

I. EXECUTIVE SUMMARY

1. This stakeholder submission addresses the effect of Russian legislation and its implementation on civil society in the Russian Federation. Specifically, this report examines the Foreign Agents Law and Federal Law No. 129-FZ “On Amending Certain RF Laws” (Mar 23, 2015) (Undesirables Law), how authorities apply this law to non-governmental organizations (NGOs) and human rights defenders, and its effect on human rights in the Russian Federation.
2. Over the past four years, Russia has ramped up its adoption of legislation and its campaign of administrative and judicial harassment to restrict fundamental rights and freedoms and worsen conditions for civil society operating in Russia. In its second UPR cycle Russia received recommendations from several countries to remove legislation that limits legitimate exercise of the rights to freedom of expression and association, including specifically to repeal or revise the law on designating NGOs as “Foreign Agents.” Russia not only failed to repeal that law, but also amended it to broaden what constitutes “political activity” and to allow the Justice Ministry, at its sole discretion, to label an NGO as a “foreign agent.” It also enacted measures that allow the government to unilaterally identify a foreign or international NGO as “undesirable” and thus prevent it from engaging in any activities, including project funding and distribution of informational materials, in Russia. Being branded a “foreign agent” or “undesirable organization” leads to substantial restrictions or a total ban on activities, heavy fines, and potential criminal charges.
3. The Foreign Agents law and Undesirables Law and their enforcement are inconsistent and incompatible with Russia’s international human rights treaty obligations. Specifically, these laws and their enforcement violate the freedoms of opinion and expression, association, and privacy. They also deny Russian NGOs the right to the fair administration of justice and effective remedy of law. They also have been used to violate individuals’ rights to security and liberty when NGO employees’ homes and private lives are invaded by authorities without due process. Finally, they have had a chilling effect on human rights defenders who face efforts to hinder their work based on “collaboration with foreign agents” and media smear campaigns to tarnish their reputations.
4. This stakeholder submission is based on secondary source research, as well as direct information received about the human rights violations from Russian NGO representatives and human rights lawyers working in Russia. This stakeholder report addresses Russia’s failure to comply with its international human rights obligations and makes recommendations to address and improve the human rights situation in Russia.

II. BACKGROUND AND FRAMEWORK

A. 2013 Universal Periodic Review

5. During its last Universal Periodic Review in 2013, Russia accepted recommendations addressing freedom of expression and association, and the investigation and prosecution of attacks against human rights defenders.¹ Russia nonetheless rejected recommendations specifically targeting practices and laws that create legal, social, and economic obstacles

to the legitimate activities of NGOs.² Consistent with its position at the review, Russia subsequently upheld these restrictive laws and practices and even added new regulations restricting civil society.

6. Legislation requiring NGOs that receive foreign funding and engage in political activity to register as foreign agents, also known as the Foreign Agents Law, was enacted in July 2012.³ Under the law,⁴ the legal obligations on NGOs have unduly increased;⁵ the social pressure on and crimes against human rights defenders and civil activists spread;⁶ and NGO leaders and human rights activists have faced administrative penalties and even criminal charges.⁷

1. *Freedom of expression*

Status of Implementation: Accepted, Not Implemented

7. Russia accepted recommendations from several countries to enhance freedom of expression⁸ and ensure that no legal provision creates disproportionate restrictions to exercise the freedom.⁹ Russia observed that there was no disproportionate legal obstacle to freedom of expression. Russia did not implement the recommendations, however, and the government has since upheld defamation laws, charged activists and politicians with defamation, and used disproportionate force against peaceful protesters.¹⁰

2. *Measures to provide more freedom to NGOs*

Status of Implementation: Accepted, Not Implemented

8. Several countries recommended Russia provide a safe and respectful environment for civil society organizations and human rights activists and ensure they can exercise their work without fear.¹¹ Russia accepted many of these recommendations. Yet Russian authorities have enacted many laws that place additional legal burdens on NGOs and narrow their freedoms.¹² In the last four years, many NGOs have been labeled “Foreign Agents,” diminishing their financial and social capacity to exercise their missions.

3. *Foreign Agents Law*

Status of Implementation: Not Accepted, Not Implemented

9. Many recommendations targeted the newly enacted measure, known as the Foreign Agents Law, and other restrictive measures.¹³ Russia did not accept any recommendation implicitly or explicitly targeting the law and consistently stated that Russian authorities would be guided by the interest of all citizens of Russia.¹⁴ Since the last UPR, Russia amended the law, effectively making it harsher. In 2014, the law was amended to authorize the Minister of Justice *ex officio* to register NGOs as foreign agents.¹⁵ In 2016, the broad definition of “political activity”¹⁶ in the Foreign Agents Law was expanded to effectively encompass any civil activity affecting public opinion on any issue that could be considered as political in nature.¹⁷

Status of Implementation: Not Accepted, Not Implemented

10. Slovenia recommended Russia revise laws on public assemblies according to the recommendations of the Venice Commission.¹⁸ The Venice Commission called on Russia to amend the law and to stop using the term “foreign agent,” because such rhetoric is

reminiscent of the Soviet era. It also called on Russia to comply with the caselaw of the European Court of Human Rights.¹⁹ Russia did not accept Slovenia's recommendation; it did, however, accept Austria's recommendation urging Russia to intensify cooperation with the Venice Commission and to implement its opinions.²⁰ Russia did not implement the opinion of the Venice Commission on the Foreign Agents Law.

4. Implementation of the U.N. Declaration on Human Rights Defenders and HRC Resolution on Protecting Human Rights Defenders

Status of Implementation: Accepted, Not Implemented

11. Several countries recommended that Russia review its laws to ensure that human rights defenders are able to conduct their work as guaranteed by the United Nations Declaration on Human Rights Defenders.²¹ Russia accepted some of these recommendations and not others, emphasizing that the declaration is non-binding.²² Recent changes in the laws governing NGOs, however, narrow NGOs' ability to accomplish their goals and expose human rights defenders to greater civil and criminal penalties.²³ The consequences of the laws and execution of such legislation are fundamentally contrary to the intended purpose of the Declaration.

