

INCREASED CONFLICT, CONTINUING PRESSURE

STATUS OF RUSSIA'S FOREIGN AGENT LAWS AND CONSEQUENCES FOR ENVIRONMENTALISTS

STATUS REPORT 2019



Novokuznetsk, 2017. Photo: Anton Lementuev



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PREFACE:

The Russian Social-Ecological Union (RSEU)/ Friends of the Earth Russia is a non-governmental, non-profit and member-based democratic organization, established in 1992. RSEU brings together public organizations and active citizens from all regions of Russia. All RSEU activities – programs and projects, actions and campaigns – are aimed at nature conservation, protection of health and the wellbeing of people in Russia and around the world. RSEU members act together for nature conservation, for sustainable development of Russia and the planet. In 2014, RSEU became the Russian member of Friends of the Earth.

In Russia, activists, groups and organizations fighting for environment and human rights often face severe consequences of their work. Persecution and pressure come in different forms from the state, from private businesses and from individuals. Supporting activists, groups and organizations has therefore a prominent place in RSEU's work.

Founded in 1914, Naturvernforbundet/Friends of the Earth Norway is Norway's oldest environmental and nature conservation organization. Naturvernforbundet is membership-based

and democratic, and consists of over 31,000 members divided between approximately 100 local groups across the country, working to solve environmental issues both locally and globally.

Naturvernforbundet/Friends of the Earth Norway has over many years worked closely with Russian environmental organizations. The cooperation has been helpful for both sides on a wide range of environmental topics. The work has all the time faced challenges from regulations on the Russian side, but the situation deteriorated significantly with the Foreign Agent NGO laws that were approved in the Russian parliament and by the president in 2012. Especially since 2015 and onwards, the time and resources spent to cope with constantly growing demands and pressure from the authorities have increased in our partner organizations.

For several years, Naturvernforbundet and its Russian partners have published status reports on the conditions for civil society in general and how it affects environmental organizations. All reports and updates are available at www.naturvernforbundet.no/civilsocietyreports and <http://rusecounion.ru/civilsocietyreports>



Russian Social-Ecological Union
Friends  of the Earth Russia



Naturvernforbundet
Friends of the Earth Norway



SUMMARY

Russian environmental activists, called environmental human rights defenders (EHRDs) by the UN, as well as other civil society groups, continue to face difficulties and limitations in their important work. Russian authorities have not withdrawn the laws on “Foreign agents”, and the pressure towards activists continues and even increases.

Among the most notable developments in 2019 was the increased attention environmental issues received in Russia, especially waste issues. Remaining and even worsened environmental and social issues became visible for people. Many wanted to know more, to participate more in decision-making and, though impossible, they saw the need to protest more. People in many places are becoming more active and have taken to the streets, not only to protest dangerous and unfair projects, but also to demand a different environmental policy from authorities.

This increased attention to environmental issues and more open protests against government waste policy, climate policy, and other issues has made environmental struggles more politicized. Russian authorities and, in some cases, business representatives have reacted to the increased conflict with oppressive measures.

In 2019, we have seen the murder of an activist fighting landfill construction. We have noticed attacks, housing and property damage, criminal accusations, police raids, and smear campaigns against activists in state media.

Environmental activists also experienced financial pressure: countless fines draining resources from organizations, activists and movements, at the same time warning protestors to stay away from joining next time. Companies’ legal claims for damages for loss of profits from protestors are a new form of pressure to silence environmental defenders.

As written in our previous reports, the pressure on NGOs has also moved towards oppression of individuals. 2019 has shown this even more clearly: the authorities target angry and politicized local activists – the state wants to stop the spread of activism.

The law on individual foreign agents went into force in 2019, after being on hold for almost two years. Individual journalists and bloggers can now be labelled foreign agents. As always, it is not clear where the line is drawn, but the law might cover anyone spreading information, for instance on social media.

For Russian environmental organizations, the situation is formally not very different from 2018. The organizations continue to adapt to the situation: most of those who were labelled foreign agents closed themselves down, if the Ministry of Justice did not close them down first. Several environmentalists established consulting companies to be able to still get financial support from abroad, as domestic sources are scarce and mostly relevant for compliant organizations. Several environmental groups work unregiste-

red as a legal entity, therefore without a bank account and without the opportunity to conduct independent environmental expertise, a tool to give a second opinion on environmental impact assessment of the documents from the industry.

The role of independent environmental activists in the Russian environmental movement increased in 2019. The increased attention to environmental issues in 2019 seems to be thanks to independent activists, at least partly. In the struggle against transport of household waste

from Moscow to remote Shies in Arkhangelsk region, the most visible environmental struggle, already established organizations have worked together with independent activists. Also, climate activists have received help and support from the established parts of the Russian environmental movement. But the increased number of environmental activists do not present themselves as new members or new affiliates to the already established groups.



Authorities blocked the road to the Shies station to prevent activists moving and organizing. Photo: RSEU



INTRODUCTION

In this report, we show how civil society space in general, and the space for environmental groups and activists in particular, has changed during 2019. We present the legal changes and the groups being labelled as Foreign Agents and Undesirable Organizations, as well as developments in the political debate, most notably in the form of environmental protest.

The situation for Russian civil society is severe. The main trend is that every year, the situation for civil society is becoming worse. Existing legislation becomes stricter, new limitations are imposed, and more limiting regulations are proposed.

Even if a new bill does not become law, it can still serve the function of spreading fear of the restrictive state. Typically, after relief from not approving a very strict bill, a softer restrictive law becomes more acceptable, but still has an impact on society.

After the Foreign Agents law was introduced, the pressure on civil society became what we can call systemic, through regular inspections, labeling, fines, courts and so on. Thus, it was necessary for NGOs to start more systemic monitoring and documentation. We have been following the condition and the development of the situation for environmental NGOs and activists in Russia for many years, and have made annual reports since 2013.

On the international level, in March 2019, the UN Human Rights Council called on all

states to abide by its obligations to promote and protect environmental human rights defenders (EHRDs) under the 1998 UN Declaration on environmental human rights defenders¹, in order to highlight the importance of the work of people who defend human rights related to the environment and in recognition of the dangers they face.² Our reports aim to contribute to highlighting struggles in defense of the environment and environmental defenders in Russia. We point out the most significant cases and trends.

As environmentalists, our focus in our reports is mainly on pressure towards environmental NGOs and activists. However, we want to point out that other NGOs and activists also face problems, sometimes even more severe. We mention some of them here when we see it as the beginning of a new trend or a path that environmental groups will soon follow.

Most of the data reflected and numbers shown are considered and counted until the end of 2019. In some cases, if the effect in the beginning of 2020 has an important additional value for the discussion of 2019 events, we include this.

While we were finishing the report, the corona

1. Recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development. Full text here: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/088/48/PDF/G1908848.pdf?OpenElement>

2. <https://undocs.org/A/HRC/40/L.22/Rev.1>

pandemic appeared in Russia as in the rest of the world. Although we see that the fight against the spreading of the virus might impact the opportunities for environmental groups and the rest of the civil society, we save this analysis for our 2020 report.

We have used the approximate currency rate for the end of the 2019: 1 Euro as 10 Norwegian kroner and 70 Russian rubles. Numbers in RUR are exact, but numbers in Norwegian kroner and Euros are rounded.



RSEU protests against UF6 import to Russia. Photo: RSEU



BACKGROUND

The space for civil society in Russia started shrinking around 2000, when Vladimir Putin came to power. After non-governmental organizations (NGOs) bloomed in the 1990s, more regulations were slowly imposed in the areas of reporting and finances.

From 2006, Russia imposed increased reporting requirements on NGOs, especially relating to foreign funding. It also provided for planned, annual inspections of the organizations from the authorities, as well as unannounced inspections. Following this, several NGOs were inspected in 2007-2008, but most environmental organizations continued their work as before.

The situation deteriorated severely in 2012 when the Foreign Agent law was introduced. The law intended to restrict foreign funding for electoral monitoring NGOs, after the massive protest movement that followed the irregularities in the 2011 and 2012 parliamentary and presidential elections. After most NGOs refused to register as Foreign Agents, the Ministry of Justice was given the authority to label NGOs as foreign agents.

BACKGROUND ON THE LAW ON FOREIGN AGENTS

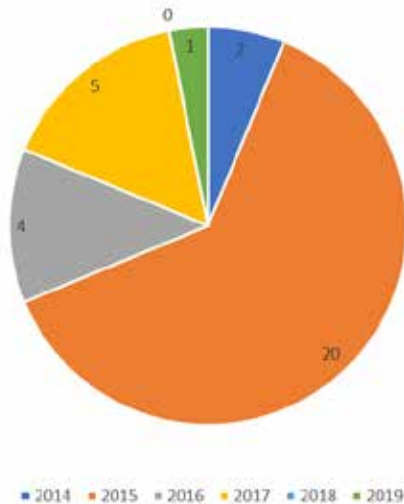
The law on Foreign Agents aims to marginalize, defame, and shut down critical voices. An organization can be labelled a Foreign Agent if it has received foreign funding at the same time as engaging in “political activity”. The definition of “political activity” is vague and covers in practice

any normal advocacy work that any organization would be engaged in. Activities like information work and arranging meetings can also be considered “political” and lead to labelling, which means that no organization is safe.

