



UNIVERSAL PERIODIC REVIEW
SUBMISSION FOR RUSSIA

NGO Submission

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ABOUT HRF

The Human Rights Foundation (HRF) is a nonpartisan nonprofit organization that promotes and protects human rights globally, with a focus on closed societies. HRF unites people in the common cause of defending human rights and promoting liberal democracy. Our mission is to ensure that freedom is both preserved and promoted around the world.

We focus our work on the founding ideals of the human rights movement, those which are most purely enshrined in the 1948 Universal Declaration of Human Rights and the 1976 International Covenant on Civil and Political Rights (ICCPR).

HRF's Center for Law and Democracy (HRF-CLD) is a program of HRF. HRF-CLD promotes legal scholarship in the areas of comparative constitutional law and international law, with a focus on international human rights law and international democracy law.

INTRODUCTION

This submission was prepared by HRF, for the Universal Periodic Review (UPR) of the Russian Federation (*hereinafter* Russia). In this submission, HRF evaluates Russia's implementation of recommendations made during its previous UPR, as it relates to the current human rights situation in the country, which is characterized by systematic, widespread, and gross violations of human rights, including: the ongoing curtailment of freedoms of assembly, association, and expression; arbitrary arrests, detentions, and violations of due process; and freedom of the press.

FOLLOW-UP ON THE PREVIOUS REVIEW

1. The most recent Universal Periodic Review (UPR) of Russia by the UPR Working

Group took place on May 14, 2018.¹ The final outcome report on the review of Russia was adopted by the United Nations (UN) Human Rights Council at its 39th session in September 2018.² A total of 317 recommendations were made to Russia, of which the government accepted 191.³

2. As a member of the UN, Russia has committed to protecting, promoting, and respecting the individual rights and fundamental freedoms laid out in the Universal Declaration of Human Rights. It has also ratified the following treaties: the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT); the International Covenant on Civil and Political Rights (ICCPR); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the International Covenant on Economic, Social and Cultural Rights (ICESCR); and the Convention on the Rights of the Child (CRC).
3. Despite these ratifications, Russia continues to violate the fundamental rights of its citizens, including by adopting laws that infringe upon their basic human rights, as detailed below.

RUSSIAN FEDERATION'S NATIONAL FRAMEWORK FOR PROTECTING HUMAN RIGHTS

4. The Constitution of the Russian Federation⁴ (*hereinafter* Constitution) contains several provisions to protect the fundamental rights and freedoms of its citizens.

¹ United Nations Human Rights Council, *Universal Periodic Review - Russian Federation*, <https://www.ohchr.org/en/hr-bodies/upr/ru-index>.

² The United Nations Human Rights Council, *Report of the Human Rights Council on its thirty-ninth session*, at 1 (Sept. 2018), <https://daccess-ods.un.org/tmp/6619982.71942139.html>.

³ Infographic on the Russian Federation, United Nations Human Rights Office of the High Commissioner, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session30/RU/RUSSIAN_FEDERATION_Infographic_30th.pdf.

⁴ The Constitution of the Russian Federation, <http://www.constitution.ru/en/10003000-01.htm>.

5. In relation to equal protection under the law, *Article 19(1)* of the Constitution states:

All persons shall be equal before the law and the court.

6. In relation to personal freedoms, *Article 2* states:

Man, his rights and freedoms are the supreme value. The recognition, observance and protection of the rights and freedoms of man and citizen shall be the obligation of the State.

7. *Article 29* of the Constitution guarantees freedom of expression:

(1) Everyone shall be guaranteed freedom of thought and speech.

(2) Propaganda or agitation, which arouses social, racial, national or religious hatred and hostility shall be prohibited. Propaganda of social, racial, national, religious or linguistic supremacy shall also be prohibited.

(5) The freedom of the mass media shall be guaranteed. Censorship shall be prohibited.

8. In relation to the freedom of assembly, *Article 31* of the Constitution states:

Citizens of the Russian Federation shall have the right to assemble peacefully, without weapons, hold rallies, mass meetings and demonstrations, marches and pickets.

9. Regarding arrests and detention, *Article 22* of the Constitution states:

(1) Everyone shall have the right to freedom and personal immunity.

(2) Arrest, detention and remanding in custody shall be allowed only by court decision.

Without the court's decision a person may be detained for a term more than 48 hours.