Status of Implementation: Not Accepted, Not Implemented

12. Norway and Chile recommended implementation of the Human Rights Council Resolution on Protecting Human Rights Defenders²⁴ that addresses the use of legislation as an instrument to limit the freedom of assembly and to review its laws in conformity with the resolution.²⁵ Russia did not accept the recommendations, emphasizing that the Resolution is merely advisory and that the government would act in the interests of its citizens.²⁶ As expressed above, laws governing NGOs have become more restrictive and burdensome since the last UPR.

5. Investigating crimes against human rights defenders

Status of Implementation: Accepted, Not Implemented

13. Russia accepted or partially accepted recommendations made by many states to investigate effectively, promptly, and impartially all types of crimes against human rights defenders.²⁷ There is no evidence to suggest that Russia has taken any serious action to implement these recommendations. Moreover, the practice of labeling NGOs as foreign agents makes them a target of intimidation and violence.

B. Domestic Legal Framework

14. **The Constitution of the Russian Federation provides an array of rights to protect individuals and civil society.** It provides that all people are equal before the law and courts; that all forms of limitations on human rights on social, racial, national, linguistic or religious grounds shall be banned; that freedom of ideas and speech and the right to freely receive, transmit, produce and distribute information by any legal means are guaranteed; and that freedom of association and activity of public association are guaranteed.²⁸
15. Despite these Constitutional guarantees, **the Foreign Agents Law presents a growing threat to human rights and civil society in Russia.** In 2012, Russia enacted Federal

Law N. 121-FZ, also known as the “Foreign Agents” law.²⁹ Under the law, an NGO will be labeled a “foreign agent” if it: 1) is registered in Russia; 2) receives foreign funding from abroad; and 3) engages in “political activity.”³⁰ The Ministry of Justice maintains a list on its website of NGOs branded as “Foreign Agents.”³¹ When NGOs failed to voluntarily list themselves as Foreign Agents, Russia amended the law to empower the Ministry of Justice to add NGOs to the list at its sole discretion.³² Under the original law, “political activity” was vaguely defined as “participation, including by financing, in organizations, as well as conducting political actions to influence government decisions and aimed at changing state policies, as well as influencing public opinion with such aims.”³³ In 2016, Russia amended the law in an attempt to clarify “political activity.” The law now excludes activities in the areas of science, culture, art, health care, social support, and the environment.³⁴

16. **While the Foreign Agents Law is directed at curtailing activities of domestic NGOs, the Russian government also moved to restrict international donors through a second law, the Undesirables Law.**³⁵ On June 3, 2015, the Undesirables Law entered into force and allows the prosecutor general to declare any foreign or international NGO or donor “undesirable” if it is deemed to represent a threat to Russia’s defense, constitutional system, or national security.³⁶ The law covers not only those organizations that have a significant presence in Russia but also organizations that carry out any activity in Russia, including project investment or donations.³⁷ The Russian Prosecutor General, in consultation with the Foreign Ministry, has sole discretion to declare an organization “undesirable,” and there is no requirement to substantiate that decision and no judicial review at the decision-making stage.³⁸ Designation as an undesirable organization automatically triggers several consequences, including a ban on undertaking any further projects in Russia, a ban on distributing informational materials in Russia, including through mass media sources and the Internet, and a ban on producing and maintaining such materials.³⁹
17. **Both the Foreign Agents Law and Undesirables Law provide for administrative fines and penalties against the NGOs and individuals involved.** Under the Foreign Agents Law, penalties range from RUB 300,000-500,000 for the NGO and RUB 100,000-300,000 for its director. Foreign Agents Law fines can be imposed for failing to voluntarily register as a Foreign Agent or for any failure to label all documents and websites with the “Foreign Agent” designation.⁴⁰ Under the Undesirables Law, punishments range from RUB 15,000 for individuals, RUB 50,000 for employees, and RUB 100,000 for a legal entity.⁴¹ Criminal prosecution of individuals involved with Foreign Agents and Undesirables is also possible if such person has been held administratively liable twice within one year; these penalties can include fines, forced labor, or prison.⁴²

III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Constitutional and Legislative Framework

18. **Russian Laws infringe upon rights under the constitutional and legislative framework.** The legislation not only violates the rights of human rights defenders operating as civil society, such as freedom of opinion and expression and freedom of

association, it also violates the human rights of individuals the NGOs serve. As described below, these include rights to non-discrimination and liberty and security, as well as rights related to the administration of justice and a fair trial.

19. **The definition of “political activity” is vague under the Foreign Agents law, despite 2016 amendments to clarify its meaning, and leaves much to prosecutor and judicial discretion.** Although the government attempted to narrow the scope of “political activities,” the amendment “only raised more questions than it answered.”⁴³ The amended law excludes NGOs involved in work such as cultural activities, children’s programming, and health issues from the scope of political activities, but a prosecutor or court retains broad discretion to determine if those activities are political.⁴⁴ Indeed, the sample forms of political activity listed by the new law include public appeals to state and local authorities as well as actions aimed at adopting, amending, and repealing laws and sharing evaluations of decisions made by state authorities and the policies they implement.⁴⁵ One expert explained that authorities could deem activities “political” based on as little as one email petitioning a government representative or an NGO employee’s statement of his or her personal beliefs about a topic of concern.⁴⁶ For example, the Committee for Prevention of Torture was involuntarily registered as a “Foreign Agent” after it represented a victim of police brutality and unlawful detention. The Ministry of Justice found the NGO’s criminal case against the police on behalf of the victim and its successful appeal of the decision constituted “political activity” because the conduct could create negative public opinion and influence government decision-making to change policy on criminal prosecution. Efforts to challenge the designation have not been successful.⁴⁷
20. **The foreign funding element is interpreted so broadly that nearly any NGO that receives funds from abroad, directly or indirectly, can be placed on the Foreign Agent register,** regardless of the nature of its activities.⁴⁸ As one lawyer illustrated, an NGO that engages in one of the broadly construed political activities and accepts any amount of funding from abroad, even a one dollar donation from a private citizen of Belarus, may be deemed a foreign agent.⁴⁹

