



Widescale and coordinated measures dismantling Navalnyy network in Russia, multiple violations of the European Convention

The case **Anti-Corruption Foundation (FBK) and Others v. Russia** (application no. 13505/20 and 138 others) concerned a cumulative pattern of measures from 2019 taken against organisations connected with Aleksey Navalnyy, his own family members, his associates and their families. These measures included coordinated mass searches of homes and offices, seizure of property during these searches, freezing of bank accounts, the FBK's listing as a "foreign agent" and its subsequent designation, along with the other applicant organisations, as "extremist". This led to certain of the applicant organisations' dissolution and the criminalisation of any activity linked to them.

In today's Chamber judgment¹ the European Court of Human Rights held, unanimously, as concerned all 139 applications, that there had been **violations of Article 8 (right to respect for private and family life, the home and correspondence), Article 10 (freedom of expression), Article 11 (freedom of association), Article 18 (limitation on use of restrictions on rights) and Article 1 Protocol No. 1 (protection of property)** to the European Convention on Human Rights.

The Court found in particular that the measures had formed part of a concerted effort on an unprecedented scale to strike at the heart of and eliminate the organised democratic opposition centred around Mr Navalnyy.

The official reasons for the measures, namely the fight against money laundering and extremism, had not been supported by any evidence of genuine criminal conduct, but had served as a pretext for dismantling independent political and civic structures.

The Court emphasised that the measures had taken place against the background of reprisals against Mr Navalnyy and those associated with him and of the progressive suppression of political pluralism in Russia.

Lastly, it noted that the Committee of Ministers of the Council of Europe continued to supervise enforcement of the Court's judgments against Russia, which was still bound under **Article 46 (binding force and implementation)** to enforce judgments against it concerning facts that had occurred before 16 September 2022, the date on which it had ceased to be signatory to the Convention.

Principal facts

The case covers 139 applications brought by organisations affiliated with Aleksey Navalnyy, his own family members, and his close associates, among them Anti-Corruption Foundation ("the FBK") employees, coordinators of regional offices and volunteers, and in some cases their family members. Aleksey Navalnyy was a political activist and opposition leader in Russia; he died on 16 February 2024 while serving a 19-year sentence in a high-security penal colony in the Russian Arctic.

The applicant organisations include the FBK, founded in 2011 by Mr Navalnyy himself, the Foundation for the Protection of Civil Rights ("Shtab"), the Navalnyy Headquarters network of regional offices, the Foundation for the Defence of Civil Rights ("the FZPG") and OOO "Strana Prilivov". They formed an

1. Under Articles 43 and 44 of the Convention, this Chamber judgment is not final. During the three-month period following its delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution.

integrated structure that underpinned Mr Navalnyy's campaign against corruption and his advocacy of democratic reform in Russia.

The FBK in particular investigated and published online reports on alleged corruption by high-ranking Russian officials, gaining widespread attention through documentaries such as *He is Not Dimon to You* (2017) and *Putin's Palace: History of the World's Largest Bribe* (2021).

All the applicants became the target of concurrent administrative and financial measures by the Russian authorities from 2019 onwards.

These measures were taken after criminal proceedings had been launched against the FBK for large-scale money laundering in July 2019. The investigation, which is still ongoing, looked into allegations that unidentified individuals – including persons affiliated with the activities of the FBK and its staff – had received over 75 million Russian roubles (RUB; approximately 1,056,168 euros (EUR)) from third parties, knowing that the funds had been obtained by criminal means. The illicit funds had allegedly been deposited via cash-in and ATMs in Moscow into various bank accounts, then transferred to the FBK's accounts.

Thus, a wave of searches of homes and offices was carried out, mostly on 12 September and 15 October 2019. In total, about 191 searches were conducted in respect of individuals and entities connected to Mr Navalnyy. Most were authorised in advance, with the courts citing involvement in the FBK money-laundering scheme, while others – at least 36 – were treated as “urgent” and conducted without prior judicial authorisation. Mobile phones, computers, documents and production equipment were seized. All appeals to the courts were unsuccessful.

The courts also froze the applicants' bank accounts in two waves; the initial surge coincided with the searches and the second took place in February 2020. The courts extended almost all the freezing orders in several subsequent collective rulings. All appeals by the applicants were also in vain.

Other measures were taken against the applicants under legislation on “foreign agents” and “extremist organisations”, which had been enacted in 2002 and subsequently amended. Thus, in 2019 the FBK was designated as a “foreign agent” for accepting EUR 1,944 from a Spanish source, and in 2021 administrative proceedings brought against the FBK, the FZPG and the Navalnyy Headquarters declared them “extremist” for disseminating extremist material online, organising unauthorised protests and rallies and involving minors in their activities. The courts have since ordered the dissolution of the FBK and the FZPG, and prohibited the Navalnyy Headquarters network from operating.

These organisations' designation as “extremist” also led to the criminalisation of any activity linked to them, and the exposure of former members and supporters to prosecution and imprisonment. By July 2024 the authorities had opened criminal proceedings against more than 50 individuals across the country for their alleged involvement with the FBK or Mr Navalnyy's regional network. In addition, at least 37 people were prosecuted for making donations to the FBK, in some cases involving amounts that were manifestly negligible. Separately, at least 57 individuals were convicted in administrative offence proceedings for displaying prohibited symbols, including posting photographs of Mr Navalnyy or reposting material relating to him or his organisations that had been designated as extremist.

Complaints, procedure and composition of the Court

Relying on Article 8 (right to respect for private and family life, the home and correspondence), Article 1 of Protocol No. 1 (protection of property) and Article 13 (right to an effective remedy), the applicants complained about mass searches of their offices and homes, the seizure and retention of money, personal belongings and documents during the searches and the freezing of their bank accounts.

