



**Russian Federation**

**Stakeholder Report for the United Nations Universal Periodic Review**

**Submitted jointly by  
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and

**The Advocates for Human Rights,**  
a non-governmental organization in special consultative status

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Founded in 1983, **The Advocates for Human Rights** (“The Advocates”) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. In the Midwest region of the United States, the Advocates is the largest non-governmental organization (NGO) engaged in international human rights work and, in the Upper Midwest, the primary provider of legal services to low-income asylum seekers. The Advocates has consultative status with the United Nations and frequently provides the Human Rights Council with reports based on its investigations and experience.

The contacts and relationships the Advocates maintains with Human Rights Defenders around the globe, including within the Russian Federation, are a key part of how the Advocates pursues its mission. In preparation for this report, we have interviewed such persons to obtain firsthand accounts of their experiences under the current Russian government.

Since the invasion of the sovereign nation of Ukraine by Russian military forces that began on February 24, 2021, volunteers and staff of the Advocates also have engaged in remote interviews of Ukrainian victims of Russian war crimes for the primary purpose of gathering and submitting evidence on that subject to the International Criminal Court (ICC). We have already provided one report on our findings to the ICC. This project is ongoing and informs this submission.

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## EXECUTIVE SUMMARY

1. This report addresses three subjects: the Russian Federation’s Foreign Agents Law, Undesirable Organizations Law and “Fake News” Laws; the extreme human rights abuses that have been endemic in the Federation’s prosecution of its aggressive war against Ukraine; and violence against women/domestic violence.
2. There is already much information concerning these subjects available in the media and elsewhere. This report will be limited principally to information derived from interviews with both Russian Human Rights Defenders and Ukrainian civilians, who suffer directly from Russian actions.
3. To protect the safety of the witnesses, no identifying information will be provided. The citations will be to numerical internal codes assigned to the witness reports by the Advocates. Furthermore, gender-neutral pronouns (they/them) will be used.

### I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

4. During its third cycle review in 2018, the Russian Federation received 330 recommendations. It accepted 196, partially accepted 34, and noted 100, including 8 recommendations which it did not consider.

#### **Constitutional and legislative framework (Theme A41); Freedom of opinion and expression (Theme D43); Human Rights Defenders (Theme H1)**

#### **Status of Implementation: Not Accepted, Not Implemented**

5. The Russian Federation received 13 recommendations to repeal or revise, or consider repealing or revising, both its then-existing Foreign Agents Law and the Undesirable Organizations Law, as well as 5 recommendations on the Foreign Agents Law alone, and 1 recommendation on the Undesirable Organizations Law alone.<sup>1</sup> There were also 17 additional recommendations which specifically mentioned Human Rights Defenders or civil society, including efforts to protect them, enable them to do their work and/or prevent and investigate attacks on them.<sup>2</sup> The Russian Federation received 29 additional general recommendations on the right to an effective remedy, freedom of opinion and expression, right to peaceful assembly, administration of justice and fair trial, and the constitutional and legislative framework to these ends.<sup>3</sup>

6. The Russian Federation did not accept the recommendations to repeal or revise the Foreign Agents Law, indicating that the registration requirements for certain individuals and organizations did not hamper their ability to operate, but simply promoted transparency<sup>4</sup>. Nor did it accept recommendations as to the Undesirable Organizations Law. The “Fake News” Laws did not exist at the time of the third cycle review.

7. In July of 2022, following its illegal invasion of Ukraine, the Russian Federation adopted various amendments to the Foreign Agents Law,<sup>5</sup> which became effective on December 1, 2022.

This was the latest and most expansive of a series of amendments which have been made to that law since it was originally adopted in 2012.<sup>6</sup>

8. By joint letter dated November 30, 2022, the Special Rapporteurs for the Rights to Freedom of Assembly and of Association, and for the Situation of Human Rights Defenders, advised the Russian Federation that the Foreign Agents Law and its subsequent amendments “do not appear to conform with your Excellency’s Government’s international legal human rights obligations, in particular with regard to the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).”<sup>7</sup> The letter further reminded the Federation of 17 prior communications expressing “similar concerns of serious human rights restrictions with regard to the adoption and implementation of the Foreign Agents Law and its subsequent amendments,” ranging in date from 11 July 2012 to 12 May 2022.<sup>8</sup> The law as amended remains in effect. The various amendments to the Foreign Agents Law greatly expanded its scope by making it far more comprehensive and by increasing the range and penalties for the conduct it addresses. Any member of the media (broadly defined to include both print and electronic media), anyone who communicates with a member of the foreign media, any human rights activist who communicates or works with foreign NGOs or others on any matter that is said to “hurt or injure the safety of the Russian security system” can be labeled a Foreign Agent (FA).<sup>9</sup> The amendments substantially increase the amount of the fines that a designated FA may face if it does not strictly comply with onerous and complex requirements.<sup>10</sup>

9. There is no due process associated with the designation of persons or organizations as FAs; their names simply appear on a list found on a government-controlled web site, updated each Friday. One human rights defender (HRD) who spoke to the Advocates said there was no notice that they were being considered as a possible FA. This HRD found out when friends told them their name was on the list.<sup>11</sup> This person inquired of a Ministry official why they were on the list and was told it was because they had received money from a Ukrainian organization. This was not true, and a state official refused to believe the HRD who informed the official it was false.<sup>12</sup> While this person does not know the real reason why they were listed as an FA, they opined it was because they communicated with representatives of Memorial, the now-defunct Nobel Laureate NGO Russia liquidated in 2022.<sup>13</sup> They based their suspicion on an incident when a police officer had asked the person about those communications.<sup>14</sup>

10. While the Russian Federation has claimed that a listing as an FA is not itself punitive, but simply an “assignment of appropriate status,”<sup>15</sup> firsthand accounts cited herein demonstrate that this claim is not accurate. The following paragraphs illustrate the many onerous requirements and ensuing punishments for non-compliance.

11. Once an individual is listed, employers (who check the list) will not hire them. One HRD who spoke with the Advocates stated they used to teach and lecture at high school and university levels, including on human rights. Since being listed, not even the schools where they used to teach will hire them because they have seen this is a person listed as an FA. FAs are prohibited

by law from working in academic environments or in the administration of elections.<sup>16</sup> They are also prohibited from working with the state and state bodies.<sup>17</sup>

12. Other consequences of being labeled an FA include: one cannot get state or public financial support; one cannot get bank deposit insurance; one must put the FA label on all publications, including posts on Facebook, YouTube, Twitter or any other form of written or electronic communication, including for lawyers who submit documents to Russian courts on behalf of clients; and one must submit two periodic reports: one every three months listing all money received from foreign sources, how all of the FAs money was spent during the reporting period (regardless of where the money comes from) and the aim or purpose of the work done with the money; and one every six months to the Ministry of Justice detailing how their work might hurt or injure the “safety of the Russian security system.” A defender reported having to retain a lawyer to submit these forms, because the consequences of error can be severe. Failure to comply with the reporting requirements results in a financial penalty that increases with each infraction. A single fine can be up to 10,000 Euros. By the time the NGO Memorial was liquidated by the government, it had incurred a fine of more than 5 million rubles.<sup>18</sup> A Russian HRD told The Advocates they were prohibited from entering the former Soviet state of Georgia because of being labeled a FA: Georgia is currently considering adopting a Foreign Agent Law of its own.<sup>19</sup>

13. Once a person is designated an FA, they are often subjected to inappropriate comments whenever they publish anything online.<sup>20</sup>

14. Use of the FA Law to target individuals has increased remarkably in the last few years. Between the enactment of the Foreign Agents Law in 2012 and 2021, only 5 individuals (as opposed to organizations) were put on the list.<sup>21</sup> As of the end of 2022, there were more than 2,000 individuals on the list.<sup>22</sup> A lawyer explained how it has become dangerous to practice law in Russia. The number of lawyers on the FA list is increasing. According to interviewees, two or three violations under the FA law will trigger criminal prosecution.<sup>23</sup> The lawyer knows of 17 lawyers who are on the FA list who have been arrested and prosecuted. Many people on the FA list have left the country. Nevertheless, persecution of them continues, and one of the FAs who fled was sentenced to 7 years in prison *in absentia*.<sup>24</sup> Even after an NGO like Memorial has been liquidated, the government continues to file criminal charges against their former employees for their personal statements.<sup>25</sup>

15. While the FA Law is directed to Russian citizens, the Undesirable Organizations Law targets foreign organizations and their representatives. As with FAs, organizations can be labeled “Undesirable” with no notice or opportunity to be heard. The Ministry of Justice simply decides to label an organization, then that is posted on a web site and a press release is issued. The list of such organizations is now long. Undesirable Organizations are forbidden to work in Russian territory and their accounts in Russian banks are subject to being frozen. It is illegal for Russian citizens to communicate with or provide information to Undesirable Organizations. The terms of the law are vague and elastic. The head of a Russian entity owned by a Russian oligarch opposed

to the Federation's policies was arrested and is on trial for working with an Undesirable Organization even though his employer is Russian. The Ministry of Justice falsely alleges he actually works with a British Undesirable Organization.

