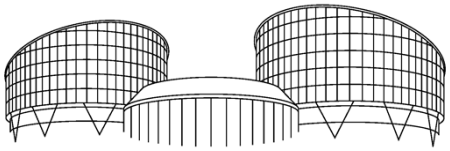

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

CASE OF KOBALIYA AND OTHERS v. RUSSIA

(Applications nos. 39446/16 and 106 others – see appended list)

JUDGMENT

Art 10 and Art 11 • Freedom of expression • Freedom of association • Expanded application of "foreign agents" legislation to media organisations, journalists, activists and other individuals • Vague and unpredictable criteria for "foreign agent" designation leading to arbitrary application • Absence of "relevant and sufficient" reasons for designating applicants as "foreign agents" • Lack of "pressing social need" for burdensome labelling requirements on all public communications • Stigmatising effect of mandatory "foreign agent" label chilling public discourse and civic engagement • Disproportionate and excessive fines for non-compliance with labelling rules • Forced dissolution of NGOs as extreme sanction for alleged violations • Expanded "foreign agents" framework incompatible with pluralism and "not necessary in a democratic society"
Art 8 • Private life • Multiple and unjustified repercussions on individual applicants' private and professional life as a result of their designation as "foreign agents" • Publication of applicants' personal data on Ministry of Justice website not serving any public interest • Obligation to submit frequent and detailed reports on personal income and expenses exceeding what could be considered necessary to ensure transparency • Broad restrictions on the exercise of certain professions including teaching minors and writing for the youth unjustified

Prepared by the Registry. Does not bind the Court.

STRASBOURG

22 October 2024

FINAL

22/01/2025

This judgment has become final under Article 44 § 2 of the Convention.
It may be subject to editorial revision.

In the case of Kobaliya and Others v. Russia,

The European Court of Human Rights (Third Section), sitting as a Chamber composed of:

Pere Pastor Vilanova*, President*,
Jolien Schukking,
Georgios A. Serghides,
Peeter Roosma,
Ioannis Ktistakis,
Oddný Mjöll Arnardóttir,
Diana Kovatcheva*, judges*,
and Olga Chernishova, *Deputy Section Registrar,*

Having regard to:

the one hundred and seven applications against the Russian Federation lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by individual applicants and applicant organisations ("the applicants") on the dates listed in the appendix;

the decision to grant interim measures under Rule 39 of the Rules of Court in applications nos. 49654/20 and 53756/20 (see *Ecodefence and Others v. Russia*, nos. 9988/13 and 60 others, § 11, 14 June 2022);

the decision to give priority under Rule 41 of the Rules of Court to applications nos. 27874/19, 49654/20, 53756/20 and 19659/21;

the decision to give notice to the Russian Government ("the Government") of the complaints concerning the applicants' designation as "foreign agents", the applicable additional requirements, the ensuing restrictions on the individual applicants' private life and the related issues, and to declare inadmissible the remainder of the applications;

the observations submitted by the parties;

the comments submitted by the Latvian Government under Article 36 § 1 of the Convention in applications nos. 52486/22 and 33425/23;

the comments submitted by ARTICLE 19, who was granted leave to intervene by the President of the Section in applications nos. 27874/19 and 19659/21 (Article 36 § 2 of the Convention);

the decision by the President of the Section to appoint one of the elected judges of the Court to sit as an *ad hoc* judge, applying by analogy Rule 29 § 2 of the Rules of the Court (see *Kutayev v. Russia*, no. 17912/15, §§ 5-8, 24 January 2023);

Having deliberated in private on 1 October 2024,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The present case concerns restrictions on the rights of Russian non-governmental organisations (NGOs), media organisations and

individuals designated as "foreign agents". The applicants complain that the statutory requirements introduced by the "foreign agent" legislation and the practice of its application have constituted restrictions on their freedom of expression and association, which are impermissible under Articles 10 and 11 of the Convention. They further allege that these measures have violated the individual applicants' right to respect for private life under Article 8 and that all applicants have been discriminated against and subjected to restrictions for purposes other than those prescribed in the Convention, in breach of Articles 14 and 18 of the Convention.

THE FACTS

2. The facts of the case may be summarised as follows.

I. "FOREIGN-AGENT" NGOs

3. In 2012, a series of amendments to Russian legislation concerning NGOs was enacted. They required Russian NGOs which were deemed to engage in "political activity" and receive "foreign funding" to seek registration as "foreign agents", under the threat of administrative and criminal sanctions. Additionally, these NGOs were required to label their publications with a notice indicating that they originated from a "foreign-agent" organisation, to publish information regarding their activities online and to comply with more extensive accounting and reporting obligations (see, for details, *Ecodefence and Others*, cited above, §§ 15-35).

4. The first group of applicants comprises civil society organisations that were fined under Article 19.34(1) of the Code of Administrative Offences ("the CAO") for failing to register as a "foreign agent" or to apply for inclusion in the register of foreign agents. These applicants include, among others, Esvero Partnership for Support of Public-Health Initiatives (no. 14380/18), Kolsky Environmental Centre (no. 15236/18), Silver Taiga Sustainable Development Foundation (no. 21409/18), Russian Lorry Drivers Association (no. 4100/19), Vybor Association (no. 16148/19) (see the appendix for details). In certain cases, the directors or chairpersons of these organisations were also personally fined under the same provision, such as the domestic-violence organisation Nasiliyu.Net and its director, Anna Valeryevna Rivina (no. 12583/22), and an HIV-service organisation We Are against AIDS and its chairperson, Yuliya Burdina (no. 31314/22). The fines were imposed notwithstanding the organisations' arguments that their activities did not amount to "political activity" as defined by the Foreign Agents Act or that they had undertaken reasonable measures to avoid receiving foreign funding (see, for instance, the case of independent election monitor League of Voters Foundation, no. 49411/21).

5. The second group of applicants comprises NGOs and their staff members who were fined pursuant to Article 19.34(2) of the CAO for alleged violations of the "labelling requirements", which mandate that "foreign-agent" NGOs must indicate that any published or shared content originates from a "foreign-agent" organisation. For example, Yuriy Shirokov (no. 41535/17) was fined 50,000 roubles (RUB, approximately 750 euros (EUR)) for sharing two reports from an international environmental conference on an ecology website without the "foreign agent" label. Man and Law Regional Association (no. 18995/17), along with Woman's World (no. 14412/20) and its director, were fined RUB 150,000 (approximately EUR 4,000) for posts on their directors' private blogs and social media accounts. Andrey Rudomakha (no. 51487/18), the coordinator of North Caucasus Environment Watch, was fined RUB 100,000 (approximately EUR 1,500) for publishing an unlabelled obituary. Yekaterinburg Memorial (no. 19160/21) was fined RUB 300,000 (approximately EUR 3,300) for allegedly failing to label banners and information stands at a public event commemorating victims of political repression. International Memorial (no. 49654/20) and its chairman were fined RUB 500,000 and RUB 300,000 (approximately EUR 6,400 and EUR 3,800), respectively, for distributing books without the "foreign agent" notice at a book fair.

6. Repeated or accumulating violations of the labelling requirements resulted in larger fines. International Memorial received nine fines totalling RUB 2,800,000 for unlabelled social media posts, while its chairman was fined an additional total of RUB 900,000 for the same violations. Memorial Human Rights Centre (no. 53756/20) was fined a total of RUB 1,200,000 in four separate cases for unlabelled accounts on various online platforms and its chairman, Aleksandr Cherkasov, was fined an additional total of RUB 400,000 for the same violations. The largest fines were imposed on Radio Free Europe/Radio Liberty ("RFL/RE", no. 19659/21) and its director general, who were fined a total of RUB 948.8 million (approximately EUR 16 million) in 1,044 cases for violations of labelling requirements.

7. The domestic authorities invoked alleged violations of labelling requirements to seek and obtain the dissolution of the applicant NGOs. On 28 and 29 December 2021 the Supreme Court of the Russian Federation and the Moscow City Court, respectively, granted the prosecutor's applications for the liquidation of the applicant organisations, International Memorial and the Memorial Human Rights Centre, along with their field offices. The courts found that the organisations had committed "gross and repetitive" violations of the "foreign agent" labelling requirements. By "concealing [their] foreign-agent status," the organisations had failed to ensure the "transparency of [their] activities," hindered "proper public scrutiny of [their activities]," and infringed upon "the right of citizens to receive reliable information about [their] activities," thereby flagrantly violating Russian law (see *Ecodefence*

and Others, cited above, §§ 10-14). Alleged non-compliance with labelling requirements was also cited among the reasons for the liquidation of other applicant organisations, including the Movement For Human Rights (no. 64060/19) and the League of Voters Foundation (no. 49411/21).

II. "FOREIGN-AGENT" MEDIA ORGANISATIONS

8. In 2017 a new category of "foreign-agent media organisations" was created, granting the Ministry of Justice the authority to designate any foreign media organisation as a "foreign agent" if it has received funds or other assets from any foreign entity or national, directly or via another Russian entity. Media organisations designated as "foreign agents" were subject to the same requirements as NGOs designated as "foreign agents", including additional reporting and labelling requirements. The first organisations to be included in the new register were Voice of America, the Current Time television channel and RFE/RL (no. 19659/21) and six of its media projects.

9. This was followed by a new amendment in 2019 that allowed for the designation of individuals, such as journalists, bloggers, content creators, human rights campaigners and opinion makers, as "foreign agents" if they distributed materials from "foreign agent" media organisations or participated in their creation while receiving funds or assets from abroad or from the "foreign agent" media organisations themselves. Individuals designated as "foreign agents" were required to label all disseminated messages and materials, including on personal social media, with a "foreign-agent" notice. Additionally, they were required to submit reports on their activities and financial expenditure reports, including personal expenses, to the Ministry of Justice.

10. The first individuals to be designated as "foreign agents" were journalists involved with RFE/RL and its media projects: Lyudmila Savitskaya (no. 47149/22), Denis Kamalyagin (no. 57022/22) and Sergey Markelov (no. 47602/22). The Ministry of Justice cited their receipt of funds from RFE/RL, their involvement with media projects already labelled as "foreign agents" and their activities on social media as grounds for their designation. Furthermore, Darya Apakhonchich (no. 46439/22), a women's rights advocate, was designated for her feminist activism, along with Lev Ponomarev (no. 64060/19), a prominent human rights defender and executive director of the Movement for Human Rights, which was fined and ultimately liquidated for alleged breaches of the "foreign-agent" legislation.

11. After the grounds for designating individuals as "foreign agents" were further expanded in late 2020 to include not only media publications but also political activities, the Ministry of Justice, over the following two years, added over one hundred individuals to the register of "foreign agents". This included more than thirty applicant journalists, editors and media managers, many of whom were employed by RFE/RL media projects or engaged in

political or investigative journalism: Yelizaveta Mayetnaya (no. 55462/22), Ilya Rozhdestvenskiy (no. 56066/22), Olga Churakova, Yuliya Apukhtina, Roman Badanin, Sofya Groysman, Yuliya Lukyanova, Mikhail Rubin, Daniil Sotnikov and Mariya Zheleznova (no. 10368/23), Dmitriy Velikovskiy (no. 41296/22), Yelizaveta Surnacheva (no. 19848/23), Roman Perl (no. 25731/23), among others; see the appendix for further details. The grounds for their designation included receiving grants or salary from "foreign agent" media organisations such as RFE/RL, social media activity aimed at disseminating information to wide audiences and alleged instances of sharing materials from, and participating in creating content for, "foreign agent" media outlets.

12. Another group of applicants designated as "foreign agents" included independent election monitors and regional coordinators of the Golos movement: Artem Vazhenkov (no. 26751/22), Vladimir Zhilinskiy (no. 34158/22), Veronika Katkova (no. 34737/22), Inna Karezina (no. 41298/22), Mikhail Tikhonov (no. 19395/23), Aleksandr Grezev (no. 19423/23), Aleksandr Lyutov (no. 21786/23), Lyudmila Kuzmina (no. 22965/23), Yekaterina Kiltau (no. 28961/23), Vladimir Zhilkin (no. 33050/23), Vladimir Yegorov (no. 35789/23) and Vitaliy Kovin (no. 578/24). Their activities in election monitoring, blogging, media appearances and social media presence were deemed "political activities". The Ministry of Justice also noted instances where they shared or participated in the creation of content for media outlets already designated as "foreign agents".

13. The other designated applicants included lawyers Galina Arapova (no. 33592/23), Ivan Pavlov (no. 36815/22), Valeriya Vetoshkina (no. 31356/23) and Viktor Vorobyev (no. 19172/23); women's rights campaigner Veronika Nikulshina (no. 30434/23); and prominent individuals with a significant social media presence, such as contemporary art collector Marat Gelman (no. 54396/22), political scientist Yekaterina Shulman (no. 19394/23), playwright and satirist Viktor Shenderovich (no. 28810/23) and interviewer Yuriy Dud (no. 40243/23), among others. Immediately after their designation, many of them were issued fines for non-compliance with the labelling requirements.

14. Following the enactment of the requirement that any public mention of "foreign agent" organisations or individuals be accompanied by an indication of their "foreign agent" status, three applicants – Galina Chudinova (no. 36373/22), Sergey Mameyev (no. 40319/22) and OOO Memo (no. 49822/22) – were fined for either mentioning "foreign agent" organisations without such indication or reposting their materials.

III. CODIFICATION AND EXTENSION OF "FOREIGN-AGENT" RESTRICTIONS

15. In 2022 a new law on control over the activities of persons under foreign influence established a comprehensive framework for defining and regulating "foreign agents" in Russia. This framework applied to all previously designated entities, including non-governmental organisations, media organisations and individuals, encompassing all the applicants so designated. The law dispensed with the previously used official term of an organisation or individual "performing the functions of a foreign agent", replacing it with the term "foreign agent".

16. The law expanded the scope of limitations placed on "foreign agents" concerning their ability to participate in various aspects of public, professional and economic life. Firstly, it restricted their political and civic participation by banning them from holding any public office, whether in an elected, appointed or advisory role, supporting any candidates or campaigns and financing or organising any public events. Secondly, it imposed professional and occupational restrictions, prohibiting them from operating critical information infrastructure, accessing jobs involving State secrets, teaching in State and municipal educational institutions or providing any instruction to minors. Books and publications by "foreign agents" should be sold in opaque packaging marked with "18+" age restriction label, owing to a prohibition on producing information products for minors. In addition to the pre-existing ineligibility for State financial and other property support, the law has excluded "foreign agents" from participating in public procurement and has introduced a ban applicable to all entities under Russian jurisdiction, both public and private, on placing advertising in media products created by "foreign agents", such as their YouTube channels.

RELEVANT LEGAL FRAMEWORK AND MATERIAL

I. DOMESTIC LAW

A. "Foreign-agent" NGOs

17. For the original version of the "foreign-agent" legislation applicable to NGOs and its initial evolution, see *Ecodefence and Others v. Russia*, nos. 9988/13 and 60 others, §§ 15-40, 14 June 2022.

B. "Foreign-agent" media organisations and individuals

18. Federal Law no. 327-FZ of 25 November 2017 amended section 6 of the Mass Media Act, no. 2124-1 of 27 December 1991, by introducing the definition of a "foreign media organisation performing the functions of a

foreign agent". A "foreign-agent" media organisation was defined as a foreign entity, whether incorporated or not, that "distributed printed, audio, audiovisual or other communications and materials intended for an unrestricted audience" and received funding or assets from foreign sources, either directly or through Russian entities. "Foreign-agent" media organisations were subjected to the same obligations as "foreign-agent" NGOs.

19. Federal Law no. 426-FZ of 2 December 2019 further amended section 6 of the Mass Media Act by expanding the definition of "foreign-agent" media organisations to include individuals ("natural persons", *физические лица*). Additionally, it introduced a new ground for the "foreign-agent" designation: individuals or Russian legal entities could be designated as "foreign agents" if they were involved in the creation or dissemination of publications produced or distributed by "foreign media" organisations or by Russian legal entities established by "foreign-agent" media organisations. The law also added a new section, section 25.1, which requires designated foreign entities and individuals to establish a Russian legal entity within one month of their designation; this entity would be entered into the "foreign agents" register and must comply with the obligations applicable to a "foreign agent" NGO. Furthermore, all materials distributed by a "foreign-agent" media organisation or its Russian legal entity must be clearly labelled as originating from a "foreign agent" and any distribution without the required labelling is prohibited.

20. On 23 September 2020 the Russian telecoms and media regulator Roskomnadzor issued Order No. 124, establishing requirements for labelling materials produced or disseminated by "foreign agent" media organisations. The Order mandated that all such materials were to be accompanied by a text or audio notice indicating that "the content was created and/or disseminated by a foreign media outlet or Russian legal entity performing the functions of a foreign agent". The notice was to be prominently displayed, using the font size being twice that of the main text for print and online materials and covering at least twenty per cent of the image for audiovisual content. It had to be placed at the beginning of each message or material, and for audio and audiovisual content it also had to appear after any interruptions, lasting at least fifteen seconds.

C. "Foreign-agent" unregistered associations and individuals

21. Federal Law no. 481-FZ of 30 December 2020 included unregistered public associations that engaged in "political activities" and received money from "foreign sources" alongside "foreign-agent" NGOs (section 3, adding new section 29.1 to the Public Associations Act, no. 82-FZ of 19 May 1995). The law also extended the regulations applicable to individual media professionals to any individual, regardless of nationality, who engages in

political activity in Russia or deliberately collects information concerning its military capabilities and receives money or assets from foreign sources (section 5, adding new section 2.1 to the Federal Law on Measures in respect of Persons Involved in a Breach of Fundamental Human Rights and Freedoms, Rights and the Freedoms of Nationals of the Russian Federation, no. 272-FZ of 28 December 2012). Individuals designated as "foreign agents" were required to submit a report on their activities and personal expenditure every six months and to label all their communications with the "foreign agent" notice.

22. The law further amended section 4 of the Mass Media Act to prohibit mass media and internet publications from mentioning any "foreign-agent" organisations, entities or individuals or from sharing their materials, without including a notice indicating their "foreign-agent" status (section 1).

D. Foreign Agents Act of 2022

23. Federal Law No. 255-FZ of 14 July 2022 repealed and replaced all previous "foreign agent" legislation.

24. A "foreign agent" was defined as any Russian or foreign entity, whether incorporated or not, or any Russian or foreign natural person who "has received support and/or is under foreign influence in other forms" and has engaged, in particular, in "political activities, the purposeful collection of information in the field of military and military-technical capabilities of the Russian Federation, the creation and dissemination of any information intended for an unrestricted audience or participation in the creation of such information". Forms of political activity included, among others, participation in public events, making appeals to public authorities, conducting opinion polls and expressing opinions about the decisions and policies of the authorities (sections 1 and 4).

25. "Foreign influence" was defined to include "support from a foreign source", which could encompass the provision of money, assets or assistance in organisational matters, methodological guidance, scientific and technical support and "the exercise of influence, including by means of coercion, persuasion and other methods" (section 2).

26. "Foreign sources" were defined to include foreign States and their bodies, international and foreign organisations, foreign nationals and stateless persons, unincorporated foreign entities, Russian entities and individuals receiving money or other assets from such foreign sources, Russian entities with foreign beneficiary owners and "any person under the influence" of the aforementioned entities or individuals (section 3).

27. The Ministry of Justice maintains a public register of "foreign agents". The information from the register concerning "foreign agent" individuals that was to be published online included their full names, pseudonyms, previous names, dates of birth, taxpayer identification numbers, social security

numbers and the grounds for their inclusion in the register (section 5; Order of the Government of the Russian Federation no. 3417-r of 10 November 2022, as amended on 18 May 2024; and Order of the Ministry of Justice no. 307 of 29 November 2022).

28. "Foreign agents" were required to disclose their status when engaging in political activities, including when addressing public authorities, educational institutions or other organisations. All materials produced or disseminated by "foreign agents" or their founders, members or participants, whether through mass media or online, must be labelled as originating from a "foreign agent" (section 9, paragraphs 1 to 5). The label must indicate that "this material (information) is produced, disseminated, and/or directed by foreign agent [name] or relates to the activities of foreign agent [name]" (Order of the Government of the Russian Federation no. 2108 of 22 November 2022).

29. "Foreign agents" were prohibited from holding any public office, whether elected or appointed, from employment in civil service and from participating in election commissions. The mandates of individuals who were designated as "foreign agents" after being elected to public office were to be terminated within 180 days of such designation (paragraph 1). "Foreign agents" may not participate in public commissions or committees, advisory, consultative or expert boards established under public authorities (paragraph 3), nominate candidates to prison monitoring boards (paragraph 4), conduct independent anti-corruption assessments of draft regulations (paragraph 5), support any election campaigns or make political donations (paragraphs 6 and 8), and organise or finance public events and demonstrations (paragraph 7).