Also relying on Articles 10 (freedom of expression) and 11 (freedom of association), FBK, Shtab, the FZPG and the Navalnyy Headquarters complained about restrictions on their rights after being designated as a “foreign agent” and/or as “extremist” organisations.

Lastly, the applicants argued that the measures formed part of an abusive pattern which had aimed to obstruct their work, intimidate them and their supporters and eliminate political opposition centred around Aleksey Navalnyy, in breach of Article 18 (limitation on use of restrictions on rights).

The applications were lodged with the European Court of Human Rights on various dates from 2020 to 2022.

The Court’s procedure for processing of applications against Russia can be found [here](#).

Judgment was given by a Chamber of seven judges, composed as follows:

Ioannis **Ktistakis** (Greece), *President*,
 Peeter **Roosma** (Estonia),
 Lətif **Hüseynov** (Azerbaijan),
 Diana **Kovatcheva** (Bulgaria),
 Úna Ní **Raifeartaigh** (Ireland),
 Mateja **Đurović** (Serbia),
 Canòlic **Mingorance Cairat** (Andorra),

and also Olga **Chernishova**, *Deputy Section Registrar*.

Decision of the Court

Firstly, the Court established that it had jurisdiction to deal with the applications in the case as they concerned facts that had occurred prior to 16 September 2022, the date on which Russia ceased to be a contracting Party to the European Convention.

Next, the Court found that the orders authorising the search and seizures and freezing of bank accounts had been couched in general and broad terms and had lacked any individualised reasoning.

Indeed, the search warrants could have applied to virtually anyone who had, at any time, assisted or associated with the FBK or Mr Navalnyy. None of the applicants had ever been charged or even formally treated as a suspect in the money-laundering proceedings. Nor had there been any limits on the items the investigative authorities could seize, which could be anything “relevant to the criminal case”.

As concerned the freezing orders, none of the decisions had referred to any specific transaction, date or documentary evidence linking a particular applicant or applicant organisation to the alleged money-laundering scheme. Nor had the orders explained how the funds available on the applicants’ bank accounts had been connected to the offence under investigation.

Moreover, the judicial review of all those measures and their extensions had been purely formalistic, with the courts simply rubber-stamping the investigators’ requests or the lower courts’ decisions to order or extend orders.

The mass searches and seizures and the freezing of bank accounts had not therefore met the “lawfulness” requirement under the Convention, in breach of Article 8 and Article 1 of Protocol No. 1.

The Court also held that there had been a separate violation of Article 1 Protocol No. 1 as concerned the seizure of RUB 2,320,000 (approximately EUR 31,550) from the applicant Vitaliy Viktorovich Kolesnikov during a search. The authorities had failed to return that money, despite evidence showing that it was from the proceeds of the sale of the applicant’s flat, or to obtain a formal seizure order.

Such interference with his rights had had no legal basis in the domestic law and had not therefore been “in accordance with the law” within the meaning of Article 1 of Protocol No. 1.

Nor had the FBK’s listing as a “foreign agent” and its subsequent designation as an “extremist” organisation, together with the FZPG and Navalnyy Headquarters, met the “lawfulness” requirement under the Convention, in breach of Article 11 read in the light of Article 10.

There was no suggestion that the FBK had been under foreign influence or control. It had been designated as a “foreign agent” solely on the basis of it having received money from a foreign source. The Court noted a rigid and formalistic use of the “foreign agent” legislation, as found in its leading case [Kobaliya and Others v. Russia](#) of 2024 (nos. 39446/16 and 105 others).

Similarly, the authorities had interpreted and applied the notion of “extremism” in an overly broad and vague manner. Thus “extremism” had not been limited to conduct involving violence or hatred; it had been extended in the applicants’ case to conduct within the legitimate sphere of political expression and association. Even making a minor donation to an organisation connected to Mr Navalnyy or posting/reposting a photograph of him had become punishable offences, while being involved in the Navalnyy organisations had led to some applicants being criminally prosecuted or barred from standing for election for up to five years. Such consequences had gone far beyond dissolution and banning; they had revealed a system in which peaceful conduct was stigmatised and criminalised.

The Court noted the exceptional scale and coordination of the measures. They had taken place against the backdrop of protests in Russia throughout the summer of 2019, suggesting that they had not been prompted by any genuine investigative need, but formed part of a concerted campaign extending far beyond the remit of an ordinary criminal investigation. Their combined effect had been to paralyse the applicants’ legitimate activities in the fields of political expression and civic participation.

It highlighted that, in recent years, the political system in Russia had undergone a profound transformation, marked by the progressive dismantling of independent institutions, the suppression of dissenting voices and the erosion of fundamental democratic safeguards, further aggravated by the full-scale military aggression against Ukraine in February 2022. Such suppression of political opposition has been internationally condemned.

The official reasons for the measures, namely the fight against money laundering and extremism, had not been supported by any evidence of genuine criminal conduct and instead served as a pretext for dismantling independent political and civic structures.

Having regard to the cumulative pattern of measures, the Court considered that the authorities’ actions had had an ulterior motive, namely to strike at the heart of and eliminate the organised democratic opposition centred around Mr Navalnyy.

There had accordingly been a violation of Article 18 taken in conjunction with Articles 8 and 11 of the Convention and Article 1 of Protocol No. 1.

[Just satisfaction \(Article 41\)](#)

The Court held that Russia was to pay the applicants and applicant organisations sums ranging from EUR 5,000 to EUR 30,000, mainly in respect of non-pecuniary damage.

The judgment is available only in English.

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