



Input to the report of the High Commissioner for Human rights on challenges and best practices in regularly assessing civic space trends

submitted by OVD-Info

31 December 2023

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I. Introduction

The input is prepared by OVD-Info human rights project in response to the call for inputs on civil society space from the UN High Commissioner for human rights.

OVD-Info is an independent human rights defence and media project. OVD-Info focuses on the rights to freedom of assembly and expression, but its work extends further. OVD-Info works on the ground in Russia and globally aiming at putting an end to political persecution in Russia. For this purpose, it collects data and produces content about political repressions in Russia, coordinates legal aid to those unjustly persecuted, and works towards systemic change in the human rights field.

The input outlines that in Russia the task of accurately assessing civic space trends is challenging due to restricted access to official data and government censorship. Official sources like government records and judicial databases are often incomplete or inaccessible. This is worsened by the government's stringent controls over non-governmental organizations (NGOs).

II. Data available from official sources at the national and sub-national levels

1. OVD-Info actively extracts data from official websites, including court decisions, news, and press releases.
2. Access to official data in Russia, like government records and judicial documents, is challenging. The non-publication of many court decisions, including sensitive cases like treason or anti-war statements, limits judicial transparency. While we do not contest censorship related to the well-being of victims or minors, often censorship lacks clear motivation.
3. Additionally, in matters concerning minors, Commissions on Juvenile Affairs frequently do not publish any case law and often fail to publish related statistical data (whether the Commission publishes statistics varies greatly from region to region). While the lack of publication is relevant for all cases decided by Commissions, we found this issue specifically pressing while trying to analyze persecution for anti-war speech.

III. Best practices in assessing offline and online civic space trends

OVD-Info data

4. Information about politically motivated prosecutions is gathered from a variety of sources. We monitor media and social networks daily, along with the websites of Russian government institutions like the Investigative Committee, prosecutor's offices, and courts. The organization then compiles news, social media posts, and analytical materials.
5. Additionally, OVD-Info receives firsthand information from individuals directly affected by political persecution, their relatives and lawyers through our bot and hotline. Further insights are obtained from other advocacy and research organizations working on related issues.
6. OVD-Info has made several of its datasets available to the public. Among them:
 - I. Politically Motivated Prosecutions: Comprehensive data on politically motivated criminal prosecutions in Russia from 2012 to 2023,¹ including a focus on anti-war views and supporting Alexei Navalny from 2016 to 2018.²
 - II. Protest-Related Data: Includes detailed information on detentions in Moscow and St. Petersburg from 2013 to 2019, and across Russia from 2020 to 2023.³

¹ Data on politically motivated prosecutions, OVD-Info. URL: <https://ovd.info/politpressing>, methodology URL: https://en.ovdinfo.org/methodology_of_the_datadet_of_politically_motivated_criminal_prosecutions#5

² Report “Каждый день Навальный”, OVD-Info. URL: <https://ovdinfo.org/articles/2018/03/23/kazhdyy-den-navalnyy>

³ Data on detentions in Moscow and St. Petersburg for 2013-2019, public dataset, Airtable. <https://airtable.com/app0AyuaUDn7wSQkd/shrYvTZg5sKhXaYWJ/tblmunpYDU37Nlr8N>

Data on detentions in Russia for 2020, public dataset, Airtable. <https://airtable.com/app0AyuaUDn7wSQkd/shrYvTZg5sKhXaYWJ>

Data on detentions in Russia for 2021, public dataset, Airtable. <https://airtable.com/app0AyuaUDn7wSQkd/shrYvTZg5sKhXaYWJ>

- III. Application of Legal Articles: Specific datasets on the enforcement of Article 20.3.3 CAO concerning army discrediting,⁴ and Article 236 of the Criminal Code, with texts of decisions from 2013-2020.⁵
- IV. Gender-Specific Data: Data on female arrests during public events in Moscow and St. Petersburg between 2013 and 2019,⁶ and on criminal cases against women after public events from 2015–19.⁷
- V. COVID-19 Pandemic Restrictions: Details on restrictions introduced across Russia and in Crimea at key points in 2020.⁸
- VI. Foreign Agents and Media Censorship: Includes “Inoteka” data on foreign agents and undesirable organizations, and a list of blocked media outlets as of April 2022.⁹
- VII. Solitary Pickets: Data on arrests for solitary picketing and administrative prosecutions of participants in 2019–20.¹⁰
- VIII. Extrajudicial Prosecution: Information on extrajudicial prosecution for anti-war stances.¹¹

7. This is not an exhaustive but only an illustrative example of the type of data OVD-Info collects and publishes. We use these datasets in our advocacy effort, reports and strategic litigation.