30. "Foreign agents" were prohibited from educating minors or holding positions in State or municipal educational institutions (paragraph 9). They were also prohibited from producing any content intended for minors (paragraph 10).

31. "Foreign agents" were made ineligible to participate in public procurement or receive any State support, financial or otherwise, including arts grants (paragraphs 11 and 12). Deposits held by "foreign-agent" entities became not insurable (paragraph 13); they were not eligible for simplified tax filing or accounting (paragraphs 14 and 15) and they could not invest in, or operate, critical information infrastructure (paragraphs 16 and 17). They were also specifically prohibited from providing expert opinions on environmental issues or engaging in environment impact assessment (paragraphs 18 and 19). Russian entities were prohibited from advertising in "foreign agent" media organisations (paragraph 20).

32. Violations of these rules by "foreign agents" carried criminal and administrative-offence liability, as well as the potential liquidation of a legal entity for repeated breaches, the possibility of an injunction to cease specific

activities or the blocking of access to the "foreign-agent" web resources (section 12).

E. Code of Administrative Offences

33. Article 19.34, in its original wording, provided for fines of RUB 100,000 to 300,000 for officials and RUB 300,000 to 500,000 for legal entities for carrying out activities as a "foreign agent" non-commercial organisation without being included in the register of "foreign agents" (paragraph 1) and for failing to label materials produced, distributed or submitted to State bodies, local authorities, educational or other organisations as originating from a "foreign agent" organisation (paragraph 2). Article 19.7.5-2 provided for a warning or fines of RUB 10,000 to 30,000 for officials and RUB 100,000 to 300,000 for legal entities for failing to submit, submitting late or submitting incomplete or distorted information required from a "foreign agent" organisation.

34. Article 19.34.1, introduced on 16 December 2019, provided for fines of RUB 10,000 for individuals, RUB 50,000 for officials and RUB 500,000 for legal entities for failing to comply with the legal requirements applicable to "foreign agent" media (paragraph 1), committing repeated violations of those requirements (paragraph 2) and committing "gross violations" of the requirements applicable to "foreign agent" media organisations (paragraph 3). For repeat offences, the fines were increased to RUB 50,000 for individuals, RUB 100,000 for officials and RUB 1,000,000 for legal entities (paragraph 2). In cases of a "gross violation", legal entities were liable to a fine of RUB 5,000,000 (paragraph 3).

35. The new Article 19.34, which replaced the above provisions from 29 December 2022, provided for fines of RUB 30,000 to 50,000 for individuals, RUB 100,000 to 300,000 for officials and RUB 300,000 to 500,000 for legal entities for carrying out activities as a "foreign agent" without being included in the register (paragraph 1); failing to submit, submitting late or submitting incomplete or distorted information required by the "foreign agent" legislation (paragraph 2); failing to disclose "foreign agent" status as required by law (paragraph 3); failing to label materials or information produced or disseminated by a "foreign agent" as originating from a "foreign agent" (paragraph 4); violating reporting requirements (paragraph 6); failing to establish a Russian legal entity as required (paragraph 7); and violating other restrictions related to "foreign agent" status (paragraph 8).

36. Article 13.15, in paragraphs 2.1 to 2.4, which were introduced on 24 February 2021 and subsequently merged into paragraph 2.1, provided for fines of RUB 2,000 to 2,500 for individuals, RUB 4,000 to 5,000 for officials and RUB 40,000 to 50,000 for legal entities, for disseminating information

about "foreign agents" or materials produced by "foreign agents" without indicating their status as a "foreign agent".

F. Criminal Code

37. Article 330.1 of the Criminal Code (with latest changes of 29 December 2022) provides for criminal sanctions, including fines of up to RUB 300,000, compulsory work, correctional labour and deprivation of liberty for up to two years, that may be imposed for the repeated commission – more than twice within one year – of any "foreign-agent" offences established under Article 19.34 of the CAO. Failure to comply with obligations concerning registration as "foreign agent" by a person who collects data relating to "the field of military, military-technical activity of the Russian Federation that at their reception by foreign sources could be used against safety of the Russian Federation" is punishable by fines up to RUB 300,000, compulsory labour or imprisonment for up to five years.

II. COUNCIL OF EUROPE

A. Committee of Ministers

38. Recommendation CM/Rec(2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe, taking into account "the essential contribution made by non-governmental organisations (NGOs) to the development and realisation of democracy and human rights, in particular through the promotion of public awareness, participation in public life and securing the transparency and accountability of public authorities" and bearing in mind that "the existence of many NGOs is a manifestation of the right of their members to freedom of association under Article 11 of the Convention and of their host country's adherence to principles of democratic pluralism", recommends to the governments of member States that "NGOs should enjoy the right to freedom of expression and all other universally and regionally guaranteed rights and freedoms applicable to them" and that "the legal and fiscal framework applicable to NGOs should encourage their establishment and continued operation".

B. Venice Commission

39. The European Commission for Democracy through Law (Venice Commission) issued two opinions on Russia's "foreign agents" legislation, in 2014 and 2021. For a summary of the 2014 Opinion concerning the original legislation, see *Ecodefence and Others*, cited above, § 50.

40. The relevant parts of the Opinion on the Compatibility with international human rights standards of a series of Bills introduced to the

Russian State Duma between 10 and 23 November 2020, to amend laws affecting "foreign agents", CDL-AD(2021)027-e, adopted on 2-3 July 2021, read as follows:

> "50. ... the legal definition of a 'foreign agent' is not sufficiently narrowly tailored to serve as a basis for restrictive measures that would be 'necessary in a democratic society' in order to achieve the aims of transparency or national security. With regard to the aim of transparency, the designation is more likely to undermine transparency by stigmatising entities and individuals and misleading the public about their relationship to foreign entities. With regard to the aim of national security, the designation is likely to provoke a climate of distrust, fear and hostility, instead of countering any real threat. Moreover, the reasonable fear of being designated a 'foreign agent' will presumably have a chilling effect on Russian civil society by dissuading entities and individuals from engaging in political activities broadly understood. ... Specifically, the notions of 'political activities' and 'foreign support' should be abandoned in favour of indicators that would reliably track objectionable forms of foreign interference. Alternatively, the Commission recommends repealing the legislation altogether ...
>
> 58. More generally, the expansion of the 'foreign agent' designation to unregistered public associations and a larger subset of individuals is more likely to increase the risk of entities and individuals becoming 'foreign agents' inadvertently or against their will, while further decreasing the reliability with which the designation would indicate the existence of problematic foreign influence. The Venice Commission considers the expansion of the definition of 'foreign agents' to be in violation of the principle of proportionality and necessity in a democratic society. It therefore recommends repealing the extension of the 'foreign agent' designation to unregistered public associations and a larger subset of individuals.
>
> 59. The lack of legal certainty and proportionality with regard to the scope of the 'foreign agent' designation is particularly problematic since the entire body of the 'foreign agent' legislation – including expansive obligations, restrictions and sanctions – is built upon it. Unless the prior and new breaches of the principles of legality and proportionality that stem from the current definition of the 'foreign agent' designation can be remedied, not only the designation but the entire body of 'foreign agent' legislation should be repealed ...
>
> 69. Given that the 'foreign agent' designation is stigmatising and misleading, requiring entities and individuals to attach that label to the materials they produce as part of a 'political activity' cannot be considered 'necessary in a democratic society' and is consequently disproportionate. The same conclusion applies to the fact that founders, members, leaders or staff of designated unregistered public associations must label all materials they produce or distribute as part of a 'political activity' with the stigmatising 'foreign agent' label, regardless of whether they were created as part of their work with the unregistered public association. The Venice Commission reiterates that public disclosure requirements are only 'justified in cases of political parties and entities formally engaging in remunerated lobbying activities.' Therefore, the Commission recommends repealing all public disclosure requirements on designated 'foreign agents' that go beyond these specific cases."

C. Comparative legislation referred to by the parties

41. The applicants referred, by way of example, to the National Security Act 2023 (c. 32) (Part 4, Foreign Activities and Foreign Influence

Registration Scheme). The Act introduced a registration scheme mandating individuals and entities within the United Kingdom to register "foreign activity arrangements" where such activities (or arrangements for such activities) are directed by a "foreign power" (Section 65). According to the UK Home Office Policy Paper Foreign Influence Registration Scheme factsheet, as updated on 19 August 2024 ("the Policy Paper"), "direction" is understood as an order or instruction to act where a power relationship exists between the person and the foreign power which adds an element of control or expectation, such as through a contract, payment, coercion or the promise of compensation or favourable treatment. Funding, ownership or part-ownership by a foreign power will not necessarily mean that activities are directed by a foreign power.

42. The Act also requires registration of "foreign influence arrangements" where a "foreign power" directs a person to carry out "political influence activities" in the UK (or arrange for such activities to be carried out) (Section 69). "Political influence activities" (under Section 70) involve specific activities, such as communications to senior decision makers, election candidates, MPs, certain communications to the public where the source of the influence is not already clear, or the provision of money, goods or services to UK persons, where the purpose of the activity is to influence UK public life, including elections or decisions of the Government or members of either House of Parliament or the devolved legislatures.

43. Confidential material, such as legal professional privilege or confidential journalistic material, cannot be required to be disclosed (Section 76). Certain information from the register will be made available to the public online (Section 79). The Policy Paper specifies that "certain personal details related to individuals, such as full date of birth and address, will be withheld from publication in order to protect their privacy".

III. OTHER INTERNATIONAL MATERIAL

44. For the United Nations material concerning the right of access to funding and the assessment of "foreign-agents" legislation's compatibility with Russia's international obligations, see *Ecodefence and Others*, cited above, §§ 53-57.

45. For the relevant parts of the United States Foreign Agents Registration Act (US FARA), see *Ecodefence and Others*, cited above, § 44.

IV. OPINION POLLS SUBMITTED BY THE APPLICANTS

46. A 2023 survey by the All-Russian Centre for the Study of Public Opinion revealed that Russians overwhelmingly associated the term "foreign agent" with negative connotations. The most common associations were "something unpleasant" (20%, an increase of 5 percentage points from 2022),

"traitor to the Motherland" (18%, an increase of 11 percentage points) and "spy" (9%, a decrease of 5 percentage points). Other prevalent perceptions included "enemy of the people" and someone "acting against Russia" or "working in the interests of another State". A new association had also emerged: "emigrants", referring to those who had left the country.

47. When asked to define "foreign agents", 61% of respondents defined them as "traitors spreading lies about our country for money from unfriendly States". Only 16% viewed them as advocates for citizens' rights and freedom of expression whom the authorities sought to intimidate.

48. The survey further explored the potential impact of the "foreign agent" designation on media consumption and public figures' popularity. If a media outlet of interest to respondents were to be labelled a "foreign agent", 40% indicated they would reconsider their engagement with it: 24% would cease accessing it altogether, whilst 14% would do so less frequently. Only 2% stated they would engage with such media more often, whilst for 46%, the status would not affect their interest. Similar results were observed regarding "foreign-agent" designations for singers or actors. If a favourite artist were to be given "foreign agent" status, 49% of Russians said they would alter their behaviour: 34% would completely stop watching or listening to them, 13% would do so less frequently and 2% more frequently. For 42% of respondents, such a designation would not influence their preferences regarding the artist.

49. These findings aligned with a 2022 survey by the Levada Analytical Centre, which found that 45% of respondents believed the "foreign agents" law aimed to limit Western influence, whilst 30% saw it as a tool for pressuring independent organisations.

THE LAW

I. MATTERS OF PROCEDURE

A. Joinder of the applications

50. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

B. Consequences of the Government's failure to participate in the proceedings

51. The Court further notes that the respondent Government, by failing to submit any written observations in cases communicated to them after 16 March 2022, manifested an intention to abstain from participating in their examination. However, the cessation of a Contracting Party's membership in the Council of Europe does not release it from its duty to cooperate with the

Convention bodies. Consequently, the Government's failure to engage in the proceedings cannot constitute an obstacle to the examination of these cases (see *Svetova and Others v. Russia*, no. 54714/17, §§ 29-31, 24 January 2023).

C. Representation in cases lodged after 16 September 2022

52. The Court notes that in the applications lodged after 16 September 2022, the applicants were represented by lawyers admitted to practise in Russia, a former Member State. The Court has already decided that, in the interests of administration of justice, these lawyers may continue to represent the applicants in cases lodged against that former Member State (see *Andrey Rylkov Foundation and Others v. Russia*, nos. 37949/18 and 84 others, § 72, 18 June 2024).

II. ALLEGED VIOLATION OF ARTICLES 10 AND 11 OF THE CONVENTION

53. The applicants complained that the restrictions imposed by the "foreign-agent" legislation, as well as the fines for alleged non-compliance, violated their rights to freedom of expression, association and assembly as guaranteed under Articles 10 and 11 of the Convention. The relevant parts of these Articles read as follows:

Article 10

"1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority ...

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others ..."

Article 11

"1. Everyone has the right to freedom ... of association with others ...

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others ..."

54. The Court reiterates that there is a close connection between the freedoms of expression and association. As it recognised in the above-cited judgment of *Ecodefence and Others v. Russia*, the protection of opinions and the freedom to express them are the objectives of the freedom of association (§ 72). In that case, which involved non-governmental organisations and their directors or presidents, the Court decided to examine the complaints under

Article 11 of the Convention, interpreted in light of Article 10, insofar as the application of restrictive measures to the applicant associations had been, at least in part, a reaction to their views and statements. However, since the applicants in the present case include not only associations but also individuals designated as "foreign agents" whose rights to freedom of expression and assembly were severely restricted following their designation, the Court will examine the complaints simultaneously under both provisions, whose guarantees largely overlap in this context.

A. Admissibility

55. The Court observes that the facts constituting the alleged interference with the applicants' Convention rights, including their designation as "foreign agents" or their conviction of "foreign-agent" offences, occurred prior to 16 September 2022, the date on which the Russian Federation ceased to be a party to the Convention. The Court therefore has jurisdiction to examine this complaint (see *Pivkina and Others v. Russia* (dec.), nos. 2134/23 and 6 others, §§ 75-76, 6 June 2023).

56. The Government submitted that the application by Mr Mikushin (no. 73715/17, lodged on 5 October 2017) was belated. A copy of the Supreme Court's decision of 10 May 2016 had been sent to him on 13 May 2016 and then again, in response to his request, on 24 November 2016. The Government argued that he may not have received it because he had specified an incorrect zip code. Mr Mikushin responded that the Government had not provided sufficient evidence of having sent the decision and asserted that the discrepancy in the zip code was not decisive for proper delivery. The Court notes that Mr Mikushin's organisation's conviction of a "foreign-agent" offence was upheld at final instance on 20 April 2015, more than two years before his application was lodged with the Court. The final decision in the proceedings relating to the liquidation of that organisation was likewise issued more than one year before the date of introduction. Having regard to the evidence of despatch produced by the Government, the Court finds that this application is belated and must be declared inadmissible in accordance with Article 35 §§ 1 and 4 of the Convention.

57. Insofar as the Government raised objections regarding the non-exhaustion of domestic remedies and also the lack of victim status for the applicant associations that had been liquidated or subsequently removed from the register of foreign agents, the Court has already considered and dismissed them in the leading judgment and does not need to revisit its findings (see *Ecodefence and Others*, cited above, §§ 73-78).

58. The Court finds that this complaint is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

1. Submissions by the parties

(a) The applicants

59. The applicants submitted that the statutory requirements introduced by the "foreign agent" legislation, along with its application in practice, amounted to unforeseeable and excessive restrictions on their freedom of expression and association under Articles 10 and 11 of the Convention. By forcing them to register as "foreign agents", using the stigmatising label of "foreign agent", restricting their access to foreign funding, subjecting them to numerous inspections and fines, imposing excessive accounting and reporting obligations and requiring their publications to be labelled as originating from a "foreign agent", the Russian authorities had undermined the essence of their rights to freedom of expression and association. The applicants argued that the term "foreign agent" carried a strong negative connotation in Russian, associating them with spies and traitors. The definition of "political activity" was overly broad, potentially encompassing any activity aimed at influencing public opinion or State policy. Furthermore, the "foreign funding" criterion was applied arbitrarily, with even token amounts from non-nationals triggering the "foreign agent" status.

60. The applicants further submitted that the additional reporting and auditing requirements imposed a significant administrative and financial burden. The labelling requirement compelled them to disseminate false and stigmatising information about themselves. Additionally, the legislation lacked clarity on what materials required labelling, how to label them and which materials were considered to be produced or distributed by a "foreign agent" organisation. While they acknowledged that the labelling requirement might pursue the legitimate aim of increasing transparency, the applicants argued that it was not necessary in a democratic society. They contended that the term "foreign agent" was hostile and stigmatising and that the labelling requirement was disproportionate to the aims sought. The absence of "foreign agent" labels on non-political materials could cause no harm.

61. The applicants emphasised the severe and disproportionate nature of the penalties imposed for non-compliance. They cited examples of substantial fines, such as those imposed on International Memorial (no. 49654/20) and Memorial Human Rights Centre (no. 53756/20), which ultimately led to their forced dissolution. The media outlet Novyye Vremena (no. 27874/19) was fined an amount equivalent to 99.7% of its annual income for a purely formal violation. In the applicants' view, these actions were part of a systematic campaign against human-rights and media organisations critical of the authorities, which had a chilling effect on Russian civil society as a whole and discouraged participation in public debate and human-rights advocacy.

(b) The Government

62. Referring to the US Foreign Agents Registration Act and citing examples from other jurisdictions, the Government argued that the legal regulation in Russia did not go beyond the generally accepted practice of regulating the activities of foreign-funded NGOs and media organisations in other countries and did not infringe the applicants' rights. The Government contended that the term "agent" simply refers to a person carrying out official or other assignments for an organisation and therefore the term "foreign agent" should not be regarded as synonymous with the concept of a "spy". Efforts to equate this term with the label of "spy" either demonstrated a superficial understanding of the law or reflected a deliberate attempt to discredit and undermine the domestic legal framework. Since the designated entities received funding from foreign sources, the use of this term was reasonable and justified. Regarding the amendments to the Mass Media Act, the Government stressed that the term "media organisation performing the functions of a foreign agent" was distinct from the term "foreign-agent media organisation", the latter being widely used in public discourse to misrepresent the lawmakers' intentions.

63. The Government submitted that the creation of a special register and the requirement to indicate "foreign agent" affiliation in all published materials were necessary in a democratic society. These measures responded to the growing public demand for increased awareness of, and greater public oversight over, organisations funded from abroad. The interference also pursued the objectives of ensuring national security and enhancing transparency regarding the political activities of foreign-funded NGOs. In line with Russia's national security concept and the principle of sovereignty, which precludes foreign interference in internal State policy, it was considered reasonable and necessary to identify entities operating in Russia that receive foreign funding and influence Russian State policy and internal structures.

64. The Government asserted that the additional auditing and reporting requirements were comparable to those in other jurisdictions and did not impose an excessive burden. With respect to labelling, they argued that these measures did not violate democratic principles but were justified by the need for society and the State to know which publications were issued by media "performing the functions of a foreign agent". Receiving foreign funding did not prevent organisations from obtaining domestic support, with State funding for socially oriented projects having significantly increased. The Government maintained that the fines for non-compliance had been imposed within the limits of the CAO; that their amounts were consistent with the nature of the administrative offences and had a reasonable deterrent effect; and that the fines were clear, predictable and proportional to the severity of the offences.

(c) Third-party interveners

65. The Latvian Government, intervening in the cases of media organisations The Insider and iStories incorporated under Latvian law, submitted that these were award-winning investigative media outlets covering both domestic and foreign activities of the Russian State, including its disinformation campaigns, suppression of civil society and war of aggression against Ukraine. They played a fundamental role as providers of information of public importance. The measures employed by the Russian authorities against them within the framework of the "foreign agent" legislation amounted to censorship and necessitated the application of heightened scrutiny by the Court regarding what constitutes a "pressing social need" in cases concerning the freedom of the press.

66. ARTICLE 19 submitted that, over the past two decades, Russia had experienced a significant erosion of free speech and press freedoms. The authorities had suppressed independent voices, employing both political and legal means to exert pressure on media outlets, including through the "foreign agent" legislation. While there might have been legitimate concerns about foreign influence in a globalised world and attempts to sway democratic decision-making, the Russian law had been drafted in a manner that was unduly vague and overly broad. Its purpose and effect were to prevent NGOs, human rights defenders and civil society actors from challenging State authority. The designation of individuals as "foreign agents," particularly when they engaged in activities opposing the authorities, suggested an ulterior motive in the application of this restrictive legislation.