Table 1: Number of environmental NGOs labelled as Foreign Agents 2014-2019

2014	2
2015	20
2016	4
2017	5
2018	0
2019	1
Total	32

Figure 1: Environmental NGO labelled 2014-2019



The law on Foreign Agents has, since its approval in 2012, served as one of Russian authorities' main tools to repress Russian civil society. The law hinders Russians organizations in working efficiently: restricting foreign funds, marginalizing "political" and almost any other NGO's activity, spreading distrust to non-governmental actors among society and introducing self-censorship among NGOs. In addition, the various aspects and processes of the law, like inspections, increased reporting, huge fines and even sometimes court cases, draw time and resources from NGOs.

A change in the law from 2014 gave the Ministry of Justice the right to include organizations in the register themselves, without a court ruling. This change had a clear effect: in 2015, the number of NGOs in the register increased enormously. 20 environmental NGOs were included in 2015, compared to two in 2014, four in 2016, five in 2017, and none in 2018 (see table 1 and figure 1).

Consequences for NGOs that are registered are huge, and, in practice, it has proven difficult to continue the activity of the organizations. Thus, many groups decided to close down: four in 2015, seven in 2016, seven in 2017, and four in 2018. The forced registration also led to court cases and big fines for not having registered voluntarily. Several groups express their intention to close down without fighting the labelling. The reason is clear: it costs a lot of time, effort, and money to seek legal protection in Russian courts.¹

BACKGROUND ON THE LAW ON UNDESIRABLE ORGANIZATIONS

The Undesirable Organizations Law (called by Ministry of Justice "Unwanted", but we use the more understandable and internationally used term) followed three years after the Foreign Agents law, targeting not only the recipients of foreign aid (NGOs), but also the providers (donors), as well as individuals involved in any cooperation with such organizations. The law targets international organizations that operate in Russia. The scope for the law on Undesirable Organizations is even wider than the Foreign

1. <https://thebarentsobserver.com/en/2017/09/putins-year-ecology-aetas-declared-foreign-agents>

Agent law, and both laws rely on the same kind of vagueness and unclear writing that benefits the authorities, and creates fear and uncertainty within NGOs.²

Anyone working for or cooperating with an "undesirable" organization — including in an unofficial capacity — faces fines of up to 15,000 rubles (200 EUR / 1875 NOK) for ordinary citizens, up to 50,000 rubles (660 EUR / 6 250 NOK) for officials, and up to 100,000 rubles (1332 EUR / 12 500 NOK) for the organization itself. Criminal proceedings will be initiated against repeat offenders and the punishments can be even harsher, with fines of up to 500,000 rubles (6 666 EUR / 62 500 NOK) and prison sentences ranging from two to six years.³

Regarding the register of undesirable organizations, most of those registered so far are US based foundations or connected to these and providing financial support for Russian NGOs. Two of four listed in 2017 are institutions of Mikhail Khodorkovsky, an ex-oligarch who fled Russia after being pardoned and released from prison. Four organizations listed in 2018 included two focusing on elections monitoring, one German fund, and one environmental US-based NGO. The state list of the Undesirable organizations can be viewed at the website of the Ministry of Justice.⁴

2. We have previously written about the law on Undesirable Organizations in our report published in 2016 "Foreign Agent law: Impact on Russian environmental organizations" which is available at <http://naturvernforbundet.no/civilsocietyreports>

3. See legal analysis of the law in our 2016 report (APPENDIX 1)

4. <https://minjust.ru/activity/nko/unwanted>

DEVELOPMENT OF THE LAW ON FOREIGN AGENTS IN 2019

The most notable change related to the law on Foreign Agents in 2019, is the inclusion of individual foreign agents in the law on media Foreign Agents. This law opens for the possibility to punish individuals for publishing information, like the media.

The number of environmental organizations being labelled as Foreign Agents remains relatively stable compared to the last year. It should be noted that the important work of the environmental organizations that were previously listed and then closed are still highly impacted. Those who changed into consulting companies spend more time and money, and those that operate without registration face practical issues. In addition, all environmentalists struggle with the status as alleged betrayers and foreign agents against Russian values.

INDIVIDUAL FOREIGN AGENTS

One of the main developments of 2019 was the adoption of the law “On recognition of individuals as media acting as Foreign Agents”. The bill was initiated in the end of 2017, and the first reading took place in January 2018¹. After that,

1. See our previous report “Increased pressure on the Russian environmental movement and activists. Status report 2018”, page 17-18 and “Foreign Agent law reshaping Russian civil society. Environmental organizations status report 2017”, page 19

the bill was abandoned for almost two years.

The new development of this law started up again in November of 2019. The second Duma reading took place on 19 November. Only two days later, the third reading took place. The Federation Council approved the bill on 25 November. The bill was signed by the president on 2 December and came into force.² Relevant persons are required to register a Russian legal entity by 1 February 2020.³

The law is intended to affect individuals who collaborate with media which already has received Foreign Agents status. The total number of these Foreign Agents by the end of 2019 was 10.⁴ Most of them are connected to the US state media Radio Liberty and Voice of America.

Violation of the law will be punished by fines and arrests: -up to 100,000 rubles (1,430 EUR/14,300 NOK) or arrest for up to 15 days for citizens, a fine up to 200,000 rubles (2,860 EUR/28,600 NOK) for officials, and 5 million rubles (71,430 EUR/714,300 NOK) for legal entities.

As usual, the law is written vaguely and has

2. <https://sozd.duma.gov.ru/bill/345523-7>

3. <http://publication.pravo.gov.ru/Document/View/0001201912020074>

4. <https://minjust.ru/ru/deyatelnost-v-sfere-nekommercheskih-organizacij/reestr-inostrannyh-sredstv-massovoy-informacii>

a lot of potential for selective implementation. It seems that any income or transaction from outside of Russia might be considered as foreign funding. At the same time, any interaction, including likes and reposts, from Media Foreign Agents might be considered as the «spread of information» from Foreign Agent Media.

Interpretation of laws is usually helped by explanatory orders. But, as yet, the Ministry of Justice has not provided any, which makes it even less clear how the law should be interpreted. We do not know if for instance environmental activists who spread information about environmental damage will be affected, but we can assume so. Also, it is unclear whether the law covers receiving a salary from abroad or if travel support to participate in seminars will be enough. Based on previous experience, the law will be interpreted in the service of oppression.

There is reason to believe that many citizens will exercise increased self-censorship in what they are writing online. Also, since it is unclear if the law covers for instance travel support, we might expect reluctance towards attending seminars and conferences financed from abroad. Democracy in Russia will thus be further weakened, and the people-to-people cooperation between Russia and other countries will experience further difficulties.

For possible implementation towards activists, we can look to the implementation of the law on Undesirable organizations, presented in the next chapter. It is likely that the authorities' practice of the undesirable organizations law can give some clues as to how the law on individual foreign agents will be implemented.

CHANGES IN THE FOREIGN AGENT REGISTER

During 2019, 11 new NGOs were listed⁵ as Foreign Agents. Five of them were from Moscow, three from Ingushetia republic and one each from Saratov, Penza and Krasnodar region. See the full list in Annex 1. We see a small increase compared to 2018, when 7 NGOs were labeled in total, and no environmental groups among them, which was the lowest year in labeling history from 2012.

5. Official Foreign Agent register at the Ministry of Justice <http://unro.minjust.ru/NKOForeignAgent.aspx>

The only environmental group labeled in 2019 - Autonomous non-profit organization of information and legal services «Civil Initiative against Environmental Crime» – was labeled on 25th October 2019.⁶ This is the first time in the history of the Foreign Agents law when an NGO is labeled for support from Greenpeace (international organization) as foreign funds. The organization was also fined 300,000 rubles in December.⁷

The Autonomous non-profit organization of information and legal services «Civil Initiative against Environmental Crime» has created a public monitoring and response system for landscape fires in the Krasnodar region and Adygea republic. As well as this, Association of the Volunteer Firefighters of the Kuban was established. Forest fires in southern Russia are a systemic environmental, social, and economic problem. Fires damage ecosystems and wildlife as well as people's houses and health. The cost of forest fire damage in 2019 was more than 2.6 million rubles in Kuban alone. The main cause of fires is attempted arson, including agricultural burning. In recent years, the activity of volunteer firefighters has been actively developing, including the work of «Civil Initiative against Environmental Crime».

One environmental NGO was removed from the register in 2019, Chapaevsk local public organization «Association of medical workers of the Chapaevsk city». The organization from Samara region labeled in 2016 is working with the effects of pollution on human health. We do not know the reason the group was delisted, as we did not get an answer from them. But there are two ways out: 1) to prove ending foreign funding or 2) ending political activity. The second is almost impossible, with the vague interpretation of the law by the authorities.

Two environmental NGOs still remain in the register since they were listed. The first one, and the first environmental organization labeled, is Ecodefense (official name - Kaliningrad Regional Public Organization "Ecodefence! – Womens' Council"), labeled in 2014. The other is Fund for

6. Official news on the labeling <https://minjust.ru/ru/novosti/avtonomnaya-nekommercheskaya-organizaciya-informacionnyh-i-pravovyh-uslug-grazhdanskaya>

7. <https://www.kavkaz-uzel.eu/articles/343608/>

the Promotion of Sustainable Development «Silver Taiga» from Syktyvkar, Republic of Komi, labeled in 2017.

The total amount of environmental NGOs labelled from 2012 to 2019 is 32. Currently, there are only three environmental NGOs left in the register: the two remaining from previous years (Ecodefence! and Silver Taiga) and the new one listed in 2019 (Civil Initiative against Environmental Crime). Seven NGOs have managed to leave the register and continue their work. The rest – 22 NGOs - were closed down, either on their own initiative or by court order initiated by the Ministry of Justice. Some groups continue their environmental work in other legal forms. The table of environmental NGOs labeled as Foreign Agents can be seen in Annex 2.

