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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Human rights situations that require the Council's attention

Written statement* submitted by Yakutia - Our Opinion, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 January 2021]

* Issued as received, in the language(s) of submission only.



Stop the terror against human rights organizations and civil society in the Russian Federation

A critical situation has arisen in the Russian Federation (Russia) with human rights and, in particular, with the rights of those who protect them.

Many independent human rights organizations are currently being unreasonably harassed. They are subjected to significant fines, restrictions on participation in public life and forced closure.

Officials staged a real terror against non-governmental organizations and civil society in Russia.

In the Russian Federation, there are violations of the rights of citizens to:

- Freedom of thought;
- Association with others;
- Freedom of opinion and expression.

In view of:

- Illegal restriction of human rights activities in Russia;
- Unjustified persecution of independent human rights organizations.

At national level, effective measures are not taken to eliminate them.

In these circumstances the rights and freedoms of individuals and citizens guaranteed by international law, as reflected primarily in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, are violated.

For a long time, representatives of civil society and non-governmental organizations in Russia have appealed to the Russian state authorities with proposals to eliminate these violations. However, it was denied.

Moreover, repressive laws and punitive law enforcement practices against the human rights community in Russia are only getting stronger.

The non-governmental organization (NGO) "Yakutia - Our Opinion" has appealed with statements¹ on abolition of repressive laws (in the form of anti-corruption examinations) to the relevant authorities:

- State authorities: the General Prosecutor's Office of the Russian Federation, the Ministry of Justice of the Russian Federation, the State Duma of the Russian Federation, the Federation Council of the Russian Federation;
- Interested bodies: Commissioner for Human Rights, Presidential Council for the Development of Civil Society and Human Rights;
- The Supreme Court of the Russian Federation.

However, it was refused everywhere.²

Leading human rights organizations in Russia have been unlawfully persecuted.

In November 2019, the following NGOs were illegally liquidated:

- The All-Russian Public Movement "For Human Rights", the head is Lev Ponomarev;
- The Interregional Public Organization "Center for Assistance to Indigenous Minorities of the North", the head is Rodion Sulyandziga.

The insolvency of claims against these organizations was proved by our NGO as a result of the independent anti-corruption examination of Federal Law No.82 "On Public

¹ Statement available at: http://ouropinion.pro/?page_id=231.

² Responses, judgment available at: <https://bit.ly/2EuLYUQ>, <https://bit.ly/2Ypn68j>.

Associations", Order of the Ministry of Justice of the Russian Federation No.456 on December 30, 2011.

We analyzed the situation and made an objective, well-grounded conclusion that the law enforcement practice of the Ministry of Justice of Russia on liquidation of NGOs contradicts the Constitution, instructions from the highest judicial bodies of Russia and the norms of international law.

The main reasons for the unjustified compulsory liquidation of NGOs are the absence in the legislation of:

1. Clarification of the concepts of "repeated and gross violations";
2. Reasonable deadlines for submitting documents for verification and elimination of violations.

Violation of rights of Russia's civil activists to: (i) freedom of thought, (ii) association with others, (iii) freedom of opinion and expression (this right includes freedom to seek, receive and impart information and ideas by any means and regardless of frontiers), is that civil activists are not allowed to unite (exercise freedom of association with others) and to express freely thoughts and opinion (freely seek, receive and impart information and ideas by any means and regardless of frontiers) together with other civil society subjects such as independent human rights organizations, independent human rights defenders, independent politicians, citizens with an active civil position, officials involved in combating corruption, as their rights are violated by the following 9 repressive laws, which:

- Create opportunities for unlawful restriction of activities of objectionable non-governmental organizations, including those with international participation:

1. Federal Law No.82 "On Public Associations", the subordinate legal act - Order of the Ministry of Justice of the Russian Federation No.456 on December 30, 2011, which create conditions for unjustified forced liquidation of NGOs and which led to liquidation of the human rights organizations "For Human Rights" and "Center for Assistance to Indigenous Minorities of the North";

2. Federal Law No.7 "On Non-Profit Organizations" which creates conditions for arbitrary, unjustified and unlawful prosecution of any objectionable NGO with foreign funding and which led to liquidation of a number of the independent human rights organizations in Russia;

3. Federal Law No.272 "On measures to influence individuals involved in violations of fundamental human rights and freedoms, rights and freedoms of citizens of the Russian Federation", Which creates conditions for arbitrary, unjustified and unlawful prosecution of citizens and organizations for interacting with foreign or international non-governmental organizations and Which led to liquidation of a number of the independent human rights organizations in Russia;

- Create opportunities for illegal criminalization of human rights activities at international and national level:

4. Article 282 of the Criminal Code of Russia, Which creates conditions for illegal arbitrary qualification of human rights activities at the national level as extremist activities and Which led to illegal prosecution of a number of independent human rights defenders;

5. Article 275 of the Criminal Code of Russia, which creates conditions for illegal arbitrary qualification of human rights activities at the international level as high treason and espionage and which led to illegal prosecution of a number of independent human rights defenders;

6. Draft norm on liability for aiding imposition of sanctions which creates conditions for unlawful arbitrary qualification of human rights activities at the international level as hostile activities that constitute a criminal act and which could lead to illegal prosecution of a number of independent human rights defenders;

- Create opportunities to limit free elections, freedom of picketing, anti-corruption initiative of officials:

7. Federal Law No.67 "On Basic Guarantees of Electoral Rights and the Right to Participate in a Referendum of Citizens of the Russian Federation", Which creates conditions for gross and massive violations of the principle of free and fair elections and Which led to non-admission and removal of a number of independent politicians;

8. Federal Law No.54 "On meetings, rallies, demonstrations, marches and pickets", Which creates conditions for arbitrary, unjustified and unlawful prosecution of bona fide picketers due to intentional malicious actions of third parties and Which led to illegal prosecution of a number of citizens with an active civil position;

9. Federal Law "On the State Civil Service of the Russian Federation", which creates conditions for illegal prosecution and dismissal of officials who report corruption and require the restoration of legality and which led to illegal prosecution and dismissal of a number of officials.

NGO "Yakutia - Our Opinion" offer the Russian government:

1. To amend the legislation in accordance with proposals based on the results of anti-corruption examinations of 9 laws illegally restricting human rights activities in Russia (the proposals are presented in Complaint³).
2. To invalidate the forced liquidation of the All-Russian Public Movement for the Protection of Human Rights "For Human Rights" and the Interregional Public Organization "Center for Assistance to Indigenous Minorities of the North", revise the court decisions on their liquidation, taking into account the results of the independent anti-corruption examination of Federal Law No.82 "On Public Associations", Order of the Ministry of Justice of the Russian Federation No.456 on December 30, 2011, the instructions of the highest judicial bodies of Russia.
3. To stop the unreasonable prosecution of independent human rights organizations in Russia, carried out in the form of conducting unreasonable audits, unlawful prosecution, imposing significant fines and other repressive measures.

The All-Russian Public Movement "For Human Rights", The Interregional Public Organization "Center for Assistance to Indigenous Minorities of the North", NGO(s) without consultative status, also share the views expressed in this statement.

³ Complaint available at: http://ouropinion.pro/?page_id=328.