16. The Russian "Fake News" Laws were adopted in 2019 (allowing the government to block online media and issue fines for disseminating "unreliable information"<sup>26</sup> and fines or imprisonment for "blatant disrespect" of the authorities),<sup>27</sup> 2020 (targeting "unreliable information" about COVID or other emergencies, including the government's responses),<sup>28</sup> and 2022 (imposing criminal penalties for up to 15 years for knowingly giving false information about the actions of Russian armed forces or "discrediting" those forces).<sup>29</sup>

17. Because of the cumulative effects of the Foreign Agents, Undesirable Organizations and "Fake News" Laws, nearly all NGOs that promote human rights have shut down or relocated outside Russia.<sup>30</sup> HRDs who remain in Russia must avoid expressing opposition to the Ukraine war, reporting Russian war crimes in Ukraine, and other politically sensitive topics.<sup>31</sup>

18. On multiple occasions both before and after the 2022 amendments to the FA Law, Special Rapporteurs have joined to express serious concerns to the Russian Federation over its arbitrary and oppressive actions toward organizations and individuals under the law, including without limitation human rights NGOs Memorial,<sup>32</sup> The Justice Initiative,<sup>33</sup> the Center of Support for the Indigenous Peoples of the North,<sup>34</sup> Siberia Without Torture,<sup>35</sup> People in Need,<sup>36</sup> OVD-Info and its co-founder Grigory Okhotin,<sup>37</sup> and Sphere.<sup>38</sup>

**Acceptance of international norms (Theme A12); Prohibition of Torture and Cruel, Inhuman or Degrading Treatment (Theme D25); Liberty and Security (Theme D31); Freedom of Opinion and Expression (Theme D43).**

**Status of Implementation: Partially accepted, Not implemented**

19. In its third-cycle review, the Russian Federation received 2 recommendations to adopt the Rome Statute of the International Criminal Court.<sup>39</sup> It rejected these recommendations.

20. Russia also received 6 recommendations to allow international human rights monitoring mechanisms access to territory of Ukraine under Russian control, including Crimea and Donbas<sup>40</sup> and 3 recommendations on unlawfully detained or sentenced prisoners in Crimea.<sup>41</sup> Russia received 6 recommendations about its illegal occupation of Ukraine<sup>42</sup> which Russia does not view as "factually correct" or which "do not comply" with the basis of the Universal Periodic Review process.

21. The Russian Federation, which has ratified the Convention Against Torture (CAT), received 5 recommendations that it ratify or consider ratifying the Second Optional Protocol to CAT<sup>43</sup>, which provides enforcement mechanisms for the prohibitions against torture.

22. The Russian Federation also received 7 more recommendations encouraging efforts to prohibit torture and cruel, inhuman or degrading treatment, including in conditions of detention.<sup>44</sup>

23. The Russian Federation rejected the recommendations to adopt the Second Optional Protocol of CAT, stating that it largely overlaps with the European Committee for the Prevention of Torture with which the Federation indicated it was actively engaged.<sup>45</sup> For the most part, it accepted recommendations generally calling for the effective prohibition of torture and cruel, inhuman or degrading treatment.<sup>46</sup>

24. Russia initially signed but did not ratify the Rome Statute of the International Criminal Court (ICC).<sup>47</sup> It revoked the country's signature in 2016, following the ICC's characterization of the Federation's purported "annexation" of Crimea as an occupation.<sup>48</sup>

25. While neither Russia nor Ukraine is a member state of the ICC, Ukraine on 9 April 2014, formally accepted ICC jurisdiction over relevant crimes in its territory.<sup>49</sup> On 8 September 2015, Ukraine expanded that acceptance of jurisdiction to relevant crimes in its territory to the present and continuing.<sup>50</sup>

26. On February 24, 2022, the Russian Federation illegally invaded Ukraine and has been conducting an aggressive war there ever since. Per information received by the Advocates from victims of this aggression as set forth below, Federation forces are guilty of repeated violations of the international laws of war in their conduct of the fighting.

27. ICC Chief Prosecutor Karim A.A. Khan opened an investigation of these crimes on 28 February 2022. On 17 March 2023, the ICC announced that it had issued warrants for the arrest of Russian Federation President Vladimir Putin and Presidential Commissioner for Children's Rights Maria Lvova-Belova for unlawful deportation and transfer of children from Ukraine to the Russian Federation beginning at least on February 24, 2022.<sup>51</sup>

28. The Advocates has interviewed Ukrainians who reported firsthand knowledge of torture, abusive detention conditions, rape, deportation of children and the disabled, and many other war crimes by the Russian military or forces controlled by the Russian Federation. Virtually all of the witnesses interviewed by The Advocates described massive targeting of civilian citizens and property with no military objective beyond terror and destruction. Schools, hospitals and civilian infrastructure have all been targeted.<sup>52</sup> Courthouses in combat areas have been largely destroyed, threatening the administration of the legal system in western Ukraine.<sup>53</sup>

29. Accounts detail killings and disfiguration of civilians. One witness was in a civilian car, fleeing a city under massive attack. The witness' spouse was in the front seat and teenage child in back. They came upon Russian forces and turned to flee. When they did so, the Russian soldiers fired a missile into the back of their car, decapitating the spouse and severing the arm of the daughter.<sup>54</sup>

30. Accounts also detail torture, false imprisonment, and other violations. One witness was selling food at a crowded market in a town outside Kherson in early April 2022. Tanks marked with the letter Z, denoting Russian tanks, entered the market and 80 to 90 uniformed Russian soldiers surrounded about 75 civilians there. It was very cold, and people were forced to lie on the ground. Those who were identified as Russians were released. The rest were interrogated

over a supposed hidden cache of arms. Russian soldiers, whom the witness believed were Chechen because of their accents, beat civilians and tortured them with electric prods. One civilian's ear was cut off. Some people were taken away after their documents were checked. When the witness asked to use the restroom, the soldiers beat and kicked them and fractured their knee. Their money and passport were taken away by the soldiers. Finally, after three to five hours, these soldiers left the market and a different Russian unit arrived and released the civilians.<sup>55</sup> This witness's account of these events was generally confirmed by another witness whose spouse was also at the market.<sup>56</sup>

31. The same Ukrainian witness who described torture at the market reported witnessing the murder of a civilian mother and son. These were people whom they knew from work; the mother was approximately 50, the son approximately 24 years of age. They were driving in a car ahead of the witness's car when they reached a checkpoint of Russian soldiers. The witness saw Russian soldiers shoot the mother and son dead, likely because their car did not slow down sufficiently.<sup>57</sup>