FINANCIAL PRESSURE TOWARDS NGOS

Financial pressure towards NGOs labeled as Foreign Agents has been a governmental tool for a long time. In 2019, labelled NGOs were fined in total for hundreds of thousands of rubles. The most remarkable example from 2019 is Ecodefence's cases – not only because of the huge number of fines, but also because it resulted in a criminal persecution of its director.

Since the designation of Ecodefence as a Foreign Agent in 2014, the Ministry of Justice initiated 28 administrative proceedings against the organization for violations of the law. A number of these proceedings resulted in fines, which Ecodefence was unable to pay. The organization's bank account was frozen in December 2018 when the total amount of fines had reached around 2 million rubles (over €30,000 / 300,000

NOK). As a result of the organization's failure to pay the fines, on 30th May 2019, authorities in the Kaliningrad region initiated five criminal cases against Alexandra Korolyova, Director of Ecodefence. These five proceedings all started within a 40-minute



Alexandra Korylyova.
Photo: Ecodefence

period.⁸ This is a clear example of rapid sentencing, which is common for the Russian legal system when it comes to political cases.

The five cases were opened pursuant to non-execution of a court's judgment, ruling or other judicial act, for not paying fines for violating "Foreign Agent" law⁹. The article carries a maximum penalty of two years imprisonment. During the summer of 2019, Ecodefence raised 460,000 rubles of donations to pay fines, but the criminal cases were not dropped. Alexandra Korolyova had to flee Russia and was granted an asylum in Germany in the end of the year.¹⁰

Another example is the human rights organization Memorial which was labeled as a Foreign Agent in 2016. In the end of 2019, Roskomnadzor (Federal Service for Supervision of Communications, Information Technology and Mass Media) initiated 28 cases for violations of the Foreign Agent law – for not labeling webpages, social media, and other materials as Foreign Agents. The total amount of fines for Memorial branches and their heads amounted to 4.2 million rubles (60,000 EUR / 600,000 NOK).¹¹

FORCED LIQUIDATION OF NGOS

On 6th November 2019 the Moscow city court ruled to liquidate the Interregional Public Organization «Centre for Support of Indigenous Peoples of the North». The Center is a leading expert organization for the indigenous peoples' community, which provides informational, educational, and legal support to indigenous peoples at all levels. It is the only organization of indigenous peoples in Russia with special status and accreditation with UN agencies and structures, such as UNESCO, UNEP, FAO, CBD, the Economic and Social Council, and others. The Center was going to celebrate its 20th anniversary in 2020.

8. <https://ecodefence.ru/2019/06/19/five/>

9. Case opened pursuant of Article 315, Part 2 of the Criminal Code of the Russian Federation, https://www.imolin.org/doc/amlid/Russian_Federation_Criminal_Code.pdf

10. <https://ecodefence.ru/2019/12/30/alexandra-koroleva-political-refuge/>

11. <https://novayagazeta.ru/news/2020/01/09/158152-summa-shtrafov-dlya-memoriala-za-otsutstvie-markirovok-inoagenty-prevysila-4-milliona-rublej>

The case was initiated by the Ministry of Justice. The formal claims were related to the legal address of the organization, inconsistency of their Charter with the new legislation, and conducting educational courses. The organization's open statement says: "This is a continuation of blunt pressure on the organization and its leadership for human rights activities advocating for the rights of indigenous peoples of the North, Siberia and the Far East, which began in 2014 and continues to this day".¹² In 2015 Centre for Support of Indigenous Peoples of the North was labeled as Foreign Agent, but three years later were removed from the register. Currently, the center is appealing the decision of liquidation and trying to fix their minor inaccuracies in documents.

Another example is All-Russian Public Movement «For Human Rights» established in 1997. On 1st November 2019, the Supreme Court liquidated the organization. The case was also initiated by the Ministry of Justice. On 12th February, the movement was listed as Foreign Agent and fined multiple times for hundreds of thousands rubles. In response, on 30th November, the National Public Organization For Human Rights was established in Moscow, without

12. <http://www.csipn.ru/glavnaya/news/4756-otkrytoe-zayavlenie-tsentra-sodejstviya-kmnns>

a legal entity.¹³

We have previously¹⁴ written about the environmental organization "For Nature" and the movement with the same name from Chelyabinsk that was closed down soon after being labeled as Foreign Agents.

EUROPEAN COURT ON FOREIGN AGENT LAW

There has been no development in European Court on Human Rights for either of two collective cases versus Russia, related to the Foreign Agent law. The first case, "Ecodefense and other 48 organizations", was communicated in March 2017, and is waiting for a decision. The second case, "Levada centre and 14 others", was communicated in June 2018, Russia sent their response to Strasbourg in November 2018. Both the first and the second case refer to the same articles of the European Convention on Human Rights: Art.11 "Freedom of assembly and association", Art. 14 "Prohibition of discrimination" and Art.18, setting limits on rights.¹⁵

13. <https://www.zaprava.ru/about/>

14. «Foreign Agent Law – reshaping Russian civil society: Environmental organizations' status report 2017», page 12. Available at <http://naturvernforbundet.no/civilsocietyreports>

15. «Increased pressure on the Russian environmental movement and activists. Status report 2018», pages 11-12. Available at <http://naturvernforbundet.no/civilsocietyreports>

Climate strike, Arkhangelsk. Photo: Movement 42



DEVELOPMENT OF THE LAW ON UNDESIRABLE ORGANIZATIONS IN 2019

The main development in the implementation of this law is the authorities targeting activists for cooperation with Undesirable organizations.

CHANGES IN THE REGISTER

Four more organizations have been listed in 2019. This is approximately the same amount as before: four in 2015, three in 2016, four in 2017, and four in 2018. By the end of 2019, there are altogether listed 19 organisations during these five years.

The four new organisations in the register 2019 are:

- Free Russia Foundation (USA),
- Ukrainian World Congress (Canada),
- Atlantic council of the United States (USA),
- «Člověk v tísni, o.p.s» / «People In Need» (Czech republic).

COURT CASES WITH HEAVY FINES

The idea of the law on undesirable organizations was not to punish foreign organizations themselves, but to restrict activists in Russia - Russian citizens – from engaging with them. In 2019, we have seen how this works.

In September 2019 in Krasnodar, the court fined for 10,000 rubles to Viktor Chirikov, an activist of the Environmental Watch on North Caucasus, for posting on Facebook from the

”Open Russia” page. Chirikov was found guilty of collaborating with an “undesirable organization” (Article 20.33 of the Code of Administrative Offenses) for publishing three years ago, in 2016 – before Open Russia was declared undesirable. Later, in November 2019, the case was ceased due to the expiration of the statute of limitations.¹

Similar cases were initiated in Krasnodar region during 2019 towards following the environmental activists: Dmitry Shevchenko, Alexander Saveliev, Eugeny Vitishko, Alexandr Safronov.

The background to this was that, in 2017, a number of organizations associated with Mikhail Khodorkovsky were declared undesirable. Even though the Russian movement with the same name was not banned, its participants continued to be persecuted. We previously² wrote about the criminal persecution of Anastasia Shevchenko, the head of the Krasnodar office of the unregistered Russian movement Open Russia. On 30th March 2019, Open Russia movement announced self-liquidation for security reasons. Since 24th

1. <https://ovdinfo.org/express-news/2019/09/19/v-krasnodare-ekoaktivista-oshtrafovali-za-repost-so-stranicy-otkrytoy-rossii>

2. «Increased pressure on the Russian environmental movement and activists. Status report 2018», page 16. Report available at <http://www.naturvernforbundet.no/civilsociety-reports>

February 2019 the movement operates as All-Russian Public Organization for the Support of Civil Society «Russian Public Organization Open Russia».

In April 2019, Maykop City Court fined the NGO Environmental Watch on the North Caucasus 80,000 rubles (1,150 EUR / 11,500 NOK) under article 20.33 of the Administrative Code - on the implementation of the activities of “undesirable organizations”. The fine was imposed because the EWNC shared links to the personal blogs of two of its activists in the organization’s social media pages. The personal blogs of Dmitry Shevchenko and Alexander Savelyev were published on the Open Russia blog platform, which the City Court confused with the organization with the same name, labeled as undesirable. In October 2019, the Adygea Supreme Court repealed this decision.³

Soon after, the Krasnodar magistrate’s court fined Environmental Watch in North Caucasus 60,000 rubles (850 EUR / 8,500 NOK), and

3. <http://ewnc.org/node/13205>

Andrei Rudomakha 30,000 rubles (425 EUR / 4,250 NOK) for participation in an activity of undesirable organization - Rudomakha’s interview to MBX Media. Later, in December, the court upheld the fine.⁴

We have seen similar cases of increasing implementation of the Undesirable Organizations Law. In 2017, several cases were initiated against NGOs for cooperation with the Open Society Institute. The cooperation was an old publication of the materials funded by Open Society Institute many years ago, before it was labeled as “undesirable” and even before this law existed. We wrote about these cases in our previous report for 2017.⁵

4. <https://ovdinfo.org/express-news/2019/12/02/sud-ostavil-v-sile-shtraf-v-30-tysyach-rublej-koordinatoru-ekovahty-andreyu>

5. “Foreign Agent Law – reshaping Russian civil society: Environmental organizations’ status report 2017”, page 17. Available at www.naturvernforbundet.no/civilsocietyreports and <http://rusecounion.ru/civilsocietyreports>

Human banner, Moscow climate strike. Photo: FFF Russia



MOBILIZATION ON ENVIRONMENTAL ISSUES

2019 saw a large increase in environmental protests in Russia on several issues. Environmental struggle was also understood as more political.