POLITICAL BACKGROUND

10. Russia became a separate and independent state after the dissolution of the Soviet Union in 1991⁵ and today is a federation and semi-presidential republic, wherein the president serves as head of state and the prime minister as head of government. Russia's Constitution limits the presidential office to two six-year terms.⁶ The prime minister is appointed by the president after the approval of his

⁵ Igor Rozin, *When did Russia become independent?*, Russia Beyond (June 12, 2021), <https://www.rbth.com/history/333891-when-did-russia-become-independent>.

⁶ The Constitution of the Russian Federation, *Article 81*, <http://kremlin.ru/acts/constitution/item#chapter4>.

candidacy by the State Duma, one of the chambers of the Russian Parliament.⁷

11. Boris Yeltsin served as the first President of Russia from 1991 to 1999.⁸ His presidency was marked by reforms in the country's economy and the war in Chechnya from 1994 to 1996.⁹
12. In 1993, following increased hostilities between Parliament and Yeltsin regarding free-market reforms, Yeltsin dissolved the Parliament and set new parliamentary elections.¹⁰ In response, Yeltsin's rivals in Parliament voted to impeach him, which led to an armed standoff between supporters on both sides.¹¹ According to the official numbers, 187 people died, though some estimates estimate casualties as high as 2,000.¹² In the aftermath, Russia's Constitution was adopted in 1994, significantly strengthening the powers of the presidency and limiting the role of Parliament.¹³
13. After receiving 52.94% of the vote in the presidential election, Vladimir Putin, a former KGB intelligence officer, came to power in 2000.¹⁴ He quickly began suppressing autonomous political institutions, curtailing independent media, and consolidating his power.¹⁵ For instance, in 2001, the government seized control of the NTV channel, which previously belonged to oligarch Vladimir Gusinsky and aired coverage critical of the government.¹⁶ Putin further weakened checks on presidential power, made the State Duma more compliant,

⁷ The Constitution of the Russian Federation, *Article 111*, <http://kremlin.ru/acts/constitution/item#chapter6>.

⁸ Boris Yeltsin, *President of Russia*, Britannica, <https://www.britannica.com/biography/Boris-Yeltsin>.

⁹ *The Battle Of Grozny And The First Chechen War*, RFE/RL (Jan. 4, 2020) <https://www.rferl.org/a/russia-grozny-battle-chechen-war-1994-1995/30359837.html>.

¹⁰ Who Was Who? The Key Players In Russia's Dramatic October 1993 Showdown, RFE/RL (Oct. 2, 2018), <https://www.rferl.org/a/russia-players-1993-crisis/25125000.html>.

¹¹ Roman Goncharenko, *Russia's 1993 crisis still shaping Kremlin* (10/03/2018), <https://www.dw.com/en/russias-1993-crisis-still-shaping-kremlin-politics-25-years-on/a-45733546>.

¹² Kristyna Foltynova, *The Day The Russian White House Was Shelled* (Oct. 4, 2019), <https://www.rferl.org/a/white-house-shelled/29525525.html>.

¹³ Lee Hockstader, *Russian Constitution Would Boost Yeltsin* (Nov. 10, 1993), <https://www.washingtonpost.com/archive/politics/1993/11/10/russian-constitution-would-boost-yeltsin/68e822ae-91b7-4bc1-8635-27ba65375dee/>.

¹⁴ OSCE, Office for Democratic Institutions and Human Rights, *RUSSIAN FEDERATION Presidential Election 26 March 2000, Final Report*, at 32 (May 19, 2000), <https://www.osce.org/files/f/documents/3/9/16275.pdf>.

¹⁵ Michael McFaul, *The Putin Paradox* (June 4, 2004), <https://www.americanprogress.org/article/the-putin-paradox/>.

