

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	757
Land:	Rusland
Kilde:	CERD
Titel:	Concluding observations on the combined twenty-fifth and twenty-sixth periodic reports of the Russian Federation
Udgivet:	1. juni 2023
Optaget på baggrundsmaterialet:	7. november 2023



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
1 June 2023

Original: English

Committee on the Elimination of Racial Discrimination

Concluding observations on the combined twenty-fifth and twenty-sixth periodic reports of the Russian Federation*

1. The Committee considered the combined twenty-fifth and twenty-sixth periodic reports of the Russian Federation,¹ submitted in one document, at its 2959th and 2960th meetings,² held on 12 and 13 April 2023. At its 2975th meeting, held on 25 April 2023, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the combined twenty-fifth and twenty-sixth periodic reports of the State party, the dialogue with the State party's delegation and the information provided during and after the dialogue. However, the Committee regrets the refusal of the delegation to discuss and respond to questions posed by the Committee on issues related to the armed conflict and the situation in Crimea and the City of Sevastopol, which prevented the Committee from fully performing its function under article 9 of the Convention. The Committee highlights that the full engagement of States parties in the interactive dialogue with the human rights treaty bodies³ is a key component of the periodic review process, which provides a unique opportunity for the Committee and the State party to hold constructive and in-depth discussions in order to allow the Committee to assess the progress made and to indicate to the State party the areas where further efforts are needed.

B. Positive aspects

3. The Committee welcomes the following legislative and policy measures taken by the State party:

(a) The adoption of Law No. 22-FZ of 24 February 2021, which provides for the issuing of temporary identity documents to stateless persons;

(b) The adoption of government decision No. 16 of 19 January 2019, which expands social benefits to extended families of members of Indigenous Peoples;

(c) The adoption of the comprehensive plan of action for the socioeconomic and ethnocultural development of Roma in the Russian Federation, on 31 January 2018, and the amendment thereto, in 2019.

* Adopted by the Committee at its 109th session (11–28 April 2023).

¹ [CERD/C/RUS/25-26](#).

² See [CERD/C/SR.2959](#) and [CERD/C/SR.2960](#).

³ See General Assembly resolution 68/268.



C. Concerns and recommendations

Application of the Convention in the context of armed conflict

4. In the light of the ongoing armed conflict in Ukraine initiated by the State party on 24 February 2022, the Committee recalls that, in situations of armed conflict and hostilities, the applicability of international humanitarian law does not preclude the application of international human rights law, including the Convention, which operates independently. Reiterating the principle of territorial integrity of all States Members of the United Nations, as guaranteed under the Charter of the United Nations and General Assembly resolutions 68/262 and ES-11/4 on the territorial integrity of Ukraine, the Committee recalls that the State party's obligations under the Convention apply not only on the territory of the State party, but also on all other territories over which the State party exercises effective control. Regretting the refusal of the delegation to provide, during the dialogue, any information concerning the ongoing armed conflict, the Committee is deeply concerned about:

(a) Reports of severe and grave human rights violations and abuses committed during the ongoing armed conflict by the military forces of the Russian Federation and private military companies against members of groups protected under the Convention, particularly ethnic Ukrainians, which include instances and practices of excessive use of force, killings, extrajudicial and summary execution, enforced disappearance, torture, rape and other forms of sexual violence, arbitrary detention, massive population displacement attributable to the State party, and the forcible transfer or deportation to the Russian Federation of inhabitants, in particular children, from areas where the State party exercises effective control;

(b) Incitement to racial hatred and propagation of racist stereotypes against ethnic Ukrainians, in particular on State-owned radio and television networks, on the Internet and in social media, as well as by public figures and government officials, and the lack of information on investigations, prosecutions, convictions and sanctions for such acts;

(c) Reports of forced mobilization and conscription, both within the territory of the State party and on other territories under its effective control, which disproportionately affect members of ethnic minorities and Indigenous Peoples;

(d) A lack of investigations into alleged violations of the Convention committed during other armed conflicts in which the State party has been involved;

(e) A lack of information on measures to provide redress and support for alleged victims of violations and abuses committed in the ongoing armed conflict in Ukraine and other armed conflicts in which the State party is involved (arts. 2, 4 and 6).