A YEAR OF ENVIRONMENTAL PROTESTS

Environmental problems were always important issues regionally. Authorities' visible incapacity to tackle such problems in an inclusive and proper way in 2019 led to environmental conflicts in multiple regions. The increased conflicts brought more attention to the issues, making regional stories more visible for the national picture.

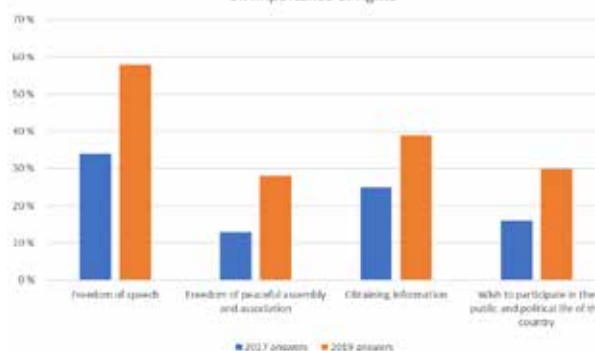
In 2019, many people in Russia's regions broke up from the so-called "Crimean consensus", an expression implying that national pride of taking back Crimea would motivate people to support authorities despite other problematic issues. It would seem that the consensus broke as many people were tired, unhappy, and unsatisfied with the reality. Remaining and even worsening environmental and social issues became visible for people. Many wanted to know more, to participate more in decision-making and, if impossible, to protest more.

The 2019 environmental protests against poor governmental waste management policies, inaction on climate change, and import of uranium waste from Germany have become the largest in the recent history of Russian regions.

Neither pension reform, nor tariff increases, nor election irregularities caused such a public outcry.¹

In 2019, the Levada Center conducted a survey on the importance of different rights. Compared with the results of the survey in 2017, the importance of various freedoms significantly increased: freedom of speech (58% in 2019 versus 34% in 2017), freedom of peaceful assembly and association (28% vs. 13%), and access to information (39% vs. 25%). The number of people wishing to participate in the public and political life of the country almost doubled (from 16% to 30%).²

Figure 2: Excerpts from Levada Center's survey on importance of rights



1. <https://7x7-journal.ru/articles/2020/01/01/nachalas-shie-sizaciya-obshestva-pochemu-ekologicheskie-protesty-stal-trendom-2019-goda-i-k-kakim-posledstviyam-oni-privedut>

2. <https://www.levada.ru/2019/11/20/prava-cheloveka/>

People experience environmental destruction and pollution directly with their senses. Connecting their local problems with similar situations in multiple regions led to a view that the system is broken. This makes local environmental issues understood as part of a national and even global problem. This understanding helps local groups join in common mobilization and actions. Their battle becomes not only interregional, but even national.

A waste collapse is approaching in Russia and the hierarchy of waste management³ is not followed. Instead of reducing waste and developing recycling, state affiliated companies are promoting incineration and waste landfills in many regions. Poor waste management policy understandably causes numerous protests, in some places even permanent tent camps with protesters. The biggest camps and the most significant attacks on the camps have happened in Shies, Arkhangelsk region, where people are protesting against a landfill, and Osinovo village, in the Republic of Tatarstan, against illegal construction of a road to an incinerator construction.

PROTESTS AGAINST WASTE DUMPING IN SHIES AND ELSEWHERE

Shies station in Arkhangelsk region, close to the border with Komi Republic, was the main environmental hotspot in 2019. First, local residents, and then activists from all over the country have been preventing the illegal construction of a landfill for Moscow garbage for more than a year.

In the summer of 2018, at the Shies railway station of the Arkhangelsk region, the Technopark company began construction of a landfill for municipal solid waste from Moscow and the Moscow region. In December 2018, protesters organized a 24-hour camp to monitor the construction and prevent illegal activities. Activists organized a round-the-clock shift at several points around the site, launched a large-scale information campaign, initiated several all-

Russian demonstrations, and formed an inter-regional anti-garbage coalition.

As a result, the protest against the landfill soon moved to criticism of regional authorities for not dealing properly with the issue and ignoring people's demands. Governor of the Arkhangelsk region, Igor Orlov, who refused to support the local residents, severely lost popular support. In a ranking of regional leaders, he dropped in one year from 55 to 85th, which is the last place.⁴ In spring 2020, Orlov resigned as governor.⁵

Another landfill for Moscow waste is being constructed in the Mikhali village in Iznoskovsky District of Kaluga region. The landfill is located 160 km from Moscow. The decision was made in 2017 and the construction started in May 2018. For three years, villagers supported by activists from Kaluga, the regional center, have opposed this construction. "Contrary to all the laws and with major violations, the construction of this landfill does not stop," activists state at their page on VK (a Russian social media platform). One of the activists fighting against the landfill, Denis Shtroo, was killed (more below). Part of the landfill was opened at the end of 2019.

Also in other places in Russia, conflict situations with waste increased and protests arose against landfills for the waste from Moscow or against incinerators. Protests took place in the Moscow region, St. Petersburg and the Leningrad region, Vladimir, Yaroslavl regions, the Tatarstan Republic, and other regions.

Since the beginning of that local protest, the Shies movement has attracted people from different regions and united activists fighting similar waste and other environmental issues all over the country. Seeing similarities of their problems and the political nature of such problems, activists not only express cross-regional solidarity, but also generalize their demands for higher-level solutions and organizing themselves together. By the end of the year, the Shies movement grew into All-Russian Civil Ecological Movement «We live here!», which is coordina-

3. The waste hierarchy is commonly known for giving priority to the most important measures for waste handling: firstly reduction of waste, then recycling of materials. Other options like combustion are lower in the hierarchy and should not be prioritized.

4. <https://29.ru/text/politics/66302443/>

5. <https://thebarentsobserver.com/en/life-and-public/2020/04/igor-orlov-resigns-arkhangelsk-governor>

ting their efforts.⁶

OTHER ISSUES

Environmental issues connect many other overlapping issues, including social, economic, and political issues. Sometimes, the issue itself might not be 'environmental' seen from the environmental movement's perspective, but will still be regarded important in people's minds.

In May 2019, a fence appeared in the center of Yekaterinburg, enclosing a city square for the construction of a church. Several thousand citizens gathered for protests during the week, as they did not accept losing their park, at least not without a proper process. As a result, the fence was demolished and the city authorities announced the search for another site for the construction of the church.⁷ Defending the park might not only be about the park itself, but maybe more about dignity and demanding participation in the decisions over their environment and territories.

The number of protests is increasing. It seems that protest is not an extraordinary form of action anymore. A possible explanation is that the older generation is tired and dissatisfied with the current situation; and young people grew up in an era with human rights as normal and do not remember the restricted Soviet society.

A good example of how the younger generation does not shy away from visible protest is the climate activists in the Fridays for Future movement. In the protests against import of radioactive waste, older generations have also participated.

In spring 2019, the first activist of the Fridays For Future movement appeared in Moscow protesting for a couple of weeks all alone. But already in September 2019, on the global day of climate action, protests took place in 20 Russian cities, with each protest gathering between

6. <http://nzz.eco/>

7. <https://www.bbc.com/news/world-europe-48276170> and <https://news.ru/russia/protest-pobedil-hram-v-ekaterinburge-budut-stroit-v-drugom-mest/>

one and 50 participants.⁸ In some cities, young activists are protesting on a regular basis, sometimes with a few dozen participants. The Fridays for Future group on VK now has 1,700 members.⁹

Import of radioactive waste from abroad has been a major issue since autumn 2019. In October, Russia resumed the import of uranium hexafluoride (UF6) - uranium enrichment waste - from Germany. Such import was stopped after a broad protest campaign in 2008. More than 30 environmental groups signed a statement to oppose the idea.¹⁰ Later in many cities along the transport route – a railway from St. Petersburg to Ural - activists were protesting.¹¹ Regional politicians in St. Petersburg also got involved, raising the issue in the St. Petersburg legislative assembly. Protests have led to suspending import for almost three months and to a change of port from St. Petersburg to the more remote Ust-Luga in Leningrad region.

The anti-coal movement in Russia is also growing. The main protests take place in Kuzbass against coal mines. The surrounding villages have been fighting coal miners and authorities for many years. Rallies, pickets, and overlapping routes have been going on there since 2017. The biggest demonstration in Novokuznetsk in the fall of 2017 gathered 600 participants' signatures. Residents demand a halt to mining near villages and an end to coal transshipment. One of the largest protests in 2019 took place on 31 March in the village of Atamanovo, Novokuznetsk district - about 300 people gathered for the rally.

8. <https://7x7-journal.ru/articles/2019/09/27/u-nas-net-planety-b-v-rossijskih-gorodah-proshli-akcii-protiv-izmeneniya-klimata-kotorye-vdohnovila-greta-tunberg>

9. <https://vk.com/fridaysforfuturerussia>

10. <http://rusecounion.ru/ru/no-uf6>

11. <http://activatica.org/blogs/view/id/8619/title/pochemu-nuzhno-ostanovit-uranovyy-poezd>



Pictures from the protest against the waste dump at Shies, Arkhangelsk region. Photo: RSEU

AUTHORITIES' REACTIONS TO ENVIRONMENTAL PROTESTS

In this chapter, we describe difficulties for environmental protests and show examples of different types of persecution from the authorities and business interests. We describe both common and specific challenges to the main protests, including waste, climate, nuclear, and coal.

