lawful orders of a police officer” in the remaining four cases. One of the four cases on charges of police disobedience was ultimately dismissed, whilst in two of the remaining cases he was convicted and sentenced to 12 and six days of administrative detention respectively. He is still awaiting a decision on the fourth case.

[Ernest Mezak](#) is a prominent human rights defender and lawyer from the Komi Republic, Russia. He represents victims of violations of law enforcement agencies in courts at the national level, and has also acted as a legal representative at the European Court of Human Rights in around 200 cases. In one such case, the ECHR recognized the violation of the right to freedom of assembly regarding the regional legislative ban on public gatherings on the Main Square in Syktivkar. He also successfully obtained pilot decisions on the “inhuman conditions” of prisoner transportation, which resulted in a considerable review of the practice. In 2012, he was a laureate of the Moscow Helsinki Group Human Rights Award in the category “For defending human rights in courts”. He also previously worked as a lawyer in the Human Rights Foundation “Public Verdict”.

On 10 March 2021, Ernest Mezak was detained by law enforcement officers at the Syktyvkar airport and was taken to the special detention center of the Ministry of Internal Affairs in Syktyvkar. The human rights defender had been on his way to Moscow to attend a court hearing in the case of Marina Litvinovich, a member of the Public Monitoring Commission (PMC) in Moscow, whom he represents.

On the same day, the Syktyvkar City Court convicted Ernest Mezak of “refusal to obey lawful orders of a police officer” (Part 1 of Article 19.3 of the Administrative Code) and sentenced him to 12 days of administrative detention. The charges were brought against him in relation to his participation in a demonstration in support of Alexei Navalny which took place on 31 January 2021. According to the human rights defender, on the day in question, police officers asked him to go with them to the police department in relation to another administrative case, however he refused to go with the officers. Following his refusal to comply, the officers forced Ernest Mezak into a police car, hitting him several times in the leg. The following day, Ernest Mezak was hospitalized in the Republican infectious diseases hospital in Syktyvkar, as he had been displaying COVID-19 symptoms since being detained, believed to be aggravated by stress. Doctors had recommended he be hospitalized following a COVID-19 test, as the symptoms were in fact post-COVID-19 symptoms.

On 15 March 2021, the Syktyvkar City Court convicted Ernest Mezak of “violation by a participant of a public event of the established procedure for holding a meeting, rally, demonstration, march or picket” (Part 5 of Article 20.2. of the Administrative Code) for his

participation in the rally on 31 January. A fine of 17,000 rubles (approximately 190 euro) was also issued against him.

On 23 March 2021, Ernest Mezak was released from the detention centre but just hours later, was arrested again and brought before Syktyvkar City Court to face new charges. This time police officers claimed that Ernest Mezak had violated the law during his trial on 15 March. According to Ernest Mezak's lawyer, before the court hearing the human rights defender was handcuffed in the detention center, but he refused to go to court with handcuffs. He told the police officers that their actions were illegal as the law does not prescribe handcuffing in such cases, and said that he would either go without handcuffs or they would have to carry him. Following this, the police officers dragged him by the legs across the floor and into the courtroom. The officers justified this action by alleging that Ernest Mezak's refusal to be handcuffed amounted to a violation of Article 19.3 of the Administrative Code, "refusal to obey lawful orders of police". On this charge, he was sentenced to another six days of administrative detention. He is also facing charges for a similar incident on 17 March 2021, when he refused to be handcuffed by police officers when going to court for a hearing and so officers took him by force. The next hearing on this case is scheduled for 6 April.

On 23 March 2021, the Syktyvkar City Court of Komi dismissed a fourth administrative case against Ernest Mezak on the same charge of police disobedience (Article 19.3 of the Administrative Code). The charge was initially brought against the human rights defender in relation to his transfer between a COVID-19 testing centre and the hospital, following his release from detention on 31 January, due to lack of corpus delicti.

Since opposition leader Alexei Navalny returned to Russia in January 2021, hundreds of thousands of people have been taking part in protests to demand the release of the jailed opposition politician. Journalists and human rights defenders have faced an unprecedented level of pressure from the authorities in response to their work covering and monitoring the protests. On 31 January 2021, six members of the Committee Against Torture, Timur Rahmatulin, Konstantin Gusev, Magomed Alamov, Sergey Shunin, Ekaterina Vanslova and Igor Kalyapin were [detained](#) while monitoring the protests in support of Alexei Navalny in Nizhny Novgorod, Orenburg and Pyatigorsk; whilst two members of the United Group of Civic Observers (OGON), Yuriy Kuzin and Sergey Sokolov, were detained whilst monitoring the protest in Moscow. A member of the Committee Against Torture, Evgeniy Chilikov, had also been detained on 23 January. On 9 February, another OGON member, Vyacheslav Slusarev, was [detained](#) in connection to his monitoring work at the protest in Syktyvkar on 23 January.

Front Line Defenders condemns the judicial prosecution and ongoing harassment of Ernest Mezak and believes that he is being targeted solely as a result of his legitimate and peaceful human rights work. Front Line Defenders is seriously concerned by the continued targeting of human rights defenders in the country for carrying out their legitimate and peaceful human rights work, defending the right to peaceful assembly and association.

Front Line Defenders urges the Russian authorities to:

1. Immediately and unconditionally drop the charges against Ernest Mezak and cease the the judicial prosecution and harassment against him, as it is believed they are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of Ernest Mezak;
3. Cease the practice of detaining and judicially prosecution of human rights defenders monitoring protests in Russia;

4. Guarantee in all circumstances that all human rights defenders in Russia are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.