32. Another witness described conditions of detention and methods of interrogation by agents of the so-called Donetsk National Republic (DNR) and Russian Federation. A civilian non-combatant was arbitrarily detained by DNR forces because they held a position with the Ukrainian government. They were informed they needed to go through "filtration" and were sent to two different detention centers. In the first temporary detention center, there was a tiny cell only two or three meters in size, where 32 men were imprisoned with no ability to lie or even sit down. Sanitation facilities were not in compliance with international standards. They saw six armed DNR soldiers severely beat a young man to the extent his blood was spilled on walls and floors. Eventually, the witness was transferred to a preliminary detention center where they were detained for several months.<sup>58</sup>

33. In the preliminary detention center, the cells were dirty and unsanitary. The water was turned off for days at a time. Prisoners were not allowed to sit or lie down during the day, including during meals, and they were forced to stand on their feet from 6 a.m. to 10 p.m. On several occasions, the witness was taken to another room for questioning. Russian forces placed a bag over their head and a rope around their neck so a guard could pull them, blinded, down the hall. They would often fall downstairs or trip over things they could not see, but the guard would simply jerk them up by the throat. The witness was introduced to a Russian who was supposedly their assigned lawyer, but the lawyer simply said the witness had been charged with offenses and there was no way out. Throughout the detention, there was much verbal abuse. They were told Ukraine does not exist, and they would stay in detention forever.<sup>59</sup>

34. About two months after being detained, the witness was informed they would be executed. The witness was told to confess any crimes or state anything they wanted before the execution occurred. Then the witness was placed in a dark cell alone, while they could hear the screaming of men outside the cell. The witness perceived this to be an interrogation technique. The various interrogations of this witness were by uniformed soldiers of the DNR and the Russian

Federation's Federal Security Service (FSB). The witness was eventually released in a prisoner exchange.<sup>60</sup>

35. Another witness, a Russian HRD, reported children are being taken from Ukraine orphanages and given to Russian parents. Those children are taught that they are Russian and there is no Ukraine.<sup>61</sup>

**Liberty and Security (Theme D25); Health (Theme E41); Access to Sexual & Reproductive Health & Services (Theme E43); Violence Against Women (Theme F13); Persons With Disabilities (Theme F4)**

**Status of Implementation: Partially Supported, Not Implemented**

36. As discussed in para. 40, in the third-cycle review, the Russian Federation Russia received 8 recommendations on sexual violence.<sup>62</sup> It received 9 recommendations to strengthen protection for persons with disabilities.<sup>63</sup> Russia generally accepted recommendations to combat sexual violence and to protect "socially vulnerable" groups.<sup>64</sup>

37. Rape and other sexual violence by Russian forces and their proxies have been so prevalent as to indicate they are being used as a terror tactic and a weapon of war. One witness worked at a humanitarian shelter near the Ukraine/Poland border, which provides emergency care and shelter for refugees. She described helping to ship 200 boxes of abortion pills to Norway, where more than 100 women who had become pregnant as a result of being raped by Russian or DNR soldiers traveled to obtain safe abortions.<sup>65</sup> The women had to go to Norway as the war had rendered it impossible for them to obtain safe abortion care in Ukraine.<sup>66</sup>

38. The same witness, from the humanitarian center, reported that grenades were placed in the tents of humanitarian workers and that on two different occasions, Russian or DNR forces shot at their organization's cars, pocking the vehicles with bullet holes despite being clearly marked with a red cross as humanitarian vehicles.<sup>67</sup>

39. Actions of the Russian Federation in Ukraine has violated the right to health for many civilians. The Advocates interviewed a nurse who works in patient care for a cancer patient support organization in Ukraine. This nurse testified that when the Russian invasion started in February of 2022, oncological care centers sent all patients home so they could prepare underground shelters to continue caring for patients during the fighting. No cancer patient could get radiation treatments because those centers were closed. A hospital in Kyiv was hit by rockets and could not conduct needed surgeries. Due to war-induced medication shortages, chemotherapy patients had and continue to have much difficulty finding medication. Hospitals closed or partially closed due to war damage in cities including Kyiv, Mariupol, Kramatorsk, Mykolaiv and Kherson, all of which had cancer patients. A storehouse that contained medications for cancer, multiple sclerosis and other serious diseases was in an active shooting zone and couldn't distribute its medications. Cancer patients in cities like Gostomel and Bucha, which were among the most damaged locations, could not access treatment or medications because their homes had been destroyed.<sup>68</sup>



## **Violence Against Women (Theme F13), Domestic Violence (Theme D29), Discrimination against Women (Theme F12)**

### **Status of Implementation: Partially Supported, Not Implemented.**

40. The Russian Federation received 21 recommendations on combating domestic violence and violence against women, including to repeal legislation that decriminalizes domestic violence.<sup>69</sup> The Russian Federation additionally received 3 recommendations to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, also known as the Istanbul Convention.<sup>70</sup> Russia received 12 recommendations on promoting gender equality and working toward ending discrimination against women.<sup>71</sup> Russia received 6 recommendations to continue implementation of its national action strategy on women,<sup>72</sup> aimed at increasing the participation of women in decision-making and social life, as well as 3 on implementing other efforts to the same end.<sup>73</sup> Russia accepted 34 and partially accepted 4 recommendations to combat violence, including violence against women, but Russia noted recommendations or portions of recommendations to Ratify the Istanbul Convention, adopt comprehensive legislation on domestic violence, or criminalize domestic violence.<sup>74</sup>

41. Domestic violence is a grave problem with insufficient laws to hold abusers accountable and protect victims. Domestic violence remains de-criminalized. In the absence of a specific domestic violence crime, victims must rely on injury or other criminal provisions. Injury-based provisions in the Criminal Code are divided into serious injuries: “middle” injuries (such as a broken hand), and “minor” injuries (such as a broken nose). As a result, this leaves many forms of domestic violence, such as bruises, cuts, and long-term violence, outside the scope of the injury-based provisions. There is no law against stalking.

42. There is no law providing for protective orders or restraining orders.<sup>75</sup> Absent any adequate protections, lawyers must turn to other laws to secure some measure of protection, although they are woefully inadequate. The lawyer noted a state law under which crime witnesses or victims may be placed under state protection, but it is inadequate to offer protection for victims of domestic violence. The protection only lasts during the pendency of a criminal case against the perpetrator and stops once the case is over, whether or not the perpetrator is at large. Moreover, it only applies when criminal cases are brought. Its protections are comparable to a witness protection program. Despite making requests on behalf of her victim clients, one lawyer reported the state only granted such protections three times out of hundreds of domestic violence cases.<sup>76</sup> Systems actors’ responses reflect the inadequacy of the domestic legislation. One perpetrator made repeated death threats and engaged in stalking of the victim and her mother, but the police responded they could do nothing as no laws were broken; their only action was to offer the victim body armor.<sup>77</sup>

43. Also, police, prosecutors, and judges are not adequately trained for dealing with domestic violence or violence against women. Systems actors continue to engage in practices that are harmful to victims of domestic violence and do not reflect best practices. Police are not conducting risk assessments in these cases. Despite the harms it poses to victims, judges continue

to order and encourage mediation in domestic criminal violence cases.<sup>78</sup> There is no screening process in place at courts to identify domestic violence cases that could exclude them from harmful mediation practices.<sup>79</sup>

44. At times, NGO personnel who provide services to domestic violence victims face threats and violence from their clients' abusers. There are no specific protections, however, to protect these NGO personnel in these cases. The Russian Criminal Code provides special punishment for attacks on judges, prosecutors or defense lawyers in criminal cases. Articles 295 (Encroachment on the Life of a Person Administering Justice or Engaged in a Preliminary Investigation) and 206 (Threats or Forcible Actions in Connection with the Administration of Justice or Preliminary Investigation) do not extend such protections to attorneys for the victims, who have faced threats and violence from their clients' abusers.<sup>80</sup>

45. The Russian Federation also fails to comply with international and regional judgments and recommendations. In a recent case (*Tunikova and Others v. The Russian Federation*), the European Court of Human Rights (ECHR) found an absence of domestic violence protections in the Russian system.<sup>81</sup> The ECHR issued an order specifying needed changes, but this has not yet been implemented in full. While the interviewee acknowledged that the execution of compensation was important, the state still needs to implement all measures of the decision.<sup>82</sup>