COMMON CHALLENGES

All the environmental protests face several similar problems. The first is the difficulty to set up a demonstration or a protest in the first place. Activities are met with administrative restrictions such as problems getting an agreement with authorities for a demonstration. The Constitution gives the right to peaceful gatherings, but federal law requires notifying authorities and agreeing on possible proposals for changes. In practice, this means that authorities are trying to postpone gatherings or send protesters far away from city centers for all sorts of reasons. For the last two decades, the law has been made stricter almost each year, from simply being an obligation to notify to an application for a permit, or rather a means to prohibit demonstrations. Also, ever-increasing fines for violating these restrictions have a so cold “chilling effect” – discouraging people from exercising the right. Russia has been criticized many times for such restrictions by international human rights institutions, including European

Court of Human Rights rulings.¹

Secondly, there is persecution for protesting. This includes financial persecution - fines for everyone who went onto the streets anyway and administrative persecution, such as arrest for disobedience towards the police. Even asking for a policeman's documents, could be taken as disobedience. The fines for protesting might amount to 20,000 rubles (285 EUR/ 2,850 NOK) for citizens, 100,000 rubles (1,428 EUR/ 14,280 NOK) for officials, and 300,000 rubles (4,285 EUR/ 42,850 NOK) for legal entities. Protesters also face up to 15 days of administrative detention. Below we give examples of both forms of persecution.

The third common challenge is criminal persecution - criminal cases based on conflicts between activists, and security or police. Authorities' ignorance of environmental problems and people's demands often leads to physical conflicts. It seems likely that the lack of opportunities to protest in an orderly manner increases the numbers of such conflicts. The severity ranges from damaging a fence or simply writing on it - as was the case for Evgeny Vitishko and Suren Gazaryan back in 2011 - to clashes with security guards or police, who often back security forces and not the people. Conflicts could be escalated

1. Guide on Article 11 of the European Convention on Human Rights https://www.echr.coe.int/Documents/Guide_Art_11_ENG.pdf

or faked as a provocation in order to portray protest as violent, and persecute its leaders or participants.

It is important to note that many of the environmentally harmful projects that activists are protesting are actually started illegally. For instance, construction starts before necessary procedures, such as environmental impact assessments (EIAs) and public hearings. Construction of roads also often starts without necessary changes in the borders of protected areas.

Clearly, lack of visibility makes activists more vulnerable. A general rule is that the more rural the issue, and the further from the capital or the regional center the environmental problem and following environmental conflict is, the more vulnerable and less protected local activists are. A single ban on demonstrations for 50 school children in Moscow might be covered in national media, whereas criminal persecution of activists in Shies or Kuzbas might be not reported on at all.

ANTI-WASTE PROTESTS

The Shies protesters have faced dangerous situations, been harmed and then charged as the offenders. As an example, on the night of 14th March 2019, at the construction site at the Shies station, a conflict occurred between the builders of the landfill and the environmental activists at the protest camp. Several builders tried to break through the eco-camp using cars. During the clash, an excavator demolished a trailer, which the activists had put there to block the way for equipment for the illegal construction. One of the activists and an excavator driver were injured. The conflict resulted in criminal charges for four activists with "arbitrariness" (Article 330 of the Criminal Code of the Russian Federation), which carries a prison sentence of up to five years. One of them was additionally charged for "threat to kill or cause serious bodily harm" (Article 119 of the Criminal Code of the Russian Federation), which involves a sentence of up to 2 years imprisonment. The builders and excavator driver were not charged at all. The court hearings continue.²

2. <https://7x7-journal.ru/articles/2019/05/13/delo-beshenogo-ekskavatora-chto-izvestno-ob-ugolovnom-presledovanii-protivnikov-musornogo-poligona-na-stancii-shies-v->

The protesters also faced persecution. On 6th April, between 3,000 and 7,000 people gathered for a demonstration in the center of Arkhangelsk, and numerous rallies took place in other cities in the region. Since then, actions have been held daily in Arkhangelsk and other cities.³ During these actions, activists have been repeatedly detained. Six people received up to 400 hours of compulsory work, four people were sentenced to five days of arrest each, and 128 people were fined a total of 2,270,000 rubles (32,400 EUR / 324,000 NOK).⁴

The court system nonetheless gave victories to the environmentalists. Urdomskoye municipality, closest to the site, filed a case against Technopark LLC in defense of the people. In January 2020, after a year of postponing several times, the Arkhangelsk court recognized facilities on the Shies site as illegal and ruled to demolish it.⁵ The company said that they intended to appeal that decision. The activists' camp on the site remains.

Huge fines are also given to protestors when permission for constructions is not obtained. A similar situation is unfolded in Tatarstan republic, where construction of a waste incinerator is planned, but proper permission has not been provided. In December 2019, a protest camp was established to block the road for illegal incinerator construction. Soon after, a mass detention of protest camp participants took place. Many activists were fined, with the fines amounting to 167,500 rubles (2,400 EUR / 24,000 NOK) in total, and one person was arrested.⁶

PROTESTS AGAINST IMPORT OF RADIOACTIVE WASTE

Weeks of protest against uranium hexafluoride (UF₆) import also resulted in persecution of the protesters. Novouralsk is the closed city of Sverdlovsk region, to where uranium hexafluoride from Germany is being transported. The city has rarely seen any protests before. In response

arkhangelskoj-oblasti

3. <https://29.ru/text/politics/66046648/>

4. <https://stopshies.ru/pressing/>

5. <https://www.interfax.ru/russia/690621>

6. <https://ovdinfo.org/express-news/2019/12/16/pod-kazanyu-zaderzhali-uchastnikov-eko-lagerya-protiv-stroitelstva>

to a series of one-man protests, authorities have initiated administrative cases against three pensioners in the beginning of December.⁷ Later administrative charges were dismissed.⁸

On 17th December Rashid Alimov, an anti-nuclear expert of Greenpeace Russia had a one-man protest in the center of St. Petersburg to bring attention to another shipment of UF6. Later, on the evening of the same day, six people without uniform together with two police officers detained him from the entrance of his own house.⁹ Alimov was facing a massive fine for illegal occupation of the area in the center of the city. Later on, in 2020, charges were dropped.

A new transport of the radioactive waste from Germany was scheduled for the beginning of the 2020, but was not sent to Russia before the end of March, and was relocated to another port – Ust'-Luga in Leningrad region.

CLIMATE PROTESTS

While the geographical scope of climate strikes was widening during the year, Novosibirsk, Sochi, Murmansk, Saint Petersburg and Moscow are among the cities where youth activists faced restrictions for their mass strikes on 29th November.¹⁰ As we said before, authorities are trying to postpone the date or send protesters to the outskirts of the city. When there is a national or international day of action, it does not make much sense to protest on another day or without being seen.

Another case is a youth Russian climate activist Arshak Makichan. He has been striking since March 2019 and inspired a Russian "Fridays For Future" movement. On Friday 20th December, he was sentenced to six days for taking part in an earlier demonstration in Moscow.¹¹ Despite all the restrictions the new youth network is getting bigger.

7. <https://66.ru/news/society/226814/>

8. <https://novayagazeta.ru/news/2019/12/12/157626-sud-prekratil-administrativnye-dela-v-otnoshenii-uralskih-pensionerov-protestovavshih-protiv-vvoza-uranovyh-hvostov>

9. <https://greenpeace.ru/blogs/2019/12/17/peterburg-ne-hochet-radioaktivnyh-podarkov/>

10. <https://ovdinfo.org/news/2019/11/28/v-rossii-ne-soglasovyvayut-akcii-v-ramkah-mezhdunarodnoy-klimaticheskoy-zabastovki>

11. <https://www.bbc.com/russian/features-50823012>

ANTI-COAL PROTESTS

Despite the persecution of activists that started during the summer (read more in the criminal persecution section), on 27th October about 150 people gathered at a rally in Kiselevsk, Kemerovo Oblast. Before the demonstration, police officers detained four activists who were driving sound-amplifying equipment. They were not released until the end of the rally.¹² According to Ecodefense, a Russian environmental group supporting local communities in Kuzbass, seven cases of harassment against anti-coal activists occurred in the region during 2019.

ANTI-CONSTRUCTION PROTESTS TO SAVE THE CITY PARK

Several days of protests in Yekaterinburg resulted in a victory for the activists: they saved a city park. But they paid a high cost. In total, more than 100 people were detained. Activists were charged with disobedience, hooliganism, and violation of traffic rules. Many participants in the rallies spoke about police violence; one of the activists was even hospitalized with broken ribs.

99 people were punished: 39 were detained from 1 to 15 days, one was assigned obligatory work, 59 were fined from 1,000 to 20,000 rubles (14 - 286 EUR / 143 - 2,860 NOK). The total amount of fines resulted in 590,000 rubles (8,400 euro / 84,000 NOK).

COMMON SOLUTIONS

Environmental activists are adapting to the challenges. Despite restricted space and the state's limitations, activists have managed to continue fighting for protection of nature and the environment.

In order to overcome restrictions on protesting, a series of single-man pickets have become a common practice instead of mass demonstrations. These means activists are protesting in multiple places at the same time. Another option is replacing one another with a huge and sometimes visible queue.

When activists are being fined anyway, the fi-

12. http://xn----7sbabc5ab5bq1ac6ad.xn--p1ai/news/video_miting_v_kiseljovske_zaderzhanija_provokacii_rezoljucija/2019-10-27-1632

nes are covered collectively with crowd funding. Many human rights advocates and pro-bono lawyers are helping activists who face criminal persecution.

