

To the Supreme Court of the Russian Federation
15 Povarskaya Street, Moscow 121260

Administrative plaintiffs:

- 1. Kaliningrad Regional Non-Governmental Organisation "Ecodefense!**

[Redacted]

- 2. Regional Public Organisation Moscow Helsinki Accords Implementation Assistance Group (Moscow Helsinki Group)**

[Redacted]

- 3.**
Place of residence: Irkutsk region, Irkutsk city,

[Redacted]

- 4.**

[Redacted]

- 5.**
Place of residence: Moscow

[Redacted]

- 6.**
Place of residence: Murmansk region,

[Redacted]

- 7.**
,Novosibirsk region

[Redacted]

- 8.**

Place of residence: St Petersburg, [redacted]
[redacted]
[redacted]

9. [redacted]
Place of residence: [redacted] Saint Petersburg
[redacted]
[redacted]

10. [redacted]
Place of residence: St. Petersburg, [redacted]
[redacted]
[redacted]

11. [redacted]
Place of residence: Kemerovo region, [redacted]
[redacted]
[redacted]

12. [redacted]
Place of residence: [redacted]
Moscow
[redacted]
[redacted]

13. [redacted]
Place of residence: [redacted] Moscow region,
[redacted]
[redacted]

14. [redacted]
Place of residence: Volgograd region, city of Volgograd,
[redacted]
[redacted]

15. [redacted]
Place of residence: St. Petersburg, [redacted]
[redacted]
[redacted]

16. [redacted]

Place of residence: Leningrad region, [REDACTED]

17. [REDACTED]

Place of residence: Kaliningrad region,

18. [REDACTED]

Place of residence: Primorsky Krai, Vladivostok,

19. [REDACTED]

Place of residence: 1 [REDACTED]

St Petersburg

20. [REDACTED]

Place of residence: Arkhangelsk region, city of Arkhangelsk,

Representatives of the administrative plaintiffs:

1. **Grigoriy Viktorovich Vaipan**

Email address: grigory.vaypan@gmail.com

2. **Daryana Vyacheslavovna Gryaznova**

Email address: gryaznova.daryana@gmail.com

3. **Alexandra Andrejevna Suchkova**



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**Contested regulations
(in part):**

1. Decree of the President of the Russian Federation of 4 November 2020 No 666 "On reduction of greenhouse gas emissions", source of publication: Collection of Laws of the Russian Federation, 9 November 2020, No 45, Art 7095
2. Strategy for socio-economic development of the Russian Federation with low greenhouse gas emissions until 2050, approved by the Government of the Russian Federation of 29 October 2021, No. 3052-r, source of publication: Collection of Laws of the Russian Federation, 8 November 2021, No. 45, Art. 7556

The public authorities that adopted the contested regulations:

1. **President of the Russian Federation**
Location: 23 Ilyinka Street, Moscow 103132
2. **Government of the Russian Federation**
Location: 2 Krasnopresnenskaya Naberezhnaya, Moscow 103274

Prosecutor:

Office of the Prosecutor General of the Russian Federation
Location: 15a Bolshaya Dmitrovka Street, Moscow 125993

State fee:

4,500 rubles + 300 rubles (subp. 6, p. 1, art. 333.19 of the Tax Code of the Russian Federation)

**ADMINISTRATIVE ACTION
to declare legal acts invalid**

This administrative claim consists of the following sections

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B. Information on administrative complainants (pp. 11-13);

Section IV: The contested Presidential Decree No. 666 of 4 November 2020 "On Reducing Greenhouse Gas Emissions" and the Strategy for Socio-Economic Development of the Russian Federation with Low Greenhouse Gas Emissions until 2050, approved by Order No. 3052-r of 29 October 2021 of the Government of the Russian Federation, are regulatory legal acts within the meaning of Chapter 21 of the Code of Administrative Procedure of the Russian Federation (pp. 14-15);

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I. Names, numbers, dates of adoption of the contested regulations, sources and dates of publication

Decree of the President of the Russian Federation of November 4, 2020, No. 666 "On Reducing Greenhouse Gas Emissions", source of publication: Collection of Laws of the Russian Federation, November 9, 2020, No. 45, Art. 7095 (hereinafter referred to as the "Decree").

Strategy of Socio-Economic Development of the Russian Federation with Low Greenhouse Gas Emissions up to 2050, approved by Resolution No. 3052-r of the Government of the Russian Federation of October 29, 2021, source of publication: Collection of Laws of the Russian Federation, November 8, 2021, No. 45, Art. 7556 (hereinafter the "Strategy").

II. Summary of the administrative complaint

In light of the compelling scientific evidence of the climate emergency, Russia (also the "Russian Federation") is heavily impacted by the effects of global climate change (see section III.A of this administrative claim). Emissions of greenhouse gases due to human

activities are the main cause of climate change (see section III.B of this administrative claim).

In accordance with its international legal obligations, Russia needs to develop and implement effective measures aimed at reducing greenhouse gas emissions. The Contested Decree and Strategy are the key benchmarks in the field of greenhouse gas emissions regulation (see Section IV and paragraphs 13-18 of this administrative claim) and contain targets for greenhouse gas emissions for the years 2030 and 2050. As regards these indicators, the challenged regulatory legal acts (hereinafter "RLAs") are incompatible with national and international human rights obligations of the Russian Federation (see paragraphs 59-77 and 97-112 of this administrative statement of claim). Moreover, the contested NLAs in the same part violate obligations of the Russian Federation to regulate and limit greenhouse gas emissions, including those undertaken at the international level (see paragraphs 12-18 and 85-96 of the present administrative claim).

The 2 public organisations acting as administrative plaintiffs file this administrative claim to protect the rights of an indefinite range of persons. The 18 citizens of the Russian Federation who are administrative plaintiffs are the subjects of relations regulated by the contested NLAs, and these NLAs violate the rights, freedoms and legitimate interests of these administrative plaintiffs and create a real threat of their further violation. The contested NLAs violate the following rights of administrative claimants and an indefinite number of individuals: right to life, right not to be subjected to torture or inhuman treatment, right to respect for private life and home, right not to be discriminated against, right to property (see Section V of the present administrative claim).

III. A statement of facts

A. Climate change and the implications of climate change for the Russian Federation

1. Climate change is climate change that is directly or indirectly caused by human activities that alter the composition of the global atmosphere and is superimposed on natural climate variability observed over comparable time periods (article 1, para. 2 of the United Nations Framework Convention on Climate Change, ratified by the Federal Act of 4 November 1994 No. 34-FZ "On Ratification of the United Nations Framework Convention on Climate Change" (UNFCCC).
2. Human activities have increased the global average surface temperature of the Earth by about 1.2°C compared to pre-industrial levels. (Sixth Assessment Report of the Intergovernmental Panel on Climate Change (hereafter "IPCC"), Working Group I, "Climate Change 2021: The Physical Science Basis" (full report), 9 August 2021, p. 89¹). The IPCC has indicated that this level of warming is unprecedented in at least 125,000 years (ibid., p. 61). Without immediate and significant reductions in global greenhouse gas emissions, the IPCC projects that global average surface temperature will reach 1.5°C above pre-industrial levels over the next two decades and could rise to 3.5°C by the end of the century based on average greenhouse gas emissions projections, while a worst case scenario of high greenhouse gas emissions would increase temperature to 5.7°C above pre-industrial levels (IPCC Sixth Assessment Report, Working Group I, Climate Change 2021: Phy 14).
3. The IPCC highlights the immediate impacts of rising temperatures due to climate change. For example, among the consequences for human livelihoods and health, up to 9 million

¹ The report is available on the official IPCC website (<https://www.ipcc.ch/>).

people are projected to die of climate-related causes by the end of the 21st century (IPCC Sixth Assessment Report, Working Group II, "Climate Change 2022: Impacts, Adaptation and Vulnerability" (full report), 27 February 2022, para. TS.C.6, p. 63).²). The report also points to severe natural impacts in the form of droughts, rising sea levels and melting permafrost, among other things. For example, between 50 and 70 per cent of glaciers in the Asian region are expected to melt by the end of the 21st century with moderate projections for temperature rise (IPCC Sixth Assessment Report, Working Group II, "Climate change 2022: Impacts, adaptation and vulnerability" (full report), TS.C.4.2, p. 61). 61).

4. Global climate change directly affects Russia. According to the Russian Climate Monitoring Bulletin (December 2020 - November 2021) of the Federal State Budgetary Institution "Institute of Global Climate and Ecology" (p. 35 of the bulletin³) the increase in average annual temperature over 1976-2021 was 0.5° C over 10 years - 2.5 times faster than the global average, and 4.5 times faster in the Russian Arctic ("The global climate threat and the Russian Federation economy: searching for a special way", Skolkovo, May 2020, p. 7⁴). In other words, while temperatures around the world have risen by about 1°C compared to pre-industrial levels over the past 50 years, in Russia they have risen by 2.5°C and this ratio will continue or even worsen in the future.
5. Russia is experiencing strong impacts from the effects of global climate change: climate change threatens health, well-being and human life, provokes forced migration, and threatens food security and infrastructure. The National Action Plan for the first phase of adaptation to climate change for the period until 2022, approved by Decree No. 3183-r of the Government of the Russian Federation of 25 December 2019, lists the following as negative consequences of expected climate change for Russia: increased health risks; increased frequency, intensity and duration of droughts in some regions, extreme rainfall, floods and soil over-watering dangerous for agriculture in others; increased fire danger in forest areas; degradation of
6. One of the most striking examples of increasing climate change is the heatwave in Russia in 2021, which exceeded record maximum temperatures in Moscow, St. Petersburg, as well as in Siberia and beyond the Arctic Circle (expert opinion (Annex 31), p. 3.2.1. 4, para. 4, p. 26 of the Russian translation)). The consequence of this heatwave has been forest fires in Russia. By August 16, 2021, more than 17 million hectares had burned - more than all other fires in the world combined, at least since the first satellite observation of the Earth (since the end of the 20th century) ("2021 is a record year for fires", Greenpeace, 16 August 2021⁵). The summer of 2022 again saw waves of extreme heat and large-scale forest fires in Russia. At the end of August 2022, Moscow was shrouded in smoke from forest fires. It is now known that the abnormal heatwave in Russia in 2010 was the direct cause of over 50,000 premature deaths (expert opinion (Annex 31, para. 3.2.1 on p. (Annex 31, paras. 3.2.1 p. 3-4, p. 26, subpara. 4 on page 26)). The economic and social impacts of the heatwaves of 2021 and 2022 have yet to be assessed.
7. Moreover, while in 1990-2000 the Russian Federal Service for Hydrometeorology and Environmental Monitoring (Roshydromet) recorded 150-200 damaging hydrometeorological hazards, in the following years their number increased to 250-300 per year, and since 2007 the number of such hazardous hydrometeorological phenomena has exceeded 400 on average once every two years. At the same time, hydrometeorological hazards observed over the last two decades have proved to be more intense and more devastating than ever before (Federal State Budgetary Institution Hydrometeorological

² The report is available on the official IPCC website (<https://www.ipcc.ch/>).