Context, Statistics, Budget, Cooperation with Civil Society

21. **Russian laws impede cooperation between government bodies and civil society.** Designation as a “Foreign Agent” hinders NGO collaboration with government agencies, even when such cooperation is mutually beneficial and of service to society. Government authorities are wary of any contact with NGOs labeled “Foreign Agents.” One lawyer described how the label deters government officials from communicating with “Foreign Agent” NGOs and how the designation diminishes NGOs’ credibility with state actors.⁵⁰ In one example, the regional minister of education instructed all local school principals to avoid communication with a “Foreign Agent” NGO that was working with schoolchildren on a historical project.⁵¹ The law also impedes cooperation between groups labeled “Foreign Agents” and social service organizations that fear tainting their reputation. Transparency International Russia reported that several potential partners abandoned planned projects out of fear of working with a “Foreign Agent.”⁵² While an NGO can still provide services for its clients, it cannot be as effective when state agencies refuse to participate in or facilitate trainings or services provided by an NGO.⁵³ An NGO could sue state officers for failure to cooperate, but doing so is an “act of last resort.”⁵⁴ In

addition, it is nearly impossible for a “Foreign Agent” NGO to obtain government funding because of the stigma,⁵⁵ aggravating the financial situation for organizations whose international donors are now labeled Undesirables.

Non-discrimination

22. These laws obstruct the full enjoyment of the right to freedom from discrimination for certain populations. **NGOs that serve minority and vulnerable groups are inordinately targeted by government enforcement actions under the Foreign Agent and Undesirables Laws.** The Anti-Discrimination Centre Memorial of St. Petersburg focused on minority rights in Russia. In 2012, it submitted a shadow report to the U.N. Committee Against Torture regarding the **Roma, migrants, activists and victims of police abuse.** The prosecutor found the report was “political activity” and forced the NGO to register as a Foreign Agent. After an unsuccessful appeal, the Centre closed in 2014.⁵⁶ NGOs working in the field of **LGBTI issues** are also targeted by authorities. Labeling LGBTI groups Foreign Agents intensifies public and government hostility toward them and hinders their ability to raise funds.⁵⁷ One NGO described the protection of LGBTI rights as a “dangerous” topic in most places and “absolutely life threatening” in specific areas.⁵⁸

Liberty and Security – General

23. **Civil society actors have faced increased physical violence and harassment by both state and non-state actors.** Threats of violence and physical attacks have primarily targeted activists working on sensitive issues such as electoral fraud, LGBTI rights, corruption, and human rights abuses.⁵⁹ In some cases, official harassment has forced activists to leave the country,⁶⁰ while in other cases, activists have been forced to adopt extreme risk management strategies, such as traveling only in groups, to avoid physical attacks by government and non-government actors.⁶¹ State authorities have failed to exercise due diligence to investigate and punish such acts of harassment. A group of national activists attacked the human rights NGO Memorial at an awards ceremony for students by throwing green disinfectant in organizers’ faces.⁶² One interviewee commented, “the police were present, but did nothing.”⁶³ Authorities made no arrests nor conducted investigations into the attacks on the NGO and ceremony participants.⁶⁴ While an individual could bring a claim against the government for these abuses, one lawyer opined such claims have a very limited chance of success.⁶⁵

Freedom of Opinion and Expression

24. **The Foreign Agents law and Undesirables Law directly hinder NGOs’ freedom of opinion and expression.** For example, one NGO refused to register as a foreign agent prior to the amendments allowing the Ministry of Justice to unilaterally add NGOs to the register. After the NGO submitted a shadow report to a UN treaty body, the prosecutor’s office sued the NGO to force them to register as a foreign agent. Following the judgment, the NGO was faced with the choice of either registering as a foreign agent or shutting down. The NGO chose to close its doors.⁶⁶ Some NGOs have ceased activities while other NGOs have restricted their activities to topics that are perceived to be safer from state scrutiny, such as orphans or general charity.⁶⁷

25. **Personal opinions or statements by employees of NGOs can result in the NGO being labeled a Foreign Agent.** According to an NGO lawyer, “Every personal statement by an NGO director *is* attributed to the NGO.”⁶⁸ Disclaimers that any statements made are in the director’s personal capacity are futile.⁶⁹ The interviewee cited the NGO AGORA as an example; after the director gave an interview to Forbes Magazine in his personal capacity as a lawyer, the Ministry of Justice placed AGORA on the Foreign Agent registry.⁷⁰ Once listed on the registry, AGORA disbanded.⁷¹ In 2015, the Mass Media Defence Centre was declared a Foreign Agent after its director, Galina Arapova, in her personal capacity as a media law expert, gave an interview that was critical of Russian media law. The Ministry of Justice deemed this interview “political activity” and put the NGO on the registry. Mass Media appealed the designation and the RUB 300,000 fine, but the appeal was rejected by the regional court.⁷² A representative of another NGO admitted feeling under constant threat as staff conduct their work, because all of their words, thoughts, and expressions can be recorded and declared political activity.⁷³

Freedom of Association

26. **The Foreign Agents and the Undesirables laws have the effect of limiting the exercise of freedom of association of those involved in legitimate civil society activities.** With both laws, the Russian Federation is restricting the right to association by suppressing domestic civil society and by curtailing funding and resources from outside Russia. Currently, there are 11 international organizations on the “Undesirables Register.” “Undesirables” are prohibited from any activity in Russia, including providing funding or any written or electronic materials.⁷⁴ Not only can an “Undesirable” be administratively and criminally charged and fined, but anyone working for or cooperating with an Undesirable (including in an unofficial capacity) faces administrative fines, both personally and for the NGO, for first offenses. Repeat offenses incur criminal penalties.⁷⁵ The Undesirables Law effectively prevents Russian NGOs from associating in any way with foreign organizations, including those providing crucial funding. Moreover, there are insufficient public funds available to create an NGO, and historically, NGO start-up money came from foreign funders. With many international donors designated as Undesirables, activists are less able to secure the funds necessary to create NGOs in Russia.⁷⁶