¹⁶ *Ten Years Ago, Russia's Independent NTV, The Talk Of The Nation, Fell Silent*, RFE/RL (Apr. 14, 2011), https://www.rferl.org/a/russia_independent_ntv_fell_silent/3557594.html.

and increased the role of the Federal Security Service in governing the country.¹⁷

14. In 2008, after eight years in power, Putin stepped down to assume the role of prime minister, as the constitution prohibited running for a third consecutive term,¹⁸ and Dmitry Medvedev was elected President.¹⁹ However, Putin maintained a strong grip on power, even in a seemingly subordinate role.²⁰ During his presidency, from 2008 to 2012, Medvedev also introduced constitutional amendments²¹ which extended the presidential term from four years to six years.²²

15. In 2012, with 65% of the vote,²³ Putin became president for the third time,²⁴ amidst elections marred by allegations of fraud.²⁵ Putin then won the presidency in 2018, with 76.6% of the vote,²⁶ in a re-election again marred by allegations of fraud.²⁷ In 2020, the Russian Constitution was amended to, among other things, reset Putin's previous presidential terms, allowing Putin to stay in power until 2036.²⁸ In April 2021, in line with these amendments, Putin signed a law allowing him to run for two additional presidential terms.²⁹

¹⁷ Michael McFaul, *Russia: Rebuilding the Iron Curtain*, Carnegie Endowment for International Peace (May 17, 2007) <https://carnegieendowment.org/2007/05/17/russia-rebuilding-iron-curtain-pub-19202>.

¹⁸ C. J. Chivers, *Putin Is Approved as Prime Minister*, *The New York Times* (May 9, 2008), <https://www.nytimes.com/2008/05/09/world/europe/09russia.html>.

¹⁹ *Id.*

²⁰ *Id.*

²¹ Maxim Trudolyubov, *Breaking Presidential Term Limits in Russia and Beyond*, *The Wilson Center* (June 30, 2020), <https://www.wilsoncenter.org/blog-post/breaking-presidential-term-limits-russia-and-beyond>.

²² Denis Dyomkin and Guy Faulconbridge, *Russia Medvedev proposes presidential term of 6 years*, *Reuters* (Nov. 5, 2008), <https://www.reuters.com/article/us-russia-medvedev-president/russia-medvedev-proposes-presidential-term-of-6-years-idUSTRE4A46TB20081105>.

²³ Phil Black, *Putin returns as Russia's president amid protests*, *CNN* (May 7, 2012), <https://www.cnn.com/2012/05/07/world/europe/russia-putin/index.html>.

²⁴ *Id.*

²⁵ *World Report 2013: Russia, Events of 2012*, *Human Rights Watch*, <https://www.hrw.org/world-report/2013/country-chapters/russia>.

²⁶ Neil MacFarquhar, *Putin Wins Russia Election, and Broad Mandate for 4th Term*, *The New York Times* (Mar. 18, 2018), <https://www.nytimes.com/2018/03/18/world/europe/election-russia-putin-president.html>.

²⁷ Henry Meyer, *Russian Observers Charge Fraud in Putin's Landslide Re-Election*, *Bloomberg* (Mar. 19, 2018), <https://www.bloomberg.com/news/articles/2018-03-19/russian-observers-charge-fraud-in-putin-s-landslide-re-election>.

²⁸ Zahra Ullah and Anna Chernova, *Putin signs law allowing him to run for two more terms as Russian President*, *CNN* (Apr. 6, 2021), <https://www.cnn.com/2021/04/05/europe/putin-russia-presidential-term-intl-hnk/index.html>.

²⁹ *Id.*

FREEDOMS OF ASSEMBLY, ASSOCIATION, AND EXPRESSION

16. The freedoms of assembly, association, and expression remain severely restricted in Russia. The Russian government continues to use the “foreign agents” law, initially introduced in 2012, to crack down on civil society.³⁰ The law requires organizations engaging in political activity and receiving foreign funding to register as foreign agents.³¹ Since its enactment, the scope of the law has been expanded to target NGOs, human rights groups, media outlets, individual journalists, vloggers, and virtually anyone who receives money from outside Russia and voices political opinions.³² This gives the Russian government the ability to target its opponents, including individuals who receive assistance from abroad,³³ and those who highlight problems such as corruption and crime in the Russian military, space industry, and security services.³⁴
17. In December 2020, Putin expanded the foreign agent law allowing the government to designate those who collect information on Russia’s military and its technical activities, as foreign agents.³⁵ Those who fail to report their activity may face fines or up to five years in prison.³⁶
18. Putin signed the latest amendments to the “foreign agents” law in July 2022.³⁷ The amendments further expanded the definition of “foreign agents,” which now include anyone “under foreign influence.”³⁸ Accordingly, “foreign agents” are

³⁰ Rachel Denber, *The Kremlin’s repressive decade*, Human rights Watch (July 13, 2022), <https://www.hrw.org/news/2022/07/13/kremlins-repressive-decade>.