46. There is a serious shortage of funding for shelters.<sup>83</sup> Foreign donations to women's shelters and NGOs are not allowed because of the restrictions of the FA Law and Undesirable Organizations Law. As one NGO worker explained, the "whole [of] women's Russian NGOs now have very big problems with finances. It is prohibited for us to take foreign funds, and there are no funds on site. Because now, the whole state funds—they are going toward the war."<sup>84</sup>

47. State shelters are available, but there are too few of them to meet the need. In addition, there are high barriers for a domestic violence victim to enter a municipal shelter. For example, victims need to be registered as residents in the local municipality, they need to produce extensive records, and they cannot be admitted if they have HIV or "psychiatric disorders."<sup>85</sup> The interviewee explained that even post-traumatic stress disorder (PTSD), which is common among many survivors of violence, can be viewed as a "psychiatric disorder" that bars entry to a shelter.<sup>86</sup>

48. Government officials use claims of "traditional values" and the rejection of "liberal values" to resist reforms that would protect victims of domestic violence.<sup>87</sup> According to one lawyer, the "domestic violence problem [and] domestic violence legislation is a line for them. It's a red line for them."<sup>88</sup> Policy documents reflect this reluctance to acknowledge and address domestic violence.

49. Russia has adopted a new National Strategy on women's rights, which makes few concrete commitments or acknowledgments that would effectively counter domestic violence.<sup>89</sup> One interviewee described the National Strategy as sanitizing the issue of domestic violence.<sup>90</sup> Indeed, the document claims the number of crimes against life and health is decreasing, and the

“proportion of victims (women) as a result of crimes against life and health committed against a family member has almost halved.”<sup>91</sup> This claim overlooks the very real possibility that women are deterred from reporting violence because of the inadequacy of the domestic laws and systems’ actors response. In addition, the Russian Federation still has not ratified the Istanbul Convention.

## **II. SUGGESTED RECOMMENDATIONS FOR THE RUSSIAN FEDERATION**

### **Foreign Agents Law:**

- Repeal the Foreign Agents Law in its entirety.
- Revise the Foreign Agents Law to specify clearly that the definition of “Foreign Agent” does not extend to journalists, HRDs or NGOs doing their work to report on newsworthy information or to express opinions or to advocate for, protect, or defend human rights or the common good, whether or not such activities are favorable to the government of the Russian Federation or any of its policies or activities.
- Revise the Foreign Agents Law to clarify that exchanging information with foreign governments, organizations or individuals, or accepting donations or other support from them such as training, does not by itself render anyone a Foreign Agent.
- Reduce the burden of the requirements of the Foreign Agents Law by omitting or at least reducing the fines and penalties for noncompliance.
- Require Foreign Agents to report no more than once a year or ideally not at all, and eliminate any requirement to report all expenditures.
- Eliminate the requirement that individuals and organizations labeled as Foreign Agents put a “Foreign Agent” label on all communications.
- Remove all obstacles to the ability of journalists, NGOs and HRDs to do their work.
- Repeal the Undesirable Organizations Law.
- Release all funds frozen under the Undesirable Organizations Law back to their owners.
- Repeal all “Fake News” Laws.
- Reverse the liquidation of Memorial and pay it reparations to enable it to return to operation.
- Reverse the liquidations of all organizations liquidated for non-compliance with the Foreign Agents Law, Undesirable Organizations Law, or “Fake News” Laws,” and pay them reparations.
- Release and forgive all penalties incurred by individuals under the Foreign Agents Law, Undesirable Organizations Law, or “Fake News” Laws, and pay them reparations.

- Fully implement all international obligations to provide for freedom of expression in the Russian Federation.
- Investigate, and prosecute where appropriate, all physical attacks on journalists and HRDs.
- Take positive measures to ensure the safety of HRDs and their ability to do their work.

**Acceptance of International Norms, Torture and Cruel, Inhuman or Degrading Treatment:**

- Ratify the Rome Statute of the ICC without delay.
- Recognize the validity of the ICC’s acceptance of jurisdiction over crimes on the territory of Ukraine as submitted by the sovereign nation of Ukraine.
- Recognize the validity of the ICC warrants for the arrest of Vladimir Putin and Maria Levova-Belova and agree to offer those individuals for arrest and prosecution.
- Take immediate steps to discontinue the use of rape or sexual violence, torture or cruel, inhuman or degrading treatment by Russian forces or forces under the control of the Russian Federation. Undertake effective investigations and prosecutions and impose adequate punishments for those found responsible for committing such crimes, as well as provide adequate reparations to survivors.
- Investigate, and effect arrests, investigations, and prosecutions as appropriate, for all war crimes committed on the territory of Ukraine by Russian forces or forces under the control of the Russian Federation.
- Take positive steps to eliminate the use of torture or cruel, inhuman or degrading treatment of persons under detention by the Russian Federation.
- Adopt and implement Optional Protocol 2 of the Convention against Torture.

**Violence against Women and Domestic Violence:**

- Fully implement all remedies ordered in the European Court of Human Rights’ judgment in *Tunikova and Others v. Russia*.
- Take immediate steps to criminalize domestic violence with sanctions that are proportionate to and reflect the gravity of the offense.
- Until domestic violence is re-criminalized, remove the private charge requirement in light injury cases.
- Amend the Criminal Code provisions to recognize lower-level injuries that are common in domestic violence cases, including bruises, lacerations, as well as long-term violence that may not leave injuries for evidentiary documentation purposes.
- Criminalize stalking immediately, using a broad definition that recognizes harassing another person by engaging in behavior that causes the victim to feel frightened,

threatened, oppressed, persecuted, or intimidated, regardless of the relationship between the harasser and victim, and impose adequate penalties for the offense.

- Immediately cease the use of mediation in domestic violence cases and amend or adopt protocols that ban its use in such cases. Direct courts to implement an effective screening procedure to identify domestic violence cases and omit them from any mediation.
- Immediately adopt a law to provide civil orders for protection for victims of domestic violence and violence against women. The law should provide adequate remedies including a restraining order, eviction, financial support to the victim, rebuttable presumption of child custody to the non-violent parent, and ban against further violence. Any violation of the order for protection should be a crime with commensurate penalties.
- Take steps to mandate appropriate systems actors to conduct risk assessments in domestic violence cases.
- Train judges, police and prosecutors on the dynamics of domestic violence and best practice responses, including how to conduct a proper risk assessment.
- Provide and fund shelters for victims of domestic violence and violence against women in sufficient numbers to meet the needs of victims and their children.
- Remove the barriers to entry for shelters, including local residential requirements, HIV-negative status, and “psychiatric disorders.” Instead, provide adequate funding to shelters for appropriate resources to meet the specialized needs of victims who may be HIV-positive, live with psychosocial disorders, or are experiencing PTSD.
- Amend Articles 295 and 296 of the Russian Criminal Code penalizing attacks on those participating in the administration of justice and court proceedings in a criminal case to expand the scope to include victims’ attorneys.
- Implement a public relations campaign to clarify that domestic violence and violence against women are not “traditional values” but are, in fact, human rights violations.
- Ratify the Council of Europe Convention Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) without delay. Until ratification, take steps to implement the provisions and standards of the Istanbul Convention without delay, particularly with regard to adopting a law on orders for protection for victims of domestic violence.