⁴ Is published monthly in anti-war repressions report, December report, OVD-Info. URL: <https://data.ovd.info/svodka-antivoennykh-repressiy-dekabr-2023>

⁵ Texts of decisions on the first part of Article 236 of the Criminal Code in 2013-2020, Airtable. URL: <https://airtable.com/appypIVjajdTTLyLjI/shrn4S8tRJF6dz7SA/tbIVWiJeSgotzIzIY?backgroundColor=green&viewControls=on>

⁶ Public dataset, Airtable. URL: <https://airtable.com/app1YWiNEHvkP8XPm/shrFAMbFH48D6YQSQ/tbIUotu8hA7r5dlKy?backgroundColor=green&viewControls=on>

⁷ Public dataset, Airtable. URL: <https://airtable.com/app1YWiNEHvkP8XPm/shrYBp8vTGHCTje0O/tbIARJ9kwFW6PS9X?backgroundColor=green&viewControls=on>

⁸ Public dataset, Airtable. URL: <https://airtable.com/appj7DUFguu7oP2e1/shrf6aTDk9B4eoVwy/tblsGC9vmf8vHB6Oa>

⁹ Inoteka URL: <https://inoteka.io/ino/foreign-agents-en>

¹⁰ Public dataset, Airtable. URL: <https://airtable.com/appWTxsFzdh8ZChax/shruD6LJh914qh07c/tblDIDDqtCLJXvuwl?backgroundColor=orange&viewControls=on>

¹¹ Public dataset URL: <https://airtable.com/appzVueV9fZXbqM1c/shrgSW328qH8XCahw/tblZN9hRIKZ2PnjQd>

Memorial political prisoners list

8. An independent human rights project “Support for political prisoners. Memorial” maintains a list of political prisoners, adhering to a methodology that aligns with PACE Resolution No. 1900 (2012).¹²

9. In their categorization, Memorial lists 213 political prisoners persecuted for non-religious reasons, 421 for religious reasons, and 631 individuals facing persecution without imprisonment.¹³

Other data sets

10. Analytical centre “Sova” keeps track of misapplication of anti-extremist legislation.¹⁴ Their “Unlawful Anti-Extremism” section is dedicated to monitoring and analyzing Russian laws designed to combat extremism, focusing particularly on instances where these laws are misused or abused.

11. Roskomsvoboda - organization operating in the field of digital rights protection and digital empowerment - is constantly monitoring the legislative activities of government agencies in the field of Internet regulation as well as its enforcement. They release a register of blockings and deliver the most resonant cases of restricting access to websites, tightening laws, prosecuting citizens for their online statements, abuse and leaks of personal data.¹⁵

IV. The main challenges of collecting data on civic space systematically or on a regular basis

12. Evaluating civic space trends is increasingly challenging due to government censorship and technical obstacles. The non-publication of court decisions and lack of comprehensive official statistics create a data vacuum.¹⁶ This difficulty is worsened by the design of many Russian government websites, which employ tactics to hinder automated data collection, such as blocking bulk parsing and introducing CAPTCHAs.

13. The government's internet control includes blocking NGO websites, restricting their ability to report on human rights abuses and political detentions. Despite legal appeals by organizations like OVD-Info against these restrictions, Russian courts side with the government.

V. Usage of citizen-generated data and non-official sources to collect information, including digital tools or online platforms

14. OVD-Info heavily relies on citizen-generated data and information from other independent NGOs. This is particularly evident in our datasets on arrests, where we

¹² Memorial Political Prisoners, URL:

<https://memopzk.org/list-persecuted/spisok-politzaklyuchyonnyh-bez-presleduemyh-za-religiyu/>

¹³ As of 31 December 2023

¹⁴ Sova center, URL: <https://www.sova-center.ru/static-pages/anti-about/>

¹⁵ Roskomsvoboda, URL: <https://roskomsvoboda.org/about/en/>

¹⁶ OVD-info has launched a campaign of complaints to combat non-publication. First, we have messaged the courts responsible for publication of specific decisions and then we challenges their non-compliance if the request was unsuccessful. At the current stage we have received several first instance decisions.

frequently use self-reported data from arrested and whom we provide legal defense. For the purpose of gathering this data OVD-Info maintains 24-hour hotline and bot. Additionally, our collaboration with other NGOs allows us to cross-verify information and access diverse data sources.