³ The Bulletin is available on the official website of the Federal Service for Hydrometeorology and Environmental Monitoring (Roshydromet) (<http://www.igce.ru/>).

⁴ The study is available on the official website of the Skolkovo School of Management (<https://www.skolkovo.ru/>).

⁵ The news is available on the official Greenpeace website (<https://greenpeace.ru/>).

Research Centre of the Russian Federation (Hydromet Centre of Russia), "Report on Climate Risks in the Russian Federation", 2017, p. 4⁶). In 2021, 612 cases of such hazards were recorded in Russia (Russian Federal Service for Hydrometeorology and Environmental Monitoring (Roshydromet), "Report on Climate Risks in the Russian Federation for 2021", p. 55⁷).

8. The administrative applicants draw the court's attention to the expert report (Annex 31), which analyses in detail the consequences of climate change for Russia, in particular excessive heat waves and the resulting loss of life, the spread of infectious diseases, the critical situation of forest fires and the thawing of permafrost.

B. Greenhouse gas emissions as a major cause of climate change

9. Russia is a party to the UNFCCC and also signed the Paris Agreement of 12 December 2015 on 22 April 2016 and adopted by Russian Government Decision No. 1228 of 21 September 2019 (the "Paris Agreement"). By doing so, Russia recognises that greenhouse gas emissions from human activities are responsible for global climate change. The IPCC Sixth Assessment Report states: "It is an undeniable fact that the atmosphere, ocean and land have warmed under human influence. There have been widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere" (IPCC Sixth Assessment Report, Working Group I, "Climate Change 2021: The Physical Science Basis (Summary for Policymakers)", para. 4).
10. The administrative applicants draw the court's attention to the global temperature target set by the Paris Agreement. According to Article 2 of the Paris Agreement, the aim is to keep the global average temperature increase in this century well below 2°C above pre-industrial levels and seek to limit such increase to 1.5°C. This objective is understood by the administrative plaintiffs as a single temperature goal, with an obligation on the states to keep the temperature increase from a maximum allowable temperature increase from pre-industrial levels of well below 2°C to an acceptable temperature increase of 1.5°C.
11. The validity of the lower threshold of the global temperature target of 1.5°C was confirmed by the IPCC in its October 2018 Special Report on 1.5°C Global Warming (IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related trajectories of global greenhouse gas emissions in the context of strengthening the global response to climate change, sustainable development and poverty eradication efforts. October 2018⁸). The report highlights a number of climate change impacts that could have been avoided by limiting global warming to 1.5°C and below. The IPCC reiterated these findings in its latest Sixth Assessment Report, published in 2021-2022 (Sixth Assessment Report, Working Group I, Climate Change 2021: The Physical Science Basis (full report), pp. 128). In the Glasgow Climate Pact of November 2021, the States Parties to the UNFCCC and the Paris Agreement, including Russia, recognised that "the effects of climate change would be significantly lower with a temperature rise of 1.5°C compared to 2°C, and decided to continue [efforts] to limit temperature rise to 1.5°C" (Glasgow Climate Pact of 13 November 2021, FCCC/PA/CMA/2021/L.16, para 21⁹). Thus, both experts and official representatives of states, including Russia, agree on the need to strive to keep the global temperature rise exactly at the lower end of the temperature range set by the Paris Agreement, i.e. at 1.5°C. The best available science therefore calls for urgent and dramatic

⁶ The report is available on the official website of the Federal State Budgetary Institution Hydrometeorological Research Centre of the Russian Federation (Hydrometcentre of Russia) (<https://meteoinfo.ru/>).

⁷ The report is available on the official website of the Federal Service for Hydrometeorology and Environmental Monitoring (Roshydromet) (<http://www.igce.ru/>).

⁸ The report is available on the official IPCC website (<https://www.ipcc.ch/>).

⁹ The Covenant is available on the official UNFCCC website (<https://unfccc.int/>).

reductions in greenhouse gas emissions. The IPCC has therefore called for rapid and substantial reductions in global emissions (48% from 2019 levels) by 2030 to give a 50% chance of avoiding the 1.5°C temperature increase threshold (IPCC Sixth Assessment Report, Working Group III, Climate Change 2022: Climate Change Mitigation (Summary for Policymakers), 4 April 2022, para SPM-22, C.1.2¹⁰).

12. Turning directly to Russia's GHG emissions, the administrative claimants note that Russia ranks 4th in the world (UNFCCC GHG Emissions Register,¹¹), with Russia's GHG emissions from its formation as a state until 2019 accounting for 6% of global emissions (expert opinion (Annex 31, p. 3.3, 15)). As of 2020, Russia is responsible for 4.7% of global greenhouse gas emissions (European Commission Joint Research Centre Report "Global Greenhouse Gas Emissions: Report 2021", 14th October 2021, p. 13). 13¹²). To analyse the issue of the Russian Federation's compliance with its obligations to reduce greenhouse gas emissions, the administrative claimants rely on the expert opinion attached to this administrative claim (Annex 31) as well as on the opinion of independent climate change experts critical of the contested NAPs ("Green Deal Russia", Greenpeace, November 2020, p. 17¹³). The expert calculated GHG emission reduction targets for Russia that would achieve the lower boundary of the long-term temperature goal of 1.5°C of the Paris Agreement (1.5°C or lower) by 2100 and a peak below 1.7°C with a probability of 66%, based on two recognised methods - a method related to determining a fair share of GHG emissions reduction efforts (*fair share*) and a method related to determining the economically optimal (*cost-optimal*) GHG reduction target. In doing so, the expert indicated that the target for greenhouse gas emission reductions based on a fair share was preferable to the cost-optimal target (expert opinion, (Annex 31, para. 3.4 on page 16, subpara. 16, subpara. 7 para. 4 on page 26 of the Russian translation)).
13. The Specialist found that the target for reducing greenhouse gas emissions in Russia on the basis of a fair share by 2030 is 968 million tonnes of carbon dioxide equivalent per year, i.e. 31% relative to 1990 levels (not including the Land Use, Land-Use Change and Forestry sector) (Specialist Opinion (Annex 31, para. 3.4 on p. 16, subpara. 7 para. 4 on page 26 of the Russian translation)).
14. The Specialist found that the economically optimal greenhouse gas emission reduction target for Russia by 2030 is 1,445 million metric tonnes of carbon dioxide equivalent per year, i.e. 46% relative to 1990 levels (not including the Land Use, Land-Use Change and Forestry sector) (Specialist Opinion (Annex 31, para. 3.5 on p. 18, sub-paragraph 8 para. 4 on pages 26-27 of the Russian translation)).
15. The Specialist found that the target for reducing greenhouse gas emissions in Russia on a fair share basis by 2050 is 157 million metric tonnes of carbon dioxide equivalent per year, i.e. 5% compared to 1990 levels (not including the Land Use, Land-Use Change and Forestry sector) (Specialist opinion (Annex 31, para. 3.4 on p. 16, subparagraph 9 of paragraph 4 on page 27 of the Russian translation)).
16. Thus, according to the expert opinion (Annex 31), the Russian GHG emission reduction target corresponding to the long-term temperature goal of the Paris Agreement is between 968 and 1,445 million metric tonnes of carbon dioxide equivalent per year for 2030 (31 to 46 per cent relative to 1990 levels) and 157 million metric tonnes of carbon dioxide equivalent per year for 2050 (5 per cent relative to 1990 levels).
17. Contrary to the above, the contested NLAs not only do not contain such targets for reducing greenhouse gas emissions, but also allow for an increase in greenhouse gas emissions even further. By subparagraph "a" of paragraph 1 of the Decree, the President of the Russian Federation ordered the Government of the Russian Federation to ensure by 2030 a

¹⁰ The report is available on the official IPCC website (<https://www.ipcc.ch/>).

¹¹ The register is available on the official UNFCCC website (<https://unfccc.int/>).

¹² The report is available on the European Union database of documents (<https://data.europa.eu/en>).

