

**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 and the Special Rapporteur on the situation of human rights defenders**

Ref.: AL RUS 1/2025
(Please use this reference in your reply)

8 December 2025

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 and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 60/21, 52/9 and 52/4.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning **the arrest, detention and conviction by the Zabaykalsky Regional Court of the Russian Federation of the journalist Nika Novak on 26 November 2024 in Chita, as well as conditions of her detention in August and September 2025.**

Nika Novak is the former editor-in-chief of local outlet ChitaMedia and former editor-in-chief of the local news portal Zab.ru. Since 2022, she has been a freelance correspondent for the Radio Free Europe/Radio Liberty (RFE/RL)'s Russian Service, known as Radio Svoboda, which focuses on reporting critical issues in Russia and which authorities have banned as "undesirable" in February 2024. Novak was known for her investigative journalism and reporting on human rights violations.

According to the information received:

In the spring of 2023, Novak was stopped by police outside a fitness club in Chita. She was asked to go to the station, allegedly due to a resemblance to a suspect in a fraud case. During this time, a listening application was installed on her phone, allowing it to monitor conversations and surrounding sounds. A month later, in April 2023, it was revealed that the Federal Security Service (hereinafter – the FSB) officers had been surveilling her, and the initial police stop was part of a broader effort to monitor her activities.

On 29 November 2023, the FSB officers conducted a search of Novak's apartment, during which they seized all her professional equipment and a number of documents, including her journalistic materials.

She was then taken to a police office and questioned about her cooperation with Siberia.Realii, a media outlet recognized as a "foreign agent" in Russia.

At 6 a.m. on 25 December 2023, Novak was asleep in the apartment where she lives with her mother in Chita, when the FSB officers brutally raided their home. According to Novak's mother, the officers pounded on the door, shouting obscenities and threatening to block them inside the apartment. Despite knowing

that only two women lived there, the officers forced their way in, pushing Novaks's mother aside and dragging Novak out of bed with excessive force. Her mother saw blood on Novak's teeth as she was taken away, raising alarm and protesting their treatment.

Nika was taken to a police station and charged with “collaboration with a foreign organization on a confidential basis” under article 275.1 of the Criminal Code of the Russian Federation. She was then transferred to Moscow where she was placed in pre-trial detention in SIZO-2 (Lefortovo) of Moscow.

For almost a year following her arrest, no information was available as to which “foreign organization” Novak was accused of “confidentially cooperating” with. However following her sentencing, the U.S. Congress-funded media corporation RFE/RL confirmed that the Nika had previously published for Sibir.Realii, a project of RFE/RL’s Russian service which focuses on Russia’s Siberia and Far East regions.

While it is unclear whether authorities targeted Novak for specific articles, the journalist was known for condemning Russia’s full-scale invasion of Ukraine as well as Russian wartime censorship imposed on media. According to Novaya Gazeta Europe, Novak likely published anonymously, and it was unclear how authorities were informed about her work for RFE/RL.

Working with Sibir.Realii, Novak had been shedding light on the struggles of vulnerable groups, such as orphans and veterans, who were denied promised housing by officials, as well as the harsh living conditions in rural areas without heating despite being in resource-rich regions. She documented the voices of people affected by disasters, reporting their experiences and the failures of authorities to address their needs.

On 22 July 2024, leading Russian human rights group Memorial recognized Nika as a political prisoner.

In the fall of 2024, Nika was transferred back to Chita and tried behind closed doors. Nika’s lawyer was required to sign a non-disclosure agreement because the case involved information classified as a state secret.

On 26 November 2024, the Zabaykalsky Regional Court convicted Nika Novak and sentenced her to four years in prison. The text of the verdict was not made public because the case involved information classified as a state secret.

Novak is the first journalist to be sentenced to prison under article 275. 1 of the Criminal Code.

On 1 March 2025, Nika Novak was transferred to Novosibirsk, waiting for the appellate court’s decision. At the end of March, she was placed on a “preventive register” which entails stricter detention conditions. The grounds for such placement were not communicated to her or her lawyer. The defence is seeking to establish on what grounds Novak was placed on the “preventive register”, and this decision will be challenged in court.

On 31 March 2025, the Fifth Appellate Court of General Jurisdiction in Novosibirsk upheld her conviction.

On 19 August 2025, Novak was placed in solitary confinement for five days after refusing to retract information contained in three letters she had written about conditions of her detention in IK-11 in Bozoy, Irkutsk region, which were later published by her support group. On 21 August 2025, she announced a hunger strike in the colony.

In early September 2025, the journalist resumed her hunger strike after being denied access to her correspondence. According to her support group, she has faced threats and pressure from the colony administration, including demands to record a “repentance” video disavowing her letters that described poor conditions of detention – such as inadequate food, restrictions on purchases, and a rigid inmate hierarchy.

