

**Mandates of the Special Rapporteur on the situation of human rights in the Russian Federation; 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 Special Rapporteur on the situation of human rights defenders**

Ref.: AL RUS 3/2024  
(Please use this reference in your reply)

17 April 2024

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights in the Russian Federation; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 54/23, 52/9, 50/17 and 52/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the forced dissolution of the Russian non-governmental human rights organization "Man and Law" through a court's administrative decision, which has officially ended its recognition as a legal entity.

This action appears to constitute an act of reprisal against the organization for its cooperation with the United Nations on human rights and its recent granting of ECOSOC consultative status. Notably, just two days after receiving this status, which enables broader participation in United Nations processes, an unscheduled inspection by the Ministry of Justice was initiated. This timing, coupled with the reasons cited by the court for the dissolution, including the organization's ECOSOC status, strongly suggests that these actions were connected and retaliatory in nature.

We previously expressed concerns about the dissolution of "The Moscow Helsinki Group"—Russia's oldest human rights organization, renowned for its work in documenting and reporting human rights violations to international bodies and UN human rights mechanisms. These concerns were communicated to your Excellency's Government in a letter from Special Procedures mandate holders dated 27 February 2023 (AL RUS 2/2023).

Furthermore, we are alarmed by the broader trend of forcible dissolutions targeting prominent human rights organizations within the Russian Federation, including actions against International Memorial and the Human Rights Center "Memorial" (AL RUS 13/2021), the Legal and Social Support Charitable Foundation "Sphere" (AL RUS 7/2022), and the Journalists' and Media Workers' Union (as noted in the press release dated 14 September 2022). These actions are concerning indicators of the clamp down on human rights organization and the civic space in Russia.

We thank your Excellency's Government for its responses to the aforementioned communications. Nonetheless, we wish to reiterate our continuing concern regarding the practice of depriving civil society and human rights organizations

of their legal status. These actions, often justified by alleged administrative irregularities provided for by Russia's "foreign agents" legislation, raise significant concerns regarding their compatibility with the right to freedom of association and freedom of expression. In this connection, we would like to bring to the attention of your Excellency's Government an assessment by Special Procedures mandate holders of the latest amendments to the "foreign agents" legislation, dated 30 November 2022 (OL RUS 16/2022). Prior to 2022, the "foreign agents" legislation was the subject of at least 16 communications sent by Special Procedures mandate holders, conveying a progression from instances of targeting and dissolution of specific NGOs to the broader trend of the treatment of human rights organizations in Russia.

We also wish to draw your Excellency's Government's attention to the Secretary-General's reports on reprisals, specifically the sections that assess how laws on "foreign agents" and "undesirable organizations" negatively impact the willingness and ability of civil society actors to engage with international bodies, including the United Nations. In particular, the 2023 report (see A/HRC/54/61 para. 125) summarizes the references to the issue in previous reports as follows: A/HRC/24/29; A/HRC/27/38; A/HRC/30/29; A/HRC/42/30; A/HRC/45/36; A/HRC/48/28; A/HRC/51/47. It also includes information on most recent amendments to the laws on "foreign agents" and "undesirable organizations" by special procedures mandate holders and treaty bodies' concluding observations, namely (CCPR/C/RUS/CO/8) and (CERD/C/RUS/CO/25-26).

According to the information received:

The non-commercial organization "Man and Law" was founded in 1999 by Sergey Poduzov and Irina Protasova in the Republic of Mari El of the Russian Federation, and officially registered with the Unified State Register of Legal Entities on 6 December 2002. The organization is dedicated to human rights education, awareness-raising, legal assistance, reporting, and advocacy, including through its engagement in review processes of the Russian Federation before the United Nations human rights mechanisms.

From 2004, "Man and Law" has been involved in the public monitoring of places of detention, with some of its members participating in the Public Monitoring Commission of Mari El Republic from 2008 to 2022. Since 2014, it has expanded its activities to an inter-regional level within Russia.