¹³ The material is available on the official Greenpeace website (<https://greenpeace.ru/>).

reduction of greenhouse gas emissions to 70% of the 1990 level, taking into account the maximum absorption capacity of forests and other ecosystems. This means that the level of emissions by 2030 must not exceed 70% of the 1990 level. However, the level of greenhouse gas emissions in Russia in 1990 was 3159 million metric tonnes of carbon dioxide equivalent per year (excluding Land Use, Land-Use Change and Forestry sector) (expert opinion (Annex 31, paragraph 3.8 on page 24 of the Russian translation)). As stated in the annex to the Strategy, Russia's emissions in 2019 are 2,219 million metric tonnes of carbon dioxide equivalent, i.e. 67 per cent of 1990 levels (excluding removals from the "Land use, land-use change and forestry" sector). As stated there, the greenhouse gas emissions target for 2030 is 2,212 million metric tonnes of carbon dioxide equivalent, which is 70 per cent of 1990 levels (excluding removals from the Land Use, Land-Use Change and Forestry sector). This means that, as of 2019, Russia's greenhouse gas emissions were already below 70% of 1990 levels, and the contested NAPs actually assume an increase in Russia's greenhouse gas emissions until at least 2030 instead of the significant reductions needed. In addition, as stated in the Annex to the Strategy, the greenhouse gas emissions target for 2050 is 1,830 million metric tonnes of carbon dioxide equivalent, i.e. 58% of 1990 levels (excluding removals from the "Land Use, Land-Use Change and Forestry" sector). Thus, the target greenhouse gas emissions in Russia for 2030 set by the contested NAP is 1.5 to 2.3 times, and for 2050 - 11.7 times higher than the target corresponding to the long-term temperature goal of the Paris Agreement and given in the expert opinion (Annex 31).

18. As stated in the Specialist Conclusion, if Russia stays with its current national climate change policy until 2030 instead of implementing at least economically optimal measures to keep global warming below 1.5°C and other countries follow its approach, this would lead to a warming of 4°C by 2100 which could, among other negative consequences, lead to 710 000 excess deaths worldwide over the period from 2020 to 2100 (Specialist Conclusion (Annex 31, para. 3.6 on page 20 of the Russian translation)).

B. Information on administrative complainants

19. **The Kaliningrad Regional Non-Governmental Organisation "Ecozaschita!"-Women's Council is one** of the oldest environmental NGOs in Russia. The organisation adheres to the principles of deep ecology, biocentrism and non-violence, strives to stop human rights violations and believes that the rights to a healthy environment and reliable information are fundamental rights of every person.
20. **The regional non-governmental organisation Moscow Helsinki Accords Assistance Group (Moscow Helsinki Group)**, the oldest human rights organisation currently operating in Russia, was established in 1976 in Moscow. The mission of the Moscow Helsinki Group is to promote respect for human rights in Russia. To this end, since its foundation, the Moscow Helsinki Group has been engaged in identifying human rights violations and taking action to ensure compliance with Russia's international human rights obligations.
21. [REDACTED], born and raised in Irkutsk in [REDACTED], is a member of *Fridays For Future (FFF)*. "Fridays for the Future - is an international youth movement of schoolchildren, students and adults, whose members demand that politicians and the public stop ignoring the climate crisis and call for decisive action.
22. [REDACTED] is an indigenous representative of the Itelmen people from the Russian Far East. [REDACTED]

23. [REDACTED] born in [REDACTED] in Chuvashia, moved to Moscow when she was 17 and a member of the "Fridays for the Future" movement.
24. [REDACTED] a representative of the Sami people. The Sámi are an indigenous small Finno-Ugric people. According to the All-Russian Population Census 2010, the number of Saami people in Russia was 1771.¹⁴ [REDACTED] actively defends the rights of indigenous peoples (Sami).
25. [REDACTED] born in [REDACTED] born in Novosibirsk, moved to Moscow in 2019, member of the "Fridays for the Future" movement.
26. [REDACTED] was born and lives in St. Petersburg. She has been involved in environmental issues since school and is a member of the "Fridays for the Future" movement.
27. [REDACTED] born in 1996, born and raised in St. Petersburg, is a human rights activist.
28. [REDACTED] was born and raised in St. Petersburg.
29. [REDACTED] was born and lives in Gornaya Shoria (Kemerovo region). Since 2013, he has been actively engaged in covering the lifestyle and problems of the Shorians. The Shorians are a Turkic-speaking people living in the south-eastern part of Western Siberia, mainly in the south of the Kemerovo region. According to the All-Russian Population Census 2010, the number of Shorians in Russia was 12,888 people.¹⁵
30. [REDACTED] born in 2000, was born and raised in Moscow. She is interested in issues of ecology and climate crisis, in her work she often works with natural materials and recycled waste, working in the technique of upcycling (reusing materials and things and creating new functionality for them).
31. [REDACTED] has been picketing for climate change.
32. [REDACTED] has lived in Volgograd since 2009 and is a participant in various environmental and climate projects.
33. [REDACTED] born and raised in St Petersburg, participant in the "Fridays for the Future" movement and the Ecological Crisis Group project.
34. [REDACTED] environmental and human rights activist since 2003,
35. [REDACTED] environmentalist and activist, [REDACTED] has devoted over 30 years to environmental and climate change issues

¹⁴ [National composition of the population of the Russian Federation](#) // Information materials on the final results of the 2010 All-Russian Population Census, document available on the official website of the Federal State Statistics Service (<https://rosstat.gov.ru/>).

¹⁵ Ibid.

¹⁶ The channel is available on Youtube (<https://www.youtube.com/>).

36. [REDACTED] is a representative of the Udege people and has extensive experience in defending the rights of indigenous minorities. [REDACTED]

37. [REDACTED] was born and raised in St. Petersburg. [REDACTED]

38. [REDACTED] living in Arkhangelsk, is a participant of "Fridays for the Future" [REDACTED]

IV. The contested Presidential Decree No. 666 of 4 November 2020 on Reducing Greenhouse Gas Emissions and the Strategy for Socio-Economic Development of the Russian Federation with Low Greenhouse Gas Emissions until 2050, approved by Resolution No. 3052-r of 29 October 2021, are normative legal acts within the meaning of Ch. 21 of the Code of Administrative Court Procedure of the Russian Federation

39. In accordance with paragraph 2 of the Resolution of the Plenum of the Supreme Court of the Russian Federation of 25 December 2018 No. 50, the signs characterising legal acts are: "its publication in accordance with the established procedure by an authorised public authority, local self-government body, other body, authorised organisation or official, the presence in it of legal norms (rules of conduct) obligatory for an indefinite range of persons, designed for repeated application, aimed at regulating social relations or at changing or terminating existing legal relations".

40. In the present administrative claim the Decree and the Strategy are challenged in terms of the targets for reducing greenhouse gas emissions in Russia by 2030 and 2050 respectively. The setting of such targets is one of the measures to limit greenhouse gas emissions provided for by paragraph 2(2)(a) of the Decree. 2 ч. 1 of Article 4 and Article 6 of Federal Law No. 296-FZ as of July 2, 2021 "On Limitation of Greenhouse Gas Emissions". According to Article 3(3) of this Federal Law, one of the principles of limiting greenhouse

- gas emissions in Russia is the obligation to meet the greenhouse gas emission reduction targets.
41. The Strategy states that it was developed in accordance with Article 19 of the Federal Law "On Strategic Planning in the Russian Federation" and refers to strategic planning documents of the Russian Federation, is inter-sectoral and serves as a basis for inclusion of state policy measures in the field of greenhouse gas emissions limitation in other strategic planning documents of the Russian Federation, strategies of socio-economic development of the Russian Federation subjects, state programmes of the Russian Federation, state programmes of the Russian Federation, and state programmes of the Russian Federation. In judicial practice, strategic planning documents are recognized as NAPs (see, for example, the cassation decision of the Fourth Court of Cassation of General Jurisdiction of April 1, 2021 in case No. 8a-4215/2021(88a-9413/2021)).
 42. At the parliamentary hearings, the contested regulatory acts were named as key benchmarks both in the field of greenhouse gas emissions regulation for state authorities and for economic entities of the "real sector" of the economy for the near future, and as documents establishing the basic principles of state regulation in this area (Materials of parliamentary hearings in the Federation Council of the Federal Assembly of the Russian Federation of 22 November 2019 "¹⁷On the concept of state regulation of greenhouse gas emissions and removals
 43. It is on the basis of the contested NAAs that an action plan must be developed to implement the Decree's goal of limiting greenhouse gas emissions by 2030 (Clause 6 of the Plan for Implementing a Set of Measures to Improve State Regulation of Greenhouse Gas Emissions, approved by Russian Government Order No. 2344-r of 3 November 2016) and an action plan to implement the Strategy (Paragraph 3 of Clause 5 of Russian Government Order No. 5 of Order No. 3052-r of the Government of the Russian Federation dated 29 October 2021).
 44. Thus, the contested acts were duly issued by the authorized public authorities - the President of the Russian Federation and the Government of the Russian Federation, aiming to regulate social relations in the sphere of greenhouse gas emissions reduction, designed for repeated application until 2030 and 2050 respectively, and contain targets for reducing greenhouse gas emissions, binding on an uncertain circle of persons. Therefore, they are NAPs.
 45. Pursuant to Article 5(2) of Federal Constitutional Law No. 4-FKZ of 6 November 2020 "On the Government of the Russian Federation", orders of the Government of the Russian Federation are classified as acts of the Government of the Russian Federation not having a normative nature. However, the administrative plaintiffs do not challenge Order No. 3052-r of 29 October 2021 of the Government of the Russian Federation as such, but the Strategy, which is an appendix to this Order. According to paragraph 2 of Resolution No. 50 of the Plenum of the Supreme Court of the Russian Federation of 25 December 2018, the absence of normative provisions in the contested act itself cannot be assessed in isolation from the appendices and serve as grounds for refusing to examine the case under the rules of Chapter 21 of the Administrative Procedure Code of the Russian Federation (hereinafter - "APC RF"). In view of the above arguments, the contested Strategy and its appendix constitute a regulatory legal act and may be challenged under Chapter 21 of the Code of Administrative Procedure of the Russian Federation.

¹⁷ The material is available on the official website of the Federation Council of the Federal Assembly of the Russian Federation (<http://council.gov.ru/>).