As of 5 December, Nika Novak remains held in IK-11 in Bozoy; between 26 November and 4 December she was denied visits from her lawyer, who was only able to see her on 5 December.

Without wishing to prejudge the accuracy of the information received, we wish to express concern about the arrest, detention, criminal prosecution and conviction of Nika Novak, on grounds that appear to be in direct connection with her journalistic activities and the exercise of her right to freedom of expression. Moreover, we would like to raise serious concerns regarding the use of force amounting to ill-treatment of Nika Novak during her arrest, and non-observance of the guarantees of her right to a fair trial, which may render her deprivation of liberty arbitrary.

The case of Nika Novak highlights the broader issue of repression against journalists in Russia. The charges against her appear to form part of a repressive legal framework designed to silence dissent and independent reporting. Article 275.1 of the Criminal Code is fundamentally flawed and used to target those who communicate with foreign entities.

We similarly wish to express our concern about the searches carried out in the home of Nika Novak, and the subsequent seizure of documents related to her journalistic work. Notably, these actions were conducted with due process violations and in the absence of lawyers. A police search and seizure of confidential documents from a journalist’s home raise profound human rights concerns, as they appear to be directly linked to her professional activities as a journalist and constitute a grave assault of freedom of the press and journalists’ rights, including the secrecy of their sources. These actions by State security forces and Ms. Novak’s criminalisation and prosecution are emblematic of a broader pattern of reprisals against journalists in Russia, particularly those who report on sensitive issues and human rights violations.

The arrest and charges against Nika Novak seem to signal a return to outdated practices. The closed and secret nature of the trial further heightens worries that the proceedings might be politically driven.

We are deeply alarmed with the vague wording of article 275.1 of the Criminal Code of Russia, under which Nika Novak was sentenced. This ambiguity opens the door to arbitrary prosecution and raises significant issues regarding fairness and transparency of the legal process including legal certainty. Nika Novak is the first journalist to be sentenced under this article, and we fear this could mark the beginning of a troubling trend, adding to a broader crackdown on journalistic freedom and an attempt to stifle critical voices in Russia. The potential for more journalists to face similar charges under article 275.1 is worrisome and underscores the urgent need to protect freedom of expression, including media freedom, and uphold human rights.

We remain concerned at the serious chilling effect the aforementioned actions may have on journalists and on fundamental freedoms, notably the freedom of expression, as well as the right to seek, receive, and impart information and ideas of all kinds, including research and publications. Both the harassment of Nika Novak, as well as the continued harassment of media organizations, including through their designation as “undesirable” and “foreign agents,” endure revealing an alarming trend of closing civic space in Russia.

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 mandate provided to us by the Human Rights Council, to seek to clarify all cases brought to my 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 provide detailed information and/or comments you may have on the allegations of use of force amounting to ill-treatment of Nika Novak during her arrest and please indicate whether an impartial investigation into the matter has been conducted.
3. Please provide detailed information on the legal and factual basis for the criminal charges brought against Nika Novak, her arrest, search of her home, and seizure of confidential documents. Please explain how these measures comply with articles 9, 14, 17, 19, 21 and 22 of the ICCPR.
4. Please explain what measures have been put in place to secure Nika Novak’s right to a fair trial, including the right to a public hearing, as envisaged by article 14 of the ICCPR.
5. Please explain how restrictions on freedom of expression in Russia, including article 275.1 of the Criminal Code of Russia, “collaboration with a foreign organization on a confidential basis”, conform with international standards for freedom of expression and association, enshrined in articles 19 and 22 of the ICCPR.

6. Please explain which measures have been taken by the government to ensure that journalists and media workers in the Russian Federation can exercise their legitimate rights to freedom of expression and engage in journalistic work, including on sensitive human rights issues, freely without fear of reprisals, judicial prosecution or criminalization of any kind.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. 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.

We may publicly express my 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.

Mariana Katzarova
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

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 would like to refer your Excellency's Government to at least articles 9, 14, 15, 17, 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), and articles 19 and 20 of the Universal Declaration of Human Rights (UDHR).

With regards to arbitrary detention, article 9 of the International Covenant on Civil and Political Rights guarantees the right to liberty and security of the person. Article 9 establishes in particular that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law, and that anyone who is arrested shall be informed, at the time of arrest, of the reasons behind such arrest and be brought promptly before a judge to determine the lawfulness of the detention. Paragraph 3 requires that detention in custody of persons awaiting trial shall be the exception rather than the rule. Detention pending trial must be based on an individualized determination that it is reasonable and necessary taking into account all the circumstances of the crime.