«Waste - not to Shies, but to Rublevka» (Moscow luxury village). Photo: RSEU



OTHER PRESSURES ON ENVIRONMENTAL ACTIVISTS

In addition to pressure from authorities on environmental protests described above, individual environmental activists also face different kinds of pressure, including attacks. Below, we show some examples, partly from authorities, and partly from business interests.

ATTACKS

Clashes between security or police and activists are happening in several protests. In addition, activists face the fear of threats and attacks from unknown perpetrators.

In the Likino-Dulyovo suburban district of Moscow region, on 15th July 2019, police entered a forest and dispersed protesters protecting the forest from clearing for a landfill. People were beaten with batons; some were beaten in the face. Activist Svetlana Kareva was hit the hardest - she was sent to intensive care with suspicion of a head injury and possible fracture of the spine. One of the activists said: «The police cowardly lied to the authorities about the girl who fell and lost consciousness until the ambulance arrived, saying that she herself fell, we have nothing to do with it.»¹

In Tula on the night of 20th-21st April, an unknown person threw four Molotov cocktails into the house of activist Marina Tolkacheva. Before the attack she had repeatedly received

threats in connection to her activities. Shortly before the attack, an unidentified man beat her husband. Tolkacheva connects the arson with her activism, as she organized rallies against waste reform. Tolkacheva was told by the police that the attacker is unlikely to be found and was advised to «live quietly.»²

MURDER

In Kaluga, on the night of 9th March 2019, a man attacked environmental activist Denis Shtroo in a park with a knife. The attacker stabbed Shtroo three times in the lung and liver. Shtroo was heavily wounded. He was immediately hospitalized, but the doctors couldn't save him. After 5 days in intensive care, he died.³

“Today we got terrifying news. Our friend, comrade, an active volunteer of our project and just a kind and bright person died. With



Denis Shtroo. (Photo: Geometria)

1. <http://activatica.org/blogs/view/id/7411/title/v-likino-dulevo-policiya-izbivaet-protestuyushchih-protiv-svalki-v-lesu>

2. <https://ovdinfo.org/express-news/2019/04/23/v-tule-dom-kandidatki-v-gordumu-ot-kprf-podozhgli-kokteilyami-molotova>

3. <https://newizv.ru/news/incident/16-03-2019/v-kaluge-zhestoko-ubili-ekoaktivista-denisa-shtroo>

a heavy heart, we cannot even imagine that this person is no longer among us. Denis was a man supporting environmental movements and justice” – wrote Eco-educational project «We separate (waste)» on its page in VK.⁴

The attacker was detained immediately after the conflict, but he did not say anything about his motives. Still, it seems likely that the attack was related to Shtroo’s environmental activism. Shtroo has over the past few years been fighting against construction of a landfill for Moscow waste in the village of Mikhali, Kaluga region. He actively participated in various environmental initiatives. The sister of the deceased believes the incident might have been a result of internal conflict in the environmental group, but does not exclude the possibility of an assassination.⁵

HOUSING AND PROPERTY DAMAGES

In Nizhny Novgorod, even environmentally conscious municipal servants can be attacked for their work. On 4th May, Evgeny Stepanin, a head of the Department of Public Services of the Prioksky District Administration of Nizhny Novgorod, lost his car in an intended arson. In his opinion, the crime was committed in response to the fact that he impeded the further disposal of waste in unauthorized dumps on one of the streets in his jurisdiction.⁶

In Moscow region, on the night of 31st May, the house of activist Inessa Bakulina burned down in Roshal near Moscow. Bakulina opposed the work of a waste facility, for sorting and burial of garbage in the city. Activists believe that what happened could be arson related to the social activities of Inessa.⁷

In Chelyabinsk, on 2nd July, the car of Lyubov Chagaeva, an activist at Stop GOK and an organizer of the rally against Tominsky GOK, was vandalized with paint.⁸

In Chelyabinsk again, soon after, on 6th July,

4. https://vk.com/wall-100606053_2196

5. <https://mbk-news.appspot.com/region/v-kaluge-ekoaktivist-u>

6. <https://koza.press/news/7192>

7. <http://activatica.org/blogs/view/id/7022/title/protivnikov-poligona-v-roshale-vyzhigayut-ognem>

8. https://vk.com/wall-56308476_247126

Andrei Kostenko, activist of the Chelyabinsk, breathe! environmental group, and a member of the environmental working group in the city, found his car with a broken windshield and tires cut. He associates such actions with his political activities.⁹

POLICE RAIDS

Police raids accompany other types of pressure. As we have shown, this tool could be used in order to scare or block activists, or to start a criminal case. This is an old tool that has proved itself against activists.

On 9 April, in Krasnodar, masked security officers blocked the entrances to the office of the Environmental Watch on North Caucasus and seized computers and office equipment. The phone number of the EWNC coordinator Andrey Rudomakha was unavailable during the raid.¹⁰

Four months later, on 30th July early in the morning, another raid took place in Rudomakha’s home. This was later declared illegal by the regional court in Krasnodar. The police did not wait for the door to be opened, but broke the door and assaulted Rudomakha.¹¹

CRIMINAL PERSECUTION FOR “REPEATED VIOLATIONS” OF PROTEST RULES

Another law used to scare protestors and prevent activism from spreading is «Repeated violation by the participant of a public event of the established procedure for picketing» (Article 212.1 of the Criminal Code of the Russian Federation). Simply put, the article states that, for participating more than two times in illegal demonstration during a half a year, you can face up to five years in prison. Earlier, we described how reluctant authorities are in allowing people to protest, so it is easy to make a demonstration illegal. Out of three activists who faced charges for “repeated violations” in 2019, two are environmental activists fighting landfills (in Moscow and Arkhangelsk).

Activist Vyacheslav Egorov has since 2018

9. https://vk.com/wall-161113110_16096

10. <https://www.kavkaz-uzel.eu/articles/334068/>

11. <https://ovdinfo.org/express-news/2019/10/02/sud-priznal-nezakonnym-obysk-v-shtab-kvartire-koordinatora-ekovahty>

been active in the “No Kolomna Landfill” initiative group, which opposes the overuse of the “Volovichi” solid waste landfill in the Kolomensky urban district of the Moscow Region. On 31st January 2019, Egorov and 14 other Kolomna activists underwent police raids. Computers and telephones, as well as newspapers on the waste issues, were seized from all of them. Egorov was detained for 48 hours and later charged with “repeated violation”. From 2nd February, Egorov was under house arrest. On 30th July, Egorov was released from house arrest with the prohibition of certain actions; from 26 December 2019, he remained subject to travel restrictions. The Memorial Human Rights Center has recognized Vyacheslav Egorov as a political prisoner.¹²

Eco-activist Andrei Borovikov, a member of the movement “Pomorie is not a dump”, opposing the Shies landfill, was also charged in “repeated violation” of protests rules. On 2nd May 2019, the court chose a preventive measure in the form of a ban on certain actions (to attend mass events; communication with the organizers and participants of a rally in April in Arkhangelsk; use of communication and the internet to organize public events etc.). On 27th September 2019, the Oktyabrsky District Court of Arkhangelsk sentenced Borovikov to 400 hours of compulsory work.¹³

CRIMINAL PERSECUTION FOR ALLEGED DAMAGE

Legal claims for profit damages from companies towards protestors are another form of silencing environmental defenders.

Pressure continues through criminal prosecution of the head of the Chelyabinsk movement Stop-GOK, a movement which fights against new copper mining and an enrichment plant outside the Urals town of Chelyabinsk. Back in 2017, on the night of 11th September, two activists of the Stop-GOK movement - Asatullin and Medvedev - allegedly tried to set a fire to a pile of trees and a booth on the property of the enrichment plant. The investigation says that, because of this, the

12. <https://memohrc.org/ru/defendants/egorov-vyacheslav-valerevich>

13. <https://memohrc.org/ru/defendants/borovikov-andrey-vladimirovich>

work of the enterprise stopped for a whole day, which caused damage amounting to 13.9 million rubles (199,000 EUR / 1,990,000 NOK). According to investigators, activist Vasily Moskovets incited participants in the eco-movement to set fire to the plant.

The trial began on 4th April 2018. In June 2018, the court dropped the criminal case of arson against the activists Asatullin and Medvedev, but the charges and trial against Moskovets continued, keeping him in danger of receiving a huge fine. Worse still, on 6th March 2019, the accusation brought against Vasily Moskovets was made more serious, with the amount of potential damage to Tominsky GOK increased almost 10 times to almost 125 million rubles (1,786,000 EUR / 17,860,000 NOK). The trial continues.¹⁴

In 2019, the pressure on anti-coal activists also increased. On 29th August, the police raided the homes of three Kuzbass activists Sergei Sheremetyev, Vladimir Gorenkov, and Nikolai Metalnikov. All three were detained and taken to the police station in Novokuznetsk. Raids took place in connection with the so-called arson of a bulldozer on 4th June at the Ananyinsky Vostochny open pit mine near Apanas.¹⁵ After the raid, laptops, printers, scanners, and all telephones were seized in Gorenkov’s house. A criminal case has been opened for intentional destruction of property. Other activists have the status as witnesses.¹⁶

MEDIA SMEAR

Smear and slander, including in pro-governmental media, remain a common problem, marginalizing activists and depriving them of public support. This was one of the main goals of the Foreign Agent law, as presented in our previous reports.¹⁷

Environmental NGOs often uncover dirty businesses’ harmful activity. That environmen-

14. <http://activatica.org/blogs/view/id/6458/title/zashchishchaesh-prirodu-i-zemlyakov-zaplati-ka-sotnyu-millionov-ushcherba>

15. <https://tayga.info/148494>

16. <https://tayga.info/148606>

17. Pressure towards Russian environmental NGOs: Status of Russia’s Foreign Agents law and consequences for civil society in 2016, page 21

talists bring this to public attention and speak up against the potential damage is clearly in the interest of nature and an enlightened public conversation. However, instead of debating properly and providing open information, state corporations spend millions of taxpayer's money on fixing their reputation, including discrediting critics.