V. Right of administrative claimants to bring this administrative action

A. Administrative applicants - organisations

46. According to Article 40 § 2 of the CAS RF, in cases provided for by the CAS RF and other federal laws, organisations and citizens may apply to the court to defend the rights, freedoms and lawful interests of other persons. According to paragraph 8 of the Resolution of the Plenum of the Supreme Court of the Russian Federation of 25 December 2018 No. 50 within the meaning of parts 2, 3, 5 of Article 40, part 2 of Article 208 of APC RF, a public association has the right to apply to a court of general jurisdiction with an administrative claim to declare a legal act not in force in whole or in part in protection of an uncertain circle of persons in cases where this is provided by federal law (for example, par. 1 of Article 12 of the Federal Law of 10 January 2002 No. 7-FZ "On Environmental Protection").
47. According to the eighth paragraph of clause 1 of article 12 of Federal law dated January 10, 2002 № 7-FZ "On environmental protection" public associations and non-profit organizations have the right to appeal to public authorities of Russian Federation, authorities of subjects of Russian Federation, local governments and other organizations with complaints, applications, claims and suggestions regarding environmental protection, negative impact on the environment and receive timely and substantiated responses.
48. In accordance with the above provisions of the legislation, the Kaliningrad Regional Public Organisation "Ecodefense!
49. According to article 2.2 of the statutes of the Kaliningrad regional public organization "Ecodefense! -Women's Council" (appendix 5), the subject of the activities of this public organization is the implementation of activities in the sphere of the conservation and restoration of the natural and cultural environment and the protection of nature and its inhabitants. According to article 2.4 of the charter, the organization shall be entitled, in particular, to protect (including representation before courts, other organizations and institutions of all forms of ownership) the rights of its members, other institutions and citizens. According to Article 3.1 of the Charter, in order to pursue its statutory objectives, the organisation has the right to represent and protect its rights, the legitimate interests of its members and participants, and other citizens before state authorities, local government bodies and public associations.
50. According to Article 2.1.1 of the Statute of the Regional Non-Governmental Organisation Moscow Helsinki Group (Moscow Helsinki Group) (Annex 7), the aims of this NGO are to promote practical implementation of humanitarian articles of the Final Act of the Helsinki Conference on Security and Cooperation in Europe (CSCE) of 1975, international agreements adopted in its wake, and all other international legal obligations of the Russian Federation in the field of human rights. According to Article 2.3 of the Charter, the Moscow Helsinki Group is a socially oriented non-commercial organisation, which among other things carries out activities to protect the rights and freedoms of citizens. According to Article 3.1.5 of the Statute, in order to achieve its statutory objectives, the Moscow Helsinki Group, in accordance with the current legislation of the Russian Federation, is entitled, inter alia, to represent and protect its rights, legitimate interests of its members as well as other citizens before the public authorities.
51. Thus, bringing this administrative claim to court in defence of an indefinite range of persons is in line with the statutory goals, objectives and activities of the administrative claimants - public organisations. As will be demonstrated in Section V.B of this administrative statement of claim, the contested regulations violate the rights, freedoms

and legitimate interests of an indefinite range of persons, as well as create a real threat of further violation of these rights, freedoms and legitimate interests.

B. Administrative plaintiffs are citizens

52. Pursuant to Article 208 (1) of the Code of Administrative Procedure of the Russian Federation, par. 6 of Resolution No. 50 of the Plenum of the Supreme Court of the Russian Federation of 25 December 2018, persons who are subjects of relations regulated by the contested legal act are entitled to file an administrative lawsuit to have the legal act declared invalid in whole or in part if they believe that their rights, freedoms and lawful interests have been, are being or may be violated by the act, as well as other persons whose rights, freedoms or lawful interests are affected by the act.
53. As the Constitutional Court of the Russian Federation pointed out in Ruling No. 8-P of 14 May 2009, the constitutional obligation to preserve the environment, which also applies to public authorities, is part of the enforcement mechanism of the constitutional right of everybody to a favourable environment (article 42 of the Constitution of the Russian Federation).
54. It also follows from this the right of individuals to challenge in court NLAs of state and local authorities which may violate the said right (appeal decision of the Judicial Board for Administrative Cases of the Supreme Court of the Russian Federation of 10 January 2018 No 78-APG17-20, cassation decision of the Judicial Board for Administrative Cases of the Supreme Court of the Russian Federation of 22 January 2020 No 11-KA19-7). For example, in Cassation Decision No. 11-KA19-7 of January 22, 2020, the Judicial Board for Administrative Cases of the Supreme Court of the Russian Federation recognised the right to challenge the NLA on planning the construction of an incinerator to all residents of the relevant settlement, not only those whose land plots were directly adjacent to the planned location of such a plant.
55. The contested NLAs (the Decree and the Strategy) regulate the relations connected with the reduction of greenhouse gas emissions in Russia with the aim of slowing down the rate of global warming and the catastrophic consequences for the environment both in the whole world and in Russia itself (expert opinion (Annex 31, item 3.2)). Accordingly, the challenged NLAs were adopted within the framework of implementation of the constitutional duty of state authorities to preserve the environment and are part of the enforcement mechanism for implementing the constitutional right of everyone to a favorable environment (Article 42 of the Constitution of the Russian Federation). By its very nature climate change is a "common concern of mankind" (the twelfth preambular paragraph of the Paris Agreement) and threatens the preservation of a favourable environment in Russia and therefore the well-being of every Russian citizen. As such, all administrative claimants are subject to the relationship governed by the impugned NAA.
56. Pursuant to Article 209(2)(4) of the AOC. Article 209(2) of the Code of Administrative Procedure states that an administrative action to challenge an administrative act must specify which rights, freedoms and legitimate interests of the applicant have been violated or that there is a real risk that they will be violated.
57. As the Constitutional Court of the Russian Federation points out, the current administrative procedural legislation does not prevent challenges to decisions of public authorities based on a reliable assumption that the implementation of those decisions will inevitably lead to a violation of the rights and freedoms of the administrative plaintiff in the future (Decision of the Constitutional Court of the Russian Federation of 18 July 2017 No. 1447-O). This legal position is also fully applicable to challenges to NLAs of public authorities. The challenged NLAs violate the rights, freedoms and legitimate interests of administrative plaintiffs, and these violations will inevitably worsen over time. Climate change has already had a serious and often devastating impact on a wide range of human rights and

- will have even more devastating consequences in the future if the challenged NAPs remain as they are now.
58. If Russia fails to take action to reduce greenhouse gas emissions, it will not only contribute to a violation of its national and international legal obligations, but will also amount to a near-term catastrophe. For example, the IPCC predicts that if all the countries of the world take very insufficient action to reduce greenhouse gas emissions and emissions remain high, temperatures may rise by 5.7°C or more by the end of the century from pre-industrial levels (IPCC Sixth Assessment Report, Working Group I, 'Climate Change 2021: The Physical Science Basis (full report)', p. 14). 14). The expert's analysis of Russian greenhouse gas emissions also reaches a disappointing conclusion: if all the countries of the world were to adopt the same level of ambition as the challenged NAPs, it would lead to a global average temperature increase of 4°C (expert opinion (Annex 31, paragraph 3.8 p. 25)). Obviously, such an increase would not only fall short of the long-term temperature goal of the Paris Agreement, but would also increase the already existing consequences of climate change in Russia: an increase in the intensity and duration of extreme weather events, including periods of extreme heat; the spread of infectious and parasitic diseases in northern regions and permafrost areas; the death of forests through the spread of parasites and forest fires; extensive permafrost melt, which damages structures and *commun*. According to some estimates, the annual damage to Russia from climate hazards alone is already reaching 30-60 billion roubles, and the annual damage from melting permafrost is up to 150 billion roubles ("The global climate threat and the economy of Russia: in search of a special path", Skolkovo, May 2020, pp. 44-45. 44-45). According to the expert opinion. If Russia does not bring its climate regulation in line with the temperature goal of the Paris Agreement, the negative consequences of climate change for Russia will be much worse than the current manifestations mentioned above (expert opinion (Annex 31, paragraph 4, sub-paragraph 5 on page 26 of the Russian translation)).
59. The challenged NLAs violate the right to life (Article 20), the right to health (Article 40), the right to a favourable environment (Article 42) and the rights of indigenous peoples (Articles 9 and 69) guaranteed by the Constitution of the Russian Federation. In addition, the challenged NLAs violate the principle of equality of human and civil rights and freedoms (Article 19 of the Constitution of the Russian Federation) insofar as they place the younger generation who will have to face the catastrophe of climate change in a worse position than the currently living adult generations.

Right to life

60. Under Article 20(1) of the Constitution of the Russian Federation, everyone has the right to life. Climate change has many direct and indirect consequences for the full enjoyment of the right to life by the administrative claimants. These are likely deaths caused by extreme weather events, heat waves, floods, droughts, forest fires, water-borne or vector-borne diseases and air pollution. Thus, in 2010, heat waves in Russia were the direct cause of more than 50,000 premature deaths (expert opinion (Annex 31, item 3.2.1 on pages 3-4, subpara. pp. 3-4, para. 1, p. 4, p. 26 of the Russian translations. 4 on page 26 of the Russian translation)). The number of premature deaths due to the abnormal heat waves of 2021 and 2022 has yet to be established; the administrative claimants shall submit this information to the court in case the results of relevant scientific studies are published before the end of the examination of this administrative case. By setting greenhouse gas emission reduction targets in the contested NAPs that are clearly inconsistent with the long-term temperature goal of the Paris Agreement, the President of the Russian Federation and the Government of the Russian Federation are placing the lives of administrative plaintiffs and an indeterminate number of individuals at increasing risk. If other states stop at the same low level of ambition and appropriate action as Russia for the current 2030 greenhouse gas emission targets in the contested NAPs, it could result in 710,000 excess deaths worldwide

between 2021 and 2100 (specialist opinion (Annex 31, para 3.6 on page 20, sub-paragraph 10 of paragraph 4 on page 27 of the Russian translation)).