An arrest or detention may be authorized by domestic law and nonetheless be arbitrary. The notion of "arbitrariness" is not to be equated with "against the law" but must be interpreted more broadly to include elements of reasonableness, necessity and proportionality, as well as compliance with the interactional human rights obligations (see Human Rights Committee, general comment No. 35 (2014), para. 12).

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its [general comment No. 34](#), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee states that article 19 also covers the right of a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion and a corresponding right of the public to receive media output.

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their

representatives, be in receipt of appropriate forms of redress” (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, and restrictions must always be “the least intrusive instrument among those which might achieve their protective function” ([CCPR/C/GC/34, para. 34](#)).

In this connection, the Human Rights Committee has held that “under any circumstance, can an attack on a person, because of the exercise of his or her freedom of opinion or expression, including such forms of attack as arbitrary arrest, torture, threats to life and killing, be compatible with article 19. Journalists are frequently subjected to such threats, intimidation and attacks because of their activities. Furthermore, in her report A/HRC/50/29, the Special Rapporteur on the right to freedom of opinion and expression expressed her concern about the criminalization of journalists including through laws that prohibit the criticism of state institutions or officials, negatively impacting media freedom and damaging democratic discourse and public participation.

We would like to remind your Excellency’s Government that, in its resolutions, A/HRC/RES/25/18, A/HRC/RES/27/31, A/HRC/RES/32/31 and A/HRC/RES/34/5, the Human Rights Council noted with grave concern that “in some instances, national security and counterterrorism legislation and other measures ... have been misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law”.

Article 14(1) of the ICCPR, which sets out a general guarantee of equality before courts and tribunals and the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law. In addition, article 14 of the ICCPR provides a set of contain procedural guarantees that must be made available to persons charged with a criminal offence, including the right of accused persons to have access to, and communicate with, a counsel of their own choosing.

In its general comment no. 32 (2007), the Human Rights Committee explained that the right to communicate with counsel enshrined in article 14(3)(b) requires that the accused is granted prompt access to counsel. Counsel should be able to meet their clients in private and to communicate with the accused in conditions that fully respect the confidentiality of their communications. She should also be able “to advise and to represent persons charged with a criminal offence in accordance with generally recognised professional ethics without restrictions, influence, pressure or undue interference from any quarter” ([CCPR/C/GC/32, para. 34](#)).

In its general comment no. 35 on the Right to Liberty and Security of Person, the Human Rights Committee recalled that when national when national security functions as a legal basis for criminal sanction it must, to meet the requirements of

precision and clarity under the ICCPR (article 9(1)), be expressly linked to a defined set of criminal acts and not criminalize acts and entitlements which are lawful under international law (CCPR/C/GC/35).

We would also like to stress that national security and/or counter terrorism legislation with penal sanctions should never be misused against individuals exercising their rights to freedom of expression and freedom of association and of peaceful assembly and should not be misused to deprive such individuals of their personal liberty through arrests and detention. These rights are protected under ICCPR and the application of criminal law to the non-violent exercise of these rights would for most purposes be contrary to the Covenant. Counter-terrorism and/or security legislation cannot be used as an excuse to suppress peaceful groups and their members, nor can it have the chilling effect of suppressing the legitimate exercise of their rights. National security legislation cannot be used to hinder the work and safety of individuals, groups, and organs of society engaged in promoting and defending human rights (A/HRC/RES/22/6, para. 10).

We bring your Excellency's Government attention to the "principle of legal certainty" under article 15(1) of the ICCPR, which requires that criminal laws are sufficiently precise so that it is clear what types of behaviour and conduct constitute a criminal offence and what would be the consequence of committing such an offence. This principle recognizes and seeks to prevent ill-defined and/or overly broad laws which are open to arbitrary application and abuse and may lead to arbitrary deprivation of liberty.

We also note that article 21 of the ICCPR recognizes that the right to freedom of peaceful assembly should be enjoyed by everyone, as provided for by article 2 of the Covenant and resolutions 15/21, 21/16 and 24/5 of the Human Rights Council. In its resolution 24/5, the Council reminded States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs and human rights defenders (A/HRC/26/29, para. 22.). We also recall article 22 of the ICCPR protects the right to freedom of association, which protects the rights of everyone to associate with others, to pursue common interests. Freedom of association is closely linked to the rights to freedom of expression and to peaceful assembly and is of fundamental importance to the functioning of democratic societies. These rights can only be restricted in very specific circumstances, where the restrictions serve a legitimate public purpose as recognized by international standards and the restrictions must be a necessary and proportionate means of achieving that purpose within a democratic society, with a strong and objective justification. The Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights also state in para. 30 that national security cannot be invoked as a reason for imposing limitations to prevent merely local or relatively isolated threats to law and order.

We would 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 to promote and 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.