2. The Court's assessment

(a) Existence of interference

67. The Court notes that the applicants in the present case were affected by one or both of the following measures. First, the designation of an applicant organisation or individual as a "foreign agent" attached to them a stigmatising label and triggered additional accounting, auditing and reporting requirements, along with a wide range of restrictions on certain activities, including participation in electoral processes and the organisation of public events, as well as the obligation to label all their publications as originating from a "foreign agent". Second, sanctions and penalties ranging from administrative fines to forced dissolution were applied to applicant organisations, their officers and individual applicants in connection with alleged non-compliance with the "foreign-agent" legislation (see *Ecodefence and Others*, cited above, §§ 84-87). Whether considered individually or cumulatively, these measures constituted a significant impediment to the applicants' activities and restricted their capacity for expressive conduct. Accordingly, there has been interference with their rights to freedom of

expression, association and assembly under Articles 10 and 11 of the Convention.

(b) Justification for the interference

68. The Court reiterates that for an interference to be justified, it must be "prescribed by law", pursue one or more legitimate aims and be "necessary in a democratic society". Any interference must correspond to a "pressing social need"; thus, the notion "necessary" does not have the flexibility of such expressions as "useful" or "desirable". When the Court carries out its scrutiny, it must look at the interference complained of in the light of the case as a whole and determine whether it was "proportionate to the legitimate aim pursued" and whether the reasons adduced by the national authorities to justify it are "relevant and sufficient" (see *Gorzelik and Others v. Poland* [GC], no. 44158/98, §§ 95-96, ECHR 2004-I, and *Magyar Keresztény Mennonita Egyház and Others v. Hungary*, nos. 70945/11 and 8 others, §§ 79-80, ECHR 2014 (extracts)).

69. With respect to the first condition, namely that of being "prescribed by law", the Court found in the *Ecodefence* judgment that the key concepts of "political activity" and "foreign funding" in the "foreign-agent" legislation failed to meet the requirement of foreseeability, given their overly broad wording and unpredictable application in practice (see *Ecodefence and Others*, cited above, §§ 96-104 and 107-12). However, the legal framework assessed in that judgment has since been replaced by newly codified "foreign-agents" legislation (see the Domestic Law section above). In the absence of observations from the Government regarding this new framework, the Court does not find it necessary to analyse separately the currently applicable legal provisions. While acknowledging, as it did in *Ecodefence and Others*, § 122, that the aim of enhancing transparency in the funding of civil society organisations and opinion makers may, in principle, align with the legitimate aim of preventing disorder, the Court will concentrate its analysis on the criterion of whether or not the interference was "necessary in a democratic society".

(i) Whether there were "relevant and sufficient" reasons for the applicants' designation as "foreign agents"

70. In *Ecodefence and Others*, the Court found that the term "foreign agent" under Russian legislation reflected an extremely broad and unprecedented interpretation of the concept of agency, where the purported agent did not need to act in the interests of the principal to be labelled as such. This interpretation established a legal presumption that any receipt of foreign funding amounted to foreign control (cited above, § 117). Additionally, this presumption was irrebuttable, rendering any evidence of the recipient's operational independence legally irrelevant to their designation as a "foreign

agent"; the mere receipt of any amount of money from "foreign sources" was sufficient (ibid., § 134). In practice, however, none of the applicants had been shown or alleged to have acted on behalf of, under the orders of or in the interests of a foreign entity, nor were they anything other than independent civil society actors working within their respective fields (ibid., § 135).

71. The Court held that the designation of the applicant organisations as "foreign agents" was not only unjustified and prejudicial to their activities but was also likely to have a significant deterrent and stigmatising effect. This label suggested that they were under foreign control, ignoring the fact that these organisations saw themselves as integral parts of the national civil society, committed to promoting human rights, the rule of law and human development for the benefit of Russian society and its democratic system (ibid., § 136).

72. Lastly, the Court noted that the Government had not identified any deficiencies or risks of abuse within the existing legal framework that would have justified the introduction of a new status of "foreign agents" (ibid., § 140). Instead of addressing any threats to national security posed by foreign financial support for domestic NGOs, the "foreign agent" status distinguished the applicant organisations from other non-commercial organisations and subjected them to much stricter State scrutiny. This status imposed unnecessary restrictions on their capacity to operate effectively, both due to the negative perceptions held by their target groups and the regulatory and legislative restrictions on involving "foreign-agent" organisations in cooperative and monitoring projects (ibid., § 142). The Government had not provided "relevant and sufficient" reasons for establishing this new category, nor had they demonstrated that such measures furthered the stated goal of increasing transparency (ibid., § 146).

73. The Court's findings in *Ecodefence* remain relevant to the applicant organisations and their staff in the present case who were designated or fined for non-compliance under the original "foreign agent" framework, but subsequent legislative developments require further analysis. The applicable framework has evolved considerably since, affecting a far greater number of NGOs, media organisations and individuals, many of whom are applicants in the present case. Subsequent amendments have significantly expanded the scope of the "foreign agent" legislation. In 2017, the possibility of being designated a "foreign agent" was extended to media organisations, followed by individual journalists, bloggers, content creators and public figures in 2019. In 2020, it was further expanded to include any individual engaged in broadly defined "political activities". The Foreign Agents Act of 2022, which codified and further expanded the previous legislation, introduced an even broader definition of "foreign agents", covering any entity or individual who had received "support" or was otherwise "under foreign influence". The concept of "foreign influence" was expanded to include not only financial support but also "organisational assistance" and "methodological guidance".

The definition of "foreign sources" was similarly broadened to include Russian entities and individuals receiving funds from abroad, as well as any person "under the influence" of foreign entities or individuals (see the Domestic Law part above).

74. In the Court's view, instead of mitigating the shortcomings of the original legislation, these amendments have moved the "foreign agent" framework even further from the Convention standards (see also the Venice Commission's Opinion on the most recent amendments to the "foreign agent" legislation in paragraph 40 above). This conclusion is based on the following reasons.

75. The stigmatising effect of the "foreign agent" label, already identified in *Ecodefence and Others*, § 131, has been further reinforced. The official term has been changed from "performing the functions of a foreign agent" to simply "foreign agent", thereby intensifying its negative connotations. In its most recent opinion, the Venice Commission noted the "stigmatising and misleading" nature of the "foreign-agent" designation (see paragraph 38 above). Opinion polls submitted by the applicants indicated that a majority of population increasingly associated the term with negative concepts such as "traitors," "spies" or "enemies of the people". The designation must have significantly impacted public perception, with a large portion of respondents indicating they would change their engagement with media outlets or public figures labelled as "foreign agents" (see paragraphs 46-49 above). New restrictions on "foreign agents", progressively excluding them from various aspects of public life and civil activities – such as holding public office, participating in election commissions, supporting political campaigns, educating minors and producing content for children – have reinforced the perception that "foreign agent" organisations and individuals pose a threat to society and should be viewed with suspicion and kept away from sensitive areas. The stigma associated with the designation has been further strengthened by the requirement for "foreign agents" to label all their communications with a notice of their status, along with the prohibition on mentioning "foreign agents" in public discourse without identifying them as such.

76. In addition to being stigmatising, the label "foreign agent" has remained misleading, suggesting, as it did, the existence of an agency relationship where no evidence of such a relationship has been put forward. Despite the Russian authorities' insistence that they were merely following the example of other jurisdictions, Russian "foreign agents" legislation has stood alone in its misrepresentation of the agency relationship. Both the US Foreign Agents Registration Act adopted in 1938 which had been claimed to be the prototype of the Russian legislation and the recent British scheme for the registration of foreign interference actors imply the existence of an agency relationship between a foreign principal and an entity acting in its interests and under its control or direction (see paragraphs 41 and 45 above).

Substantive evidence of control or direction is required and the mere receipt of foreign funding does not equate to operational dependence. In contrast, as noted above, Russian law presumes an agency relationship based on the receipt of support in any form – assets, consultation or guidance – whether directly from non-nationals or even indirectly through Russian nationals. It does not require the authorities to demonstrate any connection with the activities of the recipient, providing them with unlimited discretion to apply the "foreign-agent" designation. This fundamental flaw has created a distorted perception of dependence and foreign interference where none had been shown to exist, thereby undermining, rather than enhancing, transparency.

77. The facts of the present case illustrate the extent to which the "foreign-agent" designation has been misconceived, misleading and misused by the Russian authorities. In application no. 49411/21, the independent election monitoring organisation, League of Voters Foundation, was fined, designated as a "foreign agent" and liquidated for a donation of less than EUR 3, which it had no way of verifying came from a foreign national. Election monitors Veronika Katkova (no. 34737/22) and Yekaterina Kiltau (no. 28961/23) were designated for receiving approximately EUR 54 and EUR 70 from the League of Voters, with Ms Kiltau additionally receiving about EUR 2 from a national of Tajikistan. Vladimir Zhilkin (no. 33050/23) was designated for receiving about EUR 385 as per diem allowance from an international election monitoring organisation and EUR 1.70 from a foreign national, while Artem Vazhenkov (no. 26751/22) was designated for cashing his airline bonus miles with someone who happened to be a non-Russian national. These are but a few examples among dozens of applications joined in this judgment. What is important for the Court, however, is that in none of the present applications did the domestic authorities provide any evidence showing that the applicants were actually under foreign control or direction or that they were acting in the interests of a foreign entity.

78. There have accordingly been no "relevant and sufficient" reasons for applying the stigmatising and misleading label "foreign agents" to the applicants.

(ii) Whether the additional requirements on "foreign agents" pursued a "pressing social need"

79. In assessing whether the additional requirements and restrictions imposed on "foreign agents" pursued a "pressing social need" the Court will consider whether these measures addressed genuine and specific concerns related to the alleged legitimate aims (see *Gorzelik and Others*, cited above, §§ 96-97).

80. In *Ecodefence and Others*, the Court found that the additional auditing and reporting requirements, the increased frequency of inspections and the prohibition on simplified book-keeping were not conducive to providing

more transparent and complete information to the public, as the Government had claimed they should. On the contrary, these additional measures imposed an excessive financial and organisational burden on the applicant organisations and their staff, undermining their ability to engage in their core activities (cited above, § 159).

81. While these findings remain valid and applicable in the present case, the Court has not yet specifically addressed the labelling, or public disclosure, requirement, which is another unique feature of the Russian "foreign agent" framework. It notes that, initially, designated NGOs were required to mark their materials with a mention of their "foreign agent" status. Over time, the labelling requirements were expanded to include social media accounts, websites and eventually all public communications, including court submissions and each individual post on social media. The extension of the "foreign agent" framework to media organisations and content creators was followed by the approval of a standard notice format for all publications, requiring text twice the size of the normal font or a minimum duration of fifteen seconds for audio and visual content. At the same time, a prohibition was introduced against mentioning "foreign agent" organisations or individuals without indicating their status. Reposting or sharing materials produced by "foreign agents" was elevated to an independent ground for "foreign agent" designation, which served as the basis for the designation of many individual applicants in the present case (see the Domestic law part above).

82. The Court notes that the requirement for mandatory labelling of any publication from designated organisations and individuals has applied indiscriminately, without regard to the actual content or context of the publications. For example, the coordinator of North Caucasus Environment Watch (no. 51487/18) was fined for publishing an obituary without the required "foreign agent" label. This approach is incompatible with the standards of freedom of expression under Article 10 of the Convention, which requires a context-based assessment (see, e.g., *Perinçek v. Switzerland* [GC], no. 27510/08, §§ 204 et seq., ECHR 2015 (extracts)). As further examples, Mr Rachinskiy and International Memorial (no. 49654/20) were fined for failing to label the organisation's online database of victims of Soviet political repression, an online database of Soviet secret service members, a gallery of testimonies about the year 1968, the Topography of Terror project, which included a map and a database on Soviet terror in Moscow, the organisation's social media accounts, a series of books on Soviet political repression and board game inspired by Soviet history. Similarly, Yekaterinburg Memorial (no. 19160/21) was fined for failing to label banners and information stands used during a public event commemorating victims of political repression. The Court observes that in this context adding a notice indicating that the material was produced by an organisation designated as a

"foreign agent" could provoke mistrust and limit the space for meaningful historical debate about the crimes of the former regime.

83. Furthermore, the facts of the present case show numerous instances where the Russian authorities drew tenuous and unforeseeable connections between the designated organisations and the published content to impose liability for non-compliance with labelling requirements. Temur Kobaliya (no. 39446/16), director of the Youth Centre for Consultation and Training, was fined for not indicating the organisation's "foreign agent" status when sharing an invitation to a civil society meeting on his personal social media account. Man and Law Regional Association (no. 18995/17) was fined 150,000 roubles for not adding a "foreign agent" notice to a blog post by its director on a local media platform. Irina Dubovitskaya (no. 27215/17), director of the Krasnodar Region Alumni Association, was fined for sharing news on its website about the organisation's work in prisons without indicating its "foreign agent" status, even though the news was posted after the organisation had ceased to be a "foreign agent". For the Court, such application of sanctions to content not directly attributable to the designated organisations and on personal social media accounts, indicates that the authorities' purpose was punitive rather than seeking to increase transparency.

84. The labelling requirements were not only applied in an overly broad and unpredictable manner, but have also severely restricted the applicants' capacity for expressive conduct. Firstly, the applicants were compelled to disseminate the stigmatising designation through the standard notice, against their will, in violation of their negative right to freedom of expression (see, *mutatis mutandis*, *Gillberg v. Sweden* [GC], no. 41723/06, § 86, 3 April 2012). A holistic protection of the freedom of expression necessarily encompasses both the right to express ideas and the right to remain silent; otherwise, the right cannot be practical or effective. By forcing the applicants to attach the "foreign agent" label to all their public communications, the authorities infringed upon this negative right, compelling them to express a message with which they disagreed. Second, they were effectively prevented from making meaningful use of social media platforms where the character limit was almost equal to the size of the notice itself. Third, non-compliance was punished with allegedly excessive fines which will be examined in more detail below.

85. These restrictions on expressive conduct, combined with the stigmatising nature of the "foreign agent" label, have had far-reaching consequences. The requirement that the label must be systematically and prominently displayed both by the "foreign agent" applicants in their public communications and by anyone else when writing about or mentioning the designated individuals bears an ominous resemblance to the discriminatory and segregationist labelling practices imposed on certain groups by authoritarian regimes of the past. Given that the designation of "foreign

agent" is misleading, in so far as it does not reflect any form of foreign dependence, such labelling requirements seem designed to stigmatise and tarnish the reputations of the targeted individuals and organisations, thereby severely hampering their public communications and activities.

86. In these circumstances, the Court finds that the requirement to use the stigmatising and misleading "foreign agent" label in public communications is unrelated to the stated purpose of transparency and creates instead an environment of forced self-stigmatisation while severely restricting the ability of the applicant media organisations and individual journalists to participate in public discourse and carry out their professional activities. This chilling effect on public discourse and civic engagement does not correspond to a "pressing social need" and is fundamentally at odds with the notion of a democratic society, as the Court has already noted in *Ecodefence and Others* (cited above, § 139). The legislation examined in this case goes even further and bears the hallmarks of a totalitarian regime.

(iii) Whether the sanctions were proportionate to the declared aims

87. The Court reiterates that the nature and severity of the penalties imposed are important factors to be considered when assessing the proportionality of an interference (see *Tebieti Mühafize Cemiyyeti and Israfilov v. Azerbaijan*, no. 37083/03, § 82, ECHR 2009). It must be satisfied that the penalty does not amount to a form of censorship intended to discourage the applicants from expressing criticism or to undermine civil society's vital contribution to the administration of public affairs. Likewise, the penalty should not be such that it hampers NGOs, media organisations and journalists in performing their role as independent monitors and "public watchdogs" (see *Hurbain v. Belgium* [GC], no. 57292/16, § 178, 4 July 2023, with further references).

88. The Court observes that the "foreign agent" designation carried with it a wide range of sanctions, including restrictions on the applicants' activities and punitive measures. The restrictions automatically triggered by operation of law included the prohibitions on holding public office, participating in election commissions, engaging in educational activities with minors and receiving State support or grants. Penalties that were imposed for alleged non-compliance included substantial fines, blocking access to websites and the forced dissolution of associations (see paragraph 32 above). The Court must assess whether the severity of these sanctions corresponded to the alleged need for transparency and whether they struck a fair balance between the public interest and the rights of the applicants under the Convention.

89. First, the automatic restrictions imposed on "foreign agents" by operation of law significantly curtailed their ability to participate in public life. They were barred from holding any elected or appointed public office, supporting election campaigns or even participating in public commissions and advisory boards. Such blanket prohibitions, applied indiscriminately to

all those designated as "foreign agents" regardless of their actual activities or the nature of the alleged foreign support, appear disproportionate to any legitimate aim.

90. Second, the professional restrictions were equally far-reaching. "Foreign agents" were prohibited from teaching in State educational institutions or producing any content for minors. Books and publications by "foreign agents" were subjected to the same regulations as pornographic or violent content, requiring them to be sold in opaque packaging with an "18+" age restriction label. Such measures effectively excluded "foreign agents" from participating in educational and cultural spheres, marginalising them further. These sanctions were purely punitive, with no apparent connection to the stated goal of enhancing transparency.

91. Finally, the economic restrictions, including ineligibility for grants, exclusion from public procurement and a ban on advertising in media products created by "foreign agents," have had a significant impact on their ability to secure funding and operate sustainably, particularly given the chilling effect that the "foreign agent" designation is likely to have had on potential domestic donors and partners.

92. As regards the penalties for non-compliance, the Court reiterates its finding in *Ecodefence and Others* that the fines imposed, often amounting to several years' worth of the subsistence income and threatening the financial viability of non-commercial civil society organisations, could not be considered proportionate, given the essentially regulatory nature of the offences, the substantial amounts of the fines and their frequent accumulation (cited above, § 185).

93. The cases joined in the present judgment provide further illustrations of the unaffordable and arbitrary nature of the fines. Two of the oldest Russian human rights NGOs, awarded the 2022 Nobel Peace Prize for their efforts in promoting human rights, democracy and peaceful co-existence – International Memorial (no. 49654/20) and Human Rights Centre Memorial (no. 53756/20) – were fined, respectively, RUB 4,500,000 in twenty sets of proceedings and RUB 1,600,000 in eight sets of proceedings for non-compliance with the labelling requirements. These fines were imposed without prior warning or opportunity to remedy the alleged violations, and without regard to the organisations' ability to pay or the context and impact of the alleged violations. The courts did not consider factors such as the scale of the violations, the content of the materials without a "foreign agent" label or the potential negative impact on the public.

94. With regard to media organisations, Novyye Vremena (no. 27874/19) was not itself designated as a "foreign agent" but was fined for failing to report receipt of funds from another "foreign-agent" Russian NGO. The fine, amounting to RUB 22,500,000, represented, in its submission, 99.7% of the organisation's total budget for the previous year and was the largest single fine ever imposed on a Russian media organisation. The Court considers that,

imposing a significant fine, which was confiscatory in nature and applied in a situation where the lawful origin of the funds and compliance with tax obligations were not in doubt, constituted a clearly disproportionate penalty. This has placed the media organisation on the brink of bankruptcy and undermined the protection of freedom of expression under Article 10 of the Convention. Similarly, in the case of RFL/RE (no. 19659/21), the Russian authorities issued hundreds of fines against the media organisation over a few months. Each publication was treated as a separate offence, resulting in a total liability that approached several hundred million roubles. The Court reiterates that, since the underlying offence was merely regulatory in nature and the content of the publications was not alleged to be untrue, unlawful or amounting to hate speech or discrimination, such penalties represented an "excessive burden" and amounted to a form of censorship intended to discourage criticism and undermine the organisation's contribution to public debate. Furthermore, the imposition of fines on individual content creators for failing to comply with labelling requirements shortly after their designation as "foreign agents", without being given a meaningful opportunity to adjust to the new requirements, demonstrates the authorities' intention to stifle critical voices and create a chilling effect on freedom of expression. This approach appears designed to discourage individuals from engaging in public discourse, rather than pursuing any legitimate aim of transparency or national security.

95. The most significant sanction – forced dissolution – was applied to several applicant organisations, including International Memorial, Memorial Human Rights Centre, the Movement for Human Rights and the League of Voters Foundation. This was on the grounds of alleged repeated violations of the requirements pertaining to the designation of organisations as "foreign-agents". The Court reiterates that forced dissolution of an association is the most drastic sanction possible in respect of an association. It should therefore be applied only in exceptional circumstances of very serious misconduct, for it is capable of having a chilling effect not just on the targeted association and its members, but also on human rights organisations generally. Consequently, Article 11 imposes on the State a high burden of justification for such a measure (see *Tebieti Mühafize Cemiyyeti and Israfilov*, cited above, § 63, and *Yefimov and Youth Human Rights Group v. Russia*, nos. 12385/15 and 51619/15, § 66, 7 December 2021).