The right to health care

61. Pursuant to Article 41 (1) of the Constitution of the Russian Federation, everyone has the right to health care. In accordance with article 4 of Federal Act No. 323 of 21 November 2011 on basic health care in the Russian Federation, one of the basic principles of health care is the priority of prevention in the protection of health.
62. Under article 8 of Federal Act No. 52-FZ of 30 March 1999 on the sanitary and epidemiological well-being of the population, citizens have the right to a favourable living environment, the factors of which do not have a harmful effect on people.
63. Human health is closely linked to the state of the natural environment. To reduce risks, States should maintain robust health emergency preparedness and response systems, identify and address climate change as a driver of emerging health threats, and build capacity at all levels to mitigate the impact of a climate emergency on health.
64. The negative health effects of climate change include not only premature deaths, but also an increase in respiratory disease, cardiovascular disease, allergies, heat stroke, injuries, water-borne and vector-borne diseases, and mental illness. People are exposed to extreme weather events leading to injury, illness and mental health problems. Health is also affected by climate-related displacement, migration and limited access to health care (Report of the Special Rapporteur on the human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment, "Human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment" of 15 July 2019, UN Doc. UN A/74/161, para. 41¹⁸).
65. In particular, in the northern regions of Russia, climate change has already led to a multiplication of cases of infectious diseases such as tick-borne encephalitis. For instance, in the region where the administrative claimant ██████████ lives (Arkhangelsk oblast) the number of cases of tick-borne encephalitis in 2000-2009 increased 50-fold compared with the period 1980-1989, with such an increase largely due to climate change (expert opinion (appendix 31, p. 3.2.3, para. 6, subparagraph 2 of paragraph 4 on page 26 of the Russian translation)). In the regions where the administrative plaintiffs ██████████ (Murmansk Region) and ██████████ (Irkutsk Region) live, the thawing of permafrost leads to the release of anthrax spores into the air, which were previously frozen for many centuries. This significantly increases the risks of spreading the disease (expert opinion (Annex 31, para. 3.2.6 on page 12. 12, subparagraph 4 of paragraph 4 on page 26 of the Russian translation)).
66. The Lancet Commission on Health and Climate Change has warned that climate change is the biggest global threat to public health in the 21st century and could reverse fifty years of progress in global health (N. Watts and others, "Health and climate change: policy steps to protect public health", November 2015, Lancet, vol. 386, issue 10006, pp. 1861-1914¹⁹).
67. By setting greenhouse gas emission reduction targets in the contested NAPs that are clearly inconsistent with the long-term temperature goal of the Paris Agreement, the President of the Russian Federation and the Russian Government are placing the health of the administrative plaintiffs and an indefinite range of individuals at increasing risk.

The right to a healthy environment

68. Pursuant to Article 42 of the Constitution of the Russian Federation, everyone has the right to a favourable environment. According to part 1 of article 11 of the Federal law from

¹⁸ The report is available on the UN documents database (<https://undocs.org/>).

¹⁹ The material is available on the Lancet Commission's official website (<https://www.thelancet.com/>).

January 10, 2002 № 7-FZ "About environmental protection" everyone has the right to favorable environment, to its protection from negative influence caused by economic and other activities.

69. Article 3 of this law establishes, inter alia, the following principles of environmental protection in economic and other activities of public authorities of the Russian Federation, public authorities of constituent entities of the Russian Federation, local authorities, legal entities and natural persons which have an impact on the environment:
- Respect for the human right to a healthy environment;
 - Ensuring favourable conditions for human life;
 - A science-based combination of environmental, economic and social interests of the individual, society and the state to ensure sustainable development and a favourable environment;
 - The responsibility of the public authorities of the Russian Federation, the public authorities of the constituent entities of the Russian Federation, and local authorities for ensuring a favourable environment and environmental safety in the respective territories;
 - Ensuring the reduction of the negative impact of economic and other activities on the environment in accordance with environmental protection standards, which can be achieved through the use of the best available technologies, taking into account economic and social factors;
 - Prohibition of economic and other activities, the effects of which are unpredictable for the environment, as well as the implementation of projects that may lead to the degradation of natural ecological systems, change and/or destruction of the genetic fund of plants, animals and other organisms, depletion of natural resources and other negative changes in the environment.
70. In fact, by allowing an increase in GHG emissions (expert opinion (Annex 31, paragraph 3.7 on page 21 of the Russian translation)), the challenged NAPs now violate the administrative claimants' right to a favourable environment and will inevitably exacerbate further violation of this right in the future due to the lack of actions envisaged to reduce GHG emissions. In the circumstances set out in paras. 12-18 of the present administrative claim, the contested NLAs contain scientifically unfounded and ineffective indicators for reducing greenhouse gas emissions, as a result of which they do not reduce the negative impact of greenhouse gas emissions on the environment and lead to degradation of natural ecological systems, change and/or destruction of the genetic fund of plants, animals and other organisms and other negative, including irreversible, changes in the environment.
71. In particular, climate change is causing forest die-offs in Russia due to reduced soil moisture levels and the spread of pests. In recent years, massive deforestation has been observed in Siberia, the Volga Region and the Arkhangelsk Region. For example, the expansion of the habitat of the Usurian polygraph (bark beetle) has already led to the destruction of about 40% of Siberian fir in the forests of Tomsk region (expert opinion (Annex 31, item 3.2.3 on page 7. 7, subitem 3 of item 4 on page 26 of the Russian translation)). The increase in the frequency and intensity of forest fires is also a consequence of climate change. For example, in July 2021 forest fires destroyed 5,720 square kilometres of forest in the Republic of Sakha (Yakutia) in just one day (expert opinion (Annex 31, p. 3.2.4, para. 10, subparagraph 3 of paragraph 4 on page 26 of the Russian translation)).
72. The contested NLAs do not ensure the preservation of a favourable environment and favourable living conditions for people, including the administrative plaintiffs.

Indigenous small peoples

73. In accordance with article 9 (1) of the Constitution of the Russian Federation, land and other natural resources are used and protected in the Russian Federation as the basis of the

- life and activities of the peoples living on the respective territory.
74. The Constitution of the Russian Federation (art. 69, paras. 1 and 2) guarantees the rights of small indigenous peoples in accordance with the generally recognized principles and norms of international law and the international treaties of the Russian Federation, protects the cultural identity of all peoples and ethnic communities of the Russian Federation and guarantees the preservation of ethnocultural and linguistic diversity.
75. According to Article 29(1) of the UN Declaration on the Rights of Indigenous Peoples (adopted by the UN General Assembly on 13 September 2007 by resolution 61/295²⁰) indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources.
76. The state's failure to take measures to reduce greenhouse gas emissions violates the rights of Russia's Indigenous Minorities and other communities whose way of life depends on the territory in which they live. For example, the indigenous Saami people, represented by administrative plaintiff [REDACTED], are facing risks of increased infectious diseases in livestock due to the expansion of their habitat and the melting of permafrost (expert opinion (annex 31, item 3.2.2 on p. 4-5, item 3.2.6 on p. 12 of the Russian translation)). This threatens the traditional livestock industry and thereby the traditional way of life of the indigenous peoples, their health and property rights. The indigenous Udege people, whose representative is the administrative plaintiff [REDACTED], are facing changes in the temperature regime, which affect the ability to continue their traditional way of life (hunting, fishing and gathering). Indigenous minorities living in permafrost areas are also exposed to higher risks of landslides and infrastructure collapse compared to residents of other regions of Russia, which means a higher threat to their lives, health and property (expert opinion (Appendix 31, para. 3.2.7 on page 13). 13, para. 3.2.8 on p. 13-14 of the Russian translation)). By setting targets for reducing greenhouse gas emissions in the challenged NLAs that are clearly inconsistent with the long-term temperature goal of the Paris Agreement, the state is creating discriminatory living conditions for representatives of small indigenous peoples and other communities whose way of life depends on the territory in which they live, in violation of the constitutional principle of equality (parts 1 and 2 of Article 19 of the Constitution of the Russian Federation).

Young people

77. Children and young people are particularly vulnerable to the effects of the climate crisis. This has been repeatedly expressed by UN bodies (e.g. UNICEF Report "If we don't act now: the impact of climate change on children", November 2015²¹) and other experts (e.g. Third Party Considerations submitted by D. Boyd to the European Court of Human Rights in *Duarte Agostino and Others v. Portugal and Other States*, Complaint No. 39371/20²²). According to the twelfth preambular paragraph of the Paris Agreement, when taking action to address climate change, states parties to the agreement must "take into account [...] intergenerational equity". Because climate impacts will be compounded throughout their lifetimes, today's actions or inaction will have far more serious consequences for young people than for adults. This places them in a worse position than current adults, in violation of the constitutional principle of equality (parts 1 and 2, article 19 of the Constitution of the Russian Federation). The administrative plaintiffs [REDACTED] are all under 24 years old, which is consistent with the UN definition of "youth" (UN General Assembly Resolution 36/28 of 13 November 1981; Report of the Advisory Committee for the International Youth Year, Annex to UN Doc. UN A/36/215, p. 18²³); the administrative claimants [REDACTED]

²⁰ The resolution is available on the UN documents database (<https://undocs.org/>).

²¹ The report is available on the official UNICEF website (<https://www.unicef.org/>).

²² The Views are available on the European Court of Human Rights database (<https://hudoc.echr.coe.int/>).

²³ The Resolution and Report are available on the UN documents database (<https://undocs.org/>).

- people under 35 years old, which corresponds to the definition "youth" contained in point 1 of article 2 of the Federal law of 30 December 2020 № 489-FZ "On youth policy in the Russian Federation". Failure to take necessary measures to reduce greenhouse gas emissions discriminates against them in comparison to older generations, as it is young people (and future generations) who bear far greater risks caused by climate change than do current adults (Sixth Assessment Report, Working Group II, Climate Change 2022: Impacts, Adaptation and Vulnerability (full report), p. 160. 160).