VI. Information collected on threats and attacks against civil society

15. Civil society faces online threats like harassment and misinformation, and offline threats including physical violence, legal harassment, detention, and financial restrictions, impacting human rights defenders, journalists, women¹⁷, children¹⁸, LGBTIQ+ individuals and others.

16. The perpetrators include state actors such as government agencies and law enforcement, as well as non-state actors like extremist groups, private corporations, and unknown assailants. Both of those are involved in extrajudicial intimidation: exclusion from organization, attacks, expulsion from educational institutions, vandalism, event cancellation, threats, harassment at work. We keep a dataset on extrajudicial persecutions (used in our reports¹⁹) but those are extremely difficult to track since authorities often do not react to these acts and do not track any information. This data is based solely on self-reported information and mass media reports.

Use of “foreign agent” and “undesirable” legislation

17. One of the areas which is regularly monitored by civil society is the application of “foreign agents” legislation. OVD-Info monitors the number and prosecutions continuously. For this purpose, we have created Inoteka project in cooperation with Mass Media Defence Centre.²⁰ Within the framework of the Inoteka project, we track the practice of enforcing the foreign agency laws and talk about their influence on the civil society and certain people.

¹⁷ Violations of the Right to Peaceful Assembly for Women and Girls in Russia from 2010 to 2020, OVD-Info. URL:

https://en.ovdinfo.org/violations-right-peaceful-assembly-women-and-girls-russia-2010-2020?_gl=1*1bitz5k*_ga*ODg4OTM2OTc3LjE2OTQ3NzU4MTA.*_ga_J7DH9NKJ0R*MTcwMzc1MDI2Mi4xOS4xLjE3MDM3NTA3MjkuNjAuMC4w

Older women and freedom of assembly in Russia, OVD-Info. URL:

https://en.ovdinfo.org/older-women-and-freedom-assembly-russia?_gl=1*osjwcj*_ga*ODg4OTM2OTc3LjE2OTQ3NzU4MTA.*_ga_J7DH9NKJ0R*MTcwMzc1MDI2Mi4xOS4xLjE3MDM3NTA0NjkuNDIuMC4w#1

¹⁸ The Report on Civil Rights and Freedoms of Children, OVD-Info. URL:

https://en.ovdinfo.org/report-civil-rights-and-freedoms-children?_gl=1*1lq9sei*_ga*ODg4OTM2OTc3LjE2OTQ3NzU4MTA.*_ga_J7DH9NKJ0R*MTcwMzc1MDI2Mi4xOS4xLjE3MDM3NTA3MzguNTEuMC4w#1

¹⁹ Apology Videos and More: Post-Full-Scale Invasion Analysis of Extrajudicial Pressure Tactics, OVD-Info. URL:

https://en.ovdinfo.org/apology-videos-and-more-post-full-scale-invasion-analysis-extrajudicial-pressure-tactics?_gl=1*1k03kx1*_ga*ODg4OTM2OTc3LjE2OTQ3NzU4MTA.*_ga_J7DH9NKJ0R*MTcwMzc1MDI2Mi4xOS4xLjE3MDM3NTEwNjAuNDEuMC4w#1

²⁰ Inoteka. URL: <https://inoteka.io/ino/foreign-agents>

18. Currently,²¹ there are 879 foreign agents and undesirable organisations.²² Many of “foreign agents” and “undesirable” NGOs were and are involved in data collection on their respective fields in Russia. This targeting of NGOs severely restricts civic space.

Forced dissolutions of NGOs

19. From 2015 to 2023, at least 46 Russian NGOs were dissolved by court decision.²³ Russian authorities dissolve civil society organizations on various grounds, including violation of the law on “foreign agents”. More than 100 entities had to self-dissolve or reorganize due to the “foreign agent” status.²⁴ We track information on forced dissolution and keep dedicated datasets.

Persecution of LGBTIQ+ people and LGBTIQ+ related organisations

20. OVD-Info does not collect the information on prosecution of LGBTIQ+ people and LGBTIQ+ related organisations specifically. However, we report on individual cases.

21. Currently, the collection of data within this sphere is complicated by persecution of any organisation operating within this mandate. On November 30, 2023, the Supreme Court of the Russian Federation satisfied the claim of the Ministry of Justice of the Russian Federation to ban and recognize the “LGBT International Movement” as an extremist organization. While so far²⁵ there is no information on initiated criminal cases for “participation” or “organizing” this “International Movement” immediately after the recognition police has raided several gay clubs in Moscow²⁶ and in Yekaterinburg²⁷. In the aftermath legal human rights defense project for LGBTIQ+ people “Delo” self-dissolved in concern of prosecution:²⁸

²¹ 31 December 2023.

