



To: Mr. Josep Borrell Fontelles, High Representative of the European Union for Foreign Affairs and Security Policy
Ministers of Foreign Affairs of EU Member States

Brussels, 12 July 2022

RE: EU leadership for a Special Rapporteur on Russia at the UN Human Rights Council

Dear Minister,

We are writing to call on your government to publicly support and ensure the leadership of the European Union in initiating, tabling, and actively fostering broad support for a resolution to create a mandate of UN Special Rapporteur on the situation of human rights in the Russian Federation at the upcoming 51st session of the UN Human Rights Council.

Ten years ago this month, Russian authorities enacted their [first “foreign agent” law](#) – legislation that became Russia’s signature in [stigmatizing](#), demonizing, and ultimately silencing the country’s then-robust civil society. In a decade, the government has gradually expanded its scope, increased sanctions against groups and individuals labeled as ‘foreign agents,’ and accelerated its arbitrary use to crack down on civil society. In March, an appeals court upheld the [liquidation](#) under the foreign agent laws of Russia’s leading human rights group, Memorial. Last month, the Russian Duma [adopted](#) a new law that [expands the ‘foreign agent’](#) designation to any form of contact with international or non-Russian groups, officials, or source of funding, effectively ending the remnants of civil society organizations who rely on such funds for their existence and banning any foreign contacts for others. The law also introduces new discriminatory restrictions aimed at excluding civil society organizations and activists labelled as “foreign agents” from all aspects of civic life, including teaching and other educational activities with children and young people, work in civil and municipal services, donating to political parties, and organizing of public assemblies, among other activities.

This alone deserves the attention of the Human Rights Council. But the Russian authorities have gone even further and since the full scale invasion of Ukraine, have moved to simply eradicate any form of public dissent in a systematic manner. [Censorship laws](#) adopted in March effectively [criminalized](#) any criticism of Russia’s armed conflict in Ukraine and independent media reporting on the war, leading independent media to [close down or face harsh sanctions](#). They opened scores of criminal cases against human rights defenders and [lawyers, grassroots activists](#), prominent independent bloggers, [journalists](#) and opposition politicians, including [Vladimir Kara-Murza](#). They also filed hundreds of administrative cases against anti-war protesters throughout the country. Over 16,000 people were arbitrarily [arrested and many were subjected to ill-treatment](#) for joining peaceful protests against the war. In April, the Ministry of Justice [de-registered the offices](#) of Amnesty International, Human Rights Watch, and 13 other international non-governmental organizations and foundations. In addition to being targeted under the “foreign agent” label and anti-war censorship laws, Russian civil society groups and human rights defenders face criminal charges for so-called [involvement with “undesirable organizations”](#) or under the overly broad

[counter-extremism](#) and [counter-terrorism](#) legislation. Political opposition figure [Alexei Navalny](#) and scores of opposition supporters remain behind bars on spurious grounds. Newly adopted laws and draft bills that are expected to be adopted soon broadly expand the scope of high treason, criminalize activities that the government considers to be counter to vaguely defined national security and national interests. These laws and bills further penalize involvement with “undesirable organizations,” impose criminal liability for “confidential cooperation with foreign intelligence services, international or foreign organizations and their representatives” and for collecting, transferring, or keeping information that can be used against Russian armed forces during armed conflict and allow for the extrajudicial closure of critical online resources.

Russian authorities are systematically [persecuting](#) women and LGBTQI+ activists, protesters, public figures, and politicians. Russia is seeing rapidly [rising rates](#) of violence and discrimination committed against members of the LGBTQI+ community. The commonly termed “gay propaganda law” of 2013 “for the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values,” is currently under review by the Duma. Amendments could extend so-called “protection” to all people, not just minors, thereby effectively criminalizing all LGBTQI+ awareness-raising and information sharing activities. Moreover, there are fears that the new bill could extend to criminalizing same-sex relationships themselves. Police violence has increased, as has cooperation between the Chechen and Russian police, so it is now impossible to assist in the relocation of at-risk Chechen LGBTQI+ individuals to Russia as they would only face further criminalization there.

Authorities' [failure to address domestic violence](#) leads to tragic outcomes for victims due to inadequate legislation, poor police response, and insufficient services. [Racial profiling](#) in law enforcement remains a significant problem. Ethnic minorities such as Chechens and Roma, and migrant workers from Central Asia are routinely subjected to police round ups, extortions, and degrading treatment. There is no independent mechanism for civil society to effectively file complaints on grounds of racial discrimination. Authorities prevent [indigenous rights activists](#) from carrying out their work with smear campaigns and personal intimidation. In Chechnya, leadership under Ramzan Kadyrov continues to ruthlessly quash all forms of dissent, with top officials smearing and threatening independent journalists and human rights groups, with law enforcement agencies arbitrarily detaining dozens of opponents and their relatives, subjecting them to torture and other ill-treatment.

By undermining and attacking independent civil society, persecuting human rights defenders, activists, and opposition and dissenting voices, banning independent media, silencing journalists, and effectively outlawing any form of peaceful protest, the Russian authorities have contributed to creating an [environment](#) that, at least in part, facilitates its war in Ukraine including the full scale invasion launched on 24 February, 2022. The war has led to an enormous loss of civilian life, displacement of millions of Ukrainian civilians, and contributed to a global food security crisis, among other developments.

In September this year, Russia will [formally cease to be a member of the Council of Europe](#), thus depriving its people of protections under the European Convention for Human Rights and access to the European Court as well as further linkages to the international human rights community. Already in June, the Russian Parliament passed a law according to which Russia would only implement European Court of Human Rights judgments that were issued before 15 March, 2022. Moreover, the Russian Federation has failed twice in a row to appear at its review by the [UN Human Rights Committee](#) in March and July this year.

We welcome the [joint statement delivered](#) at the initiative of the EU during the 50th session of the Human Rights Council and the encouragement to the UN High Commissioner for Human Rights to report on the human rights situation in Russia. At a time when Russia deliberately rejects its regional

and international human rights commitments, it is all the more critical to secure avenues for continued scrutiny of the human rights situation in Russia and provide as much protection as possible to Russians facing the consequence of the massive crackdown at home.

A dedicated Special Rapporteur mandate would independently collect, analyze, and present information on the human rights situation in Russia and make recommendations to the Council and the authorities on how to improve the rapidly deteriorating human rights situation there. It would also serve as a crucial international point of contact for Russian human rights defenders, activists, and civil society organizations, within the UN human rights infrastructure at a time when such a role is critical. A Special Rapporteur would finally be able to speak up authoritatively against the deepening restrictions on human rights in Russia and on behalf of those facing intimidation, harassment, and the threat of reprisal for their activism or their human rights work.

The Human Rights Council must not fail victims of human rights violations in Russia by avoiding taking resolute and formal action on the situation in the country; it must send a clear message that powerful states are not beyond its scrutiny. We count on your government to ensure that the EU will translate its longstanding support to Russian human rights defenders, activists, and independent civil society organizations into the leadership needed to establish a Special Rapporteur mandate on the human rights situation in Russia.

We remain available should your government require any additional information on the human rights situation in Russia and on the importance of such a mandate.

Yours sincerely,

Amnesty International

Human Rights House Foundation (HRRH)

Human Rights Watch

International Bar Association Human Rights Institute (IBAHRI)

International Federation for Human Rights (FIDH)

International Service for Human Rights (ISHR)

People in Need

Reporters Without Borders (RSF)

World Organisation Against Torture (OMCT)

CC: Political and Security Committee Ambassadors of EU Member States