78. Thus, the contested regulations violate the aforementioned rights of the administrative plaintiffs and of an unspecified number of persons.

VI. Name and individual provisions of the regulations with greater legal force, which are to be checked for compliance with the challenged regulations

A. Contradiction between the contested regulations and Russian law

79. The contested NLAs contravene Russian law, which has greater legal force (see paragraphs 59-77 of the present administrative complaint).

B. Contradiction between the challenged regulations and international legal instruments

80. The Constitution of the Russian Federation shall have supreme legal force and direct effect (part 1 of Article 15 of the Constitution of the Russian Federation). In accordance with Article 15(4) of the Constitution of the Russian Federation, the universally recognised principles and norms of international law and the international treaties of Russia are an integral part of its legal system. The Preamble to the Constitution of the Russian Federation stresses the desire to ensure the welfare and prosperity of Russia, the responsibility for its homeland before present and future generations and the awareness of itself as part of the global community.
81. Pursuant to Article 15 (1) of APA RF, the courts resolve administrative cases on the basis of, inter alia, international treaties of the Russian Federation. Pursuant to Article 15 par 4 of CAS RF, if an international treaty of the Russian Federation establishes rules other than those stipulated by the NLA which has equal or lesser legal force than the NLA which expresses consent to be bound by this international treaty, the rules of the international treaty shall be applied when resolving an administrative case.
82. The Russian Federation has undertaken international legal obligations in the area of climate change, in particular by ratifying the UNFCCC (see point 1 of this administrative case) and its 1997 Kyoto Protocol (ratified by the Federal Law "On ratification of the Kyoto Protocol to the United Nations Framework Convention on Climate Change" of 4 November 2004 No. 128-FZ) and the Paris Agreement (see point 9 of this administrative case). Moreover, the 1966 Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights (ratified by Decree of the Presidium of the USSR Supreme Soviet, 18 September

1973) as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 (hereafter the "ECHR") (ratified by the Federal Law No. 54-FZ of 30 March 1998 "On ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and the protocols thereto"), as will be seen below, also oblige Russia to take measures to respect and protect human rights in relation to climate change.

83. The Russian Federation, as represented by the administrative defendants, is not adequately fulfilling its international legal obligations in the area of climate change and human rights protection and, as a result, the challenged NLAs are in conflict with a number of international legal acts binding on the Russian Federation.

Contradiction between the challenged regulations and specific international legal instruments at the UN level dealing specifically with climate change issues

84. The growing concern of states about climate change and the recognition of anthropogenic (human-caused) climate change as a real threat led to the conclusion of the first universal legally binding treaty, the UNFCCC, in 1992. The purpose of the Convention is to prevent dangerous anthropogenic interference with the climate (Art. 2 of the UNFCCC) by stabilising greenhouse gas emissions. The Preamble of the Convention (sixth paragraph) requires "the widest possible cooperation of all countries" in combating the global problem of climate change, and also enshrines the principle of common but differentiated responsibilities of states.
85. These provisions are further elaborated in Article 3 (1) of the UNFCCC, according to which climate protection measures "for the benefit of present and future generations" shall be primarily taken by developed countries, including the Russian Federation, which is listed in Annex 1 to the UNFCCC. Thus, the Russian Federation, among others, has made a priority commitment to reduce greenhouse gas emissions.
86. The UNFCCC (Art. 3(3)) also calls for precautionary measures to "anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects".
87. As a follow-up to the UNFCCC, the Kyoto Protocol was adopted in 1997, covering 192 states. The Kyoto Protocol imposes on the Russian Federation, among other states, obligations to limit and reduce greenhouse gas emissions, thereby specifying the framework obligation stipulated in the UNFCCC and stipulating the need for regular reporting on the reduction of greenhouse gas emissions.
88. A major milestone in global climate change governance was the adoption of the Paris Agreement in 2015. Member States (the Russian Federation among them) not only recognised once again the urgency and severity of the threat posed by climate change, but also agreed on a specific goal for joint action: Article 2(1)(a) includes an obligation to "keep the global average temperature rise well below 2°C above pre-industrial levels". The same provision stipulates that Parties shall endeavour to limit temperature rise to 1.5°C.
89. Under Article 4(1) of the Paris Agreement, to achieve the global temperature goal (controlling temperature increase from 1.5°C to "well below 2°C"), participating countries are required to strive "to reach a global peak in greenhouse gas emissions as soon as possible, recognizing that achieving such a peak would take longer for [developing countries]". According to the IPCC Sixth Assessment Report (IPCC Sixth Assessment Report, Working Group III, Climate Change 2022: Climate Change Mitigation (Summary for Policymakers, para.) to meet the global temperature goal of the Paris Agreement, the peaking of greenhouse gas emissions must occur by 2025 at the latest, followed by "a rapid and deep reduction in greenhouse gas emissions [...] throughout the 2030s, 2040s and 2050s" (specialist opinion, Annex 31, paragraph 3.7 in Russian translation). Although the IPCC makes no distinction between developing and developed countries, it should be noted

that the time reservation provided for in Article 4(1) of the Paris Agreement. Article 4(1) of the Paris Agreement cannot apply to the Russian Federation as a country on the list of developed countries in Annex 1 to the UNFCCC. In addition, according to Article 4 (3) of the Paris Agreement, each country's nationally determined contribution to the global temperature goal of the Paris Agreement should "reflect its highest possible ambition". As will be demonstrated below (see paragraphs 91-95 of this administrative complaint), the Russian Federation is in breach of its obligations under Article 4(1) and (3) of the Paris Agreement.

90. Immediately after the adoption of the Decree, the Russian Federation reported to the UNFCCC Secretariat the submission of a nationally determined contribution as part of the implementation of the Paris Agreement of 25 November 2020. As part of its nationally determined contribution, the Russian Federation reports a "greenhouse gas emission limitation target that envisages a reduction of greenhouse gas emissions by 2030 to 70% relative to 1990 levels, taking into account the maximum absorption capacity of forests and other ecosystems and subject to the sustainable and balanced socioeconomic development of the Russian Federation". This target corresponds to the greenhouse gas emission reduction targets contained in the contested sub-paragraph "a" of paragraph 1 of the Decree and in the Annex to the Strategy.
91. Russia is currently one of the leading countries in terms of GHG emissions, ranking 4th in the world, accounting for around 4.7% of global GHG emissions in 2020 (see paragraph 12 of the present administrative case). However, the reference to 1990 emission levels used by the Russian Federation in its nationally determined contribution and contested NAPs is a point of reference that prevents the formulation of any ambitious targets for climate change mitigation measures. After the collapse of the USSR in 1991, GHG emissions fell significantly due to the economic downturn, until they stabilised by the early 2000s, at which point emissions began to increase (expert opinion (Annex 31, paragraph 3.8 on pages 24-25 of the Russian translation). Thus, the reference to emissions in 1990 shows an unrealistic picture, in which the Russian Federation is said to be reducing emissions, while in fact it is among the leaders in greenhouse gas emissions, only planning to increase emissions until 2030 - from 2119 million metric tons of carbon dioxide equivalent in 2019 to 2212 million metric tons of carbon dioxide equivalent in 2030 (see paragraph 17 of the present administrative case). The peak in greenhouse gas emissions will clearly not be reached by 2025, and Russia does not plan for rapid and deep cuts in emissions between 2030 and 2050, as foreseen in the IPCC Sixth Assessment Report (specialist opinion (Annex 31, paragraph 3.5 on page 17). 18, paragraph 3.7 on page 21 of the Russian translation)). By 2050, Russia plans to reduce its annual greenhouse gas emissions to only 1,830 million metric tonnes of carbon dioxide equivalent, that is only 17% of the 2030 level (see paragraph 17 of this administrative claim).
92. *The Climate Action Tracker* (translated as Climate Action Tracker; an independent scientific analytical project whose authors track government climate action and compare it with the globally agreed goal of the Paris Agreement) estimates that Russia's climate change and mitigation actions are "critically insufficient" (*Climate Action Tracker*, a webpage dedicated to the Russian Federation²⁴). The same conclusions are drawn by the specialist in his opinion: according to minimum estimates (using the method related to determination of economically optimal rate of GHG emission reductions (see point 12 of this administrative claim)), for the period from 2021 to 2030 the overall gap between international legal obligations undertaken by Russia to reduce GHG emissions and their realisation in the contested NAPs ranges from 4780 to 6615 million metric tonnes of greenhouse gases (calculation The target greenhouse gas emissions in Russia for 2030 set by the contested NAPs is 1.5 to 2.3 times and for 2050 - 11.7 times higher than the target corresponding to the long-term temperature goal of the Paris Agreement, as set out in the

²⁴ The page is available on the official *Climate Action Tracker* website (<https://climateactiontracker.org>).