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<sup>1</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.61 Repeal the law on foreign agents and ensure that the freedoms of assembly, association, expression, demonstration and the press are not limited (Spain); ¶147.62 Repeal the legislation on “undesirable organizations” and “foreign agents” (Sweden); ¶147.63 Repeal laws on “foreign agents”

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and “undesirable” organizations, and amend vague and overly broad “extremism” legislation to prevent this from being used to target those exercising their rights to freedom of expression and association (Australia); ¶147.64 Revise or repeal legislation that unduly limits the freedoms of association, assembly, expression, religion or belief, including the “foreign agents” law and the law on “undesirable organizations” (Canada); ¶147.67 Relinquish de facto executive control over the media, the parliament and the courts, and repeal or amend legislation used to criminalize normal societal discourse, such as that on “extremism”, foreign agents, undesirable foreign organizations, anonymizer bans, and Internet blacklisting, as well as the “Yarovaya amendments”, which are used to criminalize normal societal discourse, so that all its laws are consistent with the Russian Federation’s human rights obligations and commitments (United States of America); ¶147.190 Consider the revision of the current legislation on “combating extremism” and on “foreign agents”, so as to define more precisely the limitations to fundamental freedoms in compliance with international obligations (Italy); ¶147.187 Repeal the “foreign agents” law and the law on “undesirable” organizations (Iceland); ¶147.183 Ensure the unrestricted work of civil society and repeal the “foreign agents” law as well as the law on “undesirable organizations” (Czechia); ¶147.184 Review the current restrictive legal framework, especially the laws on foreign agents, undesirable organizations and extremism (Estonia); ¶147.186 Bring the laws on “foreign agents” and “undesirable organizations” in line with its international obligations and ensure that civil society can receive support from partners abroad (Germany); ¶147.187 Repeal the “foreign agents” law and the law on “undesirable” organizations (Iceland); ¶147.188 Revise the laws on “foreign agents” and “undesirable organizations” to ensure that NGOs and media organizations can exercise their legitimate activities in line with international law and human rights standards (Ireland); ¶147.190 Consider the revision of the current legislation on “combating extremism” and on “foreign agents”, so as to define more precisely the limitations to fundamental freedoms in compliance with international obligations (Italy); ¶147.191 Review its legislation regulating the functioning of NGOs, in particular the federal law on non-commercial organizations and the federal law on undesirable organizations, and bring it into accordance with international human rights law, as previously recommended (Finland); ¶147.192 Repeal legislation under which NGOs can be declared “foreign agents” and “undesirable” organizations (New Zealand); ¶147.193 Repeal the laws on “foreign agents” and “undesirable” organizations (Lithuania); ¶147.194 Revise the so-called “foreign agent” law and take all the necessary steps to ensure that civil society organizations, including the media, can exercise their activities without fear of stigmatization or punishment by law (Netherlands); ¶147.195 Review the legislation on the functioning of non-governmental organizations, such as law No. 121 on non-commercial organizations, and ensure its compliance with international human rights practices and standards (Mexico); ¶147.189 Repeal the law on “undesirable organizations” (France). ;

<sup>2</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. **Theme A41 Constitutional and legislative framework:** ¶147.163 Safeguard the freedom of association of all its people, as prescribed in the Constitution, including of journalists, lawyers and human rights defenders (Botswana); ¶147.196 Implement programmes aimed at eliminating the restrictive environment in which NGOs and civil society organizations that promote human rights and diversity in political opinion act (Romania); ¶147.53 Take measures to review existing legislation to be in line with international human rights obligations and foster an enabling environment for civil society (Austria); **Theme A42 Institutions & policies – General:** ¶147.172 Establish institutional mechanisms for the prevention, protection and investigation of acts of intimidation, violence and reprisals that may target journalists and human rights defenders (Costa Rica); **Theme A61 Cooperation with civil society:** ¶147.197 Continue to take steps to strengthen cooperation and coordination between State authorities and civil society institutions in the promotion and protection of human rights (Philippines); **Theme B51 Right to an effective remedy:** ¶147.173 Ensure effective and impartial investigations by the law enforcement authorities aimed at preventing and combating offences against journalists and human rights defenders, with a view to holding the perpetrators accountable (Romania); ¶147.128 Investigate attacks on members of civil society, including lesbian, gay, bisexual, transgender and intersex persons in Chechnya, and bring perpetrators to justice while providing legal redress for victims (Lithuania); **Theme B52 Impunity:** ¶147.150 End

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impunity for attacks on journalists and human rights activists, and ensure space for civil society and opposition politicians to operate without fear of reprisals (United Kingdom of Great Britain and Northern Ireland); **Theme D43 Freedom of Opinion and Expression:** ¶147.159 Ensure that anyone, including human rights defenders and journalists, can exercise their right to freedom of expression, including online, without fear of reprisal (Switzerland); ¶147.177 Ensure that NGOs can work free of threats and intimidation and ensure equal participation in political and public affairs by all stakeholders, including NGOs (Slovakia); ¶147.178 Cease restricting civil society and NGOs (Georgia); **Theme D44 Right to peaceful assembly:** ¶147.180 Guarantee the effective exercise of freedom of assembly and association to allow human rights defenders and political activists to do their work (Luxembourg); **Theme D45 Freedom of Association:** ¶147.181 Take measures to enlarge the space for civil society, in particular to review relevant legal provisions (Republic of Korea); ¶147.182 Continue and strengthen its meaningful engagement with civil society in implementing universal periodic review recommendations and safeguarding human rights (Myanmar); **Theme D51 Administration of Justice and Fair Trial:** ¶147.171 Prevent and investigate beatings, threats and trials based on dubious charges of human rights defenders, journalists, political actors and civil society (Canada); **Theme H1 Human Rights Defenders:** ¶147.127 Investigate all reports of attacks on, or threats against, human rights defenders, lawyers, journalists, civil society activists and lesbian, gay, bisexual, transgender and intersex persons, and bring those responsible to justice (Norway); ¶147.179 Ensure the protection of human rights defenders, particularly in the North Caucasus (France).

<sup>3</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. **Theme A41 Constitutional and legislative framework:** ¶147.54 Review national legislation and take administrative measures to address the concerns expressed by the Human Rights Committee regarding the free exercise of freedom of expression, peaceful assembly and association (Costa Rica); ¶147.55 Repeal or revise legislation in order to bring it into conformity with the obligations under the International Covenant on Civil and Political Rights and to ensure protection of the rights to freedom of opinion, expression, association and assembly (Latvia); ¶147.65 Repeal laws that limit freedom of expression online and offline, including the so-called Yarovaya package of counter-terrorism legislation (Sweden); ¶147.156 Repeal legislation and regulations that limit the legitimate exercise of the rights to freedom of expression, association and belief (Norway); ¶147.162 Uphold the rights to freedom of assembly and expression, as enshrined in the Constitution (New Zealand); ¶147.164 Bring legislation governing public assemblies and its enforcement into conformity with international human rights standards (New Zealand); ¶147.165 Take all the necessary measures in order to respect the right to freedom of assembly, in line with its international obligations, including by repealing article 212.1 of the Criminal Code or by aligning it with international standards (Belgium); ¶147.176 Bring legislation governing public assemblies and its enforcement into conformity with international human rights standards, particularly ensuring that any sanctions for violations of freedom of assembly do not create undue obstacles to freedom of assembly and expression (Slovenia); **Theme B51 Right to an effective remedy:** ¶147.157 Refrain from detaining participants of peaceful demonstrations and ensure that police officers who use excessive force against protesters are held accountable (Sweden); ¶147.139 Continue improving the judicial system with the aim of ensuring the transparency of the courts and the access of all citizens to justice (Armenia); **Theme D43 Freedom of Opinion and Expression:** ¶147.153 Continue easing regulations on media coverage and Internet censorship in order to secure and facilitate the exercise of freedom of expression (Japan); ¶147.154 Ensure fully everyone's right to exercise freedom of expression (Estonia); ¶147.155 Strengthen human rights guarantees for freedom of expression and peaceful assembly (Peru); ¶147.161 Take the measures necessary to guarantee the full enjoyment of freedom of expression, in particular freedom of the press, and put an end to restrictions on access to some resources online (Luxembourg); ¶147.166 Improve existing law and practice to guarantee freedom of expression, freedom of the media, and the safety of journalists (Poland); ¶147.167 Guarantee freedom of expression, particularly online, as well as freedom of the media (France); ¶147.168 Implement recommendations relating to the freedom of the press and information accepted during the last cycle of the universal periodic review (Georgia); ¶147.169 Continue efforts to protect journalists from violence and intimidation and intensify cooperation with the

