

Translated from Russian

**PERMANENT MISSION
OF THE RUSSIAN FEDERATION
TO THE UNITED NATIONS OFFICE AND OTHER
INTERNATIONAL ORGANIZATIONS
IN GENEVA**

No. 2434

The Permanent Mission of the Russian Federation to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to letter AL RUS 5/2022 of 22 April 2022 containing a joint enquiry from several special procedures of the Human Rights Council regarding Mr. A.A. Teplyakov, Mr. A.V. Dmitriev and Mr. A.S. Dzhepparaov, has the honour to transmit herewith information from the Russian Federation.

The Permanent Mission takes this opportunity to convey to the Office of the United Nations High Commissioner for Human Rights the renewed assurances of its highest consideration.

Encl.: Above-mentioned reply, 7 pages

Geneva, 8 June 2022

OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

Geneva

Information from the Russian Federation in connection with the joint enquiry of the special procedures of the Human Rights Council regarding Alexander Teplyakov, Alexei Dmitriev and Abdureshit Dzhepparov

Reference: AL RUS 5/2022 of 22 April 2022

The Russian Federation, having examined the aforementioned enquiry, has the honour to transmit the following information.

1. On 1 March 2022, at 2 Sergei Makeev Street, Moscow, Mr. Teplyakov affixed stickers inscribed with “No war”, “I’m against the war” and “No war in Ukraine” to the front of the building and the door of entrance No. 2. Moreover, he did not respond to repeated orders from police officers who had arrived at the scene to stop his unlawful actions, refused to show an identity document, tried to run away and refused to obey orders to approach the police vehicle.

Mr. Teplyakov was therefore arrested and taken to the Presnensky District Department of the Ministry of Internal Affairs in Moscow, where an administrative offence under article 19.3 (1) of the Code of Administrative Offences (Failure to obey the lawful directions of a police officer) was officially recorded against him.

In violation of articles 27.4 and 27.5 of the Code of Administrative Offences, the record of arrest of 1 March 2022 did not include the exact time of release. In relation to this fact, on 17 May 2022, the Presnensky Inter-District Procurator’s Office in Moscow issued a recommendation, which is currently under consideration, to the chief of the police department.

On 2 March 2022, Presnensky District Court found Mr. Teplyakov guilty of an administrative offence under article 19.3 (1) of the Code of Administrative Offences (Failure to obey the lawful directions of a police officer) and imposed a penalty of 10 days’ administrative detention.

Mr. Teplyakov was held in the administrative detention cell of the police department from 1 to 3 March 2022, after which he was transferred to special holding centre No. 1 for persons in administrative detention of the Central Department for Moscow of the Ministry of Internal Affairs. He was released on 11 March 2022 after completing his administrative penalty.

The Presnensky inter-district investigating agency of the Central Investigation Department for Moscow of the Investigative Committee of the Russian Federation organized a procedural investigation into the allegations that police officers used physical and psychological violence against Mr. Teplyakov.

2. On 22 January 2022, Mr. Dmitriev published on the Internet a call for other citizens to participate in a mass event on 23 January 2022 with the aim of defending the water protection zone of the Grachevka river valley, without submitting the necessary notification to the authorities of the Khimki municipal area in Moscow Province, thereby violating the requirements of article 2 (7) (1) of Federal Act No. 54-FZ of 19 June 2004 on Meetings, Rallies, Demonstrations, Marches and Pickets.

Accordingly, Mr. Dmitriev was held administratively liable under article 20.2 (2) of the Code of Administrative Offences (Organization or conduct of a public event without due notification of the holding of the event), pursuant to an enforceable court order handed down by Khimki Municipal Court in Moscow Province on 24 March 2022. The penalty imposed was 8 days’ administrative detention. On 28 March 2022, Moscow Provincial Court upheld the order of the Khimki court.

In addition, on 9 March 2022, officers from unit 1 of the seventh district department for Moscow and Moscow Province of the Federal Security Service and officers from the police department of the Ministry of Internal Affairs for the Khimki Municipal District searched Mr. Dmitriev’s residence on the basis of an order of the Khimki court.

During this police operation, Mr. Dmitriev used obscene language while in a public place (on the landing) and did not respond to the subsequent orders by the law enforcement officers to stop his disorderly conduct, thereby expressing contempt for society. Accordingly,

on the same day, a neighbourhood police officer officially recorded an administrative offence against him under article 20.1 (2) of the Code of Administrative Offences (Disorderly conduct combined with failure to obey the lawful instructions of a representative of authority).

The Khimki court, by an order handed down on 11 March 2022 and upheld by Moscow Provincial Court on 21 March 2022, found Mr. Dmitriev guilty of an administrative offence under the aforementioned article and imposed a penalty of 15 days' administrative detention.

Three calls from Mr. Dmitriev were recorded in the electronic call log for the 103 ambulance service on 10 March 2022. The on-call doctors attended to him at the Khimki court at 7.48 p.m., in response to his complaint of a headache, at 8.31 p.m., in response to his complaint of dizziness, and at 9.49 p.m., in response to his complaint of feeling unwell in a public place. No reason to hospitalize him was discovered following the medical assistance he received. The Khimki court considered the related documents while hearing the cases of administrative offences. No violations of the law were identified in the provision of medical assistance to Mr. Dmitriev.