³¹ Katherin Machalek, *Factsheet: Russia’s NGO Laws*, https://freedomhouse.org/sites/default/files/Fact%20Sheet_0.pdf.

³² *Putin Signs Off On Harsher ‘Foreign Agent’ Law*, RFE/RL’s Russian Service (July 14, 2022), <https://www.rferl.org/a/putin-signs-off-harsher-foreign-agent-law/31943645.html>.

³³ *Id.*

³⁴ Andrew Roth, *Russia extends ‘foreign agents’ law to critics of military and security*, The Guardian (Oct. 1, 2021), <https://www.theguardian.com/world/2021/oct/01/russia-extends-foreign-agents-law-to-critics-of-military-and-security>.

³⁵ *What you need to know about Russia’s updated ‘foreign agent’ laws*, Meduza (Dec. 28, 2020), <https://meduza.io/en/feature/2020/12/28/what-you-need-to-know-about-russia-s-updated-foreign-agent-laws>.

³⁶ *Id.*

³⁷ RFE/RL, *supra* note 32.

³⁸ *Id.*

prohibited from working as teachers in public schools, organizing public events, and taking part in political campaigns.³⁹ Those labeled as foreign agents are also prohibited from receiving financial support from the state and must disclose their sources of funding and undergo audits.⁴⁰ The law entered into force on December 1, 2022.⁴¹

19. In addition, the government uses labels such as “undesirable organizations” and “extremist organizations” to further limit the freedoms of assembly, association, and expression. Organizations labeled as “undesirable” are prohibited from operating in Russia,⁴² with violators being subject to hefty fines and jail time. In 2021, the Russian government labeled four NGOs with ties to Mikhail Khodorkovsky, a Russian oligarch opponent of Putin who spent 10 years in prison, as “undesirable.”⁴³ One of these NGOs, Open Russia, was disbanded in May 2021,⁴⁴ and its executive director, Andrei Pivovarov, was removed from a flight from Saint Petersburg to Warsaw and arbitrarily detained the same month.⁴⁵

20. The Russian government used the COVID-19 pandemic as an excuse to prohibit gatherings and impose additional restrictions on protesters. Protests organized by opposition groups were routinely banned under the pretext of public health

³⁹ *Russia tightens legislation on 'foreign agents'*, Deutsche Welle (Jun. 29, 2022), <https://www.dw.com/en/russia-tightens-legislation-on-foreign-agents/a-62307066>.

⁴⁰ *Id.*

⁴¹ *Russia: New Restrictions for 'Foreign Agents'*, Human Rights Watch, Dec 1, 2022, <https://www.hrw.org/news/2022/12/01/russia-new-restrictions-foreign-agents>.

⁴² Freedom House, *Nations in Transit 2022, Russia* (2022), <https://freedomhouse.org/country/russia/nations-transit/2022>.

⁴³ *Russia Tags 4 Khodorkovsky-Linked NGOs 'Undesirable'*, The Moscow Times (July 1, 2021), <https://www.themoscowtimes.com/2021/07/01/russia-tags-4-khodorkovsky-linked-ngos-undesirable-a74393>.

⁴⁴ Amnesty International, *Russia: Open Russia movement forced to dissolve while its members face severe reprisals* (May 27, 2021), <https://www.amnesty.org/en/latest/press-release/2021/05/russia-open-russia-movement-forced-to-dissolve-while-its-members-face-severe-reprisals/>.

⁴⁵ Amnesty International, *Russia: Immediately release Open Russia leader detained after being hauled off flight* (June 1, 2021), <https://www.amnesty.org/en/latest/press-release/2021/06/russia-immediately-release-open-russia-leader-detained-after-being-hauled-off-flight/>.

