

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	728
Land:	Rusland
Kilde:	UN Human Rights Committee
Titel:	Concluding observations on the eighth periodic report of the Russian Federation
Udgivet:	1. december 2022
Optaget på baggrundsmaterialet:	11. januar 2023



International Covenant on Civil and Political Rights

Distr.: General
1 December 2022

Original: English

Human Rights Committee

Concluding observations on the eighth periodic report of the Russian Federation*

1. The Committee considered the eighth periodic report of the Russian Federation¹ at its 3934th meeting,² held on 20 October 2022. At its 3947th and 3948th meetings, held on 31 October and 1 November 2022, it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the State party's timely submission of its report and the replies to the list of issues.³ It deeply regrets that, despite the two postponements granted by the Committee following the requests submitted by the State party concerning the consideration of the report, scheduled first for the 134th session (March 2022) and then for the 135th session (July 2022), the State party did not participate in the constructive dialogue with the Committee during its 136th session. The Committee reminds the State party that the obligation under article 40 of the Covenant to submit reports entails an expectation that the representatives of the States parties are present at meetings of the Committee when their reports are examined.⁴ The Committee emphasizes that the full engagement of States parties in the interactive dialogue with the human rights treaty bodies is a key component of the periodic review process.⁵

B. Positive aspects

3. The Committee welcomes the following steps taken by the State party:
- (a) Adoption of the national action strategy for women for the period 2017–2022;
 - (b) Adoption of specific measures to address the protection risks related to the coronavirus disease (COVID-19) pandemic that are faced by migrants and asylum-seekers, including measures to allow persons staying irregularly in the Russian Federation to regularize their stay by 30 September 2021, and the measure to maintain a general moratorium on removal decisions until 30 September 2021.

* Adopted by the Committee at its 136th session (10 October–4 November 2022).

¹ [CCPR/C/RUS/8](#).

² See [CCPR/C/SR.3934](#).

³ [CCPR/C/RUS/RQ/8](#).

⁴ Rule 68 of the Committee's rules of procedure.

⁵ See General Assembly resolution 68/268.



C. Principal matters of concern and recommendations

Constitutional and legal framework within which the Covenant is implemented

4. The Committee is concerned at the State party's failure to implement the Committee's Views under the Optional Protocol, which has been exacerbated by the current interpretation of Constitutional Court judgment No. 1248-O of 28 June 2012 and the adoption of Act No. 885214-7 amending the Constitution. The Committee expresses its concern about the absence of a mechanism in the State party mandated with following up on the Committee's concluding observations and Views. The Committee regrets the lack of detailed information on human rights training provided to members of the judiciary and the prosecution service, and on decisions by the courts of the State party, if any, in which the Covenant has been applied (art. 2).

5. The State party should:

(a) **Ensure that national legislation is in full conformity with the provisions of the Covenant and provide an effective remedy for individuals seeking justice in the event of a violation of the Covenant;**

(b) **Raise awareness of the Covenant among judges, lawyers and prosecutors to ensure that its provisions are invoked before the national courts and taken into account in their decisions;**

(c) **Revisit its position, with a view to fulfilling its obligations under the Optional Protocol in good faith and promptly and fully implement all Views adopted by the Committee, so as to guarantee the right of victims to an effective remedy when there has been a violation of the Covenant, in accordance with article 2 (3) of the Covenant;**

(d) **Establish an appropriate and effective national mechanism for reporting, implementation and follow-up in respect of the recommendations contained in the Committee's Views and concluding observations.**

Protection of the Covenant rights in situations of armed conflict

6. The Committee expresses its extreme concern about the ongoing armed conflict in Ukraine initiated by the State party, which has resulted, inter alia, in large-scale deprivation of life. In this context, the Committee is concerned about reports of, among others, excessive use of force, killings, extrajudicial and summary executions, enforced disappearances, torture, rape and other sexual violence, arbitrary detentions, forced conscription of civilians and massive population displacement attributable to the State party, including in the areas where the State party exercises effective control. The Committee is further concerned about the lack of investigation of alleged violations of the Covenant committed during the armed conflicts in which the State party has been involved, such as those allegedly committed in Tskhinvali region/South Ossetia, Georgia and in Ukraine (arts. 2, 6 and 7).

