



39th SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL
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UPR Outcomes: Russia

Item 6 statement

Delivered by Matthew Jones, Human Rights House Foundation

This statement also enjoys the support of the following organisations:

- OVD-Info
- Youth Human Rights Movement

Check against delivery

Thank you chair.

Restrictive amendments to Russian NGO legislation were introduced in July 2012 requiring NGOs accepting foreign funding and engaging in “political activities” to register as “foreign agents” and to label their publications accordingly (popularly known as the “foreign agents” law). These amendments, together with their implementation, currently constitute the highest threat to the freedom of association in the country. The law defines “political activity” extremely broadly as “actions aimed at influencing government policies or shaping public opinion” which is a natural mode of operation for most NGOs.

Since March 2013, the prosecutor’s office and the Ministry of Justice have brought administrative charges for not registering as “foreign agents” voluntarily against at least 125 NGOs and 24 of their leaders personally, out of which 89 groups and 16 leaders were found guilty by the courts.

In June 2014, the operating environment for NGOs was further restricted through introducing the procedure of forcible (involuntary) inclusion of NGOs in the register of “foreign agents” upon the decision of the Ministry of Justice. NGOs included in the registry are obliged to label any published material, speech, presentation, event, or consultation as originating from a “foreign agent.” Aside from that, they are subject to additional reporting and audits. Failing to follow these requirements may lead to suspension of the group’s activities without a court decision, huge fines leading to bankruptcy, and, finally, criminal charges against its leaders that may result in up to two years in prison.

Since 2013, Russia has continued to tighten the legislative framework on the right of freedom of assembly. In accordance to changes adopted to the Federal Law on Public Events in 2012, new restrictions on places and forms of gatherings were introduced by local legislation in many Russian regions.

In 2014, a new federal law criminalized repeated violations of the administrative rules of public rallies. According to Article 212.1 of the Criminal Code, citizens who are found guilty for breaking the assembly law more than three times within six months can be imprisoned up to five years or fined up to RUB 1,000,000 (USD 17,400).

At the same time, Russian local authorities continue arbitrary application of the legislation in relation to notification and agreement procedure. The current legal procedure for holding an event is based on

a notification process. An organiser should inform local authorities about topic, time, place and estimated number of participants, and authorities can agree with suggestions or offer an equivalent substitution. However, in practice the authorities tend to reject applications for arbitrary reasons.

Mr Chairperson, we ask the Russian Federation to:

1. Repeal or review the provisions on “foreign agents” NGOs and related norms and repeal the law on “undesirable organizations”;
2. Stop arbitrary detentions and criminal prosecution of participants of peaceful public events and protests and cancel restrictive amendments to legislation introduced in 2012 and 2014 in relation to peaceful assembly;
3. End the arbitrary interpretation of notification principle for holding public events;

Thank you.