96. With regard to the International Memorial and Memorial Human Rights Centre, the rationale for their forced dissolution was primarily based on two factors: first, an absence of labelling of internet resources at a time when such labelling was not yet formally required; and second, a failure to stamp one book at a book fair with the standard notice. In the Court's view, these offences could only be regarded as minor, formal violations that did not significantly impact any protected interests. Notwithstanding the manifestly regulatory character of these infractions and the absence of any demonstrated

significant risks, the authorities promptly resorted to the most severe measure of dissolving the organisations and striking them off the register of legal entities, in contravention of the Court's interim measure (see *Ecodefence and Others*, cited above, §§ 10-14 and 193-94). As a result, two of the oldest human rights NGOs in Russia were forcibly liquidated. This decision endangered the organisations' long-standing work and accumulated knowledge. Additionally, the authorities seized their property, including International Memorial's office and bank account in Moscow. This forced dissolution effectively silenced these organisations, depriving them of legal personality and the ability to continue their work in any form. Considering the absence of any demonstrated severe misconduct and the drastic nature of the sanction imposed, such a decision could not be justified (see *Tebieti Mühafize Cemiyyeti and Israfilov*, cited above, § 82).

97. In sum, the Court finds that the severity and scope of the sanctions were manifestly disproportionate to the declared aim of ensuring transparency. They imposed a punitive regime on "foreign agents" that far exceeded what could be deemed necessary in a democratic society, creating a significant chilling effect on civil society and public debate.

(iv) Conclusion

98. Having regard to the absence of relevant and sufficient reasons for applying the stigmatising label of "foreign agents" to the applicant organisations, media outlets and individuals, the lack of a "pressing social need" in enforcing the additional requirements and the manifestly disproportionate punitive sanctions, the Court concludes that the "foreign agent" legislative framework and its application to the applicants was arbitrary and was not "necessary in a democratic society". Moreover, such legislation has contributed to shrinking democratic space by creating an environment of suspicion and mistrust towards civil society actors and independent voices, thereby undermining the very foundations of a democracy. Accordingly, there has been a violation of Articles 10 and 11 of the Convention.

III. ALLEGED VIOLATION OF ARTICLE 8 OF THE CONVENTION IN RESPECT OF INDIVIDUAL APPLICANTS

99. The applicants who had been designated as "foreign agents" in their individual capacity complained that their designation as "foreign agents" and the resulting public exposure, excessive reporting obligations, and restrictions on their professional activities constituted unjustified interference with their right to respect for private life under Article 8 of the Convention, which reads as follows:

> "1. Everyone has the right to respect for his private ... life ...

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others."

A. Admissibility

100. The Court notes that it has jurisdiction to examine this complaint (see paragraph 55 above) and that it is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

1. The parties' submissions

101. The applicants submitted that their designation as "foreign agents" and the associated obligations constituted an interference with their right to respect for their private life. They argued that the reporting requirements compelled them to disclose personal financial information, while the labelling obligations forced them to reveal their political views in all publications, including social media. The public disclosure of their personal details on the Ministry of Justice website was a further interference. The applicants contended that the numerous restrictions imposed on "foreign agents", including prohibitions on teaching children, donating to political causes and accessing State secrets, also violated Article 8. They argued that the vague and all-encompassing criteria for designation as a "foreign agent" failed to satisfy the requirement of foreseeability and that there was no effective judicial review of such designations. The legislation did not pursue any legitimate aim, as it no longer required foreign funding and targeted individuals based on their civic activities and political opinions. Lastly, they argued that the interference was disproportionate, citing the sweeping nature of the restrictions on employment and professional activities, as well as the public availability of the "foreign agents" register.

102. The Government made no comments on this point.

2. The Court's assessment

(a) Existence of interference

103. The Court reiterates that the concept of "private life" is a broad term, not susceptible to exhaustive definition. It can embrace multiple aspects of the person's physical and social identity. Article 8 protects the right to personal development and the right to establish and develop relationships with others and the outside world (see *S. and Marper v. the United Kingdom* [GC], nos. 30562/04 and 30566/04, § 66, ECHR 2008). The

protection of personal data is of fundamental importance to the enjoyment of one's right to respect for private and family life. Article 8 thus provides for the right to a form of informational self-determination, allowing individuals to rely on their right to privacy as regards data which, albeit neutral, are collected, processed and disseminated collectively and in such a form or manner that their Article 8 rights may be engaged (see *Satakunnan Markkinapörssi Oy and Satamedia Oy v. Finland* [GC], no. 931/13, § 137, 27 June 2017).

104. Article 8 of the Convention protects the right to personal development and to establish relationships with others. The notion of "private life" extends to professional activities, as work provides significant opportunities for developing relationships (see *Mateescu v. Romania*, no. 1944/10, § 20, 14 January 2014). Restrictions on access to employment or a profession, whether in the public sector or private sector, may engage Article 8 (see *Denisov v. Ukraine* [GC], no. 76639/11, §§ 101 et seq., 25 September 2018, with further references).

105. In the present case, the Court notes that the individual applicants' designation as "foreign agents" has had multiple repercussions on their private and professional life.

106. Firstly, following their designation, the applicants' names, along with dates of birth, tax and social security numbers, were published online on the Ministry of Justice's website. Even if such data were classified domestically as information in the public interest, the publication of the names and other personal details, particularly when combined with the stigmatising label of "foreign agent" attached to them, must be regarded as an interference with their right to respect for their private life (see *L.B. v. Hungary* [GC], no. 36345/16, §§ 104-106, 9 March 2023, concerning the publication of personal details of major tax debtors).

107. Secondly, the designated applicants were required to submit frequent and detailed reports on their personal income and expenses to the Ministry of Justice. This obligation extended to all income and expenses, regardless of how insignificant the sums were or the purpose or origin of the funds, including remittances from family members. The obligation to disclose such detailed financial information of a private nature to the authorities also constitutes an interference with the sphere of private life protected by Article 8.

108. Thirdly, as a consequence of the designation, the applicants were barred from exercising certain professions or occupations, including prohibitions on employment at public schools and universities, providing instruction to minors and limiting their publications to adult audiences. Practising lawyers specialising in criminal defence cases involving State secrets, such as Ivan Pavlov (no. 36815/22) and Valeriya Vetoshkina (no. 31356/23), had their access to State secrets revoked as a result of the designation, thereby preventing them from working on such cases. In

addition, a ban on advertising with "foreign agents" deprived journalists and media figures with popular YouTube channels and websites, such as Yekaterina Shulman (no. 19394/23), interviewer Yuriy Dud (no. 40243/23) and financial media manager Yelizaveta Osetinskaya (no. 591/24), of the ability to finance their editorial teams through advertising revenue.

109. Such wide-ranging restrictions on professional activities and the resulting loss of income significantly affected the applicants' professional lives and their ability to pursue their chosen careers (see *Bigaeva v. Greece*, no. 26713/05, § 23, 28 May 2009, and *Polyakh and Others v. Ukraine*, nos. 58812/15 and 4 others, §§ 209-10, 17 October 2019). The Court finds that these restrictions had serious consequences for the applicants' social and professional lives and reputations and thus constituted an interference with the right to respect for private life protected by Article 8 of the Convention.

(b) Justification for the interference

110. As to the justification for the interference, the Court, in the absence of the Government's observations on this point, will not dwell on the "quality of law" requirement. It will also, for the sake of argument, proceed on the assumption that the interference pursued the stated legitimate aims of protecting national security and preventing disorder by increasing public awareness of the applicants' "foreign agent" designation.

111. As to the necessity of the interference, the Court notes the applicants' argument that the adoption of the "foreign agent" legislation and its application to them has caused them considerable distress due to their designation as "foreign agents". In the present case, more was at stake for the applicants than merely upholding their good name: they were stigmatised in the eyes of society due to their perceived association with foreign interests. The Court acknowledges that the applicants continue to bear the burden of this stigma, which may, in and of itself, constitute an impediment to establishing contacts with the outside world, whether in the context of employment or otherwise. This situation undoubtedly affects more than the applicants' reputation; it also impacts the enjoyment of their private life (compare *Sidabras and Džiautas v. Lithuania*, nos. 55480/00 and 59330/00, § 49, ECHR 2004-VIII). Accordingly, the authorities must put forward particularly weighty reasons for that interference.

112. As noted above, the "foreign agent" designation was not only stigmatising but also misleading, as it gave the distorted impression that the designated individuals were acting in the interests of a foreign entity, despite a lack of evidence to substantiate such a claim. The Court further observes that the criteria for designating individuals as "foreign agents" under the relevant provisions have been even broader than those previously considered in *Ecodefence and Others* in relation to NGOs. Under the current legislation, an individual may be designated a "foreign agent" on the grounds of "foreign influence", defined as any form of support from abroad, in conjunction with

participation in activities such as the "dissemination of information to the public". This could encompass the maintenance of a social media account or the contribution to the dissemination of information by others. This approach extends to all individuals engaged in public communication, with journalists being particularly vulnerable to such a designation due to the nature of their activities. As the "foreign agent" designation does not require evidence of any actions undertaken in the interests of foreign entities, it cannot be considered necessary for achieving the declared aim of enhancing national security or increasing transparency.

113. This fundamental flaw in the legislation pertaining to "foreign agents" undermines any possible justification for the various forms of interference with the applicants' private lives. Given that the applicants' connection, let alone dependence, on any foreign entity has not been established and the misleading label has been applied without evidence, the publication of their personal data online did not serve any public interest (see, by contrast, *L.B. v. Hungary*, cited above, § 136). Furthermore, there is no indication that, in establishing a public register of "foreign agents", the Russian legislature gave any consideration whatsoever to issues concerning the protection of personal data (ibid., §§ 133-34 et passim, and compare with the handling of personal data under the UK Foreign Influence Registration Scheme, paragraph 43 above).

114. Turning to the obligation to submit quarterly reports on personal expenditure, the Court reiterates that, as it has not been demonstrated that the individual applicants had been paid for their activities by foreign entities – rather than minor amounts from non-nationals unconnected to their work (see paragraph 77 above) – such extensive monitoring of their expenses was excessive and disproportionate to the stated aim. The requirement to report on personal expenditure constituted a serious intrusion into the applicants' private lives, obliging them to disclose detailed information about their day-to-day activities, financial affairs and transactions with friends and family. This degree of scrutiny far exceeded what could, even in theory, be considered necessary to ensure transparency, and appeared to serve no purpose other than to burden and intimidate the applicants.

115. Lastly, as regards the restrictions on the exercise of a profession, access to elected office and civil service, or the prohibition on teaching and writing for children, the Court notes that even considerably less severe measures – such as the dismissal of personnel or civil servants of former undemocratic regimes under lustration measures – have been found to violate various provisions of the Convention when applied without adequate individual assessment of the person's conduct (see *Ādamsons v. Latvia*, no. 3669/03, § 116, 24 June 2008, and *Polyakh and Others*, cited above, §§ 295-306). The Court has also held that restrictions on a person's opportunity to seek employment with a private company, due to an alleged lack of loyalty to the State, cannot be justified from the perspective of the

Convention in the same way as restrictions on access to employment in the public service, regardless of the private company's importance to the State's economic, political, or security interests (see *Sidabras and Džiautas*, cited above, § 58). In light of its case-law, the Court finds that the far broader restrictions imposed on the designated individual applicants – barring them from participation in entire professions, cutting them off from the entirety of the youth population, and depriving them of revenue from private advertisers – on the basis of their unwarranted designation as "foreign agents", cannot be justified as being "necessary in a democratic society".

116. There has accordingly been a violation of Article 8 of the Convention in respect of the individual applicants which have been designated as "foreign agents".

IV. OTHER ALLEGED VIOLATIONS OF THE CONVENTION

117. Some applicants also complained that they had been subjected to discrimination on account of their political position, and that their freedom of expression and association had been restricted for purposes other than those prescribed by the Convention. They relied on Articles 14 and 18, taken in conjunction with Articles 10 and 11 of the Convention. Following the approach it adopted in *Ecodefence and Others* (cited above, § 189), the Court considers that these complaints must be declared admissible but do not require a separate examination.

118. Lastly, some applicants additionally complained under Article 6 of the Convention that the administrative proceedings against them had been conducted in the absence of a prosecuting party. They also invoked Article 1 of Protocol No. 1, arguing that the substantial fines constituted an interference with their property rights. In light of its findings above, the Court considers that it is not required to give a separate ruling on the admissibility or merits of these complaints, as they derive from the application of the same legislative framework (see *Andrey Rylkov Foundation and Others*, cited above, § 114).

V. APPLICATION OF ARTICLES 41 AND 46 OF THE CONVENTION

119. Articles 41 and 46 of the Convention provide as follows:

Article 41

"If the Court finds that there has been a violation of the Convention or the Protocols thereto and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

Article 46

"1. The High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties.

2. The final judgment of the Court shall be transmitted to the Committee of Ministers, which shall supervise its execution ..."

120. The applicants' claims for damages and costs are itemised in the appendix. Their claims in respect of pecuniary damage have been converted into euros at the rates applicable, as the case may be, on the dates when the respective judgments became final or the claims were submitted.

121. Regard being had to the supporting documents and its approach in *Ecodefence and Others* (cited above, § 197), the Court awards the amounts claimed as per the appendix in respect of pecuniary damage, EUR 10,000 to each applicant or such smaller amount as was actually claimed in respect of non-pecuniary damage, and EUR 850 per application or such smaller amount as was actually claimed in respect of costs and expenses, plus any tax that may be chargeable to the applicants.

122. The applicants further invited the Court to indicate, under Article 46 of the Convention, that the respondent Government is under the obligation to repeal all legislation on "foreign agents", since the violations of the Convention in the present case followed specifically and only from the text of the law on its face incompatible with the Convention. The Court's judgments are, however, essentially declaratory in nature and it does not have authority to mandate legislative changes (see *Andrey Rylkov Foundation and Others*, cited above, § 118).

123. Lastly, in view of the respondent Government's persistent refusal to pay just satisfaction to the successful applicants, the applicants invited the Court to indicate, under Article 46 of the Convention, that the Committee of Ministers should, in collaboration with the applicants' representatives, elaborate effective ways to ensure that the Court's awards are paid pending a change in the respondent Government's stance.

124. The Court reiterates that cessation of a Contracting Party's membership of the Council of Europe does not release it from its duty to cooperate with the Convention bodies. The Committee of Ministers continues to supervise the execution of the Court's judgments against the Russian Federation and the Russian Federation is required, pursuant to Article 46 § 1 of the Convention, to implement them, despite the cessation of its membership of the Council of Europe (ibid., § 120, with further references).

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;

2. *Holds* that the Government's failure to participate in the proceedings presents no obstacles for the examination of the case and that it has jurisdiction to deal with the applications;

3. *Declares* application no. 73715/17 inadmissible and the remaining applications admissible;

4. *Holds* that there has been a violation of Articles 10 and 11 of the Convention in respect of all the applicants;

5. *Holds* that there has been a violation of Article 8 of the Convention in respect of the individual applicants who have been designated as "foreign agents";

6. *Holds* that there is no need to examine the remainder of the complaints;

7. *Holds*
   (a) that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the amounts indicated in the appendix and paragraph 121 above, to be converted into the currency of the respondent State at the rate applicable at the date of settlement, plus any tax that may be chargeable;
   (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

8. *Dismisses* the remainder of the applicants' claims for just satisfaction.

Done in English, and notified in writing on 22 October 2024, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Olga Chernishova	Pere Pastor Vilanova
Deputy Registrar	President

In accordance with Article 45 § 2 of the Convention and Rule 74 § 2 of the Rules of Court, the separate opinion of Judge Serghides is annexed to this judgment.

CONCURRING OPINION OF JUDGE SERGHIDES

1. The present case concerns restrictions on the rights of Russian non-governmental organisations, media organisations and individuals designated as "foreign agents". They complained that the restrictions imposed by the "foreign-agent" legislation, together with fines for alleged non-compliance, violated their rights to freedom of expression and association, as guaranteed under Articles 10 and 11 of the Convention, respectively.

2. I entirely agree with the judgment and I voted in favour of all its operative provisions. The only reason I have decided to write this concurring opinion is to underline the dual nature and scope of freedom of expression under Article 10 and freedom of association under Article 11, and to elaborate upon the function and application of the principle of effectiveness[1] (which has been the subject of many of my separate opinions as a judge of this Court) regarding the negative aspect of these two freedoms. This double nature and scope – and especially the negative aspect of freedom of expression and freedom of association – is an element of the Court's case-law which until now has been under-developed and is a fascinating area of law which needs further elaboration.

3. In *Strohal v. Austria* (no. 20871/92, 7 April 1994) the European Commission of Human Rights recalled that "the right to freedom of expression by implication also guarantee[d] a 'negative right' not to be compelled to express oneself, i.e. to remain silent"[2]. Similarly, commenting on *Vogt v. Germany* ([GC], no. 17851/91, 26 September 1995), Bychawska-Siniarska argues that "the freedom to hold opinions includes the 'negative freedom' of not being compelled to communicate one's own opinions", especially as "individuals are also protected against possible negative consequences in cases where particular opinions are attributed to them following previous public expressions"[3]. In *Gillberg v. Sweden* ([GC], no. 41723/06, §§ 85-86, 3 April 2012) the Court "[did] not rule out that a negative right ... [might be] protected under Article 10" but found that the issue should "be properly addressed in the circumstances of a given case". This position was subsequently cited by the Court in *Dieter Wanner v. Germany* ((dec.), no. 26892/12, § 39, 23 October 2018), where the matter

[1] Without referencing my own works on the principle of effectiveness, it suffices to refer to Daniel Rietiker, "'The principle of effectiveness' in the recent jurisprudence of the European Court of Human rights: its different dimensions and its consistency with public international law – no need for the concept of treaty *sui generis*", in *Nordic Journal of International Law*, 2010, 79, 245 *et seq.*

[2] On this, see commentary by William A. Schabas, *The European Convention on Human Rights – A Commentary* (Oxford University Press, 2015), at pp. 456-57.

[3] See Dominika Bychawska-Siniarska, *Protecting the Right to Freedom of Expression Under the European Convention on Human Rights - A handbook for legal practitioners* (Council of Europe, Strasbourg, 2017), at p. 13.

was ultimately found not to be relevant. While the Court in *Semir Güzel v. Turkey* (no. 29483/07, §§ 27-29, 13 September 2016) did indicate that, in certain circumstances, the Convention organs had also considered that the right to freedom of expression by implication also guaranteed a "negative right" not to be compelled to express oneself, it did so on the basis of case-law of the former Commission and the case did not in the end concern a negative right of expression.

4. Regarding now the negative aspect of freedom of association under Article 11, to which the present judgment also refers, finding a violation in that connection, it can be seen from some case-law that this freedom has been found to involve not only a right to join an association but a corresponding right not to be forced to join one (see *Young, James and Webster v. the United Kingdom*, 13 August 1981, § 52, Series A no. 44, and *Sigurður A. Sigurjónsson v. Iceland*, 30 June 1993, § 35, Series A no. 264). In another case (*Pretty v. the United Kingdom*, no. 2346/02, § 14, 29 April 2002) the Court cited Lord Bingham's pertinent comment:

> "It is true that some of the guaranteed Convention rights have been interpreted as conferring rights not to do that which is the antithesis of what there is an express right to do. Article 11, for example, confers a right not to join an association."

5. The present judgment for the first time develops some reasoning, albeit succinctly, as to the existence of a negative right to freedom of expression, in the circumstances of the present case. As is clearly explained in paragraph 84:

> "A holistic protection of the freedom of expression necessarily encompasses both the right to express ideas and the right to remain silent: otherwise, the right cannot be practical and effective. By forcing the applicants to attach the 'foreign agent' label to all their public communications, the authorities infringed upon this negative right, compelling them to express a message with which they disagreed."

6. The dual aspect of freedom of expression and freedom of association – both positive and negative – reflects the autonomy of the right-holders, allowing them the freedom to decide whether or not to exercise the right. The enjoyment of the exercise of freedom of expression and freedom of association implies and presupposes a choice either to exercise it (a positive right) or not to exercise it (a negative right). If freedom of expression and freedom of association were to encompass only a positive aspect and not a negative one, it would constitute a severe limitation on freedom of expression and freedom of association, and one which, in any case, is not included in the list of legitimate restrictions enumerated in paragraph 10 § 2 and paragraph 11 § 2 of the Convention, respectively.

7. To recognise only the positive dimension (taking action) of freedom of expression and freedom of association, while simultaneously neglecting its negative dimension (inaction), would undermine the principle of effectiveness, much like recognising only the negative obligations of a State, without, at the same time, acknowledging its positive obligation to protect human rights.

8. The full, comprehensive, and holistic protection of a right or freedom is a requirement of the principle of effectiveness which ensures that the right or freedom is protected from every angle so that no aspects are left unexamined and unprotected. If one such aspect of its scope is left unprotected, such as the negative aspect of freedom of expression or freedom of association, the freedom in question cannot be practical and effective but only theoretical and illusory (see, among many others, *Artico v. Italy*, 13 May 1980, § 33, Series A no 37, and *Steel and Morris v. the United Kingdom*, no 68416/01, § 59, ECHR 2005-II).