- expert opinion (see paragraph 17 of this administrative claim).
93. According to the Strategy, Russia's main role is not to actually reduce greenhouse gas emissions per se, but to emphasise increased absorption of greenhouse gas emissions ("Russia Approves Weak Low-Carbon Development Strategy", Greenpeace, 1 November 2021²⁵ ; specialist opinion (Annex 31, paragraph 3.7 on pages 21-23 of the Russian translation)). According to the IPCC position, the effectiveness and technological feasibility of large-scale absorption of greenhouse gas emissions is not proven, and a bet on absorption would limit the ability to reduce warming to 1.5°C (IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related trajectories of global greenhouse gas emissions in the context of enhancing the global response to climate change threats, sustainable development and poverty eradication efforts, p. 96). A similar conclusion is contained in the expert opinion attached to the present administrative claim (Annex 31, para. 3.7 on pages 21-22 of the Russian translation)). Furthermore, the target greenhouse gas sequestration of 1,200 million metric tonnes of carbon dioxide equivalent per year by 2050 in the Annex to the Strategy exceeds the potential of all theoretically possible land-use change in Russia for this purpose, which is estimated at only 545-940 million metric tonnes of carbon dioxide equivalent per year (specialist opinion (Annex 31, paragraph 3.7, p. 24 translation)). Such a strong focus on the absorption of greenhouse gas emissions in the Strategy "demonstrates that Russia is not serious about taking measures which would achieve the temperature goal of the Paris Agreement" (specialist opinion (Annex 31, paragraph 3.7, p. 24 of the Russian translation)). In any case, Article 4 (1) of the Paris Agreement imposes an obligation on Russia precisely to reduce greenhouse gas emissions, and failure to fulfil this obligation cannot in itself be justified by plans to absorb them.
94. The fact that the contested NAAs do not put the Russian Federation in real work in the field of climate change is evidenced by the fact that neither the Comprehensive Plan for the Implementation of the Climate Doctrine of the Russian Federation for the period until 2030 (despite the discussions that took place in 2019), nor the action plan for implementing the 2030 greenhouse gas emissions limitation target established by the Decree (in accordance with paragraph 6 of the Implementation Plan for a set of measures to improve state regulation of greenhouse gas emissions) has yet been approved,
95. The long-term temperature goal of the Paris Agreement can only be achieved through a concerted effort by states, which, according to scientific evidence, will be most effective if a fair share of the efforts to reduce greenhouse gas emissions is applied (expert opinion (Annex 31, paragraph 3.1 on page 3, paragraph 3.5 on page 3). 3, para. 3.5 on p. 18-19 of the Russian translation)). Joint effort, however, by no means means that Russia can invoke inaction or insufficient action by other countries to justify non-compliance with its international legal obligations; part 2 of Art. Article 2(2) of the Paris Agreement establishes the principle of "common but differentiated responsibility", according to which states, when addressing climate change jointly, are individually responsible for violations of their international legal obligations under the Paris Agreement. It is largely due to the fault of the Russian Federation, as one of the leaders in greenhouse gas emissions, that joint efforts by states are no longer seen as sufficient at the moment. According to UNEP projections, expressed in particular in the Emissions Gap Report 2021, Conclusion 7²⁶ , even in the unlikely event that all existing commitments on nationally determined contributions for 2030 are met, the long-term temperature goal of the Paris Agreement will not be met and temperatures will rise by 2.6 to 2.7°C or, if carbon neutrality claims are met, by 2.2°C by the end of the 21st century. Furthermore, the latest IPCC report predicts a global temperature increase of 2.8 to 3.2°C above pre-industrial levels by 2100 without

²⁵ The news is available on the official Greenpeace website (<https://greenpeace.ru/>).

²⁶ The programme is available on the official UN website, under the environment section (<https://www.unep.org/>).

strengthening current policies (IPCC Sixth Assessment Report, Working Group III, Climate Change 2022: Mitigation of Climate Change (Summary for Policymakers, paragraphs SPM-20, C.1; SPM-21, C.1.1; SPM-22, C.1.4). These projections clearly demonstrate the lack of ambition of the objectives and measures taken by the States, including and in particular Russia, which set targets for greenhouse gas emissions in the contested NAPs which are many times higher than the targets corresponding to the long-term temperature goal of the Paris Agreement (see paragraph 17 of the present administrative claim).

96. Thus, the Russian Federation's actions in reducing greenhouse gas emissions, as expressed in the contested regulations, are clearly insufficient to meet the international legal obligations undertaken by the Russian Federation.

Contradiction between the contested regulations and the universal international legal instruments for the protection of human rights

97. The relationship between international law on climate change and human rights law has been repeatedly affirmed at the level of the United Nations (see, inter alia, Human Rights Council Resolutions of 16 July 2020 and 44/7 and 1 July 2016 No. 32/33 and the Human Rights Council Draft Resolution of 5 July 2022, UN Doc. UN A/HRC/50/L.10/Rev.1²⁷). Thus, the UN Human Rights Council has repeatedly stressed that "the adverse effects of climate change, which may increase as warming increases, have a direct and indirect impact on the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the highest attainable standard of physical and mental health, the right to adequate housing, the right to self-determination [...] in a variety of ways.
98. The Russian Federation has assumed obligations to respect and fulfil these rights. Thus, under the Covenant on Civil and Political Rights, the Russian Federation guarantees to everyone within its territory and subject to its jurisdiction the right to life (Article 6 of the Covenant), the right not to be subjected to torture or other inhuman treatment (Article 7 of the Covenant), the right to respect for private life and the home (Article 17 of the Covenant) and the right not to be subjected to discrimination (Article 26 of the Covenant). Under the Covenant on Economic, Social and Cultural Rights, Russia also has obligations to ensure an adequate standard of living and to improve it continuously (Article 11 of the Covenant) as well as the obligation to ensure the highest attainable standard of physical and mental health (Article 12 of the Covenant).
99. According to the 15 January 2009 Report of the Office of the High Commissioner for Human Rights on the relationship between climate change and human rights, UN Doc. UN A/HRC/10/61²⁸, climate change clearly affects these rights, and States have obligations to protect and respect, and by extension, not to violate them (see in particular Parts II and III of the Report). The United Nations Environment Programme reaches similar conclusions in its 2015 report Climate Change and Human Rights²⁹, pointing to the need for states, as the primary responsible actors, to prevent violations of these rights by taking action to combat climate change and its impacts.
100. In paragraph 62 of General Comment No. 36 of 23 July 2020, UN Doc. UN CCPR/C/GC/36³⁰, the UN Human Rights Committee linked the right to life to State obligations to take measures to protect against climate change and stated that "environmental degradation, *climate change* and unsustainable development constitute *some of the most urgent and serious threats to the ability of present and future generations*

²⁷ Resolutions are available on the UN documents database (<https://undocs.org/>).

²⁸ The report is available on the UN documents database (<https://undocs.org/>).

²⁹ The report is available on the United Nations Environment Programme (UNEP) website (<https://unep.org/>).

³⁰ Comments are available in the UN documents database (<https://undocs.org/>).

to enjoy the right to life. Thus, the obligations of States parties under international environmental law are to be interpreted in the light of the content of article 6 of the Covenant [on civil and political rights] and the obligation of States parties to respect and ensure the right to life is to be interpreted also in the light of their respective obligations under international environmental law. The implementation of the obligation to respect and ensure the right to life, and particularly to a decent life, depends in particular on the measures taken by States parties to preserve the environment and protect it from damage, pollution and climate change caused by public and private actors".

101. It is also worth noting that the report of the Special Rapporteur on the human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment, "Human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment" of 15 July 2019, UN Doc. UN A/74/161³¹, highlights the direct and indirect impact of climate change on the right to life. In particular, the Rapporteur draws attention to deaths caused by "extreme weather events, heat waves, floods, droughts, forest fires" and others (para. 29).
102. With regard to the right to health under Article 12 of the Covenant on Economic, Social and Cultural Rights, in paragraph 36 of General Comment No. 14 of 11 August 2000, UN Doc. UN E/C.12/2000/4³², the Committee on Economic, Social and Cultural Rights noted that states should "also take steps to address environmental and occupational hazards to health". To this end, they should "develop and implement national strategies to reduce and eliminate air, water and soil pollution". Moreover, in 2018, the Committee on Economic, Social and Cultural Rights explicitly referred to the impact of climate change on Covenant rights and that member states' obligations to protect and respect Covenant rights are closely linked to obligations to combat climate change and its impacts (Committee Statement on Climate Change and Human Rights, 8 October 2018³³).
103. Thus, the Administrative Claimants not only draw the court's attention to the interrelationship between international human rights law obligations and obligations to combat climate change and its effects, but also point out that Russia's insufficient measures to combat climate change as expressed in the challenged NAPs necessarily lead and/or inevitably lead to violations of human rights under international treaties binding on Russia.

Contradiction between the contested regulations and the European Convention on Human Rights

104. The failure of the Russian Federation (represented by the administrative respondents) to act as expressed in the impugned RLA contravenes the international obligations deriving from Articles 2, 3, 8, 14 of the ECHR and Article 1 of Protocol No. 1 to the ECHR guaranteeing the right to life, the right not to be subjected to torture or inhuman treatment, the right to respect for private life and the home, the right not to be subjected to discrimination and respect for property rights respectively.
105. At the time the administrative claimants filed this administrative claim with the court, the rules of the ECHR were binding on the Russian Federation by virtue of Federal Law No. 54-FZ of 30 March 1998 "On Ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols" and the Resolution of the European Court of Human Rights ("ECtHR") on the consequences of the termination of the Russian Federation's membership in the Council of Europe in light of Article 58 of the ECHR of 22 March 2022.³⁴
106. The ECHR creates a system of reciprocal obligations between states, the existence of which

³¹ The report is available on the UN documents database (<https://undocs.org/>).

³² Comments are available in the UN documents database (<https://undocs.org/>).

³³ The news is available on the Committee's official website (<https://www.ohchr.org/>).

³⁴ The resolution is available on the official ECtHR website (<https://www.echr.coe.int/>).

is supported by the collective enforcement of these obligations (ECtHR judgment of 18 January 1978 in the case of *Ireland v. the United Kingdom*, complaint 5310/71, para. 239). It is important to note that States parties to the ECHR have a positive obligation to protect individuals within their jurisdiction from foreseeable threats. A breach of such a positive obligation may lead the ECtHR to conclude that a state has violated the rights of persons guaranteed by the ECHR. This positive obligation and the measures taken in connection with it must be interpreted in the light of the state's international obligations, existing international standards and the consensus of states and specialised organisations (Grand Chamber judgment of the ECtHR of 12 September 2021 in *Nada v Switzerland*, complaint 10593/08, paras 169-170); the area of ecology and a healthy environment is no exception (Council of Europe Guidelines on Human Rights and the Environment, 2021, pp. 30-31³⁵). One of the main such international standards is the Paris Agreement, which in the twelfth preambular paragraph emphasises the link between human rights obligations and mitigation actions. In 2018, the Framework Principles on Human Rights and the Environment, UN Doc. UN A/HRC/37/59, prepared by the UN Special Rapporteur on Human Rights and the Environment³⁶, which reaffirmed the link between States' human rights obligations (right to a healthy environment, right to non-discrimination and others) and obligations to mitigate climate change.