On 30 December 2014, it was labeled as a "foreign agent" due to its human rights work, which was deemed as "conduct of political activities" and its receipt of "foreign funding", including from the United Nations High Commissioner for Human Rights.

This led "Man and Law", together with 60 other Russian non-governmental organizations labeled as "foreign agents", to file a complaint in 2015 before the European Court of Human Rights concerning restrictions on the freedom of expression and association of Russian NGOs which have been categorized as "foreign agents" funded by "foreign sources" and engaging in "political activity". In its final judgement, dated 10 October 2022, the Court found that

Russia had violated their rights to freedom of assembly and association, as well as the right to freedom of expression (see the case of *Ecodefence and Others v. Russia*, paras. 456-460).

In February 2020, the Ministry of Justice’s Department for Mari El sought the forced dissolution of “Man and Law”, alleging that: “The organization publicly comments on the actions of the authorities and on the revealed law violations in its activity, thus promoting negative attitude towards the state (including state authorities) in the society”. The activities that led to this allegation involved human rights work. The Supreme Court of Mari El rejected this claim.

On 7 December 2022, “Man and Law” was granted Economic and Social Council (ECOSOC) consultative status, in recognition of its expertise and contributions to the United Nation’s efforts to promote and protect human rights. “Man and Law” was amongst the nine organizations that were granted consultative status by a vote of the ECOSOC Member States (see E/2023/L.6).<sup>1</sup> This came after its 2018 application for accreditation was long-deferred by some members of the UN Committee on Non-Governmental Organizations, that serves as an advisory body on matters of accreditation.<sup>2</sup>

Namely, in 2022, the Committee postponed the consideration of the “Man and Law” application due to Nicaragua’s request for detailed information on the selection of its board members, as well as the requirements and conditions for candidature.<sup>3</sup> In 2021, China’s representative requested that “Man and Law” provide a list of projects realized in 2020, along with indications of costs and partnerships.<sup>4</sup> In 2020, Libya asked for details about the NGO’s social and humanitarian projects.<sup>5</sup> In 2019, the representative of the Russian Federation asked “Man and Law” to elaborate on its work on peacebuilding in the country.<sup>6</sup> In 2018, the representative of the Russian Federation requested specifics about which of its projects had received governmental and non-governmental funding from abroad.<sup>7</sup>

Two days after receiving ECOSOC status, on 9 December 2022, the Ministry of Justice’s Department for Mari El began an unscheduled inspection of the organization’s documentation. The Ministry of Justice refused to disclose or share with “Man and Law” the content of the complaint which served as the grounds for this inspection.

On 27 December 2022, the Ministry of Justice presented a report alleging that “Man and Law” carried out activities inconsistent with its founding objectives, along with other serious violations of the Russian legal framework concerning

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<sup>1</sup> <https://press.un.org/en/2022/ecosoc7108.doc.htm>

<sup>2</sup> <https://press.un.org/en/2022/ngo945.doc.htm>

<sup>3</sup> <https://press.un.org/en/2022/ngo942.doc.htm>

<sup>4</sup> <https://press.un.org/en/2021/ngo928.doc.htm>

<sup>5</sup> <https://press.un.org/en/2020/ngo905.doc.htm>

<sup>6</sup> <https://press.un.org/en/2019/ecosoc6988.doc.htm>

<sup>7</sup> <https://press.un.org/en/2018/ecosoc6918.doc.htm>

public associations,<sup>8</sup> non-commercial organizations,<sup>9</sup> and foreign agents.<sup>10</sup> “Man and Law” was not provided the possibility to challenge this report.

In January 2023, the Ministry of Justice used this report to file an administrative lawsuit against “Man and Law” with the Supreme Court of Mari El, resulting in the organization’s forcible dissolution on 21 August 2023.