9. I may add that if one important aspect of the right or freedom is left unprotected, as in the present case its negative aspect, the whole right is not protected at all, leading to an automatic violation of the pertinent Article 10 or Article 11 provision, as the case may be. There is a significant reason why this occurs: violating the negative aspect of a right, like violating its positive aspect, is not merely a partial infringement, but a violation of the individual's choice to exercise his or her freedom – whether to act or to refrain from acting.

10. In doing so, the violation extends to the very mechanism by which the right functions and is protected. In other words, when this autonomy is compromised, the violation does not just affect one facet of the right; it undermines the fundamental principle of freedom that the right is intended to protect. Essentially, the violation disrupts the underlying mechanism, scope and shield of protection of the right itself by impeding the individual's ability to make a voluntary decision.

11. This interference compromises the core purpose of the right, which is to ensure that individuals can fully exercise their freedom of choice without external pressure. Furthermore, if the negative aspect of freedom of expression or of freedom of association were not to be recognised and effectively protected by the Court, there would be room for compulsion – as found in the present case – which would be quite unacceptable.

12. It is of interest to compare the development of positive and negative rights *vis-à-vis* the development of negative and positive obligations in the Court's case-law, as it can be seen that positive obligations developed later than negative obligations[4], while negative rights developed later than positive rights. Another interesting observation is that the development of positive obligations not only began earlier than that of negative rights, but its progression was both accelerated and exponential, covering almost all, if not all, Convention rights and freedoms. However, both negative and positive obligations, as well as positive and negative rights, are important features of the Convention system, aiming to secure full and comprehensive protection

[4] While the emergence of the State's negative obligations in the Court's jurisprudence coincided with the Court's establishment, the concept of the State's positive obligations first appeared in 1968, in *Case "relating to certain aspects of the laws on the use of languages in education in Belgium"* (merits), 23 July 1968, Series A no. 6.

of human rights. Starmer characterises positive obligations as a hallmark of the Convention; similarly, I assert that negative rights are also a hallmark of the Convention[5].

13. The issue in question has broad applicability under the Convention. With the exception of certain rights – namely, the right to life under Article 2 and the right to be free from torture or inhuman and degrading treatment under Article 3, where opposing views cannot be expressed – in the case of other Convention rights and freedoms, the right to do something includes the right not to do it. This can be seen, for instance, regarding Article 9 of the Convention safeguarding the freedom of religion. In *Kokkinakis v. Greece* (no. 14307/88, § 31, 25 May 1993) it is stated:

> "As enshrined in Article 9, freedom of thought, conscience and religion is one of the foundations of a 'democratic society' within the meaning of the Convention. It is, in its religious dimension, one of the most vital elements that go to make up the identity of believers and their conception of life, but it is also a precious asset for atheists, agnostics, sceptics and the unconcerned."

Further, in *Lautsi and Others v. Italy* ([GC], no. 30814/06, § 60, 18 March 2011), it is stated that Article 9 of the Convention "guarantees freedom of thought, conscience and religion, including the freedom not to belong to a religion, and ... imposes on Contracting States a 'duty of neutrality'". On the freedom of religion under Article 18 of the Cyprus Constitution, which is equivalent to Article 9 of the Convention, Nedjati argues that this provision "necessarily implies the *converse*, i.e. the right not to hold any religious beliefs or the right not to believe in any religion"[6].

14. Likewise, the right to marry and found a family under Article 12 of the Convention also includes the right not to marry or found a family[7]. In this connection, it is interesting to note what Triantafyllides, J. insightfully held in *Ioannis Panagides v. the Republic of Cyprus and Another* ((1965) 3 JSC 206 at p. 217) regarding Article 22 of the Cyprus Constitution which corresponds to Article 12 of the Convention safeguarding the right to marry and found a family:

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[5] Sir Keir Starmer, "Positive Obligations under the Convention", in J. Jowell and J. Cooper (eds), *Understanding Human Rights Principles* (Oxford-Portland-Oregon, 2001), at p. 159.

[6] Zaim M. Nedjati, *Human Rights and Fundamental Freedoms* (Zavallis Press Ltd, Nicosia, 1972), at p. 97.

[7] It is to be noted that the negative aspect of the right to marry is the right *not* to marry and not the right to divorce which according to the case-law of the Court is outside the scope of Article 12 read together with Article 8 of the Convention: see, *Johnston and Others v. Ireland*, no. 9697/82, § 57, 18 December 1986 (Plenary); and *Babiarz v. Poland,* no. 1955/10, §§ 48-59, 10 January 2017 (cf. cogent arguments by dissenting judges, Sajó and Pinto de Albuquerque).

> "In my opinion, the right to marry, which has been expressly safeguarded as a Fundamental Right and Liberty, necessarily implies the converse, i.e. the right *not* to marry. Nobody can be *free to do* something unless he is also *free not to do* it."

15. Additionally, it is interesting to note that under Article 6 § 1, the right to remain silent is an implicit guarantee of the right to a fair trial, which is the negative aspect of another implicit right, namely the right to give evidence.

16. Undoubtedly, both the positive and negative aspects of freedom of expression and freedom of association, along with the equal right to exercise them, constitute an indispensable element of the rights in question, safeguarded by the principle of effectiveness in its capacity both as a norm of international law and as a method of interpretation.

17. In conclusion, I consider that the present judgment constitutes an important development in the field of protection of human rights. It significantly contributes both conceptually and practically towards the effective protection of freedom of expression and freedom of association in aspects which have hitherto been under-developed, and also gives me the opportunity to elaborate on the role of the principle of effectiveness in this important area of protection of rights.

APPENDIX

Application no.	Case name	Lodged on	Applicant Year of Birth / Incorp'n Location	Represented by	Summary of facts Domestic decisions	Pecuniary damage[1]	Non-pecuniary damage[1]	Costs and expenses[1]
39446/16	Kobaliya v. Russia	24/06/2016	**Temur Georgiyevich KOBALIYA** 1984 Volgograd	Mariya Aleksandrovna KANEVSKAYA	The applicant, director of the Youth Centre for Consultation and Training, an organisation providing legal assistance and supporting initiatives for young people and NGOs, was fined RUB 100,000 pursuant to Article 19.34(2) of the CAO. The fine was imposed for failing to indicate the organisation's "foreign agent" status when sharing an invitation to a civil society meeting on his private social-media account. Final decision: 24/12/2015, Krasnooktyabrskiy District Court of Volgograd.	1,625[2]	6,000	9,800
18995/17 19154/19	Man and Law Regional Association v. Russia	28/02/2017 20/03/2019	**MAN AND LAW REGIONAL ASSOCIATION** 1999 Yoshkar-Ola	Darya Sergeyevna PIGOLEVA Aleksey Nikolayevich LAPTEV	The applicant organisation, a regional human rights defence association providing legal advice to victims of police and prosecution abuses, was added to the register of foreign agents on 30/12/2014. The organisation was fined RUB 150,000 pursuant to Article 19.34(2) of the CAO for failing to add a "foreign agent" notice to a publication in the personal blog of the organisation's director on the platform of a local independent media organisation. In a separate case, the organisation was again fined RUB 150,000 under the same provision for failing to label their Facebook posts as originating from a "foreign agent" organisation. Final decisions: 31/08/2016 and 20/09/2018, Supreme Court of the Republic of Mari El.	4,124	20,000	8,292 (Pigoleva) 6,750 (Laptev)
27215/17	Dubovitskaya v. Russia	21/03/2017	**Irina Nikolayevna DUBOVITSKAYA** 1966 Krasnodar	Yelena Yuryevna PERSHAKOVA	The applicant, director of the Krasnodar Region Alumni Association, was fined RUB 50,000 on the basis of Article 19.34(2) of the CAO for sharing news on its website about work undertaken by the organisation's	713	10,000	727

					members in the prisons monitoring commission without indicating the organisation's "foreign agent" status. The news was published between 12/03/2015 and 02/06/2015, while, according to the Ministry of Justice, the organisation had not been a "foreign agent" since 22/01/2015. Final decision: 21/09/2016, Krasnodar Regional Court.			
41535/17	Shirokov v. Russia	19/04/2017	**Yuriy Romanovich SHIROKOV** 1955 Novosibirsk	Aleksandr Dmitriyevich PEREDRUK	The applicant, former president of an environmental protection organisation, ISAR-Sibir, whose activities had been suspended since 07/09/2015, was fined RUB 50,000 on the basis of Article 19.34(2) of the CAO for sharing two international environmental conference reports on an ecology website without indicating the organisation's "foreign agent" status. Final decision: 27/01/2017, Novosibirsk Regional Court.	754	5,500	2,625
73715/17	Mikushin v. Russia	05/10/2017	**Fedor Valeryevich MIKUSHIN** 1975 Rostov-na-Donu	Maksim Vladimirovich OLENICHEV	The applicant is the founder and director of the environmental protection organisation Eko-logika. On 19/03/2015, members of the organisation decided to liquidate it. On 03/04/2015, the Ministry of Justice added the organisation to the register of foreign agents and initiated proceedings against it for failing to apply for registration voluntarily, an offence under Article 19.34(1) of the CAO. On 20/04/2015, the organisation was found guilty and fined RUB 300,000. That judgment was upheld on appeal on 18/06/2015 by the Oktyabrskiy District Court of Rostov-on-Don. Meanwhile, on 08/06/2015, the Ministry of Justice declined to register the organisation's liquidation, claiming that its true purpose was to avoid paying the fine. The applicant unsuccessfully challenged this refusal in domestic courts. Final decision: 10/05/2016, Supreme Court of the Russian Federation (a copy acquired on 14/04/2017).	Inadmissible		
7995/18	North Caucasus	17/01/2018	**NORTH CAUCASUS**	Maksim	The applicant organisation, the largest environmental	4,400	20,000	8,000

51487/18	Environment Watch and Rudomakha v. Russia	04/10/2018	**ENVIRONMENT WATCH** 2004 Maykop **Andrey Vladimirovich RUDOMAKHA** 1964 Maykop	Vladimirovich OLENICHEV	protection organisation in Southern Russia, was designated as a "foreign agent" based on information obtained by the Ministry of Justice from the Federal Security Service. According to this information, the organisation received foreign funding because its deputy coordinator held money from foreign sources in his private account. Furthermore, it engaged in political activities as its coordinator participated in rallies supporting environmental rights. A judicial challenge to this designation was unsuccessful. Final decision: 04/04/2018, Supreme Court of Russia. The applicant Mr Rudomakha, coordinator of the applicant organisation, was fined RUB 100,000 on the basis of Article 19.34(2) of the CAO for publishing an obituary on the organisation's website without indicating its "foreign agent" status. Final decision: 17/07/2017, Krasnodar Regional Court.	(Environment Watch), 1,476 (Rudomakha)	(Environment Watch), 10,000 (Rudomakha)	
14380/18	ESVERO Partnership for Support of Public-Health Initiatives v. Russia	12/03/2018	**ESVERO PARTNERSHIP FOR SUPPORT OF PUBLIC-HEALTH INITIATIVES** Moscow	Maksim Vladimirovich OLENICHEV	The applicant organisation, a harm reduction partnership for HIV and drug-use services, was fined RUB 300,000 under Article 19.34(1) of the CAO for failing to designate itself as a "foreign agent". The designation was based on the grounds that funds received from the European Commission, the Global Fund to Fight AIDS, and the US Department of State had been used to regrant a local HIV-service organisation, which was later designated as a "foreign agent". Final decision: 12/09/2017, Moscow City Court.	4,380	10,000	
15236/18	Kolsky Environmental Centre v. Russia	07/03/2018	**KOLSKY ENVIRONMENTAL CENTRE** Apatity	Maksim Vladimirovich OLENICHEV	The applicant organisation, an environmental monitor, was fined RUB 150,000 under Article 19.34(1) of the CAO for failing to designate itself as a "foreign agent". The designation was based on the grounds that funds received from Friends of the Earth, Norway's oldest environmental and nature protection organisation, had	2,190	10,000	

					been used for projects aimed at convincing regional authorities to decommission nuclear power plants. Final decision: 07/09/2017, Murmansk Regional Court.			
21409/18	Silver Taiga Sustainable Development Foundation v. Russia	18/04/2018	**SILVER TAIGA SUSTAINABLE DEVELOPMENT FOUNDATION** 2002 St Petersburg	Maksim Vladimirovich OLENICHEV	The applicant organisation, an environmental monitor founded by the Swiss Agency for Development and Cooperation, was fined RUB 300,000 under Article 19.34(1) of the CAO for failing to designate itself as a "foreign agent". The grounds for this designation were that it approached regional authorities with a proposal to merge the Ministry of Industry, Transport, and Energy with the Ministry of Natural Resources and Environmental Protection. Final decision: 18/10/2017, Supreme Court of the Komi Republic.	4,450	10,000	
30514/18 33749/23	Institute for Law and Public Policy v. Russia	25/06/2018 07/03/2023	**INSTITUTE FOR LAW AND PUBLIC POLICY** 2000 Moscow	Grigoriy Viktorovich VAYPAN Vitaliy Mikhaylovich ISAKOV	The applicant organisation, a constitutional and international law research institute, was initially requested by the Ministry of Justice to produce 47 documents amounting to over 10,000 pages for an inspection to determine its potential "foreign agent" status. The Ministry initially refused to disclose the grounds for the inspection but later provided a copy of a letter from a private individual denouncing the organisation as a recipient of foreign funds. The organisation's complaint against this inspection was unsuccessful. Final decision: 01/03/2018, Supreme Court of the Russian Federation. Subsequently, the organisation was designated as a "foreign agent" on 15/06/2021. The Ministry cited foreign funding from EU institutions, the Council of Europe and various European embassies and entities. It deemed the following activities "political": submitting amicus curiae briefs to the Constitutional Court of Russia and the European Court of Human Rights, publishing reports on transitional justice and lawyers' rights, proposing amendments to the Victims of Political	979 (copying expenses), 1,400 (admin expenses), 5,030 (fine)	10,000	9,807 (Vaypan), 4,750 (Isakov)

					Repressions Act 1991, and organising public events on constitutional values and human rights. The organisation was fined RUB 300,000 on 07/09/2021 for failing to register as a "foreign agent". Final decisions: 29/06/2022, Moscow City Court (regarding fine); 08/11/2022, Supreme Court of the Russian Federation (regarding designation).			
4100/19	Russian Lorry Drivers Association v. Russia	25/12/2018	**RUSSIAN LORRY DRIVERS ASSOCIATION** 2017 St Petersburg	Aleksey Vladimirovich GLUKHOV	The applicant association of Russian lorry drivers, which coordinated opposition to the introduction of a tolling scheme on heavy goods vehicles, was fined RUB 400,000 pursuant to Article 19.34(1) of the CAO for failing to apply for registration as a foreign agent. The Ministry of Justice cited the following as "political activities": organising public events, petitioning government bodies, sharing views on government decisions, conducting opinion polls, and involving citizens in political activities. "Foreign funding" was identified as four donations from private individuals in Germany totalling EUR 3,620. Evidence of political activity was obtained from messages on the applicant's website. Final decision: 31/07/2018, St Petersburg City Court.		TBD[3]	
16148/19	Vybor Association v. Russia	04/03/2019	**VYBOR ASSOCIATION** 2007 Biysk	Maksim Vladimirovich OLENICHEV	The applicant organisation, established in 2007 to support people living with HIV and to implement HIV prevention programmes, was fined RUB 150,000 pursuant to Article 19.34(1) of the CAO for failing to apply for registration as a "foreign agent." The Ministry of Justice cited foreign funding of RUB 146,905 received from the Russian non-profit partnership ESVERO and RUB 272,367 from the Aids Healthcare Foundation. The organisation's distribution of syringes and condoms to drug users within the framework of harm reduction programmes was deemed "political	1,970	10,000	

					activity" contradicting the Russian State's policy on HIV prevention, which advocates total abstinence from drug use. Final decision: 27/11/2018, Altay Regional Court.			
27874/19	OOO Novyye Vremena and Albats v. Russia	20/05/2019	**OOO NOVYYE VREMENA** 2013 Moscow **Yevgeniya Markovna ALBATS** 1958 Moscow	Galina Yuryevna ARAPOVA	The applicant company, publisher of the independent political magazine The New Times, and Ms Albats, its director general and editor-in-chief, were fined RUB 22,250,000 and RUB 30,000 respectively under Article 13.15.1(1) of the CAO (Failure to report funds received from a foreign-agent organisation). The charges stemmed from failing to report to Roskomnadzor the receipt of RUB 24,500,000 from the Press Freedom Support Foundation, a Russian organisation listed as a "foreign agent". Final decision: 13/05/2019, Supreme Court of the Russian Federation.	289,670 (company), 405 (director)	50,000 (company), 25,000 (director)	
42416/19 44137/19	Soglasiye Altay Regional Movement v. Russia Sheyda v. Russia	23/07/2019 11/03/2019	**SOGLASIYE ALTAY REGIONAL MOVEMENT** 1996 Barnaul **Gennadiy Petrovich SHEYDA** 1961 Belmesevo	Aleksey Nikolayevich LAPTEV Yelena Yuryevna PERSHAKOVA	The applicant organisation, a regional centre for the support of grassroots initiatives, was designated as a "foreign agent" in 2017. The applicant Mr Sheyda, its chairman, was fined RUB 50,000 pursuant to Article 19.34(1) of the CAO for failing to apply for registration as a "foreign agent". Subsequently, the applicant organisation and Mr Sheyda were fined RUB 150,000 and RUB 50,000 respectively pursuant to Article 19.34(2) of the CAO for sharing an invitation to youth seminars on the organisation's social media account, which merely hyperlinked the mandatory "foreign agent" notice rather than reproducing it in full. Final decisions: 23/01/2019 and 27/02/2019, Altay Regional Court.	2,079 (organisation), 1,363 (chairman)	TBD	6,000 (organisation), 12,000 (chairman)
64060/19	Movement For Human Rights and Ponomarev v. Russia	22/11/2019	**MOVEMENT FOR HUMAN RIGHTS** 2003 Moscow **Lev Aleksandrovich**	Valeriy Vladimirovich SHUKHARDIN	The applicant organisation, one of the oldest human rights organisations in Russia and an umbrella organisation for regional human rights defenders, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". The Ministry of Justice cited the following as "political	6,500 (jointly)	20,000 (each)	5,030 (both)

			PONOMAREV 1941 Moscow		activities": shaping public opinion, disseminating views on government decisions, and organising public events. "Foreign funding" was identified as a grant received by a partner organisation from the UN Voluntary Fund for Victims of Torture. Final decision: 22/05/2019, Moscow City Court. The applicant, Mr Ponomarev, executive director of the applicant organisation, was fined RUB 100,000 under Article 19.34(2) of the CAO for publishing an opinion piece in a newspaper without the "foreign agent" notice. Final decision: 06/09/2019, Moscow City Court. On 26/12/2019 the Supreme Court of the Russian Federation, in final instance, ruled to liquidate the applicant organisation for a number of alleged formal defects in the articles of association and also repeated violations of the "foreign-agent" legislation. On 28/12/2020 Mr Ponomarev was designated as a "foreign-agent". He was subsequently fined RUB 10,000 under Article 19.34(2) of the CAO for failing to label his posts, shares, and comments on Facebook, Twitter, and Instagram with the "foreign agent" notice. The courts held that placing the notice within posts was insufficient and did not address his argument about Twitter's character limit making the standard label impossible to use. Final decision: 05/04/2022, Moscow City Court.			
11264/20	Andrey Rylkov Foundation v. Russia	08/02/2020	**ANDREY RYLKOV FOUNDATION FOR THE PROTECTION OF HEALTH AND SOCIAL JUSTICE**	Maksim Vladimirovich OLENICHEV	On 29/06/2016 the applicant foundation, which advocates for humane drug policies and protects the rights of drug users through harm reduction programmes, was designated a "foreign agent" for receiving foreign grants and engaging in "political activity." This designation was based three elements:		10,000	