7. **Recalling the Committee's general comments No. 31 (2004) on the nature of the general legal obligation imposed on States parties to the Covenant and No. 36 (2018) on the right to life, the Committee reiterates and underscores that the Covenant applies with regard to all conduct by the State party's authorities or agents adversely affecting the enjoyment of the rights enshrined in the Covenant by persons subject to the State party's jurisdiction, and urges the State party to immediately:**

(a) **Take all measures necessary to fully comply with its obligations to protect the right to life, including in situations of armed conflict;**

(b) **Ensure the full respect of all other Covenant rights for all individuals subject to its jurisdiction, including in connection with the acts perpetrated by its agents and other affiliated actors in the areas where the State party exercises effective control;**

(c) **Guarantee thorough, effective, independent and impartial investigation of human rights violations committed by the State party's agents against individuals subject to its jurisdiction, including in the areas where the State party exercises effective**

control; prosecute perpetrators and punish them, if they are convicted, in a manner commensurate with the gravity of the acts committed; and provide victims with effective remedies.

Accountability for alleged human rights violations committed in the North Caucasus federal area

8. The Committee is seriously concerned about significant human rights violations, including abductions, arbitrary detentions, enforced disappearances, torture and ill-treatment; the ongoing harassment of human rights defenders, such as Marina Dubrovina, of political opponents, and of journalists, such as Elena Milashina, and even the killing of some; the persistent persecution of lesbian, gay, bisexual and transgender persons, such as Salekh Magamedov and Ismail Isaev; and the practice of collective punishments, including of relatives and suspected supporters of alleged terrorists, human rights defenders and journalists in the North Caucasus federal area. The Committee is further concerned about the lack of investigation of these past and ongoing serious violations, including the murder of human rights defender Natalia Estemirova, and the absence of support to victims and their families, which contributes to a culture of impunity. The Committee expresses its concern about reports of forced conscriptions for the war in Ukraine and violent suppression of peaceful protests against these conscriptions in the North Caucasus federal area (arts. 2, 6–7, 9 and 15–17).

9. The State party should:

(a) **Ensure that all human rights violations are thoroughly, effectively, independently and impartially investigated, that perpetrators are prosecuted, and if convicted, sanctioned in a manner commensurate with the gravity of the acts committed, and that victims and their families are provided with effective remedies, under article 2 (3) of the Covenant;**

(b) **Take all measures necessary to prevent human rights violations and immediately end the practice of collective punishment, including of relatives of suspected supporters of alleged terrorists, human rights defenders and journalists in the North Caucasus federal area.**

Racism, xenophobia and racial profiling

10. The Committee is concerned about:

(a) Manifestations of hate speech, particularly during electoral campaigns, by politicians and religious leaders, in particular against migrants, refugees, Roma, and lesbian, gay, bisexual and transgender persons;

(b) Allegations of racial profiling of persons from the Caucasus, Africa and Asia and of Roma origin, which reportedly increased during the COVID-19 pandemic and is aggravated by the use of new technologies (arts. 20 and 26).

11. The State party should reinforce its efforts to combat all acts of racism, xenophobia and racial profiling by, inter alia:

(a) **Conducting awareness-raising activities aimed at promoting respect for human rights and tolerance for diversity, and eradicating stereotypical prejudices;**

(b) **Clearly defining and prohibiting racial profiling by law, providing law enforcement personnel with mandatory training on the inadmissibility of racial profiling, and ensuring that any new security-related technology is used in compliance with the provisions of the Covenant.**

Discrimination on the ground of sexual orientation and gender identity

12. The Committee reiterates its substantial concern about institutionalized discrimination and stigmatization of lesbian, gay, bisexual and transgender persons in the State party,⁶

⁶ CCPR/C/RUS/CO/7, para. 10.

including as a result of the 2013 law banning the dissemination of “propaganda” on non-traditional sexual relations among minors, as well as the amendment thereto, approved by the Parliament on first reading, to ban the “denial of family values” and the “promotion”, among persons of all ages, of non-traditional sexual orientations. It is concerned that lesbian, gay, bisexual and transgender persons are not recognized in the Criminal Code as a social group for the purpose of determining the aggravating circumstances of an offence, and by the consequent failure to provide such persons with an adequate protection against violence and attacks. It is also concerned about persistent harassment of lesbian, gay, bisexual and transgender organizations and their members, including excessive restrictions on their right to peaceful assembly, and the complete shutdown of their activities (arts. 2, 7, 9, 17, 19, 21 and 26).