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Organization for Security and Cooperation in Europe Representative on Freedom of the Media (Austria); ¶147.170 Ensure that cases of violence and intimidation against independent journalists are independently investigated and that their perpetrators are effectively brought to justice (Belgium); ¶147.174 Release all journalists detained on politically motivated charges or sentenced for expressing critical or dissenting views, including about political events or the status of illegally annexed Crimea (Slovakia); ¶147.175 Take effective and credible measures to protect and facilitate the exercise of the rights to freedom of peaceful assembly, freedom of opinion and expression, and freedom of association (Slovakia); ¶147.185 Ensure that the federal law on combating extremist activity is not arbitrarily used to limit freedom of expression (Czechia); ¶147.160 End its routine excessive banning of public assemblies and imposing excessive conditions regarding the place, time and manner of their conduct (Denmark); **Theme D44 Right to Peaceful Assembly** ¶147.158 End the practice of obstructing peaceful demonstrations by, under politically motivated pretexts, not granting them authorization (Sweden); **Theme D51 Administration of Justice and Fair Trial:** ¶147.137 Continue its efforts to upgrade its judicial system (Sudan); ¶147.138 Continue implementing reforms of the judicial system and of the administration of justice (Angola); ¶147.140 Continue efforts to strengthen the proper functioning of the judicial system and ensure the right to a fair trial (Austria); ¶147.141 Respect the right to a fair trial and ensure effective remedies for alleged violations of due process (France); ¶147.142 Continue the ongoing judicial system reform and strengthening of measures for the promotion of public confidence in the judicial system and openness to justice (Syrian Arab Republic).

<sup>4</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation, Annex E: Position on the Recommendations Presented to the Russian Federation by Foreign Delegations during the Third Cycle of the Universal Periodic Review*, (2018), pg. 9.

<sup>5</sup> On Control over the Activities of Persons Under Foreign Influence, 255-FZ Federal Law July 14, 2022, <http://publication.pravo.gov.ru/Document/View/0001202207140018?index=37&rangeSize=1>.

<sup>6</sup> Human Rights Watch, *Russia: New Restrictions for “Foreign Agents,”* December 1, 2022, <https://hrw.org/news/2022/12/01/Russia-new-restrictions-foreign-agents>. Accessed April 5, 2023.

<sup>7</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (November 30, 2022), U.N. Doc. OL RUS 16/2022. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27630>.

<sup>8</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (November 30, 2022), U.N. Doc. OL RUS 16/2022. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27630>.

<sup>9</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (November 30, 2022), U.N. Doc. OL RUS 16/2022. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27630>.

<sup>10</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (November 30, 2022), U.N. Doc. OL RUS 16/2022. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27630>.

<sup>11</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>12</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>13</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>14</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>15</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (November 30, 2022), U.N. Doc. OL RUS 16/2022; Information from the Russian Federation in connection with the



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joint request of the Special Rapporteur of the United Nations Human Rights Council on the Rights to Freedom of Peaceful Assembly and of Association, Mr. Clément Voule, and the Special Rapporteur of the United Nations Human Rights Council on the Situation of Human Rights Defenders, Ms. Mary Lawlor, (February 13, 2023), U.N. Doc. HRC/NONE/2023/SP/9, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37361>.

<sup>16</sup> Statement 37, on file with the Advocates. March 31, 2023.

<sup>17</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>18</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>19</sup> Statement 37, on file with the Advocates. March 31, 2023.

<sup>20</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>21</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>22</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>23</sup> One lawyer reported that if they get two administrative cases filed against them, e.g. for failure to file reports or failure to put FA on all social media posts, they are subject to criminal prosecution. Another Russian Human Rights Defender and lawyer said it was on the third violation, not the second, that a criminal case could be brought. Statement 37, on file with the Advocates.

<sup>24</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>25</sup> Statement 34, on file with the Advocates. March 7, 2023.

<sup>26</sup> On Information, Information Technologies and Information Protection Amendments to Article 15-3, 31-FZ March 18, 2019, <http://publication.pravo.gov.ru/Document/View/0001201903180031>.

<sup>27</sup> On Amendments to the Code of the Russian Federation on Administrative Offenses, 28-FZ March 18, 2019, Law No. 32-FZ.

<sup>28</sup> On Amendments to the Code of the Russian Federation on Administrative Offenses, 99-FZ April 1, 2020; On Amendments to the Criminal Code of the Russian Federation and Articles 31 and 151 of the Code of Criminal Procedure of the Russian Federation, 100-FZ April 1, 2020.

<sup>29</sup> On Amendments to the Code of the Russian Federation on Administrative Offenses, 31-FZ 4 March 4, 2022; On Amendments to the Criminal Code of the Russian Federation and Articles 31 and 151 of the Code of Criminal Procedure of the Russian Federation, 32-FZ March 4 2022.

<sup>30</sup> Statements 35 and 37, on file with the Advocates. March 30 and 31, 2023.

<sup>31</sup> Statement 37, on file with the Advocates. March 31, 2023.

<sup>32</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders, (January 14, 2020), U.N. Doc. AL RUS 9/2019, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25007>.

<sup>33</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (January 14, 2020), U.N. Doc. AL RUS 9/2019, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25007>.

<sup>34</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (January 14, 2020), U.N. Doc. AL RUS 9/2019, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25007>.

<sup>35</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (January 14,

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2020), U.N. Doc. AL RUS 9/2019,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25007>.

<sup>36</sup> Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders, Communication to the Russian Federation, (January 14, 2020), U.N. Doc. AL RUS 9/2019,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25007>.

<sup>37</sup> Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom and peaceful assembly and of association and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Communication to the Russian Federation, (February 11, 2022), U.N. Doc. AL RUS 2/2022,

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27067>.

<sup>38</sup> Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Communication to the Russian Federation, (12 May 2022), U.N. Doc. Reference AL RUS 7/2022.

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27253>.

<sup>39</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. Theme A12 Acceptance of International Norms: ¶147.5 Ratify the Rome Statute of the International Criminal Court and fully align national legislation with all obligations under the Rome Statute (Latvia); ¶147.6 Ratify the Rome Statute of the International Criminal Court in its 2020 version, including the Kampala amendments on the crime of aggression, and review its national legislation in order to ensure full alignment with the Statute (Liechtenstein).

<sup>40</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.307 Use its influence to facilitate unimpeded access by international observers to Crimea, eastern Ukraine and the Georgian regions of Abkhazia and South Ossetia (Australia); ¶147.308 Implement the relevant General Assembly resolutions on the territorial integrity of Ukraine and on Crimea (Ukraine); ¶147.309 Repeal laws of the Russian Federation imposed in occupied Crimea and respect the laws in force in Ukraine (Ukraine). ¶147.32 Cooperate fully with international human rights monitoring mechanisms, including United Nations Special Rapporteurs, and ensure their unrestricted access throughout the Russian Federation and to the illegally annexed Crimea in order to fulfil its obligation as an occupying force to guarantee the protection of human rights (Estonia); ¶147.39 Ensure access to the occupied Crimea by international human rights mechanisms (Ukraine); ¶147.40 Uphold obligations under international law to allow access to Crimea for international human rights monitors (United Kingdom of Great Britain and Northern Ireland);

<sup>41</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc A/HRC/39/13. ¶147.131 Immediately release Ukrainian citizens who have been unlawfully detained or sentenced (Ukraine); ¶147.132 Release all political prisoners held in the Russian Federation and occupied Crimea (United States of America); ¶147.136 Regarding illegally annexed Crimea, remove the Mejlis from the list of “extremist organizations”, lift all restrictions imposed on its activities and immediately end the practice of sending Crimean prisoners to serve their sentences in the Russian Federation (Czechia).