27. **NGOs labeled “Foreign Agents” face barriers in disseminating research and activities to the public.** For example, an NGO was forced to choose between labeling its bulletin of European Court of Human Rights law with “Foreign Agent” or closing its media outlet.⁷⁷ It chose to stop publishing the bulletin and closed the media outlet in 2016.⁷⁸ Access to government-controlled media outlets is prohibited.⁷⁹ Media may refuse to deal with “Foreign Agent” NGOs, fearing problems with their state-issued licenses.⁸⁰ An NGO employee even opined that the role of the media is to punish NGOs.⁸¹ The Foreign Agents Law has fostered defamation campaigns by the media against NGOs to tarnish their reputations.⁸² As a result, public mistrust of NGOs is growing. Court bias also acts as a barrier to dissemination of information; an NGO described its caution in publishing information on rights because of the likelihood a court would later rule against it.⁸³

Right to Private Life, Privacy

28. **Enforcement of the Foreign Agents Law infringes on rights to free speech and privacy.** Statements made by NGO directors and employees in their personal capacities often are used by government officials as evidence that the NGO is engaging in “political activities.” For example, statements made by the director of Maximum, an LGBTI organization, in his personal capacity on his personal page of a social network were attributed to the NGO as “political activity.”⁸⁴
29. **Russian authorities have used the Foreign Agents law to persecute NGO directors and employees personally.** When the science funder Dynasty Foundation came under scrutiny, Chair Dmitry Zimim had his personal social media accounts hacked and was attacked on state television in an exposé accusing his son of financing political opposition parties.⁸⁵ Russian police, in addition to unannounced raids on NGO offices, often also raid the homes of NGOs employees, confiscating personal computers and documents.⁸⁶

Administration of Justice and Fair Trial

30. An NGO can appeal its designation as a Foreign Agent. **Prosecutors and courts, however, enjoy wide discretion** that enables them to “do whatever they want, based on political considerations, including ignoring the law.” In this case, “there is then no recourse.”⁸⁷ A lawyer explained that courts simply “rubber stamp” the charges made by the Ministry of Justice.⁸⁸ While an NGO can appeal the designation of “Foreign Agent” status or fine thereunder, he estimated the chance of a successful appeal to be less than 30%.⁸⁹
31. **The laws have a chilling effect on legal representation of NGOs, which in turn indirectly hampers the human rights of the NGOs’ clients.** One NGO lawyer observed the reluctance of younger attorneys to undertake pro bono representation for NGOs in Foreign Agent-related matters because of the negative effect it can have on lawyers’ reputations.⁹⁰ Also, the Foreign Agents Law directly affects lawyers taking human rights cases to courts where they face attempts to remove them from the proceedings solely for their collaboration with “foreign agents.”⁹¹ In addition, there is limited chance of winning acquittal of a client on criminal charges and therefore little incentive for a pro bono attorney to take a case.⁹² Furthermore, courts in Russia are widely regarded as biased.⁹³

Human Rights Defenders

32. **The Foreign Agents Law and Undesirables Law severely restrict the capacity of human rights defenders due to the overly broad language of the laws and the government’s indiscriminate and arbitrary enforcement of the laws.** The Ministry of Justice, in its expansive interpretation of what constitutes “political activity” and its arbitrary and indiscriminate placement of NGOs on the registry, uses the Foreign Agents law as a means to intimidate human rights lawyers and defenders. An NGO employee estimated that 70% of the NGOs on the registry are not the “foreign agents” intended by the law.⁹⁴ Yet, once on the Foreign Agent registry, the administrative burden on the NGO increases⁹⁵ and impedes its work through: 1) fines, 2) onerous reporting requirements, and 3) inspections that can result in the confiscation of NGO records and equipment.
33. **The Foreign Agents Law imposes fines for failing to register as a “Foreign Agent.”**⁹⁶ Yet the law and its implementation are such that many NGOs easily fall within its definition. In one case, a small NGO was operating with an office provided to it for free.

As this small NGO had no funding or even a bank account, it accepted funding from another Russian NGO that received foreign funding. Authorities determined the small NGO accepted foreign funding, placed it on the Foreign Agents list, and fined it 300,000 rubles. This case is now pending before the European Court of Human Rights.⁹⁷ In September 2017, SOVA, a Moscow-based research center, was brought before the City Prosecutor's office under the Undesirables Law for failure to remove from its website a section on past donors that included two organizations labeled "undesirable" and links to their websites. SOVA was fined RUB 300,000 for failing to register as a foreign agent for these past donations.⁹⁸

34. **The Foreign Agents Law imposes fines for not labeling all materials with the designation "Foreign Agent."** The law's language, however, is obscure about which materials an NGO is required to label.⁹⁹ An NGO staffperson explained their uncertainty as to where to affix the "Foreign Agent" label on the vast array of their materials, which span leaflets, business cards, and letters.¹⁰⁰ Because the NGO did not include the label "Foreign Agent" on five of its website materials, it was fined RUB 300,000.¹⁰¹ Another interviewee described how her NGO was fined four times for failure to label materials as published by a "Foreign Agent"; each of these fines was 300,000 rubles.¹⁰²
35. **The Foreign Agents Law also increases an NGO's risk of incurring fines for not filing all the required documentation or complying with the administrative reporting requirements.**¹⁰³ As described below in paragraph 31, such compliance imposes a large burden on NGOs.
36. **The fines are onerous,** particularly for smaller NGOs.¹⁰⁴ When not paid within three months, fines can double¹⁰⁵ at the discretion of the court.¹⁰⁶ In one expert's opinion, the intention is to have the "de facto effect of putting NGOs out of business."¹⁰⁷ Another NGO worker concurred, explaining that if an NGO cannot pay the fine, it cannot continue to operate.¹⁰⁸
37. As the employee of a "Foreign Agent" NGO stated, "When someone is called a [Foreign Agent] by the government, their time goes toward monitoring and litigation."¹⁰⁹ **The auditing imposed under the Foreign Agents Law consumes large amount of NGO resources, requiring NGOs to submit quarterly reports.**¹¹⁰ NGOs must submit an annual audit to the state, a burdensome task for NGOs.¹¹¹ For smaller organizations, it can cost as much as 25% of the annual budget to comply with external audit requirements.¹¹² Moreover, the refusal and fear of some local auditors to work with "Foreign Agent" NGOs means that these organizations must bring in auditors from Moscow or St. Petersburg.¹¹³ One organization found that NGO employees spend an additional 35.5 work days per year to comply with reporting requirements as a Foreign Agent NGO.¹¹⁴ Some organizations must hire an accountant simply to manage the additional paperwork imposed on them by the Foreign Agents Law.¹¹⁵
38. **When the government questions anything in an NGO's reports, authorities may appear at the NGO's office to conduct inspections.**¹¹⁶ Such inspections are, according to one lawyer, a "nightmare."¹¹⁷ At an inspection, Ministry of Justice personnel, prosecutors, and police may demand access to the office, books, papers, documents, and computers to review everything and may seize certain documents and even office computers.¹¹⁸ Such inspections severely disrupt an NGO's work and can become a

