

## **Statement on the UPR Pre-session on the Russian Federation of OVD-Info**

**29 August 2022, Geneva**

This statement is delivered on behalf of OVD-Info, an independent human rights media project aimed at monitoring cases of political persecution and violations of basic human rights in Russia.

The submissions we made focus on addressing violations of freedoms of assembly and association and freedom of expression.

### **ISSUE 1: FREEDOM OF ASSEMBLY AND ASSOCIATION**

During the last cycle, the Russian government accepted numerous recommendations regarding upholding their human rights obligations in the field of freedoms of assembly and association, repealing the legislation restricting these freedoms and ending the targeting and prosecution of human rights defenders.

However, none of the recommendations were implemented and the situation gradually worsened. OVD-Info documented over 50,000 detentions of peaceful assembly participants between 2019 and 2022, with excessive force used by police during major rallies. 408 people have been criminally prosecuted for participation in rallies. Facial recognition technologies have been arbitrarily used to identify and prosecute protesters, and further restrictions have been imposed on holding or financing assemblies. Additionally, COVID-19 has been used as a pretext to refuse approval for assemblies, with selective enforcement favoring pro-government rallies, and some restrictions still in force.

In the field of freedom of association, despite the commitments made in the last cycle, Russian civil society organizations have faced increasing pressure from the authorities. The majority of human rights initiatives and independent media outlets were forced out of the country or shut down, with employees facing the threat of criminal prosecution. Restrictive laws on "extremism," "foreign agents," and "undesirable organizations" severely limited their activities, resulting in numerous designations and self-dissolutions. There are 490 foreign agents and 101 undesirable organisations as of 1 August 2023.

The recent amendments to the "foreign agent" law made it even more hostile, leading to the possibility of imprisonment and targeting individuals and entities "under foreign influence." Furthermore, the authorities used forcible liquidation to suppress civil society, dissolving several human rights NGOs, including Memorial, Moscow Helsinki Group, SOVA Center and Sphere.

Therefore, we recommend the Russian Federation to:

a. Revise or repeal legislation that hinders the freedom of association, including the laws on "foreign agents", "undesirable organizations" and "extremism".

b. Release all people unjustly persecuted for exercising their freedom of association and repeal the decisions to liquidate prominent civil society organizations.

c. Exclude the possibility of criminal and administrative liability for participation in peaceful assemblies.

d. Stop the practice of mass detentions at peaceful assemblies and detentions with the use of facial recognition systems.

e. Avoid using excessive force against protesters and effectively investigate the cases of police violence.

## **ISSUE 2 - FREEDOM OF EXPRESSION AND ANTI-WAR PROSECUTIONS**

In the previous cycle, Russia accepted numerous recommendations to guarantee everyone freedom of expression, particularly online, repeal the legislation used to target people exercising these rights, release all journalists detained on politically motivated charges, and refrain from such practices in the future.

Despite these recommendations, the situation gradually worsened. Any dissent to the government's actions is subject to various criminal or administrative charges. Technologies for monitoring, controlling and shutting down social networks have evolved and are widely used. Various laws related to extremism and terrorism have been expanded with vague wording and arbitrary enforcement.

The number of laws restricting the work of journalists increased. In 2019-2022, Justice for Journalists documented 6413 cases of persecution of media workers and media outlets. The Russian government continued subjecting journalists to criminal prosecution on various charges.

After 24 February 2022, due to military censorship, most independent media outlets were forced out of the country, or ceased to write about the war. The remaining uncensored ones are increasingly persecuted.<sup>1</sup> Moreover, at least 12200 websites, including 316 media outlets were blocked,<sup>2</sup> and 37 journalists were prosecuted for their anti-war stance.

Moreover, opposition to the ongoing full-scale invasion of Ukraine is also being censored by new legislation, particularly on "fakes" and "discrediting" of the Russian armed forces. As of August 2023, OVD-Info documented 7430 minor offense cases, and at least 643 people prosecuted criminally for anti-war stance. The average prison sentence received by them is 5,8 years.

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<sup>1</sup> "No to war: How Russian authorities are suppressing anti-war protests", 14 March - 14 April 2022, OVD-Info. URL: <https://reports.ovdinfo.org/no-to-war#5>

<sup>2</sup> According to digital rights watchdog Roskomsvoboda, <https://roskomsvoboda.org/>

Authorities have also increasingly put pressure on critics of the war through other arbitrary means – OVD-Info has documented 535 cases of undue pressure for expressing an anti-war opinion.

Considering the above situation, we recommend the Russian Federation to:

- a. Repeal the laws unduly restricting the right to freedom of expression and access to information, including first and foremost laws establishing military censorship on citizens and media outlets.
- b. Ensure unrestricted access to alternative information and independent media for all people, including information on the war in Ukraine
- c. Refrain from arbitrary arrest, detention, and enforced disappearance of media workers, release arbitrarily detained media workers.