<sup>42</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc A/HRC/39/13. ¶148.1 Grant international human rights monitoring bodies full access to all federal subjects of the Russian Federation and territories under its effective control (Norway); ¶148.2 End legal and political restrictions on freedom of expression, association and assembly against all persons, including Crimean Tatars in the illegally annexed Crimea and in Ukrainian territories under control of armed groups backed by the

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Russian Federation (Lithuania); ¶148.3 Provide free and unimpeded access for all international human rights mechanisms to Ukraine's Crimea and Donbas, as well as to Georgia's regions of Abkhazia and Tskhinvali (Lithuania); ¶148.6 Uphold all its obligations under applicable international law as an occupying power in the illegally occupied territories (Ukraine); ¶148.7 Fulfil all interim measures issued by the European Court of Human Rights in the cases regarding human rights violations in the occupied Crimea and Donbas (Ukraine); ¶148.8 End its illegal occupation of Crimea and end its support for separatist groups in eastern Ukraine and the Georgian regions of Abkhazia and South Ossetia (Australia).

<sup>43</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.7 Accede to the Optional Protocol to the Convention against Torture and establish a national preventive mechanism, as required under that Protocol (Liechtenstein); ¶147.8 Ratify the Optional Protocol to the Convention against Torture (Denmark) (Poland) (Hungary); ¶147.9 Consider ratification of the Optional Protocol to the Convention against Torture (Senegal) (Chile); ¶147.10 Ratify the Optional Protocols to the Convention against Torture and to the International Covenant on Economic, Social and Cultural Rights (Portugal); ¶147.17 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and to the Optional Protocol to the Convention against Torture (Costa Rica).

<sup>44</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.110 Ensure that all investigations into cases of abductions, unlawful detentions, torture and other ill-treatment, as well as killings, are conducted thoroughly and effectively (Austria); ¶147.113 Investigate allegations of torture and inhuman treatment in custody in a transparent manner and bring those responsible to justice (Germany); ¶147.125 Investigate complaints of detention, torture and other ill-treatment committed against homosexuals in Chechnya, as well as taking the necessary measures to eliminate discrimination based on sexual orientation and gender identity (Chile); ¶147.126 Investigate promptly, thoroughly and impartially instances of hatebased violence, including reports of mass detentions, torture and killings of lesbian, gay, bisexual, transgender and intersex individuals in Chechnya in 2017 (Canada); ¶147.149 Demonstrate that the laws of the Russian Federation apply in Chechnya by investigating reports of torture and other human rights violations and abuses, and holding those responsible to account (United States of America); ¶147.133 Ensure that public detention monitoring committees are independent, adequately resourced and that their members are selected in a transparent manner (Switzerland); ¶147.134 Take measures to improve conditions of pretrial detention for suspected and accused women with children in the penitentiary system (Egypt).

<sup>45</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation, Addendum* (September 3, 2018), U.N. Doc. A/HRC/39/13/Add.1, ¶8.

<sup>46</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation, Addendum* (September 3, 2018), U.N. Doc. A/HRC/39/13/Add.1, ¶14.

<sup>47</sup> Ashby, Baillie, Glantz, *How the ICC's Warrant for Putin Could Impact the Ukraine War*, 23 March 2023 (<https://www.usip.org/publications/2023/03/how-iccs-warrant-putin-could-impact-ukraine-war>.)

<sup>48</sup> Walker, Bowcott, *Russia Withdraws Signature From International Criminal Court Statute*, The Guardian, November 16, 2016, <https://www.theguardian.com/world/2016/nov/16/russia-withdraws-signature-from-international-criminal-court-statute>.

<sup>49</sup> Int'l Criminal Court, Ukraine: Situation in Ukraine, ICC-01.22, available at [https://www.icc-cpi.int/situations/ukraine#:~:text=Jurisdiction%20in%20the%20general%20situation,\(3\)%20of%20the%20Statute](https://www.icc-cpi.int/situations/ukraine#:~:text=Jurisdiction%20in%20the%20general%20situation,(3)%20of%20the%20Statute). (Accessed Apr. 3, 2023).

<sup>50</sup> Int'l Criminal Court, Ukraine: Situation in Ukraine, ICC-01.22, available at [https://www.icc-cpi.int/situations/ukraine#:~:text=Jurisdiction%20in%20the%20general%20situation,\(3\)%20of%20the%20Statute](https://www.icc-cpi.int/situations/ukraine#:~:text=Jurisdiction%20in%20the%20general%20situation,(3)%20of%20the%20Statute). (Accessed Apr. 3, 2023).

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<sup>51</sup> Int'l Criminal Court, *Situation in Ukraine: ICC judges issue arrest warrants against Vladimir Vladimirovich Putin and Maria Alekseyevna Lvova-Belova*, Press Release, Mar. 17, 2023, available at <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and-maria-alekseyevna-lvova-belova>.

<sup>52</sup> See generally Statements from Ukrainian Witnesses, on file with The Advocates.

<sup>53</sup> Statement 33 from Ukrainian Witnesses, on file with the Advocates. March 6, 2023.

<sup>54</sup> Statement 20 from Ukrainian Witness, on file with the Advocates. May 24, 2022.

<sup>55</sup> Statement 18 from Ukrainian Witness, on file with the Advocates. May 20, 2022.

<sup>56</sup> Statements 19 and 19a, on file with the Advocates. May 20, 2022.

<sup>57</sup> Statements 19 and 19a, on file with the Advocates. May 20, 2022.

<sup>58</sup> Statement 31 from Ukrainian Witness, on file with the Advocates. January 3, 2023.

<sup>59</sup> Statement 31 from Ukrainian Witness, on file with the Advocates. January 3, 2023.

<sup>60</sup> Statement 31 from Ukrainian Witness, on file with the Advocates. January 3, 2023.

<sup>61</sup> Statement 37, on file with the Advocates. March 31, 2023.

<sup>62</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.238 Take all necessary measures to prevent violence and intolerance against women, whether racist, xenophobic or based on sexual orientation, guaranteeing the rights of each and every one of them without discrimination (Switzerland); ¶147.239 Continue efforts aimed at combating discrimination against women and fighting violence against them (Tunisia); ¶147.240 Strengthen governmental measures to eliminate violence against women and girls (Chile); ¶147.247 Continue to take effective steps aimed at combating violence against women (Romania); ¶147.241 Take effective steps to address domestic and sexual violence against women and girls, including through ensuring all perpetrators are prosecuted and punished (Botswana); ¶147.244 Redouble efforts to eradicate violence against women, particularly domestic and sexual violence (Peru); ¶147.245 Develop a comprehensive framework for the elimination of sexual and domestic violence against women and children (Cyprus); ¶147.246 Continue its efforts to ensure access to justice for women and girls who have been victims of domestic and sexual violence (Gabon).

<sup>63</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.284 Strengthen the protection of the rights of children, persons with disabilities, elderly people and other vulnerable groups (Bulgaria); ¶147.285 Continue to assist and promote the employment of persons with disabilities (Lao People's Democratic Republic); ¶147.286 Prioritize promoting and protecting the rights of people with disabilities (South Africa); ¶147.287 Enhance legal frameworks and social programmes serving the most vulnerable groups, particularly children within their families and persons with disabilities (Lebanon); ¶147.288 Continue to take measures to provide social assistance to the population, in particular persons with disabilities, retired people, children and women (Libya); ¶147.289 Continue to ensure the education, social adaptation and social integration of children with disabilities (Pakistan); ¶147.290 Review and enhance the system of support available to families of persons with disabilities (Cyprus); ¶147.291 Strengthen the protection of the rights of persons with disabilities, including by expediting the adoption of the draft federal law, and provide wheelchair users with the unequivocal right to unhindered access to apartment buildings (Hungary); ¶147.292 Continue to take measures to defend the rights of elderly people and people with disabilities (Uzbekistan).

<sup>64</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation, Addendum* (September 3, 2018), U.N. Doc. A/HRC/39/13/Add.1. ¶13.

<sup>65</sup> Statement 30, on file with the Advocates. November 16, 2022.