⁴⁶ Amnesty International, *Russian Federation 2021* (2021), <https://www.amnesty.org/en/location/europe-and-central-asia/russian-federation/report-russian-federation/>.

concerns⁴⁶ — restrictions which do not apply to pro-government rallies.⁴⁷ For example, in March 2021, officials organized a concert in Moscow to celebrate the 7th anniversary of the annexation of Crimea.⁴⁸ Tens of thousands of people attended the concert at Luzhniki Stadium, and no one was detained.⁴⁹

21. Furthermore, since Russia's invasion of Ukraine on February 24, 2022, the regime has introduced new legislation in an attempt to silence critics of the war. On March 4, 2022, the government passed two laws prohibiting the spread of "false" information about the Russian military,⁵⁰ which essentially criminalized any independent news reporting about the war.⁵¹ On March 22, 2022, the Russian Parliament passed amendments to the legislation that target those who spread "false information" about the actions of Russia's government bodies abroad.⁵² Violators can be punished with fines of 5 million rubles (approximately USD 72,000) and face up to 15 years in prison.⁵³ These amendments prompted major independent media outlets to shut down or suspend their work in Russia.⁵⁴

22. The Russian government has also passed legislation that makes it substantially more difficult for Russian citizens to assemble and peacefully protest. Under federal regulations, people cannot assemble near courthouses, prisons, presidential residences, or emergency services.⁵⁵ In 2021, the government passed legislative amendments that gave officials the right to recall permissions for

⁴⁶ Amnesty International, *Russian Federation 2021* (2021), <https://www.amnesty.org/en/location/europe-and-central-asia/russian-federation/report-russian-federation/>.

⁴⁷ *Id.*

⁴⁸ Robert Coalson, *Dying For A Dose Of Putin? With Sagging Ratings, Russian President Holds Mask-Optional Rally*, RFE/RL (Mar. 19, 2021), <https://www.rferl.org/a/russian-putin-holds-mask-optional-rally/31159976.html>.

⁴⁹ *Id.*

⁵⁰ Committee to Protect Journalists, *Understanding the Laws Relating to "Fake News" in Russia* (July, 2022), <https://cpj.org/wp-content/uploads/2022/07/Guide-to-Understanding-the-Laws-Relating-to-Fake-News-in-Russia.pdf>.

⁵¹ Anton Troianovski and Valeriya Safronova, *Russia Takes Censorship to New Extremes, Stifling War Coverage*, The New York Times (Mar. 4, 2022), <https://www.nytimes.com/2022/03/04/world/europe/russia-censorship-media-crackdown.html>.

⁵² Victor Jack, *Russia expands laws criminalizing 'fake news'*, Politico (Mar. 22, 2022), <https://www.politico.eu/article/russia-expand-laws-criminalize-fake-news/>.

⁵³ Committee to Protect Journalists, *Russian government expands law banning 'fakes'* (Mar. 22, 2022), <https://cpj.org/2022/03/russian-government-expands-law-banning-fakes/>.

⁵⁴ The New York Times, *supra* note 51.

⁵⁵ Amnesty International, *Russia: End of the road for those seeking to exercise their right to protest* (Aug. 12, 2021), <https://www.amnesty.org/en/latest/news/2021/08/russia-end-of-the-road-for-those-seeking-to-exercise-their-right-to-protest/>.

protests, in case of a “real threat” or “an emergency or a terrorist attack.”⁵⁶ In addition, restrictive assembly regulations imposed by local officials prohibit assemblies in 70% of public spaces.⁵⁷

ARBITRARY ARRESTS, DETENTIONS, AND VIOLATIONS OF DUE PROCESS

23. Arbitrary arrests, detentions, and violations of due process are pervasive in Russia, particularly since the full-scale invasion of Ukraine in February 2022.
24. In January 2021, Russian officials arrested prominent opposition leader Alexei Navalny upon his return from Germany, where he was recovering from poisoning with a deadly nerve agent,⁵⁸ believed to have been carried out by agents of Putin’s regime.⁵⁹ In February 2021, a court in Moscow ruled that Navalny had violated the terms of his probation and sentenced him to three-and-a-half years in prison.⁶⁰ In March 2022, Navalny was sentenced to an additional nine years in prison for large-scale fraud and contempt of court, and fined 1.2 million rubles (approximately USD 17,280).⁶¹
25. Navalny’s 2021 arrest ignited protests in more than 100 cities across Russia.⁶² Just one week after the protests began, approximately 8,000 people were arbitrarily detained.⁶³ There were also reports that violent tactics used by Russian police had

⁵⁶ *Id.*

⁵⁷ Freedom House, *Freedom in the World 2022* (2022), <https://freedomhouse.org/country/russia/freedom-world/2022>.