13. The State party should:

(a) **Take effective measures to combat all forms of social stigmatization and harassment of, and hate speech, discrimination and violence against, persons based on their sexual orientation or gender identity, including by providing adequate training for law enforcement officials, prosecutors and members of the judiciary; amending the Criminal Code to include lesbian, gay, bisexual and transgender persons as a group for the purpose of determining the aggravated circumstances of an offence; and raising awareness to promote respect for diversity among the general public;**

(b) **Ensure that cases of discrimination and violence against lesbian, gay, bisexual and transgender persons are investigated, that perpetrators are prosecuted, and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies, in accordance with article 2 (3) of the Covenant;**

(c) **Repeal the 2013 law banning the dissemination of “propaganda” on non-traditional sexual relations among minors and any other legislation stigmatizing or discriminating against lesbian, gay, bisexual and transgender persons;**

(d) **Ensure the full exercise of the freedom of expression and the rights to freedom of peaceful assembly and of association for lesbian, gay, bisexual and transgender persons.**

Domestic violence

14. The Committee is concerned about delays in adopting federal legislation prohibiting domestic violence. It is also concerned about reports of an increase in domestic violence during the COVID-19 pandemic, the lack of adequate services for victims, including shelters, significant constraints faced by victims with regard to presenting their complaints, and the reluctance of law enforcement officers to prosecute acts of domestic violence (arts. 2–3, 7, 24 and 26).

15. The State party should step up its efforts to prevent and combat domestic violence, including by:

(a) **Adopting specific federal legislation prohibiting domestic violence;**

(b) **Ensuring an accessible complaint process for victims, that all cases of domestic violence are investigated, and that perpetrators are prosecuted and, if convicted, punished with commensurate sanctions;**

(c) **Providing victims with access to effective remedies, protection and support services, such as shelters;**

(d) **Strengthening the training of relevant public officials, including law enforcement officials, judges, lawyers and prosecutors, on cases of domestic violence.**

Sexual violence and harmful traditional practices

16. The Committee is concerned both that marital rape is not criminalized and that a spousal relationship is not included in the Criminal Code as an aggravating circumstance in crimes of sexual violence. It is also concerned about reports of the prevalence of female genital mutilation and “honour killings” in the North Caucasus federal area and a lack of

information about any specific measures taken by the State party to tackle these crimes, including investigations and prosecutions undertaken during the reporting period (arts. 2–3 and 6–7).

17. The State party should:

(a) **Take all measures necessary to combat sexual violence and harmful traditional practices, including by ensuring the criminalization of marital rape and female genital mutilation, and their recognition in the Criminal Code as aggravated crimes of sexual violence;**

(b) **Ensure that all cases of sexual violence and harmful traditional practices are investigated, that perpetrators are prosecuted and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies under article 2 (3) of the Covenant;**

(c) **Raise awareness about the negative effects of violence against women and harmful traditional practices among the general public and the population concerned.**

Counter-terrorism measures

18. The Committee is concerned about the ambiguous definition of terrorism in the 2006 counter-terrorism act, and about a lack of clarity with regard to the crime of public justification of terrorism under the provisions of article 205.2 of the Criminal Code and the application of those provisions to allegedly target political opponents, journalists, such as Svetlana Prokopyeva, and persons who criticize the Government, as well as reports of incommunicado detention, torture and ill-treatment of members of groups classified as terrorist organizations (arts. 2, 7, 9, 10, 14 and 17).