<sup>66</sup> Statement 30, on file with the Advocates. November 16, 2022.

<sup>67</sup> Statement 30, on file with the Advocates. November 16, 2022.

<sup>68</sup> Statement 16, on file with the Advocates. May 3, 2022.

<sup>69</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.238 Take all necessary measures to prevent violence and intolerance against women, whether racist, xenophobic or based on sexual orientation, guaranteeing the rights of

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each and every one of them without discrimination (Switzerland); ¶147.239 Continue efforts aimed at combating discrimination against women and fighting violence against them (Tunisia); ¶147.240 Strengthen governmental measures to eliminate violence against women and girls (Chile); ¶147.247 Continue to take effective steps aimed at combating violence against women (Romania); ¶147.57 Conclude its work on drafting a federal law on preventing domestic violence (Congo) (Gabon); ¶147.92 Look into measures to increase protection and support systems for victims of gender-based discrimination and domestic violence (Malaysia); ¶147.114 Intensify efforts to fight domestic violence (Italy); ¶147.116 Continue efforts towards the adoption of a law against domestic violence (Saudi Arabia); ¶147.117 Enhance work to prevent and combat domestic violence (Kyrgyzstan); ¶147.118 Improve support services for victims of domestic violence, including access to psychosocial support, educational centres and shelters for victims (Maldives); ¶147.119 Adopt national legislation prohibiting all forms of gender-based violence, including domestic violence, and ensuring adequate care for victims (Mexico); ¶147.120 Enhance its efforts towards combating domestic violence and advancing women's empowerment (Myanmar); ¶147.121 Criminalize domestic violence and abolish the list of "prohibited professions", in order not to restrict the employment rights of women (Paraguay); ¶147.122 Strengthen measures to combat domestic violence, in particular gender-based violence, including through the adoption and implementation of specific legislation to ensure that cases of domestic violence are investigated and prosecuted (Rwanda); ¶147.115 Ratify the Istanbul Convention and repeal legislation that decriminalizes domestic violence (Estonia); ¶147.241 Take effective steps to address domestic and sexual violence against women and girls, including through ensuring all perpetrators are prosecuted and punished (Botswana); ¶147.242 Take all necessary measures to investigate allegations of domestic violence and prosecute perpetrators of this violence (Burkina Faso); ¶147.243 Continue efforts to protect women's rights and to prevent domestic violence (Viet Nam); ¶147.244 Redouble efforts to eradicate violence against women, particularly domestic and sexual violence (Peru); ¶147.245 Develop a comprehensive framework for the elimination of sexual and domestic violence against women and children (Cyprus); ¶147.246 Continue its efforts to ensure access to justice for women and girls who have been victims of domestic and sexual violence (Gabon).

<sup>70</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.56 Adopt a comprehensive law against gender violence and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), and advance in the recognition and implementation of the women and peace and security agenda (Spain); ¶147.115 Ratify the Istanbul Convention and repeal legislation that decriminalizes domestic violence (Estonia); ¶147.263 Repeal the list of professions prohibited for women and ratify the Istanbul Convention of the Council of Europe (France);

<sup>71</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.69 Amend legislation to include an explicit provision on prohibition of discrimination based on gender (Iceland); ¶147.86 Adopt comprehensive anti-discrimination legislation, with the definition of all forms of discrimination in accordance with international standards (Slovenia); ¶147.93 Continue efforts to harmonize gender equality for guaranteeing equal rights (Turkmenistan); ¶147.220 Take measures to promote equal opportunities for men and women in terms of employment and occupation at all levels of responsibility (Algeria); ¶147.248 Continue efforts to combat discrimination against women at all levels (Bosnia and Herzegovina); ¶147.249 Enact and implement measures to promote and protect gender equality and women's empowerment and to fight discrimination on the grounds of gender (Brazil); ¶147.250 Implement measures to combat discrimination and violence against women, developing strategies to eradicate patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men in the family and in society (Uruguay); ¶147.251 Take the necessary measures to combat stereotypes concerning the roles and responsibilities of women and men in the family and in society (Afghanistan); ¶147.260 Strengthen labour legislation with a view to mainstreaming the gender perspective and ensuring that such legislation does not discriminate against women in their professional careers (Mexico); ¶147.261 Continue efforts to promote women's access to the labour market (Iraq); ¶147.262 Take concrete measures in order to put an end to discrimination against women, especially by

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abolishing the list of professional occupations which are prohibited to them (Belgium); ¶147.264 Strengthen measures aimed at promoting equal opportunities for men and women in terms of employment and profession (Côte d'Ivoire).

<sup>72</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.95 Continue implementation of the national strategy on action for women with a view to promoting gender equality (India); ¶147.252 Fully implement the 2017–2022 national strategy on action for women in order to prevent violence against women, address gender stereotypes and guarantee women's full and equal participation in decision-making (Namibia); ¶147.253 Keep up its efforts in implementing the national strategy on action for women 2017–2022 to create the conditions for the full participation of women in political, economic, social and cultural spheres of life (Bangladesh); ¶147.254 Continue its efforts to implement the national strategy on action for women for the period 2017–2022, which aims to create the conditions for the full and equal participation of women in the political, economic, social and cultural domains of social life (Sudan); ¶147.255 Promote the implementation of the national agenda 2021 with a special focus on supporting the participation of women in public life (United Arab Emirates); ¶147.258 Ensure that sufficient resources are allocated for the full and effective implementation of the national strategy on action for women (Singapore).

<sup>73</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation*, (June 12, 2018), U.N. Doc. A/HRC/39/13. ¶147.256 Continue to take effective measures to promote women's rights and their political participation in decision-making (Nepal); ¶147.259 Make efforts to eliminate gender-based stereotypes that restrict women's education and social participation (Republic of Korea); ¶147.265 Continue implementing policies aimed at creating the conditions for the full and equal participation of women in society (Angola).

<sup>74</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: The Russian Federation, Addendum* (September 3, 2018), U.N. Doc. A/HRC/39/13/Add.1. ¶3.

<sup>75</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>76</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>77</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>78</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>79</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>80</sup> Statement 36, on file with the Advocates. March 30, 2023. Article 295 bans the “[e]ncroachment on the life of a judge, juror, or any other person participating in the administration of justice, of a procurator, investigator, a person conducting an inquest, a defence lawyer, a forensic expert, a specialist, a bailiff, or officer of justice, and also of their relatives, in connection with the examination of cases or materials in court, with the preliminary investigation or the execution of a court's judgement or decision, or any other judicial act, accomplished for the purpose of obstructing the lawful activity of said persons or out of revenge for such activity.” Article 296 punishes “threats of murder, infliction of injury to human health, or destruction or damage of property against a judge, juror, or any other person participating in the administration of justice, and also against their relatives, in connection with the examination of cases or materials in court,” and it extends this protection to a “procurator, investigator, a person conducting inquests, defence lawyer, forensic expert, a specialist, bailiff, or officer of justice, and also against their relatives.”

<sup>81</sup> European Court of Human Rights, *Tunikova and Others v. Russia*, Applications Nos. 55974/16 and 3 others, Final Judgment, March 13, 2022, <https://hudoc.echr.coe.int/fre?i=001-213869>.

<sup>82</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>83</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>84</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>85</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>86</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>87</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>88</sup> Statement 36, on file with the Advocates. March 30, 2023.

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<sup>89</sup> Government of the Russian Federation, *Assessing and changing the status of women in the Russian Federation*, No. 4356-r, II, (December 29, 2022), <http://static.government.ru/media/files/ilHtVCkhskBAE9DAfID3AkpD787xAOc4.pdf>.

<sup>90</sup> Statement 36, on file with the Advocates. March 30, 2023.

<sup>91</sup> Government of the Russian Federation, *Assessing and changing the status of women in the Russian Federation*, No. 4356-r, II, (December 29, 2022), pg. 8, <http://static.government.ru/media/files/ilHtVCkhskBAE9DAfID3AkpD787xAOc4.pdf>.