⁵⁸ Anton Troianovski and Ivan Nechepurenko, *Navalny Arrested on Return to Moscow in Battle of Wills With Putin*, The New York Times (Jan. 17, 2021), <https://www.nytimes.com/2021/01/17/world/europe/navalny-russia-return.html>.

⁵⁹ UN News, *Russia responsible for Navalny poisoning, rights experts say* (Mar. 1, 2021), <https://news.un.org/en/story/2021/03/1086012>.

⁶⁰ Damelya Aitkhozhina, *Russian Court Rules to Jail Navalny*, Human Rights Watch (Feb. 2, 2021), <https://www.hrw.org/news/2021/02/02/russian-court-rules-jail-navalny>.

⁶¹ *Alexei Navalny sentenced to 9 more years in prison after fraud conviction*, The Guardian (Mar. 22, 2022), <https://www.theguardian.com/world/2022/mar/22/alexei-navalny-13-years-more-jail-fraud>.

⁶² Human Rights Watch, *Russia: Police Detain Thousands in Pro-Navalny Protests* (Jan. 25, 2021), <https://www.hrw.org/news/2021/01/25/russia-police-detain-thousands-pro-navalny-protests>.

⁶³ Amnesty International, *Russia: Appalling use of force and arrests of peaceful protesters* (Jan. 31, 2021), <https://www.amnesty.org/en/latest/press-release/2021/01/russia-appalling-use-of-force-and-arrests-of-peaceful-protesters/>.

led to severe injuries, including broken bones.⁶⁴

26. On March 15, 2022, municipal councillor Aleksei Gorinov spoke up against the war during a local council meeting.⁶⁵ As a result, he was accused of spreading “false information” about the Russian Armed Forces and sentenced to seven years in prison on July 8, 2022.⁶⁶ Ilya Yashin, a prominent Russian opposition figure, was also arbitrarily detained on June 27, 2022,⁶⁷ for spreading “false information about actions of the Russian Armed Forces.”⁶⁸ In December 2022, Yashin was sentenced to eight-and-a-half years in prison.⁶⁹

27. Vladimir Kara-Murza, a prominent critic of Putin, was arrested in April 2022 for sharing “false information” about the actions of the Russian military in Ukraine.⁷⁰ In July 2022, he was also charged with “organizing the activities of an undesirable organization” due to his links with Open Russia and the Free Russia Foundation, both of which are deemed “undesirable” organizations by the regime.⁷¹ In October, Russian officials charged Kara-Murza with “high treason,” under which Kara-Murza faces up to 20 years in prison.⁷²

28. The Russian government has used the same harsh tactics during the anti-war

⁶⁴ Council of Europe, Commissioner for Human Rights, *Russian Federation: freedom of expression and the right to peaceful assembly must be respected* (Jan. 2, 2021), <https://www.coe.int/en/web/commissioner/-/russian-federation-freedom-of-expression-and-the-right-to-peaceful-assembly-must-be-respected>.

⁶⁵ Amnesty International, *Russia: Municipal councillor sentenced to seven years in jail for opposing the Ukraine war* (July 8, 2022), <https://www.amnesty.org/en/latest/news/2022/07/russia-municipal-councillor-sentenced-to-seven-years-in-jail-for-opposing-the-ukraine-war/>.

⁶⁶ Grigory Vaypan, *The Gorinov Case Sets New Benchmark in the Kremlin’s War against Dissent*, The Wilson Center (July 13, 2022), <https://www.wilsoncenter.org/blog-post/gorinov-case-sets-new-benchmark-kremlins-war-against-dissent>.

⁶⁷ *Russian opposition politician detained in Moscow, journalist and lawyer say*, Reuters (June 27, 2022), <https://www.reuters.com/world/europe/russian-opposition-politician-detained-moscow-journalist-lawyer-2022-06-27/>.

⁶⁸ Amnesty International, *Russia: Authorities must drop case against Ilya Yashin – latest victim of clampdown on war critics* (July 13, 2022), <https://www.amnesty.org/en/latest/news/2022/07/russia-authorities-must-drop-case-against-ilya-yashin-latest-victim-of-clampdown-on-war-critics/>.