5. The Committee recommends that the State party:

(a) **Conduct effective, thorough and impartial investigations into allegations of violations and abuses of human rights committed during the ongoing armed conflict with Ukraine and other armed conflicts in which the State party is or has been involved, in particular against ethnic Ukrainians, and prosecute and punish perpetrators of violations with penalties commensurate to the offences;**

(b) **Adopt measures to provide medical, psychological, material and other support for victims, and adequate reparation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition;**

(c) **Adopt measures to monitor and combat racist hate speech, incitement to and promotion of racial hatred and discrimination, including on State-owned radio and television networks, on the Internet, in social media and by State officials and public figures, including politicians and religious leaders, targeted at ethnic Ukrainians, and ensure that such incidents are effectively, thoroughly and impartially investigated and that perpetrators are prosecuted and punished with penalties commensurate to the offences;**

(d) **End the practice of forced mobilization and conscription both within the territory of the State party and on other territories under its effective control, insofar**

as it disproportionately affects members of ethnic minority groups and Indigenous Peoples.

Statistics

6. The Committee takes note of the statistics provided by the delegation during the dialogue on the demographic composition of its population, which included results from the national population census conducted in 2021. Nevertheless, the Committee is concerned about the lack of information on the socioeconomic situation of ethnic minority groups, including Roma, of Indigenous Peoples and of non-citizens, such as migrants, refugees, asylum-seekers and stateless persons, which limits the Committee's ability to properly assess the situation of such groups, including their socioeconomic status and any progress achieved by implementing targeted policies and programmes (arts. 1 and 5).

7. Recalling its guidelines for reporting under the Convention,⁴ the Committee recommends that the State party produce disaggregated statistics on the socioeconomic situation of different ethnic groups, including Roma, of Indigenous Peoples and of non-citizens, such as refugees, asylum-seekers, migrants and stateless persons, and on their access to education, employment, health care and housing and their representation in public and political life, where applicable, with a view to creating an empirical basis for assessing the equal enjoyment of the rights enshrined in the Convention.

Convention in the domestic legal order

8. While noting that, pursuant to article 15 of the Constitution of the State party, ratified international treaties are part of the domestic legal order and take precedence over national legislation, the Committee regrets the lack of information on cases in which the provisions of the Convention were invoked before or applied by domestic courts (art. 2).

9. Recalling its previous concluding observations,⁵ the Committee recommends that the State party conduct training programmes and awareness-raising campaigns, in particular for judges, prosecutors, lawyers and law enforcement officials, to ensure that the provisions of the Convention are invoked when relevant by and before domestic courts. It requests the State party to include in its next periodic report specific examples of the application of the Convention by domestic courts.

Prohibition of racial discrimination

10. The Committee takes note of the information on provisions in which principle of non-discrimination is included in the domestic legal framework of the State party, including in the Constitution, the Housing Code, the Code of Criminal Procedure, the Criminal Code, the Civil Code and the Law on Education. Nevertheless, the Committee is concerned about:

(a) The absence of "colour" and "ethnic origin" as prohibited grounds for discrimination in the legal framework on non-discrimination, particularly under article 19 of the Constitution, article 136 of the Criminal Code and article 5.62 of the Code of Administrative Offences;

(b) The lack of measures taken to develop and adopt comprehensive anti-discrimination legislation containing an explicit definition of racial discrimination encompassing all grounds enumerated in article 1 of the Convention and prohibiting direct, indirect and intersecting forms of discrimination in the public and private sphere (arts. 1, 2 and 5).

11. Reiterating its previous recommendations,⁶ the Committee recommends that the State party:

⁴ CERD/C/2007/1, paras. 10–12.

⁵ CERD/C/RUS/CO/23-24, para. 6.

⁶ CERD/C/RUS/CO/23-24, para. 10, and CERD/C/RUS/CO/20-22, para. 7.