painfully long process lasting months while the NGO strives to comply with the demands for documentation.¹¹⁹ After authorities confiscate computers, “all work must stop. Activities can be frozen for months and ability to provide services goes way down. This directly impacts the NGO’s clients who . . . cannot get needed [services or] treatment.”¹²⁰ An NGO described how the prosecutor’s office conducted inspections of an NGO’s compliance with the Foreign Agents Law by visiting the NGO and reviewing the organization’s documents.¹²¹ Each inspection consumed vast resources from the NGO. Once the prosecutor’s office finished one procedure, it began another procedure, “to make sure the NGO is bogged down in paperwork.”¹²²

39. **A Constitutional Court ruling has limited the scope of prosecutors’ inspections but still requires effective implementation of the decision.** After an NGO brought the case described above to the Constitutional Court, the Court found the prosecutor’s inspections unlawful, as NGOs must be able to function for the purpose for which they are intended.¹²³ Prosecutors are now no longer allowed to demand that an NGO provide them with documents that other Russian authorities or other open sources already possess, nor to demand documents that do not concern the goals of the inspection.¹²⁴ Moreover, precise rules must be established for such investigations, including specific document request requirements and defined timelines for conducting such inquiries.¹²⁵ Because the ruling applies only to the prosecutor’s office, the Ministry of Justice has now assumed this responsibility instead and conducts sweeping investigations of NGOs.¹²⁶ Another NGO, not yet a Foreign Agent, has undergone two inspections from the local prosecutor’s office after it published research on women’s rights issues.¹²⁷
40. **The stigma of the Foreign Agent label, time spent on reporting, and accompanying fines and penalties not only draw resources away from NGOs’ actual work but also force an increasing number of NGOs to close.**¹²⁸ One NGO described how the onerous surveillance and pressure from authorities forced a woman’s rights organization to close.¹²⁹
41. **Russian authorities have intensified enforcement of these laws by bringing criminal charges against a human rights defender,** Valentina Cherevatenko, under the Foreign Agents Law. Ms. Cherevatenko, the first person criminally charged under the law, runs two NGOs that work on welfare projects related to women’s and children’s rights and supported families in difficult circumstances. The Ministry of Justice summarily placed both NGOs on the Foreign Agent Register and fined them RUB 300,000. In addition, in June 2017, Ms. Cherevatenko was indicted by the Investigative Committee of the city of Rostov-on-Don for “malicious evasion of duties imposed by the law on non-profit organizations performing the function of a foreign agent” under Article 330.1 of the Criminal Code. Before the criminal indictment, her organizations’ offices were searched and all documents and equipment were confiscated. While the criminal case against Ms. Cherevatenko was dropped in July 2017, it continues to have a chilling effect on human rights organizations in Russia.¹³⁰
42. **In addition to the Foreign Agents Law and Undesirables Law, The Russian government employs yet another mechanism to shut down NGOs.** Authorities that find an NGO has failed to follow any one or several of the multitude of technical rules and regulations can force an NGO to close. Many of these technical regulations are minor. Government officials, however, have been known to use “bits and pieces” of these

regulations to ultimately force the closure of any NGO they do not want in their city. While there is a right to appeal, the decision is again at the discretion of courts, which tend to follow political instructions or leanings rather than the law.¹³¹

IV. RECOMMENDATIONS

43. This stakeholder report suggests the following recommendations for the Government of the Russian Federation:

- Repeal the Foreign Agents Law.
- Repeal the Undesirables Law.
- Ensure that attacks against and harassment of human rights defenders are investigated and perpetrators appropriately charged and prosecuted.

Until the Foreign Agents Law is repealed, take the following steps to minimize infringement on the human rights of individuals and human rights defenders in the Russian Federation:

- Reduce the fine for non-compliance with the Foreign Agents Law one-tenth or one-hundredth lower than current fines.
- More specifically define political activity and develop clear guidelines to instruct courts and prosecutors in the application of this law.
- Change the term “foreign agent” to “NGOs funded by abroad.”
- Clarify what specific materials must be labeled with “Foreign Agent” under the law.
- Narrow the definition of “foreign funding” to limit it to direct payments from non-Russian sources.
- Narrow the definition of “foreign funding” to exclude de minimus amounts.
- Direct the Ministry of Justice to adhere to the same checks and limitations placed on the prosecutor’s office by the Constitutional Court in conducting inspections of NGOs for compliance with the Foreign Agents Law. These restrictions include prohibitions on demands that an NGO provide documents that other authorities or open sources already possess and on demands for documents that do not concern the goals of the inspection. Ensure the creation of precise rules for such investigations, including specific document request requirements and defined timelines for conducting such inquiries that are applicable to all authorities who conduct such inspections.

Until the Undesirables Law is repealed, take the following steps to minimize infringement on the human rights of individuals and human rights defenders in the Russian Federation:

- Allow for information from foreign sources on human rights issues to be distributed in the Russian Federation.

¹ *Report of the Working Group on the Universal Periodic Review: Russian Federation, Addendum*, (Sept. 2, 2013), U.N. Doc. A/HRC/24/14/Add.1. Also available online at http://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session16/RU/A_HRC_24_14_Add.1_Russian%20Federation_E_iDrits.doc&action=default&DefaultItemOpen=1.