In its decision, dated 21 August 2023, ordering the forcible dissolution of “Man and Law”, the Supreme Court of the Mari El Republic of the Russian Federation, invoked the following reasons:

- Violations of the territorial scope of activities. Specifically the ECOSOC consultative status granted to the organization in December 2022, with the aim to enable the organization’s access and interaction with UN bodies and processes, was viewed negatively.
- Conduct of activities deemed inconsistent with the organization’s objectives. Namely, activities aimed at supporting people living with HIV and outreach to at-risk groups.
- Conduct of activities deemed to contravene national security strategies, family policies, and constitutional provisions on family values. Specifically, activities directed at promoting the rights and recognition of the LGBTIQ+ people.
- The organization’s failure to use the “foreign agents” label, opposition to the war on Ukraine and criticism of public authorities, along with receiving funding from states deemed “unfriendly” to Russia, were also cited as issues.

The Supreme Court of Mari El upheld the arguments of the Ministry of Justice, concluding that these factors justified the organization’s dissolution.

“Man and Law” contested this ruling as unlawful and disproportionate, arguing it violated the International Covenant on Civil and Political Rights’ guarantees for the right to freedom of peaceful assembly and association. However, on 19 December 2023, the Fourth Appellate Court of General Jurisdiction confirmed the dissolution.

Without prejudging the accuracy of the information received, we wish to express our grave concern regarding the forcible dissolution of the human rights organization “Man and Law”. This action appears to be a targeted reprisal for the organization’s legitimate human rights work, including cooperation with the United Nations and obtaining ECOSOC consultative status.

Although we are not aware of domestic legislative provisions that prohibit non-governmental organizations from participating in the work of the United Nations,

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<sup>8</sup> Federal Law on Public Associations, dated 19.05.1995 No. 82-FZ

<sup>9</sup> Federal Law on Non-Commercial Organizations, dated 12.01.1996 No. 7-FZ

<sup>10</sup> Federal Law on the Control of Activities of Persons under Foreign Influence, dated 14.07. 2022 No. 255-FZ

it seems that the court viewed the acquisition of ECOSOC status as a ground for depriving the organization of its legal status. Notably, just two days after obtaining the special consultative status, an unscheduled inspection was initiated by the Ministry of Justice. This inspection laid the foundation for the subsequent petition and court order for dissolution. The decision to dissolve the organization was supported by several grounds cited by the court, one of which specifically referred to the organization's newly acquired ECOSOC consultative status. This indicates that the dissolution appears to be directly linked to the ECOSOC status and the legitimate human rights work carried out by the organization.

If confirmed, the events described above would represent a violation of international human rights standards, specifically those governing freedom of expression, freedom of association, and protection against reprisals and intimidation for individuals and groups engaging with the United Nations. We are particularly alarmed by the interpretation and application of the "foreign agents" law by Russian authorities, which has been used to arbitrarily restrict a wide range of civil society activities and expressions, ultimately leading to the revocation of their legal status.

The United Nations human rights mechanisms have consistently highlighted the incompatibility of Russian legislation governing non-commercial organizations, especially the "foreign agents" law, with international human rights standards. In the application of these laws, Russian authorities failed to ensure the criteria of necessity, proportionality, and non-discrimination. Instead, the "foreign agents" law has been purposefully used to silence human rights organizations, often resulting in their forced dissolution.

This concern has been highlighted during Russia's 2022 review by the Human Rights Committee (CCPR/C/RUS/CO/8) and the 2023 Universal Periodic Review. Recent reports by the United Nations Special Rapporteur on the situation of human rights in the Russian Federation (A/HRC/54/54) and the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/78/246) documented the use of legislation to unnecessarily and disproportionately restrict the activities of civil society and liquidate a number of prominent human rights organizations.