19. The Committee reiterates its recommendations that the State party should take all measures necessary to ensure that its counter-terrorism legislation and the application thereof are in full compliance with its obligations under the Covenant.⁷

Torture and ill-treatment

20. The Committee is deeply concerned about reports of torture and ill-treatment in the State party, and that the prevalence of torture and ill-treatment is exacerbated by a lack of effective investigation into torture complaints and into reprisals against complainants, the absence of reliable disaggregated statistics and the absence of the offence of torture as a separate crime in the legislation of the State party. The Committee is also concerned about reports that, although it is prohibited by law, detainees are used to maintain order in penitentiary facilities, and that their imposition of order reportedly includes acts of torture and ill-treatment of other detainees. The Committee is further concerned about reports of inadequate conditions in penitentiaries and other detention facilities in the State party and in territories where the State party exercises effective control, and about the lack of effective monitoring, which are conducive to the torture and ill-treatment reportedly perpetrated at these facilities (arts. 2, 7, 10 and 14).

21. The State party should take all measures necessary to eradicate torture and ill-treatment, including by:

(a) **Ensuring the criminalization of torture in its legislation, in compliance with the Covenant and other international standards;**

(b) **Guaranteeing the protection of complainants against reprisals and conducting prompt, thorough, effective, transparent and impartial investigations into all allegations of torture and ill-treatment and cases of reprisal, ensuring that perpetrators are prosecuted and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies;**

(c) **Taking measures to improve conditions of detention to comply with the Covenant and the United Nations Standard Minimum Rules for the Treatment of**

⁷ CCPR/C/RUS/CO/7, para. 13; and CCPR/C/RUS/CO/6 and CCPR/C/RUS/CO/6/Corr.1, para. 7.

Prisoners (the Nelson Mandela Rules) and to ensure the independent monitoring of all penitentiaries and other detention facilities;

(d) Providing law enforcement officials, members of the judiciary, public prosecution officials and penitentiary staff with effective training programmes that integrate international standards, including the Code of Conduct for Law Enforcement Officials; and providing detainees with awareness-raising programmes on the prevention of torture and ill-treatment.

Asylum and non-refoulement

22. The Committee is concerned about various problems concerning the asylum procedure in the State party, including the risks of penalization, detention and refoulement faced by asylum-seekers; the limited reception conditions, with no designated procedures for persons with specific needs; the low rate of recognition of non-Ukrainian asylum-seekers; and difficulties in integration faced by persons who have been granted temporary asylum and recognized refugees. The Committee is also concerned that a federal bill on the granting of asylum in the territory of the Russian Federation is still pending adoption. The Committee is further concerned about the application of Decree No. 330 with regard to Ukrainian orphans and other Ukrainian children without parental care (arts. 6–7, 13 and 24).

23. **The State party should:**

(a) Expedite the adoption of the bill on the granting of asylum in the territory of the Russian Federation, taking into consideration comments from the Office of the United Nations High Commissioner for Refugees with respect to ensuring compliance with the Convention relating to the Status of Refugees and other international standards;

(b) Guarantee that access to formal procedures for asylum applications is available at all border points;

(c) Ensure that Decree No. 330 is applied in accordance with international standards.

Independence of the judiciary

24. The Committee is deeply concerned that the system of selection, appointment, promotion, discipline and dismissal of judges raises serious doubts with respect to the independence of the judiciary in the State party. This includes the overall power of the President in respect of the appointment of members of the Constitutional Court and the Supreme Court, and the presidents and judges of the federal courts, as well as the expansion of the President's competences to include the initiation of the dismissal, on vague grounds, of presidents, vice-presidents and judges of appeals and cassation courts and the appointment and dismissal of the Prosecutor General and all the prosecutors of the constituent entities of the State party, introduced by the constitutional amendments of July 2020. It is also concerned that the reduction of the number of judges of the Constitutional Court, the new competence of the President to initiate their dismissal, and the prohibition of judges in that Court to publish or publicly refer to their dissenting opinions may, all together, have a chilling effect on the functioning of the Constitutional Court. The Committee is concerned that according to surveys, the public has limited confidence in the judiciary, which is perceived as not independent (arts. 2 and 14).