107. The above positive obligation is contained in the ECHR provisions guaranteeing the right to life, the right not to be subjected to torture and other inhuman treatment, the right to respect for private life and home, the right not to be discriminated against and the right to respect for property, and exists, among others, in the field of environmental and environmental regulation (in particular the ECtHR judgment of 20 March 2008 in *Budayeva and Others v. Russia*, Application 15339/02 and Others, § 133; Grand Chamber judgment of the ECtHR of 30 November 2004 in *Onerildiz v. turkey*, complaint 48939/99, para. 90; ECtHR judgment of 27 January 2009 in *Tatar v. romania*, complaint 67021/01, paras. 87-88; ECtHR judgment of 9 December 1994 in *Lopez ostra v. Spain*, complaint 16798/90, para. 51). For example, the ECtHR has affirmed the state's duty to effectively regulate environmentally hazardous activities (*Onerildiz v. Turkey*, paras. 71 and 89) and the application of the ECHR in cases involving cross-border environmental problems (*Tatar v. Romania*).
108. While recognising that it is possible to establish a human rights violation due to the presence of factors that make the environment inhospitable or impossible for normal living (Grand Chamber judgment of the ECtHR of 8 July 2003 in *Hatton and Others v. the United Kingdom*, Case 36022/97, para. 96), the ECtHR emphasises that it is possible to prevent human rights violations by means of proactive regulatory measures that would, inter alia, prevent such violations in the first place (for example, the judgment of the Grand Chamber of the ECtHR of 8 July 2003 in the case of
109. The above-mentioned practice shows that the ECtHR has already developed an applicable legal test for dealing with cases of alleged non-compliance by states with their positive obligations to reduce greenhouse gas emissions and prevent the effects of climate change. Moreover, the ECtHR's clear readiness to deal with climate disputes is confirmed by the referral to the Grand Chamber of a number of cases raising issues of state responsibility for human rights violations due to failure to comply with obligations to combat climate change and its effects (*Association of Elderly Women for Climate Protection v Switzerland*, complaint 53600/20, *Carham v France*, complaint 7189/21), in one of which the Russian Federation acts as one of the respondent states (*Duarte Augustino and others v Portugal and 32 others*).
110. The scope of positive obligations under Articles 2, 3, 8 and 14 of the ECHR and Article 1 of Protocol No. 1 to the ECHR includes not only the formal adoption of national strategies

³⁵ The guidelines are available on the official Council of Europe website (<https://www.coe.int/>).

³⁶ The principles are available on the Committee's official website (<https://www.ohchr.org>).

to reduce greenhouse gas emissions, but also the establishment of specific effective measures to implement such strategies to limit warming to an internationally accepted and proven limit, that is, from 1.5°C to "well below 2°C" (compared to pre-industrial levels) in accordance with the Paris Agreement.

111. The effectiveness of particular State actions in enforcing those obligations is assessed, inter alia, on the basis of the fairness and lawfulness of the domestic decision-making process, the diligence of the State authorities, due regard for the interests of those affected, and the reasonableness of the evidence before the authorities (*Budayeva v. Russia*, paragraph 136; ECtHR judgment of 9 June 2005 in *Fadeeva v. Russia*, petition 55723/00, paras. 105 and 128).
112. As it follows from the detailed analysis above (see Section IV of the present administrative complaint) supported by the expert opinion (Annex 31, para 3.2), the current actions of the Russian Federation authorities as expressed in the contested NAPs to reduce greenhouse gas emissions and mitigate climate change are clearly insufficient in terms of compliance by the Russian Federation with the positive obligations set out in Art. 2, 3, 8 and 14 ECHR and Article 1 of Protocol No 1 to the ECHR at least insofar as the contested NAPs do not in fact set any ambitious targets for the reduction of greenhouse gas emissions that would be commensurate with the relevant international obligations of the Russian Federation (see paragraphs 84-96 of this administrative statement of claim). The Russian Federation is thus in breach of its positive obligations deriving directly from Articles 2, 3, 8 and 14 of the ECHR and Article 1 of Protocol No. 1 to the ECHR and in violation of the administrative claimants' rights to life, to prohibition of torture and other inhuman treatment, to privacy and respect for home, to prohibition of discrimination and to respect for property respectively.

VII. Other procedural matters

A. Compliance with the time limit for bringing an administrative action

113. Pursuant to Article 208 (6) of the Code of Administrative Procedure, an administrative claim to invalidate a legal act may be lodged with a court throughout the validity period of the legal act. Thus, the deadline for lodging an administrative claim with the court has not been missed.

B. Obligation of administrative respondents to adopt new regulations

114. As stated in paras. 13 and 15 of the present administrative claim, Russia should set the following greenhouse gas emissions targets: 968 million metric tonnes of carbon dioxide equivalent per annum, or 31% of 1990 levels, by 2030; 157 million metric tonnes of carbon dioxide equivalent per annum, or 5% of 1990 levels, by 2050 (not including removals by the Land Use, Land-Use Change and Forestry sector).
115. Pursuant to Article 216 (4) of the Code of Administrative Procedure of the Russian Federation, if a court finds that a legal provision of administrative or other public legal relations is not fully or partially in force and that it may result in a violation of the rights, freedoms and lawful interests of an indefinite range of persons, the court may impose on the public authority, local government body, other body, authorised organisation or official that adopted the contested legal act an obligation to adopt a new legal act to replace the













- legal act that was found to be invalid.
116. Thus, a court may order the President of the Russian Federation and the Government of the Russian Federation to adopt new NLAs to replace the contested NLAs, and by virtue of Article 216(3) of the CAS RF, a court decision declaring the contested NLAs invalid cannot be overcome by the re-adoption of the same act.

VIII. Claims of the administrative plaintiffs

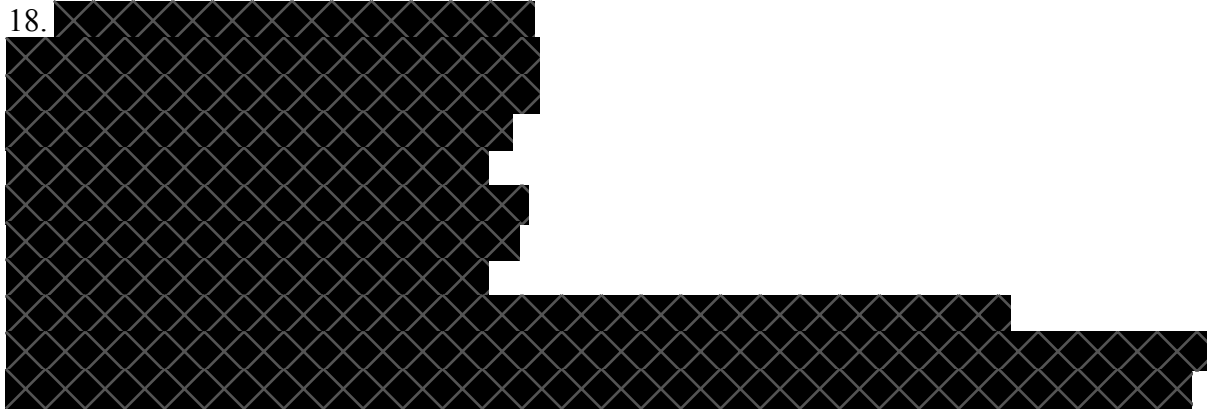
On the basis of the above, guided by Article 21 of the CAS, we request

1. to invalidate:
 - 1.1. subparagraph "a" of paragraph 1 of Decree No. 666 of the President of the Russian Federation of 4 November 2020 "On Reducing Emissions of Greenhouse Gases";
 - 1.2. annex to the Strategy for socio-economic development of the Russian Federation with low greenhouse gas emissions until 2050, approved by Order of the Government of the Russian Federation No. 3052-r of 29 October 2021;
2. oblige the President of the Russian Federation and the Government of the Russian Federation, in accordance with their competence, to adopt new normative legal acts replacing the contested normative legal acts in the relevant part, which would provide
 - 2.1. reducing greenhouse gas emissions to 968 million metric tonnes of carbon dioxide equivalent per year by 2030, i.e. to 31 per cent of 1990 levels, excluding removals by forests and other ecosystems;
 - 2.2. reducing greenhouse gas emissions to 157 million metric tonnes of carbon dioxide equivalent per year by 2050, i.e. to 5 per cent of 1990 levels, excluding removals by forests and other ecosystems.

IX. List of applications

1. Copies of the administrative complaint and annexes in a number corresponding to the number of persons involved in the case;
2. Document confirming the payment of the state fee by the administrative claimants who are citizens;
3. Document confirming the payment of the state fee by the administrative claimants - organisations;
4. Power of attorney 
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29. Copy of the contested NAP - Decree of the President of the Russian Federation No. 666 of 4 November 2020 "On Reducing Emissions of Greenhouse Gases" (in part);
30. A copy of the contested NAP - Strategy of socio-economic development of the Russian Federation with low greenhouse gas emissions until 2050, approved by Order of the Government of the Russian Federation No. 3052-r of 29 October 2021 (in part);
31. Specialist opinion dated 14 June 2022 (with duly certified translation into Russian);
32. Accompanying letter dated 15 June 2022 to the expert opinion dated 14 June 2022 with annexes (duly certified translation into Russian).

Representative of the administrative plaintiffs G.V. Vaipan

by proxy

11 September 2022