²² Inoteka. URL:

https://inoteka.io/ino/foreign-agents-en?_gl=1%2A13esfsp%2A_ga%2AMzY3MDUwMTIxLjE3MDI5OTU0MjE.%2A_ga_J7DH9NKJ0R%2AMTcwMjk5Nzc3MS4yLjEuMTcwMjk5NzgyMC4xMS4wLjA

²³ See OVD-Info’s database. URL: <https://airtable.com/shrxnPxpbcb4rZhOF/tblN7wCbf3umVhOju>

²⁴ “Information on the Russian Federation for the 134-136th sessions of the UN Human Rights Committee”, 11 September 2022, OVD-Info. URL:

https://ovdinfo.org/https://reports.ovdinfo.org/information-russian-federation-134th-session-un-human-rights-committee?_gl=1*570g5s*_ga*MTg3ODcxMTEzMi4xNjM2Nzk3MzY0*_ga_J7DH9NKJ0R*MTY4Nzc3NDA4Ny4yMTIuMS4xNjg3Nzc0MjYwLjEzLjAuMA

²⁵ Relevant on 16.12.2023

²⁶ “Police conducted raids on Moscow clubs where LGBTQ parties were held. After the “LGBT movement” was banned in Russia” Meduza, URL:

<https://meduza.io/news/2023/12/02/politsiya-provela-reydy-v-klubah-moskvy-gde-prohodili-lgbt-vecherinki>

²⁷ Report, OVD-Info Live. URL: <https://t.me/ovdinfo/27119>

²⁸ DELO +. URL: <https://delo-lgbt.online/>

Treatment of human rights defenders and lawyers

22. OVD-Info does not collect the information on prosecution of human rights defenders and lawyers specifically, however, we report on individual cases.²⁹ Several lawyers and attorneys were recognized as “foreign agents”³⁰ Since the start of the full-scale invasion of Ukraine, Russian authorities have been prosecuting lawyers and human rights defenders for anti-war expressions and professional activities.³¹

VII. Measures taken by the Russian authorities

23. As a human rights and media project with a focus on freedom of assembly and freedom of speech, our expertise lies primarily in assessing the openness of information and data gathering related to Goal 16 of the 2030 Agenda for Sustainable Development.

24. In the context of Russia, the federal statistical agency does present statistics related to the Sustainable Development Goals.³² However, when it comes to Goal 16, there are significant gaps and limitations in the data. The metrics used to measure progress under Goal 16 are not fully representative of the rule of law. They are primarily quantitative, sourced from the federal penitentiary system, and focus on aspects like the number of officers in the penitentiary. This approach overlooks qualitative metrics that are crucial for a comprehensive understanding of justice and institutional accountability.

25. Notably, there is an absence of official state-provided statistics on civil society and persecutions, which are critical components of Goal 16.

²⁹ See Input to the report of the Special Rapporteur on human rights defenders to the Human Rights Council on child and youth human rights defenders, OVD-Info. URL: <https://advocacy.ovd.info/input-report-special-rapporteur-human-rights-defenders-human-rights-council-child-and-youth>

³⁰ Including Valeria Vetoshkina, Ivan Pavlov, Mikhail Benyash, Galina Arapova, Pavel Chikov, Olimpiada Usanova, Maxim Olenichev.

³¹ Among others Maria Bontsler, Dmitry Talantov, Oleg Orlov, Svetlana Anokhina, Navalny lawyers Vadim Kobzev, Alexey Liptser and Igor Sergunin.

³² National set of indicators of sustainable development goals, Federal State Statistics Service. URL: <https://rosstat.gov.ru/sdg/national>

VIII. Conclusion and recommendations

To address the challenges faced by civil society and align with the objectives of the United Nations' 2030 Agenda for Sustainable Development, the following recommendations are proposed:

1. **Comprehensive Publication of Court Decisions:** It is recommended that all states ensure the full publication of court decisions.
2. **Detailed and Aggregated Statistical Reporting:** States should be encouraged to publish detailed and aggregated statistics related to legal proceedings, civic activities, and governmental actions.
3. **Protection and Support for NGOs:** States should commit to ending the prosecution and legal harassment of non-governmental organizations (NGOs).
4. **Review and Reform Restrictive Legislation:** It is advisable for states to review and reform laws that unfairly target civil society organizations, such as those pertaining to "foreign agents" and "undesirable organizations."