			2009 Moscow		picketing in front of the Federal Narcotics Control Service, signing an open letter to the Prime Minister from the Eurasian Network of People Who Use Drugs, and publishing an article criticising drug treatment initiatives. its challenge to the designation was unsuccessful. Final decision: 08/08/2019, Supreme Court of the Russian Federation.			
14412/20	OO Saratov Regional Charity Centre Chasdei Yerushalayim and Moshel v. Russia	02/03/2020	**OO SARATOV REGIONAL CHARITY CENTRE CHASDEI YERUSHALAYIM** 1998 Saratov **Irina Aronovna MOSHEL** 1965 Saratov	Yelena Yuryevna PERSHAKOVA	The applicant, Ms Moshel, director of the applicant organisation, Saratov Regional Jewish Charity Chasdei Yerushalayim, designated as a "foreign agent", was fined RUB 150,000 under Article 19.34(2) of the CAO for posts on her private Facebook account. These posts displayed the organisation’s logo but lacked the mandatory "foreign agent" notice. Final decision: 02/09/2019, Saratov Regional Court.	2,108	TBD	4,500
14449/20	Civic Union Penza Regional Charity Fund v. Russia	03/03/2020	**CIVIC UNION PENZA REGIONAL CHARITY FUND** 2002 Penza	Yelena Yuryevna PERSHAKOVA	The applicant organisation, a regional charity fund supporting grassroots initiatives, was fined RUB 300,000 under Article 19.34(1) of the CAO for failing to register as a “foreign agent.” The Ministry of Justice cited the following as “political activities”: opening a coworking space funded by a South African organisation where political seminars were held, participating in international conferences, the director’s involvement in protests against pension reform, and publishing reports critical of the government’s human rights record. “Foreign funding” was identified as money received from a South African fund in March 2018 to open the coworking space. Final decision as regards the fine: 03/09/2019, Penza Regional Court. Final decision as regards the foreign agent registration: 19/08/2021, Supreme Court of the Russian Federation.	4,217 (fine), 950 (audit fees)	TBD	9,000

16359/20	Mass Media Support and Development Centre v. Russia	07/04/2020	**MASS MEDIA SUPPORT AND DEVELOPMENT CENTRE** 2014 Moscow	Tumas Arsenovich MISAKYAN	The applicant organisation, which provides assistance and advice to independent media, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent." The Ministry of Justice cited the financing of journalists from the online publication "Caucasian Knot" as "political activities," noting that their publications were critical of state authorities and allegedly aimed at adopting, changing, or repealing laws. Final decision as regards the fine: 30/10/2019, Moscow City Court. Final decision as regards the foreign agent registration: 23/09/2020, Supreme Court of the Russian Federation.	4,220	35,000	
33021/20	Institute for Social Changes v. Russia	26/06/2020	**INSTITUTE FOR SOCIAL CHANGES** 2009 Troitskaya	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, a regional organisation of the Ingush people supporting initiatives for the protection of vulnerable groups, public health, and volunteering, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". The Ministry of Justice cited the following as "political activities": influencing election or referendum results, observing elections or referendums, forming election or referendum commissions, engaging in political party activities, and shaping socio-political views and beliefs. "Foreign funding" was identified as money received from the Heinrich Böll Foundation (Germany) and the Peacebuilding and Community Development Foundation (UK). Final decision as regards the fine: 05/02/2020, Supreme Court of the Republic of Ingushetia. Final decision as regards the foreign agent registration: 15/03/2021, Supreme Court of the Russian Federation.	66 (court fee, postal expenses)	TBD	5,700
34412/20	Deystviye Social and Information Initiatives Centre v. Russia	13/06/2020	**DEYSTVIYE SOCIAL AND INFORMATION INITIATIVES CENTRE**	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, which works in St Petersburg to combat HIV/AIDS and improve health outcomes for affected individuals, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". The courts	122 (court fees and postal expenses)	TBD	6,150

			2014 St Petersburg		deemed that money received from a Russian NGO, Open Health Institute, constituted "indirect" foreign funding and that social media posts in support of LGBT rights constituted "political activities". Final decision as regards the fine: 10/03/2020, St Petersburg City Court. Final decision as regards the foreign agent registration: 07/09/2020, Supreme Court of the Russian Federation. The applicant organisation was additionally fined under Article 19.7.5-2 of the CAO for failure to comply with the "foreign agent" reporting requirements on three occasions: RUB 100,000 (final decision on 06/02/2020), RUB 120,000 (final decision on 11/02/2021), and RUB 120,000 (final decision on 27/08/2021), all by the Krasnogvardeyskiy District Court of St Petersburg.			
34910/20	Genesis Social Development Foundation v. Russia	06/08/2020	**GENESIS SOCIAL DEVELOPMENT FOUNDATION** 2005 Nazran	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, which assists in the rehabilitation of refugees and internally displaced persons, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". The courts held that publishing an anti-extremism guide on the organisation's website, which had been prepared with financial support from the British Embassy in Russia, was sufficient evidence of "political activities" and "foreign funding". Final decision: 14/07/2020, Supreme Court of the Republic of Ingushetia. On 22 July 2020 the Moscow City Court upheld the decision to designation the applicant organisation as a "foreign agent". On 23/10/2020 the director of the applicant organisation was fined RUB 100,000 pursuant to Article 19.34(2) of the CAO for failing to add the "foreign agent" label to her Instagram posts. Final decision: 09/12/2020, Supreme Court of the Republic of Ingushetia.	1,103 (fine), 120 (court fees and postal expenses)	TBD	8,700
40943/20 41349/20	Public Verdict Fund v. Russia	18/08/2020 18/08/2020	**PUBLIC VERDICT FUND**	Yelena Yuryevna PERSHAKOVA	The applicant organisation, Public Verdict, which advocates for victims of misconduct by law enforcement	4,933 (Public	TBD	18,000

	Taubina v. Russia		2004 Moscow **Natalya Yevgenyevna TAUBINA** 1970 Moscow		agencies, and its director, Ms Taubina, were fined RUB 400,000 and RUB 250,000 respectively pursuant to Article 19.34(2) of the CAO for failing to label publications on its website www.publicverdict.org, its YouTube channel, and its VKontakte and Facebook social media accounts with the mandatory "foreign agent" notice. Final decision: 18/02/2020, Moscow City Court. The director was additionally fined RUB 100,000 under the same provision. Final decision: 14/08/2020, Moscow City Court.	Verdict), 4,210 (Taubina)		
49654/20	International Memorial and Rachinskiy v. Russia	16/10/2020	**INTERNATIONAL MEMORIAL** 1991 Moscow **Yan Zbignevich RACHINSKIY** 1958 Moscow	MEMORIAL HUMAN RIGHTS CENTRE	The applicant organisation, established during the perestroika era to research and document Soviet political repression and designated as a "foreign agent" since 04/10/2016, was issued nine fines under Article 19.34(2) of the CAO, amounting to RUB 2,800,000, for failing to label its social media posts with the "foreign agent" notice. The final decisions were delivered on 16/01/2020, 12/02/2020, 28/02/2020, and 26/05/2020 by the Moscow City Court. The applicant, Mr Rachinskiy, chairman of the board of the organisation, was also fined a total of RUB 900,000 for the same offences. Final decisions were delivered on 16/01/2020, 26/02/2020, 28/02/2020, 26/05/2020, 28/05/2020, and 10/09/2020, again by the Moscow City Court. In subsequent proceedings, the organisation and its chairman were fined RUB 500,000 and RUB 300,000, respectively, under Article 19.34(2) of the CAO for distributing books without the "foreign agent" notice at a book fair in Moscow. Post-2016 publications carried a printed "foreign agent" notice, while earlier publications were stamped before distribution. Two staff from the prosecutor's office, initially posing as regular visitors, obtained a pre-2016 publication without allowing staff to	49,740	TBD	58,000

					stamp it, then revealed their official status and announced a formal inspection. Memorial staff unsuccessfully provided explanations about their marking procedures. Final decisions were delivered on 12/03/2021 and 09/07/2021 by the Moscow City Court. By a judgment of 28/12/2021, as upheld on appeal on 28/02/2022, the Supreme Court of the Russian Federation ordered the liquidation of the organisation for "gross and repetitive" violations of the "foreign agent" legislation (see, for details, Ecodefence and Others, cited above, §§ 10–14). By a judgment of 07/10/2022, as upheld on appeal on 08/02/2023, the Tverskoy District Court of Moscow issued a ruling to seize the building previously owned by International Memorial, transferring ownership to the State. The District Court found that the transfer of ownership rights from International Memorial to another Memorial organisation was fraudulent. This conclusion was based on the fact that, at the time of the transfer, the first-instance court had already ordered the liquidation of International Memorial (although the judgment had not yet come into effect), and the organisation had allegedly attempted to prevent the building's transfer to the State. Furthermore, the authorities confiscated RUB 11,000,000 transferred from International Memorial to another Memorial organisation, pursuant to the same court decision.			
53756/20 27354/23	Memorial Human Rights Centre and Cherkasov v. Russia	03/12/2020 10/07/2023	**MEMORIAL HUMAN RIGHTS CENTRE** 1993 Moscow	MEMORIAL HUMAN RIGHTS CENTRE	The applicant organisation, which works to protect human rights and designated as a "foreign agent" since 21/07/2014, was fined a total of RUB 1,200,000 in four separate cases under Article 19.34(2) of the CAO for failing to display the "foreign agent" notice on various	67,364	TBD	

			Aleksandr Vladimirovich CHERKASOV 1966 Moscow	Zhargal Viktorovich BUDAYEV	online platforms, including its Twitter account, its website, its regional representative office's Facebook page, and its VKontakte page. Final decisions: 26/05/2020, 10/09/2020 and 18/12/2020, Moscow City Court. The applicant Mr Cherkasov, chairman of the board of the applicant organisation, was fined for the same a total of RUB 400,000. Final decisions: 04/03/2020, 26/05/2020, Moscow City Court. By judgment of 29/12/2021, as upheld on appeal on 05/04/2022, the Moscow City Court ordered the liquidation of the organisation for "gross and repetitive" violations of the "foreign agent" legislation (see, for details, Ecodefence and Others, cited above, §§ 10-14).			
2115/21	Gagarin Park and Illarionova v. Russia	20/11/2020	**GAGARIN PARK** 2011 Samara **Yuliya Yuryevna ILLARIONOVA** 1967 Samara	Kirill Nikolayevich KOROTEEV	The applicant organisation, which runs an internet media outlet in Samara to protect the right to information and promote human rights, and its director were fined a total of RUB 650,000 under Article 19.34(2) of the CAO for failing to display the "foreign agent" notice on their VKontakte pages. The fines were imposed for two sets of publications on the organisation's main page and community page. Final decisions: 21/05/2020 and 28/05/2020, Samara Regional Court.	5,060 (organisation), 2,280 (director)	TBD	
19160/21	Yekaterinburg Memorial v. Russia	23/03/2021	**YEKATERINBURG MEMORIAL** 1997 Yekaterinbourg	Irina Yuryevna RUCHKO	The applicant organisation, which works to preserve the memory of State repressions in Russia, was fined RUB 300,000 under Article 19.34(2) of the CAO for allegedly failing to display the "foreign agent" notice on banners and information stands used during a public event commemorating victims of political repression. The organisation argued that it was not the event organiser, did not produce or own the banners in question, and that its chairperson's participation was not on behalf of the organisation. Final decision: 06/10/2020, Sverdlovsk Regional Court.		15,000	

19659/21	OOO Radio Free Europe/Radio Liberty and Sharyy v. Russia	15/04/2021	**OOO RADIO FREE EUROPE/RADIO LIBERTY** 2020 Moscow **Andrey Vasilyevich SHARYY** 1965 Moscow	Can YEGINSU	The applicant company, the Russian subsidiary of Radio Free Europe/Radio Liberty (RFE/RL), and its director general, Mr Sharyy, were designated as “foreign agents”, subject to content labelling requirements. The applicants declined to comply with these requirements and were subsequently charged with multiple violations. As of February 2022, fines totalling RUB 948.8 million had been imposed pursuant to Article 19.34.1(1) and (2) of the CAO for violations of labelling requirements in 1,044 cases. Appeals in 471 of these cases had already been rejected, as were 49 challenges brought before the cassation courts. The applicant company also faced an additional 132 charges for “gross” breaches of labelling requirements under Article 19.34.1(3) of the CAO, with each violation carrying a fine of RUB 5 million. Enforcement proceedings were initiated against the applicant company on 14/05/2021, resulting in bailiffs being sent to its Moscow bureau and the freezing of its bank accounts. On 13/03/2023, the Moscow Commercial Court initiated bankruptcy proceedings against the applicant company.	955,440	TBD	60,913
21869/21	Ingushetian Chapter of the Russian Red Cross v. Russia	02/04/2021	**INGUSHETIAN CHAPTER OF THE RUSSIAN RED CROSS** 2003 Nazran	Kirill Nikolayevich KOROTEEV	The applicant organisation, a regional chapter of the Russian Red Cross Society, was designated as a "foreign agent". The Ingushetian Justice Department cited the following as grounds for the designation: comments made by the organisation’s former chairperson to the press criticising the dispersal of peaceful assemblies following the conclusion of the Boundary Agreement between Ingushetiya and Chechnya, lack of evidence-based decision-making, and the criticism of executive power in Ingushetia. The Department also found that the organisation received foreign funding. The organisation’s challenge to this designation was		TBD	

					unsuccessful. Final decision: 18/01/2021, Supreme Court of the Russian Federation.			
46839/21	Civil Initiative Against Environmental Crime v. Russia	30/08/2021	**CIVIL INITIATIVE AGAINST ENVIRONMENTAL CRIME** 2018 Goryachiy Klyuch	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, which implements environmental programmes including forest fire prevention and response, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". The "political activities" were found to include a fire monitoring system project and the Kuban volunteer firefighters project, while "foreign funding" came from Greenpeace Council. Final decision as regards the fine: 18/08/2020, Krasnodar Regional Court. Final decision as regards the designation: 22/04/2021, Supreme Court of the Russian Federation.	3,440 (fine), 910 (audit fee, postal expenses)	TBD	7,650
49411/21	League of Voters Foundation v. Russia	23/09/2021	**LEAGUE OF VOTERS FOUNDATION** Moscow		The applicant organisation, an independent election monitor, was designated as a “foreign agent” and fined RUB 300,000 under Article 19.34(1) of the CAO for failing to register as such. The Ministry of Justice cited a RUB 225 donation from a Moldovan national as “foreign funding” and alleged “political activity” based on Facebook posts from a similarly named page and events financed by the " foreign-agent" designated independent Russian election monitor Golos. The organisation contended that it had undertaken reasonable measures to prevent foreign funding, including issuing a public notice on its website that it would only accept donations from Russian nationals, and asserted that it had no means to verify donors’ nationality. These arguments were not addressed by the courts. Final decision regarding the fine: 22 March 2021, Moscow City Court. Final decision regarding the designation: 21 June 2022, Supreme Court of the Russian Federation. On 08/12/2021 the Basmannyy District Court ordered	4,167 (fine)	30,000	9,200

					the applicant organisation's liquidation for breaches of the "foreign-agent" legislation.			
61521/21	Feniks Plus Nonprofit Organisation for Support of Public Health v. Russia	03/12/2021	**FENIKS PLUS NONPROFIT ORGANISATION FOR SUPPORT OF PUBLIC HEALTH** 2019 St Petersburg	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, a social foundation implementing HIV/AIDS prevention programmes and improving the quality of life for people living with HIV, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". The Ministry of Justice cited the publications by the Centre's director, Mr Pisemsky, on his social media and personal website Parni Plus as "political activities" because they were deemed to influence opinions on government decisions and policies. "Foreign funding" was identified as money received from AFEW (AIDS Foundation East-West), ECOM (Eurasian Coalition on Male Health), STOP AIDS Now (a Dutch organisation), NAM Publications (a UK-based HIV information charity), and the Elton John AIDS Foundation. Final decision: 19/11/2021, Oryol Regional Court.	36 (court fee)	TBD	7,650
12583/22	Nasiliyu.Net Centre and Rivina v. Russia	14/02/2022	**NASILIYU.NET CENTRE** 2018 Moscow **Anna Valeryevna RIVINA** 1989 Moscow	Kirill Nikolayevich KOROTEEV	The applicant organisation, which educates the public about domestic violence and provides targeted assistance to survivors, was designated as a "foreign agent" organisation. The Ministry of Justice cited the following as "political activities": drafting a bill against domestic violence, opening a website, making statements in support of LGBT people, the director's speeches including at the Council of Europe World Forum for Democracy, participating in public assemblies, calling for the legislative prohibition of domestic violence and ratification of the Council of Europe Istanbul Convention, and sending a joint letter with other NGOs to authorities during the Covid-19 pandemic calling for measures to protect women from violence during lockdowns. "Foreign funding" was identified as money received from Oak Foundation and UN Women. The	7,050 (organisation), 3,120 (director)	TBD	

					organisation's application for judicial review was unsuccessful. Final decision: 29/04/2022, Supreme Court of the Russian Federation. The organisation was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to register as a "foreign agent". Final decision: 19/08/2021, Moscow City Court. It was later fined another RUB 300,000 for failure to label publications. Final decision: 28/02/2022, Moscow City Court. The applicant Anna Rivina, the organisation's director, was fined RUB 150,000 pursuant to Article 19.34(1) of the CAO as an official of a "foreign agent" organisation. Final decision: 01/12/2021, Moscow City Court. She was later fined RUB 100,000 for failure to label publications. Final decision: 28/04/2022, Moscow City Court.			
18098/22	Aprel Social Assistance Organisation and Kochetkova v. Russia	16/03/2022	**APREL SOCIAL ASSISTANCE ORGANISATION** 2007 Tolyatti **Tatyana Vladimirovna KOCHETKOVA** 1970 Tolyatti	Maksim Vladimirovich OLENICHEV	The applicant organisation, which works to improve the quality of life for people with HIV/AIDS and combat the HIV/AIDS epidemic in Russia by increasing access to antiretroviral therapy drugs and providing social and legal assistance, was fined RUB 300,000 pursuant to Article 19.34(2) of the CAO for failing to label posts on the social network VKontakte with the "foreign agent" notice. The posts in question contained information about job searching, free consultations, AIDS awareness, and myths about tuberculosis. The applicant Tatyana Kochetkova, the organisation's director, was separately fined RUB 100,000 under the same provision. Final decisions: 16/09/2021 and 2/09/2021, Samara Regional Court (received by mail on 14/03/2022).	3,490 (Aprel), 1,160 (Kochetkova)	10,000	
26751/22	Vazhenkov	22/04/2022	**Artem Valeryevich**	Anna	The applicant, chairman of the regional branch of	160	TBD	

	v. Russia		**VAZHENKOV** 1981 Tbilisi	Yevgenyevna BOCHILO	independent election monitor Golos, was designated as a "foreign agent" on the grounds that he received RUB 47,085 from a foreign national as payment for his Aeroflot bonus flight miles and that he disseminated materials from foreign media organisations already designated as "foreign agents". The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label a post on his personal Instagram account with the "foreign agent" notice. Final decision: 30/03/2022, Tver Regional Court. Subsequently, the applicant was fined RUB 50,000 under the same provision for non-compliance with the "foreign agents" legislation. Final decision: 10/08/2022, Tver Regional Court.			
27996/22	Petrov v. Russia	17/05/2022	**Stepan Yuryevich PETROV** 1978 Yakutsk	Anna Yevgenyevna BOCHILO	The applicant, head of the regional organisation "Yakutiya - Our Opinion", was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label 13 posts on his personal Facebook page with the "foreign agent" notice. The Ministry of Justice had previously designated the applicant as a "foreign agent", citing a RUB 5,000 transfer from a Kyrgyzstan-born individual and the applicant's sharing of materials from other "foreign agents". Final decision: 03/03/2022, Supreme Court of the Republic of Sakha (Yakutyia).		TBD	
30554/22	Shnyrova v. Russia	09/06/2022	**Olga Vladimirovna SHNYROVA** 1957 Ivanovo	Mariya Aleksandrovna KANEVSKAYA	The applicant, director of the Ivanovo Centre for Gender Studies, was fined RUB 100,000 pursuant to Article 19.34(1) of the CAO for failing to register her organisation as a "foreign agent". The Ministry of Justice cited the following as "political activities": posts on social networks, a petition against education reform, surveys on labour rights during the COVID-19 pandemic, and translations of feminist literature. The organisation unsuccessfully argued that its activities were scientific and therefore exempt from being	1,640 (fine), 95 (court fees)	TBD	7,540

					classified as political. It also noted that previous inspections in 2016 and 2019 had not found any violations despite similar activities and foreign funding. Final decision regarding the fine: 19/04/2022, Ivanovo Regional Court.			
31314/22	We Against AIDS and Burdina v. Russia	08/06/2022	**WE AGAINST AIDS** 2002 Krasnoyarsk **Yuliya Vladimirovna BURDINA** 1973 Krasnoyarsk	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, which has been working since 2002 to combat the HIV/AIDS epidemic and improve the quality of life for people living with HIV/AIDS, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to seek registration as a "foreign agent". The Ministry of Justice cited the following as "political activities": distributing syringes and condoms to sex workers and drug users, which was deemed to promote tolerance towards non-medical drug use and promiscuous sexual behaviour, and promoting tolerant attitudes towards same-sex relationships. "Foreign funding" was identified as money received from the AIDS Healthcare Foundation (USA) and the Russian NGO "Open Health Institute", which receives funds from the Global Fund to Fight AIDS, Tuberculosis and Malaria (Switzerland). The applicant Yuliya Burdina, chairperson of the organisation, was separately fined RUB 100,000 under the same provision. Final decisions regarding the fine (in both cases): 02/03/2022, Krasnoyarsk Regional Court. Final decision regarding the designation: 25/11/2022, Supreme Court of the Russian Federation.	3,440 (organisation), 1,150 (director)	TBD	9,900
34158/22	Zhilinskiy v. Russia	21/06/2022	**Vladimir Aleksandrovich ZHILINSKIY** 1984 Tbilisi	Anna Yevgenyevna BOCHILO	The applicant, chairman of the regional branch of the election monitor Golos in the Pskov region, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that he had received RUB 460 from a foreign national and RUB 109,359 from the Finnish organisation International Solidarity		TBD	