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- ² *Report of the Working Group on the Universal Periodic Review: Russian Federation, Addendum*, (Sept. 2, 2013), U.N. Doc. A/HRC/24/14/Add.1. ¶¶ 140.151 and 140.153. Also available online at http://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session16/RU/A_HRC_24_14_Add.1_Russian%20Federation_E_iDrits.doc&action=default&DefaultItemOpen=1.
- ³ Freedom House, *Breaking Down Democracy: Goals, Strategies, and Methods of Modern Authoritarians*, by Arch Puddington (Washington, D.C., June 2017), 3.
- ⁴ Freedom House, *Breaking Down Democracy: Goals, Strategies, and Methods of Modern Authoritarians*, by Arch Puddington (Washington, D.C., June 2017), 3.
- ⁵ The International Center for Not-for-Profit Law, “Civic Freedom Monitor: Russia,” accessed Sep. 28, 2017, <http://www.icnl.org/research/monitor/russia.html>.
- ⁶ Civil Rights Defenders, “Human Rights in Russia 2016,” accessed Oct. 2, 2017, <https://www.civilrightsdefenders.org/country-reports/human-rights-in-russia-2016/>.
- ⁷ Amnesty International, “Russian Federation 2016/2017,” accessed Oct. 2, 2017, <https://www.amnesty.org/en/countries/europe-and-central-asia/russian-federation/report-russian-federation/>.
- ⁸ *Report of the Working Group on the Universal Periodic Review: Russian Federation*, (July 8, 2013), U.N. Doc. A/HRC/24/14, ¶ 140.144 (Japan), ¶ 140.145 (Estonia), ¶ 140.150 (Ireland), ¶ 140.152 (Latvia). Also available online at http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A-HRC-24-14_en.pdf.
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- ²² *Report of the Working Group on the Universal Periodic Review: Russian Federation, Addendum*, U.N. Doc. A/HRC/24/14/Add.1, Sept. 2, 2013, ¶ 140.168. Also available online at http://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session16/RU/A_HRC_24_14_Add.1_Russian%20Federation_E_idrits.doc&action=default&DefaultItemOpen=1.
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- ²⁴ UN Human Rights Council Resolution 22/6, U.N. Doc. A/HRC/RES/22/6 (Mar. 21, 2013). Also available online at http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-2_en.pdf.
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- ²⁶ *Report of the Working Group on the UPR: Russian Federation, Addendum*, (Sept. 2, 2013), U.N. Doc. A/HRC/24/14/Add.1, ¶ 140.168 and ¶ 140.176. Also available online at http://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session16/RU/A_HRC_24_14_Add.1_Russian%20Federation_E_idrits.doc&action=default&DefaultItemOpen=1.
- ²⁷ *Report of the Working Group on the Universal Periodic Review: Russian Federation, Addendum*, (Sept. 2, 2013), U.N. Doc. A/HRC/24/14/Add.1, ¶¶ 140.150, 140.159, 140.175, 140.186, 140.187, 140.189, 140.190, 140.191, and 140.192. Also available online at http://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session16/RU/A_HRC_24_14_Add.1_Russian%20Federation_E_idrits.doc&action=default&DefaultItemOpen=1.
- ²⁸ CONSTITUTION OF THE RUSSIAN FEDERATION (as amended 30 December 2008), art. 19(1), 28, 29(1) (4) and (5), and 30 (1).
- ²⁹ Russian Federal Law N. 121-FZ “On entering amendments to individual legislative acts of the Russian Federation in the part of regulating the activities of non-commercial organizations performing the functions of a foreign agent” (hereinafter referred to as “Foreign Agent” Law), (2012).
- ³⁰ Memorandum of Law, 2015 (on file with authors). (I.e., the NGO receives funds or other property from foreign sources [such as foreign states and their public authorities], international and foreign organizations, foreign companies and individuals, stateless citizens, and/or from Russian legal entities receiving funds or other property from the foregoing sources [except for open joint-stock companies with the government’s participation and their subsidiaries].)
- ³¹ Ministry of Justice of the Russian Federation, “Information on the Register of NGOs Performing Functions of Foreign Agents”, <http://unro.minjust.ru/NKOForeignAgent.aspx>.
- ³² “Foreign Agent” Law, (2012). Also available online at http://www.consultant.ru/document/cons_doc_LAW_132900. (Additionally, an amendment to Article 32 of the Foreign Agents Law in 2014, permits the Ministry of Justice to conduct unscheduled and unannounced audits of an NGO and if it determines the NGO is a Foreign Agent, it can unilaterally place the NGO on the Foreign Agent registry.)
- ³³ “Foreign Agents” Law, (2012).
- ³⁴ “Foreign Agents” Law, art. 2.6 (2012); Russian Federal Law N. 179-FZ “On Amending Article 8 of the Federal Law”, art. 2 (2016). Also available online at <http://publication.pravo.gov.ru/Document/View/0001201606020008?index=0&rangeSize=1>. (On June 2, 2016, President Putin signed into law amendments to the Foreign Agents Law intended to more specifically define “political activity.” The amended law also lists several examples of political activities, including:
- (a) participation in holding public events such as gatherings, rallies, demonstrations, marches, pickets, public discussions and speeches;
 - (b) participation in activity aimed at obtaining certain outcomes in elections, referendums, etc.;
 - (c) public appeals to state and local authorities and their officials, as well as other actions influencing their activities, including actions aimed at adopting, amending and repealing laws;

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- (d) sharing, including sharing via modern information technologies, of the evaluation of decisions made by state authorities and of policies implemented by these authorities;
 - (e) participation in activity aimed at shaping social and political views and opinions, including by carrying out public opinion polls and announcing their results or carrying out other sociological research and involving citizens in such activity and its financing;
 - (f) involving individuals, including minors, in the activity described above; and
 - (g) financing of the activity described above).

³⁵ Russian Federal Law No.129-FZ "On Amending Certain RF Laws", (2015).

³⁶ Federal Law N. 129-FZ "On Amending Certain RF Laws", (2015). (23 May 2015). (The Undesirable Law contains provisions that amend the Russian Criminal Code, the Russian Criminal Procedure Code, the Russian Administrative Code, Federal Law N. 272-FZ "Law on Enforcement Actions", and Federal Law N. 114-FZ "Law on Entering or Leaving the Russian Federation".)

³⁷ Memorandum of Law, 2015 (on file with authors).

³⁸ Federal Law N. 129-FZ "On Amending Certain RF Laws", (2015); Memorandum of Law, 2015 (on file with authors).

³⁹ Federal Law No.129-FZ "On Amending Certain RF Laws", (2015); Memorandum of Law, 2015 (on file with authors).