25. **The State party should safeguard, in law and in practice, the full independence, impartiality and safety of judges and prosecutors and prevent them from being influenced in their decision-making by any form of political pressure, including by:**

(a) Ensuring that the procedures for the selection, appointment, promotion, discipline and removal of judges and prosecutors comply with the Covenant and relevant international standards, including the Basic Principles on the Independence of the Judiciary and the Guidelines on the Role of Prosecutors;

(b) **Ensuring the role of an independent body, such as the High Judicial Council, in the appointment and dismissal of judges and prosecutors and limiting the broad power of the President in these processes;**

(c) **Ensuring the independent functioning of the Constitutional Court;**

(d) **Taking all measures necessary to tackle corruption in the judiciary.**

Harassment, violence and killing of opposition politicians, journalists, lawyers and human rights defenders

26. The Committee is gravely concerned about the increase in the number of allegations of harassment and violence against, and killing of, opposition politicians, journalists, lawyers and human rights defenders, including reports that unwarranted prosecutions, psychiatric evaluations and illicit substances have been used to silence or discredit critics of the government, such as opposition leader Alexei Navalny and politician Vladimir Kara-Murza, journalist Dmitry Muratov and dissident Pytor Verzilov, or even, in the case of illicit substances, to kill them. The Committee expresses its deep concern about the increase in reports of violence and harassment of journalists, such as Ivan Safronov, and notes reports that journalists writing about the war in Ukraine, such as Maria Ponomarenko, have been particularly targeted. The Committee is further concerned about reports of lawyers, such as Dmitry Talantov and Ivan Pavlov, facing unwarranted disciplinary proceedings and even criminal prosecutions, in particular in connection with defending participants in anti-war protests (arts. 1, 6–7, 9, 14 and 19).

27. **The State party should immediately:**

(a) **End acts of harassment of, intimidation of, unwarranted prosecution of, poisoning of and violence against, and the killing of, lawyers, journalists, human rights defenders and opposition politicians;**

(b) **Conduct thorough and independent investigations into all allegations of harassment, intimidation, unwarranted prosecution and poisoning of, violence against and the killing of lawyers, journalists, human rights defenders and opposition politicians, and ensure that perpetrators are prosecuted and, if convicted, punished with commensurate sanctions and that victims are provided with effective remedies, in accordance with article 2 (3) of the Covenant.**

Freedom of expression

28. The Committee is deeply concerned about the amendments to the Criminal Code, made in March 2022, which criminalize: (a) the public dissemination of knowingly false information about the army of the Russian Federation and the exercise of powers by the public authorities of the Russian Federation abroad (art. 207.3); (b) the public discrediting of the army of the Russian Federation or of the exercise of powers by the public authorities of the Russian Federation aimed at defending the interests of the Russian Federation and its citizens and maintaining international peace and security (art. 280.3); and (c) calls for sanctions against the Russian Federation, its citizens or legal entities (art. 284.2). The Committee expresses its concern about the decision of the Federal Service for Supervision of Communications, Information Technology and Mass Media, made at the request of the Prosecutor General, that states that, with regard to the war in Ukraine, journalists are to report only information provided by the Government of the Russian Federation or face fines and being blocked on the Internet. It is concerned about reports that thousands of Internet sites and resources and a number of social media platforms (Twitter, Facebook and Instagram) have been blocked and that more than 20 media outlets, both national and international, have been suspended, including the major independent news outlet Novaya Gazeta. The Committee notes with great concern the dissolution of the union representing journalists and other media workers that had worked to defend the rights of media workers across the Russian Federation. The Committee is seriously concerned about the reports of harassment against media workers and journalists, including criminal prosecution, searches of their homes and seizure of electronic devices, arrests, physical attacks and threats, including against their relatives. The Committee expresses its substantial concern about limitations on

freedom of expression, in particular with respect to anti-war statements, including in educational institutions, as well as in public (arts. 9, 17 and 19).