					Foundation and that he had shared posts from "Sever.Realii", a media organisation already designated as a "foreign agent", on his Facebook and Twitter accounts. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO. Final decision regarding the fine: 25/04/2022, Pskov Regional Court. Final decision regarding the designation: 03/08/2023, Supreme Court of the Russian Federation.			
34737/22	Katkova v. Russia	11/07/2022	**Veronika Vyacheslavovna KATKOVA** 1955 Orel	Anna Yevgenyevna BOCHILO	The applicant, chairwoman of the regional branch of the election monitor Golos in the Orel region, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that she had received RUB 5,445 from the League of Voters Foundation, an organisation already designated as a "foreign agent", and that she had shared posts from several media organisations designated as "foreign agents" on her personal Facebook page. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label a post on her Facebook account with the "foreign agent" notice on 17/01/2022. The applicant argued that this was a technical error, as she had correctly labelled over 800 other posts between 29/09/2021 and 04/04/2022, including six other posts on the day of the alleged violation. She also noted that the violation was voluntarily corrected immediately after receiving notification from Roskomnadzor on 28/01/2022. Final decision: 06/05/2022, Orel Regional Court.		TBD	
34740/22	Verzilov v. Russia	11/07/2022	**Petr Yuryevich VERZILOV** 1987 Moscow	Anna Yevgenyevna BOCHILO	The applicant, publisher of the online media outlet Mediazona and member of Pussy Riot, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that he had received money from Mediazona's US entity and that he had shared materials from Medusa Project, a Russian-language media		TBD	

					organisation already designated as a “foreign agent”, and also participated in creating content for it. The applicant’s judicial review of the Ministry of Justice decision was unsuccessful. Final decision: 03/04/2023, Supreme Court of the Russian Federation. The applicant was fined RUB 1,500 pursuant to Article 19.34.1(1) of the CAO. Final decision: 13/05/2022, Moscow City Court.			
36373/22	Chudinova v. Russia	14/07/2022	**Galina Nikolayevna CHUDINOVA** 1971 Siva	Yelena Yuryevna PERSHAKOVA	The applicant, editor-in-chief of the online media outlet Na Rodnoy Zemle, was fined RUB 4,000 pursuant to Article 13.15(2.1) of the CAO. The charge stemmed from an article titled “If your rights were violated”, which mentioned the Perm Regional Human Rights Centre without indicating that its status as a “foreign agent” organisation. Final decision: 17/03/2022, Perm Regional Court.	92	TBD	1,500
36815/22	Pavlov v. Russia	21/07/2022	**Ivan Yuryevich PAVLOV** 1971 St Petersburg	Anna Yevgenyevna BOCHILO	The applicant, a lawyer and human rights defender, was designated as a “foreign agent” on 08/11/2021. The Ministry of Justice claimed he had received salary and legal fees from a law firm which had previously received payments from a Czech organisation, and alleged he had shared and created content for media organisations already designated as “foreign agents”. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to register a Russian legal entity within one month of designation (final decision: 21/04/2022, St Petersburg City Court), and subsequently fined RUB 10,000 three more times under the same provision: for failing to label his social media posts as originating from a “foreign agent”, and for two further instances of unlabelled publications. Final decisions: 02/06/2022, 07/07/2022 and 01/08/2022, St Petersburg City Court.	170	TBD	
40319/22	Mameyev	05/08/2022	**Sergey Yuryevich**	Danil Ilnurovich	The applicant, editor-in-chief of the online media outlet	80	TBD	

	v. Russia		**MAMEYEV** 1986 Kuyar	NURGALEYEV	Yocity12, was fined RUB 4,000 pursuant to Article 13.15(2.4) of the CAO for using as an illustration a photograph which was first published in 2016 by Meduza Project, a media organisation that had been designated as a "foreign agent" in 2021. Final decision: 06/04/2022, Supreme Court of the Mari El Republic.			
41296/22	Velikovskiy v. Russia	17/08/2022	**Dmitriy Aleksandrovich VELIKOVSKIY** 1980 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a journalist, was designated as a "foreign agent" on 20/08/2021 for receiving money from a UK think tank, an association of investigative journalists, and the Riga campus of the Stockholm School of Economics, and for publishing his stories in the e-zine iStories and on his social media accounts. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failure to label his Facebook posts. Final decision: 15/06/2022, Moscow City Court.		TBD	
41298/22	Karezina v. Russia	17/08/2022	**Inna Pavlovna KAREZINA** 1972 Moscow	Anna Yevgenyevna BOCHILO	The applicant, chairwoman of the regional branch of the election monitor Golos in the Moscow region, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that she had received RUB 165,926 from the League of Voters Foundation, previously designated as a "foreign agent" organisation, and also cited her publications on the Golos website, video lectures on the Golos YouTube channel, social media activity on Facebook, Twitter, and VKontakte, and one instance of sharing material from Radio Free Europe/Radio Liberty, a media organisation already designated as a "foreign agent". The application for judicial review was unsuccessful. Final decision: 10/04/2023, Supreme Court of the Russian Federation. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label her posts on VKontakte and Twitter with the "foreign agent" notice. Final decision: 27/05/2022, Moscow City Court.		TBD	
45031/22	Svecha Charitable	08/09/2022	**SVECHA**	Mariya	The applicant organisation, which had worked on	590 (audit	TBD	9,700

	Foundation v. Russia		**CHARITABLE FOUNDATION** St Petersburg	Aleksandrovna KANEVSKAYA	HIV/AIDS prevention in St Petersburg, was designated as a "foreign agent" on the grounds it received "indirect foreign funding" from Russian organisations the EHF Foundation Branch, the E.V.A. Association of Patients and Specialists, and the Open Health Institute. The Ministry cited social media posts by the organisation's director as "political activities", including her participation in a rally against constitutional amendments and articles about sex workers and HIV-positive individuals. The organisation's challenge to this designation was unsuccessful. Final decision: 24/06/2022, Supreme Court of the Russian Federation.	and court fees)		
46439/22	Apakhonchich v. Russia	16/09/2022	**Darya Aleksandrovna APAKHONCHICH** 1985 St Petersburg	Aleksandr Dmitriyevich PEREDRUK	The applicant, a women's rights campaigner, was designated as a "foreign agent" on 28/12/2020. The Ministry of Justice cited the following as grounds for the designation: publishing feminist materials online, advocating for gender equality, and receiving indirect foreign funding, including from the Russian Red Cross. The applicant's challenge to this designation was unsuccessful. Final decision: 06/06/2022, Supreme Court of the Russian Federation.		TBD	
47149/22	Savitskaya v. Russia	16/09/2022	**Lyudmila Alekseyevna SAVITSKAYA** 1991 Prague	Anna Yevgenyevna BOCHILO	The applicant, a journalist and correspondent for Radio Free Europe/Radio Liberty, was designated as a "foreign agent" on 28/12/2020. The Ministry of Justice cited receipt of money from Radio Free Europe/Radio Liberty, and her work as a freelance correspondent for media outlets designated as "foreign agents". The Ministry also noted her social media activity on topics including social issues and political agendas. The applicant's challenge to this designation was unsuccessful. Final decision: 02/06/2022, Supreme Court of the Russian Federation.		TBD	
47602/22	Markelov v. Russia	22/09/2022	**Sergey Yevgenyevich MARKELOV**	Anna Yevgenyevna BOCHILO	The applicant, a journalist, was designated as a "foreign agent" on 28/12/2020 for receiving money from the Moscow bureau of Radio Free Europe/Radio Liberty and		TBD	

			1986 New York		writing for “Sever.Realii”, a media organisation already designated as a “foreign agent”. The applicant was fined RUB 5,000 pursuant to Article 19.34.1(1) of the CAO for failing to label his Facebook posts with the “foreign agent” notice. Final decision: 25/05/2022, Supreme Court of the Republic of Karelia.			
49822/22 36457/23	OOO Memo v. Russia	06/10/2022 20/09/2023	**OOO MEMO** 2007 Moscow, Russia	Tumas Arsenovich MISAKYAN	The applicant organisation, publisher of the online media outlet “Kavkazskiy Uzel” (Caucasian Knot), was designated as a “foreign agent” media organisation on 08/10/2021. The applicant organisation disagrees with this designation and challenged it in court. Final decision: 22/05/2023, Supreme Court of the Russian Federation. The applicant was additionally fined in two cases: (1) RUB 40,000 pursuant to Article 13.15(2.4) of the CAO for failing to label a publication mentioning Radio Free Europe/Radio Liberty’s Kavkaz.Realii project designated as a “foreign agent” with the required notice. Final decision: 09/06/2022, Moscow City Court, and (2) RUB 500,000 pursuant to Article 19.34.1(1) of the CAO for failing to label a Twitter post. The post linked to an article on its website titled “Slavery in the North Caucasus”, which had been periodically updated for several years. While the original article and previous updates were published before the designation, the most recent update, made on 01/12/2021, occurred after the designation and was taken to constitute a violation. Final decision: 09/03/2022, Moscow City Court.	5,480	20,000	
52486/22	The Insider SIA v. Russia	04/11/2022	**THE INSIDER SIA** 2015 Riga	Anna Yevgenyevna BOCHILO	The applicant organisation, the Russian-language online media outlet The Insider incorporated in Latvia that focuses on investigative journalism, fact-checking, and political analysis, was designated as a “foreign agent” media organisation on 23/07/2021. It was fined RUB 500,000 pursuant to Article 19.34.1(1) of the CAO for failing to label publications on its website with the		TBD	

					“foreign agent” notice on 11/10/2021. Final decision: 27/07/2022, Moscow City Court.			
54396/22	Gelman v. Russia	05/11/2022	**Marat Aleksandrovich GELMAN** 1960 Moscow	Anna Yevgenyevna BOCHILO	The applicant, an art collector and gallery owner, was designated as a “foreign agent” on 30/12/2021. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label his posts on the social network Twitter with the “foreign agent” notice. Final decision: 29/07/2022, Moscow City Court.		TBD	
55462/22	Mayetnaya v. Russia	09/11/2022	**Yelizaveta Vitalyevna MAYETNAYA** 1974 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a journalist for Radio Free Europe/Radio Liberty’s “Sever.Realii” project, was designated as a “foreign agent” on 15/07/2021. The Ministry of Justice cited sharing articles from “foreign agent” media outlets on her Facebook account, participating in creating content for these outlets, and receiving her salary from Radio Free Europe/Radio Liberty and its Russian subsidiary. Final decision: 08/08/2022, Supreme Court of the Russian Federation.		TBD	
56066/22	Rozhdestvenskiy v. Russia	10/11/2022	**Ilya Dmitriyevich ROZHDESTVENSKIY** 1990 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a journalist and editor-in-chief of the Vlast magazine and special correspondent for Open Media, was designated as a “foreign agent” on 23/07/2021. The Ministry of Justice cited his publications on the Open Media website and receipt of money from Open Press (France) and Radio Free Europe/Radio Liberty. Final decision: 08/08/2022, Supreme Court of the Russian Federation.		TBD	
57022/22	Kamalyagin v. Russia	01/12/2022	**Denis Nikolayevich KAMALYAGIN** 1985 Pskov	Anna Yevgenyevna BOCHILO	The applicant, a journalist and editor-in-chief of Pskovskaya Guberniya, was designated as a “foreign agent” on 28/12/2020. The Ministry of Justice cited his creation of content for Sever.Realii (already designated as a “foreign agent”), his work as a freelance correspondent for Radio Free Europe/Radio Liberty, his social media activity, and receipt of foreign funding		TBD	

					from Radio Free Europe/Radio Liberty. Final decision regarding the designation: 23/08/2022, Supreme Court of the Russian Federation. The applicant was additionally fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label his posts on Telegram with the "foreign agent" notice. Final decision regarding the fine: 08/08/2022, Pskov Regional Court.			
889/23	Stichting Bellingcat v. Russia	09/12/2022	**STICHTING BELLINGCAT** 2018 Amsterdam	Anna Yevgenyevna BOCHILO	The applicant organisation, an independent international team of investigative journalists registered in the Netherlands, was designated as a "foreign agent" media organisation on 08/10/2021. An application for judicial review of the designation decision was unsuccessful. Final decision: 14/06/2023, Supreme Court of the Russian Federation. The applicant organisation was fined RUB 500,000 pursuant to Article 19.34.1(1) of the CAO for failing to label its publications on its website with the "foreign agent" notice. Final decision: 17/08/2022, Moscow City Court.		TBD	
10368/23	Churakova and Others v. Russia	24/02/2023	**Olga Vladimirovna CHURAKOVA** 1989 Khimki **Yuliya Vladimirovna APUKHTINA** 1977 Samara **Roman Sergeyevich BADANIN** 1976 Moscow	Tumas Arsenovich MISAKYAN	The applicants, eight Russian journalists working for the investigative media Project, were designated as "foreign agents" in July 2021. The Ministry of Justice cited their receipt of foreign funding and their sharing of materials from other media outlets already designated as "foreign agents" such as Meduza and Radio Liberty on social media. The US-based company Project Media, associated with Project, was declared an "undesirable organisation" in Russia. The applicants challenged their designations through the judicial system. Final decisions: between 02/11/2022 and 12/12/2022, Supreme Court of the Russian Federation.		10,000 (per applicant)	

			Sofya Romanovna GROYSMAN 1994 Moscow **Yuliya Sergeyevna LUKYANOVA** 1997 Moscow **Mikhail Arkadyevich RUBIN** 1988 Moscow **Daniil Vladimirovich SOTNIKOV** 1992 Moscow **Mariya Mikhaylovna ZHELEZNOVA** 1979 Moscow					
13076/23	Babinets v. Russia	21/03/2023	**Sergey Sergeyevich BABINETS** 1988 Nizhniy Novgorod	Elza Albertovna VALIYEVA	The applicant, chairman of the Committee against Torture, a Russian NGO liquidated on the day following its designation as a "foreign agent", was fined RUB 100,000 pursuant to Article 19.7.5-3(2) of the CAO for failing to label the vacancy of a lawyer with the NGO on a job-hunting website and the NGO's Telegram and YouTube channels with the required "foreign agent" notice. Final decision: 14/12/2022, Nizhny Novgorod Regional Court.		TBD	
19172/23	Vorobyev	15/02/2023	**Viktor Viktorovich**	Anna	The applicant, a lawyer and deputy of the State Council		TBD	

	v. Russia		**VOROBYEV** 1989 Syktyvkar	Yevgenyevna BOCHILO	of the Komi Republic, was designated as a "foreign agent" on 01/04/2022. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label a post on his personal VKontakte page with the "foreign agent" notice. Final decision: 16/11/2022, Supreme Court of the Komi Republic.			
19394/23	Shulman v. Russia	04/05/2023	**Yekaterina Mikhaylovna SHULMAN** 1978 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a political scientist, was designated as a "foreign agent" on 15/04/2022. The Ministry of Justice cited receipt of foreign funds and dissemination of materials from the media and individuals already designated as "foreign agents". The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label Telegram posts with the "foreign agent" notice. Final decision: 28/02/2023, Moscow City Court.		TBD	
19395/23	Tikhonov v. Russia	09/05/2023	**Mikhail Sergeyevich TIKHONOV** 1990 Kazan	Anna Yevgenyevna BOCHILO	The applicant, a coordinator of the election monitor Golos in Tatarstan, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice cited receipt of EUR 443 from ENEMO (The European Network of Election Monitoring Organizations, based in Montenegro) as per diem. It also noted his publications on the Golos website, an opinion column on the website of the Russian Civil Society Support Group, and appearances as an expert on the Club of Regions network publication and in the Novaya Gazeta electronic periodical. Final decision: 07/04/2023, Supreme Court of the Russian Federation.		TBD	
19423/23	Grezev v. Russia	09/05/2023	**Aleksandr Viktorovich GREZEV** 1987 Puderbach	Anna Yevgenyevna BOCHILO	The applicant, coordinator of the regional branch of the election monitor Golos in the Sverdlovsk region, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that he had received RUB 21,154 from the League of Voters Foundation, previously designated as a "foreign agent" organisation, and also cited his publications on the Golos website,		TBD	

					personal pages on social networks (VKontakte, Instagram, Twitter, LiveJournal), and one instance of sharing material from Current Time TV channel, a media organisation already designated as a "foreign agent". Final decision: 24/03/2023, Supreme Court of the Russian Federation.			
19848/23	Surnacheva v. Russia	12/05/2023	**Yelizaveta Dmitriyevna SURNACHEVA** 1986 Kyiv	Tumas Arsenovich MISAKYAN	The applicant, a journalist and editor for the Current Time TV channel, was designated as a "foreign agent" on 08/10/2021. The grounds were receiving foreign funding, working for media outlets designated as "foreign agents", and sharing information from such outlets on social networks. Final decision: 16/12/2022 (received by mail on 31/03/2023), Supreme Court of the Russian Federation.		10,000	
21786/23	Lyutov v. Russia	05/04/2023	**Aleksandr Ivanovich LYUTOV** 1987 Saransk	Anna Yevgenyevna BOCHILO	The applicant, coordinator for the election monitor Golos in the Republic of Mordovia, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that he had received RUB 2,500 from a foreign citizen and cited his role as a coordinator for Golos and his activity on social networks VKontakte and Facebook. Final decision: 12/12/2022, Supreme Court of the Russian Federation.		TBD	
22965/23	Kuzmina v. Russia	29/05/2023	**Lyudmila Gavrilovna KUZMINA** 1950 Samara	Anna Yevgenyevna BOCHILO	The applicant, a human rights activist and coordinator for the election monitor Golos in the Samara Region, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that she had received RUB 15,000 from a French national and cited her roles in election monitoring, blogging, media appearances, and social media activity. The Ministry also alleged eight instances of sharing materials from "foreign agent" media outlets and three instances of participating in creating content for such media. Final decision: 06/02/2023, Supreme Court of the Russian Federation.		TBD	

25731/23	Perl v. Russia	14/06/2023	**Roman Aleksandrovich PERL** 1982 St Petersburg	Anna Yevgenyevna BOCHILO	The applicant, an analytical journalist and TV presenter, was designated as a "foreign agent" on 08/10/2021. The Ministry of Justice claimed that he had received money from Radio Free Europe/Radio Liberty and also cited his social media activity and alleged five instances of sharing materials from "foreign agent" media outlets and four instances of participating in creating such materials. Final decision: 03/03/2023, Supreme Court of the Russian Federation.		TBD	
27601/23	Mayakovskaya v. Russia	22/06/2023	**Yekaterina Alekseyevna MAYAKOVSKAYA** 1994 Pridorozhnyy	Anna Yevgenyevna BOCHILO	The applicant, a journalist, was designated as a "foreign agent" on 08/04/2022. The Ministry of Justice claimed that she had received money from Radio Free Europe/Radio Liberty and also worked for various media outlets, including some already designated as "foreign agents", volunteered for the election monitor Golos, and was active on her social media. They alleged eight instances of sharing materials from "foreign agent" media outlets and ten instances of participating in creating such materials. Final decision: 24/03/2023, Supreme Court of the Russian Federation.		TBD	
28810/23	Shenderovich v. Russia	11/07/2023	**Viktor Anatolyevich SHENDEROVICH** 1958 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a satirist, journalist, and playwright, was designated as a "foreign agent" on 30/12/2021. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label his Telegram posts with the "foreign agent" notice. Final decision: 27/04/2023, Moscow City Court.		TBD	
28961/23	Kiltau v. Russia	11/07/2023	**Yekaterina Viktorovna KILTAU** 1992 Barnaul	Anna Yevgenyevna BOCHILO	The applicant, chairman of the election monitor Golos in the Altai region, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed that she had received RUB 7,047 from the League of Voters Foundation (previously designated as a "foreign agent" organisation) and RUB 200 from a Tajik national. The Ministry also cited her roles in political debate clubs, as a press secretary of an opposition politician, and her		TBD	

					social media activity. They alleged one instance of participating in creating materials for “Sibir.Realii”, a media outlet designated as a “foreign agent”. Final decision: 26/04/2023, Supreme Court of the Russian Federation.			
29705/23	Parkhomenko v. Russia	20/07/2023	**Sergey Borisovich PARKHOMENKO** 1964 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a journalist, radio host, and political commentator, was designated as a “foreign agent” on 22/04/2022. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label his Telegram posts with the “foreign agent” notice. Final decision: 19/04/2023, Moscow City Court.	110	TBD	
29707/23	OOO ZP v. Russia	19/07/2023	**OOO ZP** Moscow	Anna Yevgenyevna BOCHILO	The applicant company, publisher of the online magazine Mediazona, was designated as a “foreign agent” on 29/09/2021. The Ministry of Justice claimed that it had disseminated and cited materials from various media outlets and individuals already designated as “foreign agents” and had received money from a Russian company which had previously received funds from Google Ireland Limited. The applicant’s legal challenge was unsuccessful. Final decision: 03/04/2023, Supreme Court of the Russian Federation.		TBD	
30434/23	Nikulshina v. Russia	19/12/2022	**Veronika Yuryevna NIKULSHINA** 1997 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a member of the punk group Pussy Riot, was designated as a “foreign agent” on 30/12/2021. The Ministry of Justice claimed that she had received RUB 295,108 from foreign citizens and cited her social media activity, participation in Pussy Riot’s YouTube content, and an interview with Radio Free Europe/Radio Liberty, a media organisation already designated as a “foreign agent”. An application for judicial review of the designation was unsuccessful. Final decision: 23/06/2023, Supreme Court of the Russian Federation. The applicant was fined RUB 5,000 pursuant to Article 19.34.1(1) of the CAO for failing to label her		TBD	

