



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I would like to inform you that in the course of its 102<sup>nd</sup> session, the Committee on the Elimination of Racial Discrimination considered under its Early Warning and Urgent Action Procedure allegations of judicial harassment of a non-governmental indigenous organization working on the promotion and the protection of the rights of indigenous peoples in the Russian Federation.

It is alleged that the Minister of Justice of the Russian Federation introduced a request accusing this non-governmental organization of violating the “Foreign Agent Law”, including by keeping an outdated address, outdated provisions in its Charter and or failing to report to the Ministry of Justice. On 6 November 2019, the Moscow City Court reportedly rendered a decision with effect to terminate the activities of that organization.

The submission also alleges that irregularities the organization was accused of were formal in nature and could have been rapidly corrected. However, the Court allegedly refused to give any time for corrections. Therefore, the submission further alleges that the Court’s decision was disproportionate, and not in accordance with the jurisprudence of the Supreme Court of the Russian Federation.

According to further information received, on 3 March 2020, the First Appellate Court upheld the decision of the Moscow City Court and the case went to the Cassation Court.

The Committee recalls that in its concluding observations of 2017 (CERD/C/RUS/CO/23-24, 2017, paras. 11-12), it raised concerns with the State party about “the continuous classification of some non-governmental organizations (NGOs) as foreign agents, which could have a negative impact on their operational activities and in some instances has led to their closure” [...] It recommended that “that the Federal laws on Non-commercial Organizations and on “Undesirable Organizations” be

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reviewed to ensure that NGOs, including those working with ethnic minorities, indigenous peoples, non-citizens and other vulnerable groups that are subjected to discrimination, are able to carry out their work effectively to promote and protect, without any undue interference, the rights contained in the Convention”.

In accordance with Article 9(1) of the Convention and article 65 of its Rules of Procedure, the Committee requests that the State party submit information on all of the issues of concern outlined above by 31 March 2021, as well as on any action already taken to address them. In particular, it requests that the State party provide information on: a) the outcome of the case that is pending before the Cassation Court; b) measures taken to review the Federal Agent Law and; c) whether the non-organization whose activities have been terminated could correct the irregularities found, so as to resume its activities after the legal proceedings are terminated.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of the Russian Federation, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,



Yanduan Li  
Chair

Committee on the Elimination of Racial Discrimination