29. **The State party should, as a matter of urgency, take all measures necessary to guarantee the full enjoyment of freedom of expression to all individuals, taking into account the Committee’s general comment No. 34 (2011) on the freedoms of opinion and expression. In particular, the State party should:**

(a) **Repeal all legislation unduly restricting freedom of expression, including articles 207.3, 275.1, 280.3 and 284.2 of the Criminal Code, and refrain from adopting any further restrictions incompatible with article 19 of the Covenant;**

(b) **Promote a plurality of opinions in the media and ensure that the media and media workers and their associations can operate free from undue State interference, including by repealing measures providing for restrictions on and the blocking of online resources and platforms;**

(c) **Refrain from any form of harassment of journalists, media workers and their families, and ensure the safe and full exercise of their right to freedom of expression;**

(d) **Review the detention of all journalists and media workers with regard to the compatibility of the detention with the Covenant, and immediately release all those detained contrary to its provisions.**

Combating extremism

30. The Committee, recalling previous concluding observations,⁸ expresses its concern about the vague, open-ended and regularly modified definition of “extremist activity” in the federal law on combating extremist activity, which does not comply with the principles of legality, legal certainty and proportionality required for such legislation under article 19 of the Covenant. The Committee is concerned about the frequent use of the law to target political opponents, human rights defenders, journalists, religious communities, artists and lawyers in order to limit civic space, including freedom of expression, for example through extrajudicial blocking of Internet sites or censorship of books, songs and other artistic expression. It is also concerned about infringements of the freedom of religion, targeting, among others, Jehovah’s Witnesses, and the application of disproportionate sanctions for alleged infractions, for example, the dissolution of institutions, such as the Mejlis of the Crimean Tatar People, and the arbitrary arrest and detention of members of those institutions (arts. 2, 9, 18–19 and 26).

31. **The State party should revise the federal law on combating extremist activity with a view to defining “extremist activity” more precisely to ensure its compliance with article 19 of the Covenant. The State party should ensure that both the law and its application – to all individuals under its effective control – are in compliance with the Covenant, and in particular should refrain from arbitrary use of the law to limit civic space, political dissent and freedom of expression and religion.**

Right of peaceful assembly

32. The Committee is deeply concerned about numerous and consistent reports of restrictions of the freedom of assembly, including refusal by the authorities to authorize peaceful protests, in particular anti-war protests; the alleged arbitrary detention of hundreds of thousands of participants in peaceful protests; and the violent response of law enforcement officials to peaceful assemblies. It is further concerned about the implications Federal Law No. 260-FZ of 14 July 2022 may have on freedom of assembly, given the provisions that criminalize public calls for activities aimed against State security or at obstructing the exercise by public bodies or officials to ensure State security. It is concerned about reports that participation in assemblies is hampered by the use of preventive detention and by the use of facial recognition systems that are not regulated by law, including in regard to the

⁸ [CCPR/C/RUS/CO/7](#), para. 20; [CCPR/C/RUS/CO/6](#) and [CCPR/C/RUS/CO/6/Corr.1](#), para. 25; and [CCPR/CO/79/RUS](#), para. 20.

procedure for storing and reviewing data relating to such systems (arts. 7, 9–10, 14, 17, 19 and 21).

33. In accordance with article 21 of the Covenant and in the light of the Committee’s general comment No. 37 (2020) on the right of peaceful assembly, the State party should:

(a) **Effectively guarantee and protect the right of peaceful assembly and avoid restrictions that are incompatible with article 21 of the Covenant, including requirements that amount to de facto authorization of an assembly;**

(b) **Take measures to prevent and eliminate all forms of excessive use of force by law enforcement officers, including by providing training on the use of force, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement;**

(c) **Ensure that all instances of excessive use of force are promptly, impartially and effectively investigated, that perpetrators are prosecuted, and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies, under article 2 (3) of the Covenant;**

(d) **Immediately release all persons detained in relation to participating in peaceful assemblies whose detention is not compatible with the Covenant;**

(e) **Refrain from the use of facial recognition systems and the practice of preventive detention to hamper participation in peaceful assemblies.**