In addition to the three police raids during 2019 and the still uninvestigated brutal attack on the activists of Environmental Watch on North Caucasus at the end of 2017¹⁸, a coordinated informational attack was undertaken against Andrey Rudomakha, leader of the organization.

On 19th September 2019, anonymous libelous posters claiming that Andrey Rudomakha is a pedophile were plastered around the city of Krasnodar, Russia. These posters also included libelous information about Environmental Watch. The posters contained photographs of Rudomakha, included his home address, and called to put an end to his allegedly illegal activity. At the same time as the posters were placed around Krasnodar, an anonymous petition was circulated on the online platform Change.org, calling to remove Rudomakha from the Krasnodar Krai governor's environmental council.¹⁹

Activist Nadezhda Kutepova had to flee Russia with her children, facing charges of espionage after her NGO Planet of Hope, operating from

closed nuclear mono-city Ozersk, was labeled a Foreign Agent in 2016.²⁰ Despite that, Kutepova continued her work in defense of Rosatom's and Mayak's victims, investigated and uncovering Ruthenium leaks. In 2019, she helped to organize a play in the national theatre in Belgium about Mayak victims. The Russian state propaganda TV channel followed by airing on 12th September a news story accusing the activist of being anti-Russian and working for the French intelligence services.²¹

In February 2020, the Mayak facility announced public procurement of media services, which included favorable publications in media and monitoring of critical pages on the internet. Monitoring includes pages of politicians, and environmental groups and activists like For Nature and Bellona, blogs of the Chelyabinsk region Governor Alexei Teksler, opposition leader Alexei Navalny, activists Nadezhda Kutepova, Greenpeace Russia, the Yabloko party, and physicist Andrei Ozharovsky. The initial purchase price is 5.8 million rubles (82 850 EUR / 828 500 NOK).²²

20. There are more details of Kutepova's story in our 2017 report *Pressure towards Russian environmental NGOs: Status of Russia's Foreign Agents law and consequences for civil society in 2016*, page 21

21. <https://www.vesti.ru/videos/show/vid/810694/>

22. https://www.znak.com/2020-02-07/kombinat_rosatoma_zakazal_monitoring_telegram_kanalov_i_blogov_navalnogo_i_tekslera

18. Foreign Agent Law – reshaping Russian civil society: Environmental organizations' status report 2017", page 20

19. <http://civicsolidarity.org/article/1623/international-civicsolidarity-platform-condemns-recent-defamation-russian>



Pictures from the raid of the EWNC office in Krasnodar. Photo: EWNC



Protest against incinerator in Kazan. (Photo: Activatica)

Climate strike in Novosibirsk. Photo: FFF Russia





CONCLUSION

Russian environmentalists continue to struggle with severe conditions for Russian civil society.

When people react to the worsened environmental situation, the authorities answer with repression. Systemic problems in nature protection, which were increasingly visible in 2019, lead to systematic pressure towards activists defending environmental rights, which is increasingly visible for the whole society. Those challenging powerful interests face a backlash from the authorities and other actors.

Russian authorities use a wide variety of measures to make it difficult to fight for environmentally friendly solutions. The measures include laws and regulations, such as the foreign agent laws, denial or delays of permits to protest, heavy fines, and presenting environmentalists as untrustworthy and against “Russian interests”. Activists are also attacked and even killed, without protection from the authorities. Attacks and threats are not investigated for years.

At the same time, we have seen a rise in environmental protests in Russia, primarily outside of the established environmental movement, but also in cooperation with existing organizations. A likely explanation seems to be that people feel that authorities have failed to address the problems that people experience, such as planned dump sites in their neighborhood. Also, people feel that they are not invited to give their opinion in a well-ordered way. The increased environmental protests can be seen as partly a reaction to, but at the same time also a reason for, increased pressure from the authorities.

Environmental activists, recognized by the UN as environmental human rights defenders, are targeted in different ways. Activists fight against waste projects, either landfills or incinerators, dirty energy, either nuclear or coal, climate change inaction, and forest and biodiversity destruction. Activists and groups who are successful in challenging environmental destruction face persecution or reprisal from state institutions, businesses, or unknown actors affiliated with either of these. This shows the systemic nature of pressure applied to cover up systemic problems in nature protection.

In 2019, we have seen the murder of an activist fighting landfill construction. We have noticed several attacks, housing and property damages, criminal accusations, and police raids in offices, apartments and houses. Smear campaigns against activists continued in state media. Financial pressure took a prominent place in persecution of activists, with countless fines draining resources from leaders and movements, at the same time urging protestors to stay away from joining next time. Legal claims from companies for profit losses from protestors are a new form of silencing environmental defenders.

The Russian state is able to pressure environmental activists with impunity, while failing to adequately protect them from attacks or ensure the realization of rights to a favorable environment and health. This unjust trend will lead to an ever-increasing number of conflicts, violations of environmental rights, pressure towards defenders, and more social tension.

RECOMMENDATIONS

In this final chapter, we present demands to Russian authorities, and some suggestions for readers that want to help Russian environmental activists.

In today's Russia, environmental activists (Environmental Human Rights Defenders -EHRDs in UN language), face dangers and unjust barriers to their work. Struggles in defense of human rights and the environment in Russia are important. Following the UN Human Rights Council resolution from 20th March 2019¹, the Russian government is obligated to respect, protect, and fulfill the rights of EHRDs.

In the resolution, the Human Rights Council wrote that they are:

“Gravely concerned that national security and counter-terrorism legislation and other measures, such as laws regulating civil society organizations, are in some instances misused to target human rights defenders or have hindered their work and endangered their safety in contravention of international law, and mindful that domestic law and administrative provisions and their application should not hinder but enable the work of human rights defenders, including by avoiding any criminalization, stigmatization, impediments, discrimination, obstructions or restrictions thereof contrary to the obligations and commitments of States

1. <https://www.norway.no/en/missions/eu/about-the-mission/news-events-statements/news2/resolution-on-environmental-human-rights-defenders-adopted-in-un-human-rights-council/>

under international human rights law”

²During 2019, Friends of the Earth Russia³, as well as Friends of the Earth Asia Pacific⁴ and Friends of the Earth Europe⁵, have demanded changes in the Russian policy towards environmental activists.

TO RUSSIAN AUTHORITIES

Russian authorities must ensure safe and free work of environmental activists by making necessary changes to:

- Allow and promote freedom to seek, receive, and impart information on environmental issues;
- Respect, protect, and fulfill human rights, including in all actions undertaken to address environmental challenges;
- Stop pressuring environmental activists (EHRDs);
- Repeal the “Foreign Agent” law and other restrictive legislation on NGOs and activities; and

2. Recognizing the contribution of environmental human rights defenders to the enjoyment of human rights, environmental protection and sustainable development. Full text here: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/088/48/PDF/G1908848.pdf?OpenElement>

3. <https://www.facebook.com/rusecounion/posts/2737913949628110>

4. <https://foeasiapacific.org/portfolio/defending-territories-defending-our-lives-protecting-human-rights-and-the-environment-in-asia-pacific-through-system-change/>

5. <https://www.foeeurope.org/stop-repression-human-rights-defenders-russia-020719>

- Investigate attacks and threats to environmental activists (EHRDs) and bring the perpetrators to justice.

In addition, Russian authorities should ensure wide public participation in decision-making processes on environmental and other issues, and make changes in their environmental policy to:

- Investigate and punish environmental violations, in order to better protect nature and the environment, as well as environmental activists;
- Ensure that competent authorities generate, collect, publicize, and disseminate environmental information in a systematic, proactive, timely, regular, accessible, and comprehensible manner, and periodically update that information;
- Ratify the Espoo Convention (the Convention on Environmental Impact Assessment in a Transboundary Context);
- Sign and ratify the Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters);
- Agree to and ratify the UN Binding Treaty on the accountability of transnational corporations;
- Establish regulations to limit overconsumption, which has been driving current levels of

natural resource use and energy demand, and increasing conflicts on environmental issues.

TO THE READER

For readers wondering what can be done to help Russian environmental activists, a number of actions could be done individually or together in an environmental group, as well as with authorities and politicians.

Here are some suggestions:

1. Information: Paying more attention to the situation in Russia, following and distributing information about violations, and organizing information events to spread awareness about the struggles facing environmental activists in order to show solidarity.
 2. Pressure: Demanding that authorities and politicians investigate violations, punish perpetrators, repeal restrictive legislation for NGOs and activists, and ensure public participation in decision-making process on environmental and other issues.
 3. Support: Supporting grassroots activists' work by organizing solidarity events, cooperating on common environmental issues, and bringing forward their opinions and campaigns.
- Solidarity is stronger than repression.

RSEU youth program. Photo: RSEU



ANNEX 1: NGOS LABELED FOREIGN AGENTS IN 2019

This list is based on information from the Ministry of Justice news updates. However, this information is not visible as a list on their web page anymore, as it was before.¹ As well as this, we did not see such a complete list published anywhere. We find this information relevant and therefore we have chosen to re-establish the list for 2019 in this report.

The complete list of Undesirable organizations and the list of Media – Foreign Agents are still available at the Ministry of Justice web page.