The Khimki Municipal District investigating agency of the Central Investigation Department for Moscow Province of the Investigative Committee of the Russian Federation examined the allegations of the unlawful use of physical violence by police officers against Mr. Dmitriev at the time of his arrest on 9 March 2022. Following investigation, on 12 May 2022 it was decided not to initiate criminal proceedings in the absence of evidence that an offence had been committed.

Moreover, in front of the Khimki court building on 10 March 2022, Mr. Dmitriev failed to obey a lawful order from police officers in the course of their duties, including the duty of upholding public order. This took the form of refusing to enter the courtroom to participate in the hearing on his administrative offence case. Mr. Dmitriev did not respond to repeated orders from police officers in this regard. As a result, an administrative offence under article 19.3 (1) of the Code of Administrative Offences (Failure to obey the lawful directions of a police officer) was officially recorded against him.

On 22 March 2022, the Khimki court ordered the return of documents to the responsible official in order to eliminate obstacles to the consideration of the administrative offence case (absence from the report of the signature of the person involved in the administrative offence, confirming knowledge of its content). The related report of an administrative offence was reissued on 28 March 2022. The Khimki court, by an order handed down on 1 April 2022 and upheld by Moscow Provincial Court in a decision of 7 April 2022, found Mr. Dmitriev guilty under the aforementioned article of the Code of Administrative Offences and imposed a penalty of 12 days' administrative detention.

When it handed down the aforementioned decisions, the Khimki court gave its assessment of the alleged legal violations at the time of the arrest. The Khimki municipal procurator's office in Moscow Province did not find that the law was violated at the time of this person's arrest.

In addition, on 15 March 2022, the Khimki procurator's office received a report from the Federal Security Bureau for Moscow and Moscow Province regarding a post made on Instagram by Mr. Dmitriev on 24 February 2022, which featured an image of Adolf Hitler, the Führer of Nazi Germany, with the words "Bombed Kiev in 1941" and an image of Vladimir Putin, President of the Russian Federation, with the words "Bombing Kiev in 2022" and the comments "Now one set of fascists are bombing Ukrainian cities in a war against another set of fascists" and "My diagnosis is Kremlin propaganda poisoning".

Following examination of the report, on 31 March 2022 the Khimki deputy procurator initiated administrative proceedings against Mr. Dmitriev under article 20.3.1 of the Code of Administrative Offences (Incitement of hatred or enmity and degradation of human dignity).

Accordingly, a penalty of 10 days' administrative detention was imposed on Mr. Dmitriev under the aforementioned article pursuant to an enforceable order of the Khimki court dated 6 April 2022. He completed the administrative penalty on 16 April 2022.

Thus, the reports that Mr. Dmitriev was arrested and detained in connection with his environmentalist activities are baseless; procedural measures were taken in his regard owing to his noncompliance with legal requirements and commission of administrative offences.

3. In the course of investigations into the alleged disappearance of Mr. Dzhepparov's family members, it was ascertained that, on the evening of 27 September 2014, in Belogorsk in the Republic of Crimea, unknown persons put his son [REDACTED] and another person, [REDACTED], into a car and drove them away in an unknown direction.

On 29 September 2014, the Central Investigation Department for the Republic of Crimea of the Investigative Committee of the Russian Federation initiated criminal proceedings under article 126 (2) (a) and (g) of the Criminal Code (Kidnapping). On 3 May 2017, it was decided to suspend the investigation owing to a failure to identify any alleged perpetrator. The procurator's office for the Republic of Crimea did not find any grounds to overrule the decision.

Moreover, on 9 March 2022, an official of the Counter-Extremism Centre of the Ministry of Internal Affairs for the Republic of Crimea, who was carrying out Internet monitoring, discovered that Mr. Dzhepparov had publicly displayed Nazi symbols through the publication of a video on Facebook on 9 March 2022 under the heading "The shameful story of a popular Soviet song".

Belogorsk District Court of the Republic of Crimea, by an order handed down on 16 March 2022 and upheld by the Supreme Court of the Republic of Crimea on 29 March 2022, found Mr. Dzhepparov guilty of an administrative offence under article 20.3 (1) of the Code of Administrative Offences (Promotion or public display of Nazi paraphernalia or symbols) and imposed a penalty of 15 days' administrative detention.

Before the conduct of a police operation in his home, Mr. Dzhepparov was duly notified of the related order of Kievsky District Court in Simferopol, Republic of Crimea, and signed it in his own hand. Following the operation, a record of the objects seized from him and attached as evidence to the case was drawn up. The hard drive was returned to Mr. Dzhepparov on 31 March 2022.

Mr. Dzhepparov submitted no complaints or reports about the detention conditions in the temporary holding facility of the Yevpatoria office of the Ministry of Internal Affairs of the Russian Federation; the legal requirements relating to the enforcement of administrative detention were observed.