Freedom of association

34. The Committee, recalling previous concluding observations,⁹ expresses its deep concern about legislation that severely restricts freedom of association, including provisions on “foreign agents” and “undesirable” organizations. It is further concerned about the recent expansion of these restrictions, including through the law broadening the categories of “foreign agents” to include additional groups; the law criminalizing confidential cooperation with foreign States and international or foreign organizations; and the law extending criminal liability to persons abroad for participating in, financing or organizing the activities of an “undesirable” organization. The Committee is concerned that the application of these laws has led to significant restrictions on the activities of numerous human rights organizations, and even to closures, including that of Memorial, the organization that won the Nobel Peace Prize in 2022 (arts. 14, 19 and 21–22).

35. The State party should repeal or revise legislation that restricts freedom of association, including provisions on “foreign agents” and “undesirable” organizations; end the prosecution and persecution of individuals and organizations based on this legislation; and allow members of human rights organizations, including Memorial, to exercise their freedom of association without restrictions incompatible with the Covenant.

Participation in public affairs

36. The Committee is concerned about reports of undue restrictions on the participation of citizens in electoral processes at the federal, regional and local levels, including due to the limitations on opposition parties with regard to organizing, registering candidates for public office, accessing media outlets and conducting political campaigns, and about reported cases of government interference and manipulation in the elections. The Committee is concerned about burdensome administrative procedures hampering the access required by observers and journalists to monitor elections and about the overbroad application of the anti-extremist legislation in order to limit the participation of political opponents. The Committee is greatly concerned about the lack of fair trial guarantees in the proceedings leading to the imprisonment of opposition leader Alexei Navalny, including reports that his prosecution is politically motivated and that the conditions of his detention are putting his health and life at

⁹ [CCPR/C/RUS/CO/7](#), para. 22; and [CCPR/C/RUS/CO/6](#) and [CCPR/C/RUS/CO/6/Corr.1](#), para. 27.

serious risk. The Committee is also concerned that the amendments to the Constitution made in July 2020 disproportionately strengthen the powers of the President at the expense of other branches of government and raise concerns of accountability and separation of powers in the State party (arts. 6–7, 9–10 and 25).

37. The State party should ensure the full enjoyment of the right to participate in public affairs, including by opposition political candidates, and bring its electoral regulations and practices into full compliance with the Covenant. In particular, it should:

(a) **Consider revising its Constitution to ensure accountability and to strictly adhere to the principle of separation of powers;**

(b) **Guarantee the freedom to engage in electoral processes and pluralistic political debate, including by refraining from using anti-extremist legislation to exclude opposition candidates from electoral processes;**

(c) **Facilitate the access necessary for independent observers, media and journalists to monitor elections;**

(d) **Release opposition leader Alexei Navalny, ensure that any potential proceedings against him meet all the guarantees of fair trial stipulated in article 14 of the Covenant and provide him with access to an effective remedy.**

Violations of Covenant rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation

38. The Committee, reiterating its due regard for the General Assembly resolution 68/262 on the territorial integrity of Ukraine,¹⁰ remains gravely concerned about the reported violations of the Covenant in the Autonomous Republic of Crimea and the city of Sevastopol, temporarily occupied by the Russian Federation, which are under the effective control of the State party, including alleged serious violations committed against inhabitants of Crimea, in particular extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, including sexual violence, arbitrary arrests and detentions, torture and ill-treatment, in particular to extract confessions, and psychiatric internment, and the forcible transfer or deportation of inhabitants from Crimea to the Russian Federation, and the lack of investigation into these violations. It expresses its deep concern about reports of interference with peaceful assemblies and civic activism, including mass detentions of participants in peaceful assemblies; about serious restrictions on freedom of expression, including freedom of the media; and about reported attacks and threats against media workers, the prosecution of journalists and the blocking of media outlets. It is also seriously concerned about allegations of discrimination against the Crimean Tatar and Ukrainian communities in Crimea, affecting, among others, education in their language and, with regard to the dissolution of the Mejlis, political participation. It expresses its concern about the alleged persecutions, arrests and convictions of lawyers who provide professional assistance to victims of political repression, and about the serious deficiencies of the judicial system, including the suspension of public hearings under the pretext of the COVID-19 pandemic. It is gravely concerned about allegations of forced mobilization and conscription of thousands of Crimean inhabitants, many of whom are Indigenous people. It notes with serious concern reports of violations of freedom of religion and belief in Crimea, including intimidation and harassment of religious communities, such as the Orthodox Church of Ukraine and the Muslim community (arts. 1–2, 6–7, 9–10, 14, 16–19, 21–22 and 25–27).