⁶⁹ Andrew Roth, *Russian opposition figure Ilya Yashin jailed for denouncing Ukraine war*, The Guardian, Dec. 9, 2022, <https://www.theguardian.com/world/2022/dec/09/russian-opposition-figure-ilya-yashin-jailed-for-denouncing-ukraine-war>.

⁷⁰ Amnesty International, *Russia: Vladimir Kara-Murza, jailed prisoner of conscience, awarded Václav Havel Prize* (Oct. 10, 2022), <https://www.amnesty.org/en/latest/news/2022/10/russia-vladimir-kara-murza-jailed-prisoner-of-conscience-awarded-vaclav-havel-prize/>.

⁷¹ *Id.*

⁷² *Jailed Kremlin Critic Kara-Murza Charged With Treason*, The Moscow Times (Oct. 7, 2022), <https://www.themoscowtimes.com/2022/10/06/jailed-kremlin-critic-kara-murza-charged-with-treason-a79008>.

protests that were sparked by Russia's invasion of Ukraine.⁷³ During the first month of the war, more than 15,000 people were arrested,⁷⁴ and on March 6th alone, over 5,000 people were arrested.⁷⁵ Police used excessive force to arbitrarily detain protesters,⁷⁶ accounts which are corroborated by social media videos. In one video, four police officers are seen carrying and hitting a protester with a baton.⁷⁷

29. Another victim from the protests, Anton Mishchenko, was detained in Moscow and beaten for filming police officers next to the Maryino police department.⁷⁸ According to Mishchenko, police officers pushed him into a prisoner transport vehicle and began hitting him in the head and groin area, resulting in a concussion.⁷⁹

FREEDOM OF THE PRESS

30. Freedom of the press remains restricted in Russia. Since 2017, the government has applied the "foreign agent" label to media outlets, as well.⁸⁰ In 2019, Putin signed amendments to the "foreign agent" law allowing the government to designate journalists and bloggers as "foreign agents."⁸¹

31. In December 2021, a court in Moscow fined *The Insider*, an independent Russian media outlet, 1 million rubles (approximately USD 14,400) for not complying

⁷³ Ivan Nechepurenko and Dan Bilefsky, Thousands of Russians protest President Vladimir V. Putin's assault on Ukraine. Some chant: 'No to war!', *The New York Times* (Feb. 24, 2022), <https://www.nytimes.com/2022/02/24/world/europe/russia-protests-putin.html>.

⁷⁴ *More than 15,000 Russians have been arrested in anti-war protests*, *The Economist* (Mar. 22, 2022), <https://www.economist.com/graphic-detail/2022/03/22/more-than-15000-russians-have-been-arrested-in-anti-war-protests>.

⁷⁵ *Russia Arrests Over 5,000 in Single Day for Protesting Ukraine War*, *Voice of America* (Mar. 7, 2022), <https://www.voanews.com/a/russia-arrests-over-5-000-in-single-day-for-protesting-ukraine-war-/6473268.html>.

⁷⁶ *Russia: Arbitrary Detentions of Anti-War Protesters*, *Human Rights Watch* (Feb. 26, 2022), <https://www.hrw.org/news/2022/02/26/russia-arbitrary-detentions-anti-war-protesters>.

⁷⁷ OVD-Info LIVE (Mar. 6, 2022), <https://t.me/ovdinfo/5648>.

⁷⁸ OVD-Info LIVE (Mar. 6, 2022), <https://t.me/ovdinfo/5725>.

⁷⁹ *Id.*

⁸⁰ *Russia's Putin signs 'foreign agents' media law*, *Reuters* (Nov. 25, 2017), <https://www.reuters.com/article/us-russia-usa-media-restrictions/russias-putin-signs-foreign-agents-media-law-idUSKBN1DP0I2>.

⁸¹ *Russia to label individuals as 'foreign agents' under new law*, *BBC* (Dec. 3, 2019), <https://www.bbc.com/news/world-europe-50643705>.

with the “foreign agent” regulations.⁸² That same month, Russian officials fined Memorial, one of the oldest and most prominent human rights organizations in Russia, 500,000 rubles (approximately USD 7,200) for the same reason, and the Moscow City Court ordered the organization to shut down.⁸³