⁴⁰ Telephone Interview with Lawyer, Sept. 26, 2017.

⁴¹ Public Verdict Foundation, EU-Russia Civil Society Forum, and the Civic Solidarity Platform, *Crackdown on Civil Society in Russia: A Brief Overview of How the 'Foreign Agents' and 'Undesirable Organizations' Laws are Enforced in Russia*, (Public Verdict Foundation: June 2016), . Also available online at http://en.publicverdict.org/articles_images/freedom_of_assosiation_eng_June_2016_IS.pdf; Law on Enforcement Actions, Russian Federal Law N. 114-FZ, Art. 3.1(3) and 32 (1966).

⁴² Russian Federation Criminal Code, Art. 284.1.

⁴³ Telephone Interview with Lawyer, Sept. 26, 2017.

⁴⁴ Telephone Interview with Lawyer, Sept. 26, 2017.

⁴⁵ Russian Federal Law No. 179-FZ of 02.06.2016 "On Amending Article 8 of the Federal Law" On Public Associations "and Article 2 of the Federal Law" On Non-Profit Organizations, June 2, 2016. Also available online at <http://publication.pravo.gov.ru/Document/View/0001201606020008?index=0&rangeSize=1>.

⁴⁶ Telephone Interview with Lawyer, Sept. 26, 2017.

⁴⁷ Amnesty International, *Agents of the People: Four Years of 'Foreign Agents' Law in Russia: Consequences for the Society*, (Amnesty International, 2016), 19-21.

⁴⁸ NGO Lawyers Club, *Russian NGOs After the Foreign Agents Law; Activism in an Adverse Setting*, (Human Rights Resource Center, May 2016), 8-9. (Even funding received from a domestic NGO can be considered foreign funding if the donor organization has previously received foreign support.); *Russian Lawmakers Propose Broadening Controversial "Foreign Agent" Law*, Radio Free Europe/ Radio Liberty, June 7, 2017, <https://www.rferl.org/a/russia-foreign-agent-law-broadening-proposal/28533867.html>. (Russia's parliament currently is considering an amendment to the Foreign Agents Law that would include as Foreign Agents, NGOs that receive funding from Russian citizens with foreign income sources.)

⁴⁹ Skype Interview with NGO, Oct. 2, 2017.

⁵⁰ Skype Interview with NGO, Oct. 2, 2017; Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.

⁵¹ Skype Interview with NGO, Oct. 2, 2017.

⁵² *Delegitimization and Division in Russia*, by Saskia Brechenmacher (Carnegie Endowment for International Peace, May 2017), 11-12. Also available online at <http://carnegieendowment.org/2017/05/18/delegitimization-and-division-in-russia-pub-69958>.

⁵³ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.

⁵⁴ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.

⁵⁵ Skype Interview with NGO, Oct. 2, 2017; Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.

⁵⁶ Amnesty International, *Agents of the People: Four Years of 'Foreign Agents' Law in Russia: Consequences for Society*, (Amnesty International, 2016), 27; Skype Interview with NGO, Oct. 2, 2017.

⁵⁷ Amnesty International, *Agents of the People: Four Years of 'Foreign Agents' Law in Russia: Consequences for Society*, (Amnesty International, 2016), 27.

⁵⁸ Written Interview with NGO, Oct. 2, 2017.

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- ⁵⁹ *Delegitimization and Division in Russia*, by Saskia Brechenmacher (Carnegie Endowment for International Peace, May 2017). Also available online at <http://carnegieendowment.org/2017/05/18/delegitimization-and-division-in-russia-pub-69958>.
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- ⁶¹ Freek van der Vet and Laura Lyytikäinen, *Violence and Human Rights in Russia: How Human Rights Defenders Develop Their Tactics in the Face of Danger, 2005-2013*, 7 *International Law Journal for Human Rights*, 19, 986-987 (2015).
- ⁶² Anastasia Bazenkova, *Human Rights Event Attacked in Moscow*, *The Moscow Times*, Apr. 29, 2016, <https://themoscowtimes.com/news/human-rights-event-attacked-in-moscow-52724>.
- ⁶³ Skype Interview with NGO, Oct. 2, 2017.
- ⁶⁴ Skype Interview with NGO, Oct. 2, 2017; Anastasia Bazenkova, *Human Rights Event Attacked in Moscow*, *The Moscow Times*, Apr. 29, 2016, <https://themoscowtimes.com/news/human-rights-event-attacked-in-moscow-52724>.
- ⁶⁵ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁶⁶ Skype Interview with NGO, Oct. 2, 2017.
- ⁶⁷ Written Interview with NGO, Oct. 2, 2017.
- ⁶⁸ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁶⁹ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁷⁰ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁷¹ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁷² Amnesty International, *Agents of the People: Four Years of 'Foreign Agents' Law in Russia: Consequences for the Society*, (Amnesty International, 2016), 25-26.
- ⁷³ Written Interview with NGO, Oct. 2, 2017.
- ⁷⁴ *Prava cheloveka v Rossii, Pravozashchitniki o presledovaniyakh "nezhelatelnykh,"* Sept. 11, 2017, <http://hro.org/node/26709> (An organization designated "Undesirable" may not open new offices or bank accounts in Russia, it must liquidate existing offices, and it is banned from undertaking further projects or programs in Russia and from distributing informational materials [written or electronic] in Russia.)
- ⁷⁵ Naturvernforbundet, *Pressure Towards Russian Environmental NGOs: Status of Russia's Foreign Agents Law and Consequences for Civil Society in 2016*, by Vitaly Servetnik, Kjersti Album, and Yngvild Lorentzen (Oslo: Naturvernforbundet, April 2017), 6. Also available online at https://www.foeurope.org/sites/default/files/other/2017/pressure_towards_russian_environmental_ngos.pdf; Russian Federation Administrative Code, Article 20.33 (specifying civil fines applicable to foreign and domestic individuals and organizations for violation of the Undesirable law); Russian Federation Criminal Code, Article 284.1 (specifying criminal prosecution and criminal penalties applicable to foreign and domestic individuals or organizations for violation of the Undesirables law).
- ⁷⁶ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁷⁷ Skype Interview with NGO, Oct. 2, 2017.
- ⁷⁸ Skype Interview with NGO, Oct. 2, 2017.
- ⁷⁹ Human Rights Watch, *Civic Spaces in Eurasia: Ideas for Change, Russia 2017*, by Tanya Lokshina and Anna Sevortian (Human Rights Watch and EU-Russia Civil Society Center: February 2017), 12. Also available online at <http://www.hrw.org/news/2017/02/24/briefing-shrinking-space-civil-society-russia>.
- ⁸⁰ Amnesty International, *Agents of the People: Four Years of 'Foreign Agents' Law in Russia: Consequences for the Society*, (Amnesty International, 2016), 31. Not only did the media stop its continued coverage of the efforts of Novosibirsk Foundation for Protection of Consumer Rights' to champion consumer rights once it was registered as a Foreign Agent, the media proceeded to attack and smear its founders accusing them of being "spies' and traitors".
- ⁸¹ Telephone Interview with NGO, Aug. 5, 2017.
- ⁸² Skype Interview with NGO, Oct. 2, 2017.
- ⁸³ Telephone Interview with NGO, Aug. 5, 2017.
- ⁸⁴ Amnesty International, *Agents of the People: Four Years of 'Foreign Agents' Law in Russia; Consequences for the Society*, (Amnesty International, 2016), 28.
- ⁸⁵ Andrew Roth, *Unlikely Targets in Crosshairs as Russia Aims to Expose Foreign Influence*, *New York Times*, July 11, 2015, <https://www.nytimes.com/2015/07/12/world/unlikely-targets-in-cross-hairs-as-russia-takes-aim-at-foreign-agents.html>.