1. The All-Russian Public Movement for the Human Rights Protection «For Human Rights», Moscow / Общероссийское общественное движение защиты прав человека «За права человека», Москва (12.02.2019)
2. Nonprofit organization «Foundation for the Prisoners' Rights Protection», Moscow / Некоммерческая организация фонд «В защиту прав заключенных», Москва (13.02.2019)
3. Regional Public Organization for the Promotion of Human Rights «Hotline», Moscow / Региональная общественная организация содействия соблюдению прав человека «Горячая Линия», Москва (13.02.2019)
4. Public Organization «Saratov Regional Jewish Charity Center «Hasdei Erushalaim» (Charity), Saratov / Общественная организация «Саратовский областной еврейский благотворительный Центр «Хасдей Ерушалаим» (Милосердие), Саратов (12.03.2019)
5. Private Institution «Center for Support and Promotion of Mass Media Development», Moscow / Частное учреждение «Центр поддержки и содействия развитию средств массовой информации», Москва (19.02.2019)
6. Penza Regional Public Charity Fund «Civil Union», Penza / Пензенский региональный общественный благотворительный фонд «Гражданский Союз», Пенза (15.05.2019)
7. Non-profit organization «Anti-Corruption Fund», Moscow / Некоммерческая организация «Фонд борьбы с коррупцией», Москва (09.10.2019)
8. Ingush Regional Public Organization «Institute of Social Change», Republic of Ingushetia / Ингушская региональная общественная организация «Институт социальных изменений», Республика Ингушетия (18.10.2019)
9. Autonomous non-profit organization of information and legal services «Civil Initiative Against Environmental Crime» / Автономная некоммерческая организация информационных и правовых услуг «Гражданская инициатива против экологической преступности», Краснодарский край (25.10.2019)
10. Nonprofit Organization Foundation «Legal Initiative», Republic of Ingushetia / Некоммерческая Организация Фонд «Правовая инициатива», Республика Ингушетия (13.12.2019)
11. Nonprofit Organization Fund «Public Fund for Social Development» Genesis «, Republic of Ingushetia / Некоммерческая Организация Фонд «Общественный Фонд Социального Развития «Генезис», Республика Ингушетия (13.12.2019)

1. <http://unro.minjust.ru/NKOForeignAgent.aspx>

ANNEX 2: FULL LIST OF ENVIRONMENTAL NGOS REGISTERED AS FOREIGN AGENTS

UPDATED JANUARY 2020

Red – shut down Blue – left the register Black – still in the register

#	# of all	Name	Region (oblast, republic etc)	Date written into register	Date for exiting the register	Reason to exit the register	Comments
2014							
1	10	Kaliningrad Regional Public Organization "Ecodefence! – Womens' Council"	Kaliningrad	21.07.2014			Keep denying following requirements for Foreign Agents and keep getting fines for not reporting as Foreign agents.
2	15	Association "Partnership for Development" (leader RSEU member)	Saratov	02.10.2014	06.11.2015	shut down	Main pressure has been streamed personally to the head of the NGO, Olga Pitsuova.
2015							
3	35	Jewish Regional Branch of the Russian Public Organization "Municipal Academy"	Birbidzhan	26.01.2015	22.05.2015	shut down	One of the reasons for signing them in is that they organized an environmental seminar.
4	39	Interregional Charity Organization "Siberian Environmental Center"	Novosibirsk	12.02.2015	27.12.2017	shut down	Their political activity is the petition to free Arctic-30 activists.

5	43	Chelyabinsk Ecological Social Movement "For nature" (leader RSEU member)	Chelyabinsk	06.03.2015	18.04.2017	Closed down by Supreme court because of MinJustice lawsuit	Both were added at the same time, even though the movement didn't have any finances. But the Ministry of Justice decided that there is a connection
6	44	Chelyabinsk Regional Charitable Social Foundation "For nature" (leader RSEU member)	Chelyabinsk	06.03.2015	13.12.2016	Closed down by court because of MinJustice lawsuit	because the two organizations had a common leader.
7	48	Murmansk Regional Public Environmental Organization "Bellona-Murmansk"	Murmansk	19.03.2015	16.10.2015	shut down	
8	49	"Educational Center for Environment and Security»	Samara	20.03.2015	8.10.2015	Proved that they did not have foreign funding for a year	
9	51	Rostov City Public Organization "Eco-Logic"	Rostov-on-Don	03.04.2015	30.03.2016	Proved that they did not have foreign funding for a year	
10	53	Ozerskaya Urban Socio-Environmental NGO Planet of hope	Chelyabinsk region	15.04.2015	27.09.2018	shut down	Leader Nadezhda Kutepova had to flee the country because of danger of state treason accusation.
11	65	Nizhny Novgorod Regional Public Organization "Ecological Center "Dron"" (RSEU member)	Nizhny Novgorod	22.05.2015	22.05.2015	shut down	Stopped receiving foreign funding almost a year before labelling. Only a

							small donation from Bellona-Murmansk, as well as a loan from another NGO that received foreign funds, and a grant from orthodox church affiliated foundation with money from offshore in Cyprus (see more in 2015 report)
12	75	Altai regional public organization "Geblerovskoe Ecological Society"	Barnaul, Altay krai	23.06.2015	19.01.2017	shut down	
13	78	Interregional public organization "The Northern Environmental Coalition"	the Republic of Karelia	8.07.2015	08.07.2016	shut down	Continue their work as newly registered regional NGO
14		Altai ecological and cultural public foundation "Altaj 21st century"	Altai region	22.7.2015	28.03.2016	shut down	
15	83	Nizhny Novgorod ecological public non-profit organization "Green World"	Nizhny Novgorod region	29.07.2015	28.10.2016	Proved that they did not have foreign funding for a year	
16	88	Interregional Social Ecological Foundation "SAR-Siberia"	Novosibirsk	26.08.2015	19.12.2017	shut down	
17	93	Regional public organization "Sakhalin Environment Watch"	Sakhalin region	18.09.2015	16.02.2017	Proved that they did not have foreign funding for a year	Even though the NGO returned the money to the donor (DiCaprio foundation), it wasn't removed from the register until February 2017.

18	95	Society for the Protection of Consumer Rights and the Environment «Printsip»	Moscow region	05.10.2015	05.10.2015	Proved that they did not have foreign funding for a year	
19	99	Krasnoyarsk regional public environmental organization "Friends of Siberian forests" (RSEU member)	Krasnoyarsk krai	28.10.2015	28.11.2016	shut down	Was labelled even they didn't have any money since the Foreign Agent law came into force. So the law was implemented retrospective.
20	102	Irkutsk regional public organization "Baikal environmental Wave" (RSEU member)	Irkutsk	10.11.2015	01.08.2016	shut down	Continue their work as a new RSEU regional branch.
21	106	Public charity environmental organization "Green World" (leader RSEU member)	Sosnovy Bor, Leningrad region	02.12.2015	06.02.2017	shut down	Took decision to close down and continue work in another form
22	111	Baikal regional public institution "Public Environmental Center Dauria"	Chita, Chita region	30.12.2015	01.09.2016	shut down	
2016							
23	125	Regional public environmental organization of the Altai Republic "Arkhar"	Altai Republic, Gorno-Altaiisk	05.04.2016	06.10.2016	shut down	
24	127	Regional public environmental organization "Ecological soul's school "Tengri"	Altai Republic	17.05.2016	20.06.2017	shut down	
25	142	Inter-regional environmental and human rights public organisation "Environmental Watch on North Caucasus" (RSEU member)	Krasnodar region	13.09.2016	10.01.2018	Proved that they did not have foreign funding for a year	Members' participation in actions for nature protection considered as a "political activity" of the NGO. Receiving finances

									by members of the NGO was considered as NGO's "foreign funding".
26	147	Chapaevsk local public organization "Association of medical workers of the Chapaevsk city"	Chapaevsk, Samara region.	21.10.2016	2019	Proved that they did not have foreign funding	Working with effects of pollution to human health		
2017									
27	156	Environmental Human Rights Center Bellona	St. Petersburg	16.01.2017	08.06.2017	shut down			
28	157	Youth Public Organization of Soloneshensky District "Pro-Motion"	Altay kray	25.01.2017	19.02.2018	shut down	Foreign funding from 2014-2015. Formally stopped acting in the fall of 2016.		
29	160	Murmansk Regional Public Organisation Kola Environmental Center (RSEU member)	Apatity, Murmansk region	20.04.2017	07.08.2017 - delisted 15.06.2018 – shut down	Proved that they did not have foreign funding for a year in 2017.	But decided to close down the NGO anyway, which happened in 2018		
30	161	Fund for the Promotion of Sustainable Development "Silver Taiga"	Syktvykar, Republic of Komi	14.06.2017					
31	164	Arkhangel'sk regional youth environmental public organization "Aetas" (RSEU member)	Arkhangel'sk region	01.09.2017	15.05.2018	Shut down			
2019									
32		Autonomous non-profit organization of information and legal services "Civil Initiative against Environmental Crime"	Krasnodar region	25.10.2019					



The Russian Social-Ecological Union (RSEU) is a non-governmental, non-profit and member based democratic organization, established in 1992. RSEU brings together public organizations and active citizens from all regions of Russia. All RSEU activities are aimed at nature conservation, protection of health and the wellbeing of people in Russia and around the world. In 2014, RSEU became the Russian member of Friends of the Earth.



Naturvernforbundet/Friends of the Earth Norway has over many years worked closely with Russian environmental organizations. The cooperation has been helpful for both sides on a wide range of environmental topics.



Naturvernforbundet
Friends of the Earth Norway