32. In 2019, the government passed laws giving it the right to fine and imprison those who “insult” the government online, and penalize and block websites that spread what the government considers “fake news.”⁸⁴ In addition, the Russian Parliament approved the “Sovereign Internet Bill,” which created a system that allows the government to block access to parts of the internet in Russia.⁸⁵ It also gives control over internet network routing to Roskomnadzor, a federal agency that regulates mass media, telecommunications, information technologies, and mass communications.⁸⁶ On February 1, 2021, a federal law obligating social media platforms to take down content deemed illegal under Russian law also entered into force.⁸⁷

33. In March 2021, Roskomnadzor demanded that Twitter, Google, and Facebook remove content that the Russian government considers illegal and reinstate pro-Kremlin material that has been blocked, or face fines.⁸⁸ In May 2021, Russian officials fined Google 6 million rubles (approximately 86,400 USD) for not taking down its content.⁸⁹ In September 2021, it fined Facebook 21 million rubles (approximately 302,400 USD) and Twitter 5 million rubles (approximately 72,000

⁸² *Moscow court fines investigative outlet The Insider for noncompliance with ‘foreign agent’ disclosure*, Meduza (Dec. 14, 2021), <https://meduza.io/en/news/2021/12/14/moscow-court-fines-investigative-outlet-the-insider-for-noncompliance-with-foreign-agent-disclosure>.

⁸³ Andrew Osborn and Mikhail Antonov, *Russia shuts Memorial Human Rights Centre in ‘one-two punch’*, Reuters (Dec. 29, 2021), <https://www.reuters.com/world/europe/moscow-court-shuts-down-russias-memorial-human-rights-centre-2021-12-29/>.

⁸⁴ *Russia: New bills criminalising insults to the State and spread of ‘fake news’ threaten freedom of expression*, Article 19 (Jan. 25, 2019), <https://www.article19.org/resources/russia-new-bills-criminalising-online-insults-of-state-and-the-spread-of-fake-news-threaten-freedom-of-expression/>.

⁸⁵ *Joint Statement on Russia’s “Sovereign Internet Bill”*, Human Rights Watch (Apr. 24, 2019), <https://www.hrw.org/news/2019/04/24/joint-statement-russias-sovereign-internet-bill>.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ Adam Satariano and Oleg Matsnev, *Russia Raises Heat on Twitter, Google and Facebook in Online Crackdown*, The New York Times (May 26, 2021), <https://www.nytimes.com/2021/05/26/technology/russia-twitter-google-facebook-censorship.html>.

⁸⁹ *Id.*

USD) for the same reason.⁹⁰ In December 2021, a Russian court fined Google \$100 million for “systematic failure to remove banned content” and fined Meta approximately \$27 million.⁹¹

34. In September 2021, Russian officials successfully pressured Google and Apple to delete an app used by Alexei Navalny’s team to coordinate voting for opposition candidates in parliamentary elections.⁹²

RECOMMENDATIONS

HRF calls on Russia’s government to:

- a) Protect the rights of all individuals to the freedoms of assembly, association, and expression;
- b) Release political prisoners and all those unjustly arrested and detained at peaceful protests, and ensure that detainees receive humane treatment;
- c) Protect the due process rights of every accused person to a fair, speedy, and public trial;
- d) Protect, respect, and promote, without reservation, the rights of all individuals to freedom of expression and association, and ensure that activists, journalists, and opposition groups can operate peacefully and safely in Russia;
- e) Repeal the foreign agent law to guarantee freedom of press, by ensuring that journalists aren’t harassed, detained, subjected to fines, or sentenced by Russian officials; and

⁹⁰ *Russia fines Facebook, Twitter for not deleting banned content*, Reuters (Sept. 14, 2021),

<https://www.reuters.com/world/europe/russia-fines-facebook-not-deleting-banned-content-2021-09-14/>.

⁹¹ Isabelle Khurshudyan, *Russia fines Google \$100 million, and Meta \$27 million, over ‘failure to remove banned content’*, Washington Post (Dec. 24, 2021), <https://www.washingtonpost.com/world/2021/12/24/google-russia-fine-banned-content/>.

⁹² Anton Troianovski and Adam Satariano, *Google and Apple, Under Pressure From Russia, Remove Voting App*, The New York Times (Sept. 17, 2021), <https://www.nytimes.com/2021/09/17/world/europe/russia-navalny-app-election.html>.

- f) Cooperate with regional and international human rights mechanisms by allowing the special procedure mandate holders to carry out an independent assessment of the human rights situation in Russia.