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- ⁸⁷ Telephone Interview with Lawyer, Sept. 26, 2017.
- ⁸⁸ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁸⁹ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁹⁰ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁹¹ Public Verdict Foundation, EU-Russia Civil Society Forum, and the Civic Solidarity Platform, *Crackdown on Civil Society in Russia: A Brief Overview of How the 'Foreign Agents' and 'Undesirable Organizations' Laws are Enforced in Russia*, (Public Verdict Foundation: June 2016), 7. Also available online at http://en.publicverdict.org/articles_images/freedom_of_association_eng_June_2016_IS.pdf.
- ⁹² Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁹³ Telephone Interview with Lawyer, Sept. 26, 2017; Telephone Interview with NGO, Aug. 5, 2017.
- ⁹⁴ Telephone Interview with NGO, Aug. 5, 2017.
- ⁹⁵ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ⁹⁶ Russian Federation Administrative Code, Art. 19.34 (1).
- ⁹⁷ Skype Interview with NGO, Oct. 2, 2017.
- ⁹⁸ *Prava cheloveka v Rossii*, *supra* note 74.
- ⁹⁹ Telephone Interview with NGO, Aug. 5, 2017.
- ¹⁰⁰ Telephone Interview with NGO, Aug. 5, 2017.
- ¹⁰¹ Telephone Interview with NGO, Aug. 5, 2017.
- ¹⁰² Skype Interview with NGO, Oct. 2, 2017.
- ¹⁰³ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹⁰⁴ Telephone Interview with Lawyer, Sept. 26, 2017; Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹⁰⁵ Telephone Interview with NGO, Aug. 5, 2017; Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹⁰⁶ Telephone Interview with Lawyer, Sept. 26, 2017.
- ¹⁰⁷ Telephone Interview with Lawyer, Sept. 26, 2017.
- ¹⁰⁸ Written Interview with NGO, Oct. 2, 2017.
- ¹⁰⁹ Telephone Interview with NGO, Aug. 5, 2017.
- ¹¹⁰ Telephone Interview with NGO, Aug. 5, 2017.
- ¹¹¹ Skype Interview with NGO, Oct. 2, 2017.
- ¹¹² Skype Interview with NGO, Oct. 2, 2017.
- ¹¹³ Skype Interview with NGO, Oct. 2, 2017.
- ¹¹⁴ Naturvernforbundet, *Pressure Towards Russian Environmental NGOs: Status of Russia's Foreign Agents Law and Consequences for Civil Society in 2016*, by Vitaly Servetnik, Kjersti Album, and Yngvild Lorentzen (Oslo: Naturvernforbundet, April 2017), 12. Also available online at https://www.foeeurope.org/sites/default/files/other/2017/pressure_towards_russian_environmental_ngos.pdf.
- ¹¹⁵ Skype Interview with NGO, Oct. 2, 2017.
- ¹¹⁶ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹¹⁷ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹¹⁸ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹¹⁹ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹²⁰ Telephone Interview with NGO Russian Lawyer, Oct. 2, 2017.
- ¹²¹ Telephone Interview with NGO, Aug. 5, 2017.
- ¹²² Telephone Interview with NGO, Aug. 5, 2017.
- ¹²³ Telephone Interview with NGO, Aug. 5, 2017.
- ¹²⁴ Memorandum of Law, 2015 (on file with authors).
- ¹²⁵ Memorandum of Law, 2015 (on file with authors).
- ¹²⁶ Telephone Interview with NGO, Aug. 5, 2017.
- ¹²⁷ Written Interview with NGO, Oct. 2, 2017.
- ¹²⁸ Naturvernforbundet, *Pressure Towards Russian Environmental NGOs: Status of Russia's Foreign Agents Law and Consequences for Civil Society in 2016*, by Vitaly Servetnik, Kjersti Album, and Yngvild Lorentzen (Oslo: Naturvernforbundet, April 2017), 12. Also available online at

https://www.foeeurope.org/sites/default/files/other/2017/pressure_towards_russian_environmental_ngos.pdf;
Public Verdict Foundation, EU-Russia Civil Society Forum, and the Civic Solidarity Platform, *Crackdown on Civil Society in Russia: A Brief Overview of How the 'Foreign Agents' and 'Undesirable Organizations' Laws are Enforced in Russia*, (Public Verdict Foundation: June 2016), . Also available online at http://en.publicverdict.org/articles_images/freedom_of_assosiation_eng_June_2016_IS.pdf.

¹²⁹ Written Interview with NGO, Oct. 2, 2017.

¹³⁰ Front Line Defenders, “Case History: Valentina Cherevatenko,” <https://www.frontlinedefenders.org/en/case/case-history-valentina-cherevatenko>.

¹³¹ Telephone Interview with Lawyer, Sept. 26, 2017.