					Instagram posts with the "foreign agent" notice. Final decision: 05/09/2022, Moscow City Court.			
31356/23	Vetoshkina v. Russia	31/07/2023	**Valeriya Valeryevna VETOSHKINA** 1997 St Petersburg	Anna Yevgenyevna BOCHILO	The applicant, a lawyer and member of the St. Petersburg Bar Association, was designated as a "foreign agent" on 08/11/2021. The Ministry of Justice claimed that she had received money from foreign organisations for legal services she provided, and "indirect foreign funding" from Russian organisations previously designated as "foreign agents". It also cited her social media activity and twelve instances of participation in creating materials for media outlets already designated as "foreign agents". Final decision: 09/06/2023, Supreme Court of the Russian Federation.		TBD	
32172/23	Human Rights Group 'Citizen. Army. Law' v. Russia	09/08/2023	**HUMAN RIGHTS GROUP 'CITIZEN. ARMY. LAW'** Moscow	Anna Yevgenyevna BOCHILO	The applicant organisation, which works for the protection of the rights of conscripts, alternative service members, and military personnel, was fined RUB 300,000 pursuant to Article 19.34(1) of the CAO for failing to apply for registration as a "foreign agent". Final decision: 25/04/2023, Moscow City Court.		TBD	
32180/23	Klepikovskaya v. Russia	14/08/2023	**Yekaterina Dmitriyevna KLEPIKOVSKAYA** 1988 Syktyvkar	Tumas Arsenovich MISAKYAN	The applicant, a journalist collaborating with online publications 7x7 and Sever.Realii (both previously designated as "foreign agents", was designated as a "foreign agent" on 08/10/2021. The Ministry of Justice cited her work for media outlets already designated as "foreign agents" as grounds for the designation. Final decision: 14/04/2023, Supreme Court of the Russian Federation.		10,000	
32185/23	Simonov v. Russia	14/08/2023	**Yevgeniy Alekseyevich SIMONOV** 1968 Evatt	Tumas Arsenovich MISAKYAN	The applicant, an ecologist and founder of the international coalition Rivers without Borders, known for his advocacy in protecting Lake Baikal and the Amur River, was designated as a "foreign agent" on 08/10/2021. The Ministry of Justice asserted that he had received funding from foreign sources and shared		10,000	

					information on social networks from media outlets already designated as “foreign agents”. Final decision: 14/04/2023, Supreme Court of the Russian Federation.			
32187/23	Marokhovskaya and Dolinina v. Russia	14/08/2023	**Alesya Alekseyevna MAROKHOVSKAYA** 1995 Moscow **Irina Nikolayevna DOLININA** 1994 Nizhniy Novgorod	Tumas Arsenovich MISAKYAN	The two applicants, journalists for the investigative online publication iStories, were designated as “foreign agents” on 20/08/2021. The Ministry of Justice claimed they had received foreign funding, worked as journalists, disseminated information including on social networks, and participated in creating materials for foreign media outlets designated as “foreign agents”. Final decisions: 16/05/2023 and 22/05/2023, Supreme Court of the Russian Federation.		10,000 (per applicant)	
33050/23	Zhilkin v. Russia	18/04/2023	**Vladimir Vladimirovich ZHILKIN** 1974 Tambov	Anna Yevgenyevna BOCHILO	The applicant, coordinator of the election monitor Golos in the Tambov region, was designated as a “foreign agent” on 29/09/2021. The Ministry of Justice claimed that he had received RUB 38,561 from ENEMO (The European Network of Election Monitoring Organization) as per diem and RUB 171 from a foreign national. It also cited his coordination role in Golos, his blogging, social media presence on various platforms, and two instances of sharing material from media organisations already designated as “foreign agents”. Final decision: 20/01/2023, Supreme Court of the Russian Federation.		TBD	
33130/23	OOO Apologiya v. Russia	14/08/2023	**OOO APOLOGIYA** 2011 Novocheboksarsk	Anna Yevgenyevna BOCHILO	The applicant organisation, which provided legal assistance in cases of violations of freedom of assembly and conducted education and training for lawyers, was designated as a “foreign agent” on 06/05/2022. The Ministry of Justice claimed that it had received foreign funding from entities in China, Switzerland, and the Czech Republic and cited its participation in creating materials distributed by media organisations already designated as “foreign agents”. The organisation was liquidated on 20/01/2023 due to the impossibility of operating under the restrictive regime imposed by		TBD	

					“foreign agent” legislation. Final decision: 13/06/2023, Supreme Court of the Russian Federation.			
33425/23	IStories fonds v. Russia	29/08/2023	**ISTORIES FONDS** Riga	Tumas Arsenovich MISAKYAN	The applicant organisation, publisher and editorial office of the investigative journalism website iStories.media registered in Latvia, was designated as a “foreign agent” on 20/08/2021. The Ministry of Justice claimed that it had received foreign funding and distributed information and materials, including in other media outlets designated as “foreign agents”. In March 2022, the General Prosecutor’s Office designated it as an “undesirable organisation”. To avoid risks of administrative and criminal liability for its journalists, the founders decided to liquidate the organisation, which was completed on 11/07/2023. Final decision regarding the challenge to the designation: 12/05/2023, Supreme Court of the Russian Federation.		15,000	
33592/23	Arapova v. Russia	29/08/2023	**Galina Yuryevna ARAPOVA** 1972 Voronezh	Tumas Arsenovich MISAKYAN	The applicant, a lawyer specialising in information and media law and founder and director of the non-profit organisation Mass Media Defence Centre (designated as a “foreign agent” in 2015), was designated as a “foreign agent” on 08/10/2021. The Ministry of Justice claimed that she had received foreign funding and shared her expert opinions on the website of the Mass Media Defence Centre and on the independent radio station Echo of Moscow. Her expert opinions were also cited in media outlets designated as “foreign agents”. Final decision: 16/05/2023, Supreme Court of the Russian Federation.		15,000	
35746/23	Sobol v. Russia	13/09/2023	**Lyubov Eduardovna SOBOL** 1987 Tallinn	Anna Yevgenyevna BOCHILO	The applicant, an opposition politician and former legal counsel for the Anti-Corruption Foundation, was designated as a “foreign agent” on 06/05/2022. She was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label her posts on Telegram with the		TBD	

					“foreign agent” notice. Final decision: 31/05/2023, Moscow City Court.			
35754/23	Bekbulatova v. Russia	21/09/2023	**Taisiya Lvovna BEKBULATOVA** 1991 Novodrozhzhino	Tumas Arsenovich MISAKYAN	The applicant, a journalist and editor-in-chief of the independent online publication Holod, was designated as a “foreign agent” on 30/12/2021. The Ministry of Justice claimed that she had received foreign funding, worked as a journalist, distributed information on various social networks, and shared materials from media outlets already designated as “foreign agents”. The applicant’s legal challenge was unsuccessful. Final decision: 22/05/2023, Supreme Court of the Russian Federation. The applicant was fined RUB 35,000 pursuant to Article 19.34(4) of the CAO for failing to label her posts with the “foreign agent” notice, and RUB 30,000 pursuant to Article 19.34(2) of the CAO for failure to submit quarterly financial and activity reports to the Ministry of Justice as required of “foreign agents”: 05/10/2023 and 15/01/2024, Vidnovskiy District Court of the Moscow Region.	355	15,000	
35774/23	Asafyev v. Russia	19/09/2023	**Artur Valeryevich ASAFYEV** 1966 Ufa	Anna Yevgenyevna BOCHILO	The applicant, a journalist for the online publications Idel.Realii and Radio Free Europe/Radio Liberty (both already designated as “foreign agents”), was designated as a “foreign agent” on 22/04/2022. The Ministry of Justice cited his receipt of salary from RFE/RL, his work as a correspondent for Idel.Realii since 1999, and the distribution of materials on various online platforms, including twenty instances of sharing content from media outlets already designated as “foreign agents”. The Ministry also noted his participation in creating content for “foreign agent” media outlets. Final decision: 10/08/2023, Supreme Court of the Russian Federation.		TBD	
35789/23	Yegorov v. Russia	19/09/2023	**Vladimir Vladimirovich YEGOROV**	Anna Yevgenyevna BOCHILO	The applicant, coordinator of the election monitor Golos in Moscow for polling stations located outside Russia, was designated as a “foreign agent” on 29/09/2021. The		TBD	

			1968 Moscow		Ministry of Justice cited his receipt of money from the League of Voters Foundation (designated as a "foreign agent" on 28/10/2020) and his roles as a special correspondent for a legal news agency, editor-in-chief of the Vremya news agency, his blog on the Golos website, and his social media presence. The Ministry identified one instance of sharing content from a media outlet already designated as a "foreign agent". The applicant challenged this status in court. Final decision: 28/07/2023, Supreme Court of the Russian Federation.			
35793/23	Ivanovo Centre for Gender Studies v. Russia	13/09/2023	**IVANOVO CENTRE FOR GENDER STUDIES** Ivanovo	Mariya Aleksandrovna KANEVSKAYA	The applicant organisation, a centre specialising in gender research and the operation of summer schools, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice cited foreign funding (which was not disputed) and "political activities," including social media posts, petitions against educational reforms, publications about events in Brussels featuring "Free Navalny" slogans, information about a conference on gender inequality, and a link supporting Sergei Furgal. The Ministry also noted surveys on labour rights during COVID-19 and translations of academic works on feminism. Final decision regarding the designation: 03/07/2023, Supreme Court of the Russian Federation.	500 (audit fees)	20,000	9,300
37062/23	Alekseyev v. Russia	02/10/2023	**Andrey Viktorovich ALEKSEYEV** 1977 Yaroslavl	Tumas Arsenovich MISAKYAN	The applicant, a film industry professional known for organising film premieres and creative meetings, was designated as a "foreign agent" on 30/12/2021. The Ministry of Justice claimed that he had received foreign funding and "distributed audiovisual messages to an unlimited number of people, including in the interests of media outlets performing the functions of foreign agents". The applicant's legal challenge was unsuccessful. Final decision: 02/06/2023, Supreme Court of the Russian Federation. The applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO	125	15,000	

					for failing to label his posts with the "foreign agent" notice. Final decision: 14/12/2022, Yaroslavl Regional Court.			
37418/23	Muradov v. Russia	06/10/2023	**Murad Abdulgalimovich MURADOV** 1987 Makhachkala	Tumas Arsenovich MISAKYAN	The applicant, a journalist and correspondent for the online publication Kavkazskiy Uzel, was designated as a "foreign agent" on 01/04/2022. The Ministry of Justice claimed that he had received foreign funding, worked as a journalist, distributed information on various social networks, and shared materials from media outlets already designated as "foreign agents". The applicant's appeal against this designation was unsuccessful. Final decision: 14/06/2023, Supreme Court of the Russian Federation.		15,000	
40140/23	Typography - Krasnodar Center for Modern Art v. Russia	01/11/2023	**TYPOGRAPHY - KRASNODAR CENTER FOR MODERN ART** 2015 Krasnodar	Anna Yevgenyevna BOCHILO	The applicant organisation, providing services in culture, art, and science in Krasnodar, was designated as a "foreign agent" on 06/05/2022. The Ministry of Justice claimed that it had received money from the German Embassy and cited several posts on the applicant's Telegram channel as evidence of "political activity". These included criticism of the Russian President's address on Ukraine as "hypocritical speech", statements against the annexation of Crimea, negative accounts of Russia's actions in Ukraine, descriptions of Russia's "special military operation" as a war, and calls for action against the military hostilities. Final decision: 19/07/2023, Supreme Court of the Russian Federation.		TBD	
40243/23	Dud v. Russia	17/10/2023	**Yuriy Aleksandrovich DUD** 1986 Moscow	Anna Yevgenyevna BOCHILO	The applicant, an interviewer and video blogger, was designated as a "foreign agent" on 15/04/2022. The Ministry of Justice claimed that he had received money from an Israeli company for video content rights. It also cited his large social media presence across various platforms, including YouTube (9.6 million subscribers) and Instagram (4.7 million followers). The Ministry noted five instances of the applicant sharing or		TBD	

					participating in the creation of content from media organisations already designated as “foreign agents”. Final decision: 18/08/2023, Supreme Court of the Russian Federation.			
41570/23	Smirnov v. Russia	14/06/2023	**Sergey Sergeyevich SMIRNOV** 1975 Moscow	Anna Yevgenyevna BOCHILO	The applicant, a journalist and editor-in-chief of Mediazona, was designated as a “foreign agent” on 29/09/2021. The Ministry of Justice claimed he had received money from foreign sources and also cited his role at Mediazona, previous work for major Russian media outlets, and significant social media presence. The Ministry noted one instance of sharing content from a media organisation already designated as a “foreign agent”. Final decision on designation: 17/04/2023, Supreme Court of the Russian Federation. Subsequently, the applicant was fined RUB 10,000 pursuant to Article 19.34.1(1) of the CAO for failing to label his posts on Telegram with the “foreign agent” notice. Final decision on the fine: 07/03/2023, Moscow City Court.		TBD	
41598/23	Manyakhin and Others v. Russia	30/05/2023	**Petr Borisovich MANYAKHIN** 1998 Novosibirsk **Roman Aleksandrovich ANIN** 1986 Yaroslavl **Regina Emilevna GIMALOVA** 1977 Kazan **Regina Faritovna**	Tumas Arsenovich MISAKYAN	Five applicants, all journalists working for various investigative media outlets, were designated as “foreign agents” between 15/07/2021 and 03/12/2021. The Ministry of Justice claimed they had received funding from foreign sources and shared materials from media organisations already designated as “foreign agents” (such as Meduza and Radio Liberty) on various social networks. All applicants’ legal challenges were unsuccessful. Final decisions: Supreme Court of the Russian Federation, between 13/02/2023 and 31/03/2023.		15,000	

			KHISAMOVA 1991 Praha **Roman Yuryevich SHLEYNOV** 1975 Moscow					
41797/23	OOO Telekanal Dozhd v. Russia	24/11/2023	**OOO TELEKANAL DOZHD** 2008 Moscow	Tumas Arsenovich MISAKYAN	The applicant organisation, producer of the independent Dozhd TV (Rain TV) channel and the online media tvrain.ru, was designated as a "foreign agent" on 20/08/2021. The Ministry of Justice claimed it had received foreign funding through Russian organisations with alleged foreign partners. Final decision: 31/07/2023, Supreme Court of the Russian Federation. On 25/07/2023, the Prosecutor General's Office declared TV Rain's legal entities in Latvia (SIA TV Rain) and the Netherlands (TVR Studios B.V.) as "undesirable organisations". This decision effectively banned their activities in Russia and prohibited the dissemination of any information to Russian audiences.		15,000	
42200/23	Grigoryeva v. Russia	29/11/2023	**Alina Aleksandrovna GRIGORYEVA** 1983 Kazan	Anna Yevgenyevna BOCHILO	The applicant, a journalist for the media project Idel.Realii, a project of Radio Free Europe/Radio Liberty (both previously designated as "foreign agents"), was designated as a "foreign agent" on 03/12/2021. The Ministry of Justice claimed she had received income from RFE/RL and cited her work for Idel.Realii, her Facebook presence with over 200 followers, and ten instances of participating in creating content for Idel.Realii. Final decision: 29/09/2023, Supreme Court of the Russian Federation.		TBD	
578/24	Kovin v. Russia	20/12/2023	**Vitaliy Sergeyevich KOVIN**	Anna Yevgenyevna BOCHILO	The applicant, coordinator of the election monitor Golos in Perm since 2005, was designated as a "foreign agent" on 29/09/2021. The Ministry of Justice claimed he had		TBD	

			1970 Perm		received the following sums from foreign nationals: RUB 500 from Kyrgyzstan, RUB 69 from Ukraine, and RUB 200 from Uzbekistan. It also cited his election monitoring activities, media appearances, and social media presence (including 2,900 Facebook followers). The Ministry noted two instances of sharing content from the Current Time TV channel and one instance of participating in content creation for Idel.Realii, both previously designated as "foreign agents". The applicant's legal challenge was unsuccessful. Final decision: 13/09/2023, Supreme Court of the Russian Federation.			
591/24	Osetinskaya v. Russia	27/12/2023	**Yelizaveta Nikolayevna OSETINSKAYA** 1977 Moscow	Tumas Arsenovich MISAKYAN	The applicant, a journalist and media manager, formerly editor-in-chief of Forbes Russia and RBK, and founder of The Bell online media and the YouTube channel "Eto Osetinskaya (Russkiye norm!)", was designated as a "foreign agent" on 01/04/2022. The Ministry of Justice claimed she had received funding from foreign sources, worked as a journalist, disseminated information on various social networks, and shared materials from media outlets previously designated as "foreign agents". The applicant's legal challenge was unsuccessful. Final decision: 31/08/2023, Supreme Court of the Russian Federation.		15,000	
595/24	Voltskaya v. Russia	27/12/2023	**Tatyana Anatolyevna VOLTSKAYA** 1960 St Petersburg	Tumas Arsenovich MISAKYAN	The applicant, a journalist and essayist working as a correspondent for Radio Free Europe/Radio Liberty, was designated as a "foreign agent" on 08/10/2021. The Ministry of Justice claimed she had received funding from foreign sources, worked as a journalist, disseminated information on various social networks, and shared materials from media outlets previously designated as "foreign agents". The applicant's legal challenge against the designation was unsuccessful. Final decision: 31/08/2023, Supreme Court of the	355	15,000	

					Russian Federation. The applicant was fined RUB 35,000 pursuant to Article 19.34(4) of the CAO for failing to label her posts with the "foreign agent" notice. Final decision: 14/11/2023, St Petersburg City Court.			
614/24	Grigoryev v. Russia	19/12/2023	**Andrey Valeryevich GRIGORYEV** 1977 Kazan	Anna Yevgenyevna BOCHILO	The applicant, a journalist and editor of Idel.Realii, a project of Radio Free Europe/Radio Liberty (both designated as "foreign agents"), was designated as a "foreign agent" on 03/12/2021. The Ministry of Justice claimed he had received income from RFE/RL and cited his role at Idel.Realii, his social media presence (including 5,700 Facebook followers), and over twenty instances of sharing content from and participating in creating content for media outlets previously designated as "foreign agents". The applicant's legal challenge was unsuccessful. Final decision: 04/09/2023, Supreme Court of the Russian Federation.		TBD	
618/24	Konstantinov v. Russia	27/12/2023	**Denis Vladimirovich KONSTANTINOV** 1987 Orel	Tumas Arsenovich MISAKYAN	The applicant, a journalist who previously worked for MBH Media and contributed to outlets such as Kholod, Gazeta.Ru, and Novaya Gazeta, was designated as a "foreign agent" on 06/05/2022. The Ministry of Justice claimed he had received funding from foreign sources, worked as a journalist, disseminated information on various social networks, and shared materials from media outlets previously designated as "foreign agents" or "undesirable organisations". The applicant's legal challenge was unsuccessful. Final decision: 01/09/2023, Supreme Court of the Russian Federation.		15,000	

[1] All amounts are expressed in euros.
[2] Unless otherwise specified, the claims represent the fines paid or payable, converted into euros on the date of payment or on the date when it became recoverable.
[3] The applicant leaves the amount to be determined by the Court.