Additionally, several Russian civil society members have sought anonymity when engaging with the United Nations Special Rapporteur on the situation of human rights in the Russian Federation, fearing intimidation and reprisals. We will continue to closely monitor their situation and engage with Your Excellency's Government on the matter.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please explain how the forcible dissolution of “Man and Law” aligns with Russia’s obligations under articles 19 and 22 of the International Covenant on Civil and Political Rights.
3. Please provide a complete list of all human rights organizations that have been ordered to forcibly dissolve in the Russian Federation in the past ten years and the legal basis for such dissolutions.
4. Please provide information on measures taken by your Excellency’s Government to ensure that human rights defenders and civil society organizations are able to carry out their legitimate and peaceful work freely in an enabling and safe environment, in line with Russia’s international human rights obligations.
5. Please indicate any measures taken to review and amend the national legislation, including the “foreign agents” law, so as to bring it in line with Russia’s international human rights obligations.
6. Please provide information about measures and mechanisms put in place to effectively protect against intimidation and reprisals those who seek to cooperate or have cooperated with the United Nations and to prevent criminal prosecution or administrative, economic or other sanctions or obstacles in relation to this cooperation.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency’s Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

In light of the allegations related to cooperation with the United Nations in the field of human rights, we reserve the right to share this communication – and any response received from Your Excellency’s Government - with other UN bodies or representatives addressing intimidation and reprisals for cooperation with the UN in the field of human rights, in particular the senior United Nations official designated by the Secretary General to lead the efforts within the United Nations system to address this issue.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on the situation of human rights in the Russian Federation

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Clement Nyaletsossi Voule  
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we call the attention of your Excellency's Government to articles 19 and 22 of the International Covenant on Civil and Political Rights ("ICCPR"), ratified by the Russian Federation on 16 October 1973, which guarantee the rights to freedom of expression, including the freedom to seek, receive, and impart information, and the freedom of association.

We would like to recall that article 19 of the ICCPR guarantees the right to opinion and expression. In the General Comment 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of opinion and expression, including inter alia 'political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism', subject only to admissible restrictions as well as the prohibition of propaganda for hatred and incitement to hatred, violence and discrimination.

Restrictions on the right to freedom of expression must be compatible with the requirements set out in article 19 (3), that is, they must be provided by law, pursue a legitimate aim, and be necessary and proportionate. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant. An attack on a person because of the exercise of his or her freedom of opinion or expression, including arbitrary arrest, torture, threats to life and killing, cannot be compatible with article 19 (GC34 paragraph 23).

We would also like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration, which state that everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

Likewise, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:

- Article 5(b), which provides for the right to form, join and participate in non-governmental organizations, associations or groups.
- Article 6(a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems.

- Article 6(b) and (c), which provides for the right to freely publish, impart or disseminate to others' views, information and knowledge on all human rights and fundamental freedoms; and to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and to draw public attention to those matters.
- Article 8(2), which provides for the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realisation of human rights and fundamental freedoms.
- Article 9(1) and (3), which provides for the right to benefit from an effective remedy and to be protected in the event of the human rights violations, and inter alia individually and in association with others:
  - (a) to complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay;
  - (b) to attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments;
  - (c) to offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms; and
- Article 9(4), which is the one explicitly referring to the right to "unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms".
- Article 12(2) and (3), which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure, or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, and acts of violence

perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Regarding allegations related to reprisals for cooperation with the United Nations in the field of human rights, we would like to refer to Human Rights Council resolutions 12/2, 24/24, 36/21, 42/28, 48/17 and 54/24 reaffirming the right of everyone, individually or in association with other, to unhindered access to and communication with international bodies, in particular the United Nations, its representatives and mechanisms in the field of human rights. The Human Rights Council urged States to refrain from all acts of intimidation or reprisals, to take all appropriate measures to prevent the occurrence of such acts. This includes the adoption and implementation of specific legislation and policies as well as the issuance of appropriate guidance to national authorities in order to promote a safe and enabling environment for engagement with the United Nations on human rights, and to effectively protect those who cooperate with the United Nations. The Council also urged States to ensure accountability for reprisals by providing access to remedies for victims, and preventing any recurrence. It called on States to combat impunity by conducting prompt, impartial and independent investigations, pursuing accountability, and publicly condemning all such acts.