39. The State party should:

(a) **Take all measures necessary to bring all serious human rights violations to an end, in particular extrajudicial killings, abductions, arbitrary detention, enforced disappearances, torture and ill-treatment; investigate all allegations, prosecute**

¹⁰ CCPR/C/RUS/CO/7, para. 23.

perpetrators, and, if they are convicted, punish them with commensurate sanctions and provide victims with effective remedies, under article 2 (3) of the Covenant;

(b) Ensure the exercise of freedom of expression and the right of peaceful assembly and association for all inhabitants of Crimea; refrain from intimidating and attacking journalists, human rights defenders and activists who are exercising their rights; and ensure that all violations committed against members of these groups are investigated, the perpetrators brought to justice and the victims provided with effective remedies;

(c) Take all measures necessary to ensure the functioning of an independent judicial system in Crimea, including by conducting public hearings, ensure the unhindered exercise of the legal profession and refrain from any interference in the professional activities of lawyers defending their clients;

(d) Respect and ensure the rights of persons belonging to minorities and Indigenous Peoples, and ensure in particular that Crimean Tatars and Ukrainians are not subject to discrimination, including with respect to education in their language and political participation, in particular by reinstating the Mejlis;

(e) Immediately end the practice of forced mobilization and conscription of Crimean residents;

(f) Respect and ensure freedom of religion and belief in Crimea and refrain from any interference contrary to the provisions of the Covenant.

Rights of Indigenous Peoples

40. The Committee is concerned about reports of infringements on the rights of Indigenous Peoples in the context of extractive industry operations and other development projects, in particular with respect to their right to participate in the decision-making process concerning their lands and resources based on the principle of free, prior and informed consent. The Committee expresses its concern about the dissolution of the Centre for Support of Indigenous Peoples of the North. The Committee reiterates its previous concerns about allegations of harassment of Indigenous human rights defenders,¹¹ which remain unanswered by the State party, and expresses concern about further allegations of harassment that it has received, including in relation to participation of Indigenous representatives in international forums (arts. 6, 19, 22 and 27).

41. In line with article 27 of the Covenant, other international standards and constitutional guarantees, the State party should:

(a) Ensure the participation of Indigenous Peoples in the decision-making process concerning their lands and resources on the basis of the principle of free, prior and informed consent;

(b) Guarantee freedom of association for Indigenous people, including by reconsidering the dissolution of the Centre for Support of Indigenous Peoples of the North;

(c) Protect Indigenous human rights defenders from all harassment, including in respect to their participation in relevant international forums on Indigenous Peoples' rights.

D. Dissemination and follow-up

42. The State party should widely disseminate the Covenant, the first Optional Protocol thereto, its eighth periodic report, the written replies to the Committee's list of issues and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society, non-governmental organizations operating in the country and

¹¹ CCPR/C/RUS/Q/8, para. 24.

the general public. The State party should ensure that the periodic report and the present concluding observations are translated into the official and minority languages of the State party.

43. In accordance with rule 75 (1) of the Committee's rules of procedure, the State party is requested to provide, by 4 November 2025, information on the implementation of the recommendations made by the Committee in paragraphs 7 (protection of the Covenant rights in situations of armed conflict), 27 (harassment, violence and killing of opposition politicians, journalists, lawyers and human rights defenders) and 29 (freedom of expression) above.

44. The Committee requests the State party to submit its next periodic report by 6 November 2028 and to include in that report specific up-to-date information on the implementation of the recommendations made in the present concluding observations and of the Covenant as a whole. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words.