(a) **Review its legal framework, particularly provisions of the Constitution, the Criminal Code and the Code of Administrative Offences, with a view to bringing them into line with the Convention;**

(b) **Develop and adopt comprehensive anti-discrimination legislation that contains a clear definition of racial discrimination and encompasses direct, indirect and intersecting forms of discrimination in both the public and private spheres, in accordance with article 1 of the Convention.**

Complaints of racial discrimination

12. The Committee takes note of the information provided by the State party on convictions handed down between 2017 and 2022 under provisions of the Criminal Code and the Code of Administrative Offences for acts of racial discrimination. Nevertheless, the Committee is concerned about the lack of detailed and disaggregated statistics on complaints in relation to racial discrimination filed with national courts and other relevant institutions, as well as on investigations, prosecutions, convictions and sanctions relating to cases of discrimination, particularly on grounds of race or ethnic origin (art. 6).

13. **Reiterating its previous recommendation ⁷ and recalling its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee recommends that the State party:**

(a) **Collect detailed information and statistics on the number and type of complaints of racial discrimination, on the number of investigations, prosecutions and convictions, and on compensation provided to victims, disaggregated by age, gender and ethnic and national origin of the victims, and include those in its next periodic report;**

(b) **Conduct training programmes for police officers, prosecutors and other law enforcement officials on the identification and registration of incidents of racial discrimination;**

(c) **Undertake public education campaigns on the rights enshrined in the Convention and on how to file complaints of racial discrimination, particularly among Roma communities, Indigenous Peoples, stateless persons and migrant workers.**

Racist hate speech and hate crimes

14. The Committee notes the information provided on the domestic legal framework to combat incitement to racial hatred, particularly under article 282 of the Criminal Code, and that racist motives are considered an aggravating circumstance for specific crimes. However, the Committee is concerned about:

(a) The spread of hate crime and racist hate speech, and the dissemination of negative stereotypes, against Roma communities and other ethnic minorities, Indigenous Peoples and migrants, particularly those from Central Asia and the Caucasus, including on State-owned radio and television networks, in print media, on the Internet and in social media, and the lack of information on safe reporting channels available to victims;

(b) The lack of detailed information on complaints or cases involving hate crime and hate speech in the State party, prosecutions and convictions and sanctions imposed on perpetrators, in accordance with article 4 of the Convention and on the grounds of discrimination recognized under article 1 of the Convention;

(c) The use of racist hate speech by politicians, including members of the parliament, and public figures, including religious leaders, at the federal and local levels, and the lack of information on investigations, prosecutions and convictions of public figures and politicians for hate speech (art. 4).

⁷ CERD/C/RUS/CO/23-24, para. 14.

15. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee recommends that the State party:

(a) Develop a system for filing complaints of incidents of hate crime and hate speech, and ensure the system's accessibility and availability to those who are vulnerable to racist hate crimes and hate speech, such as members of Roma communities and other ethnic minorities, Indigenous Peoples, migrants and people of African descent, and take effective measures, including through awareness-raising campaigns, to encourage the reporting of racist hate speech and hate crimes;

(b) Strengthen its efforts to combat the spread of racist hate speech in the media, on the Internet and in social media, in close cooperation with media outlets, Internet service providers and social media platforms, as well as with members of groups vulnerable to racist hate speech;

(c) Firmly condemn any form of hate speech and distance itself from racist hate speech expressed by politicians and public figures, including members of the parliament and religious leaders, and ensure that such acts are investigated and adequately punished;

(d) Assess and strengthen its system for collecting data on complaints of racist hate speech and racially motivated crimes, on prosecutions on convictions and on penalties imposed with regard to such acts pursuant to article 4 of the Convention, and include relevant statistics in its next periodic report.

Racially motivated police violence and racial profiling

16. The Committee takes note of the information provided by the delegation on the training provided to law enforcement officials, and also takes note of the internal monitoring mechanism on racial discrimination established under the Ministry of Internal Affairs. Nevertheless, the Committee is concerned about:

(a) Reports of the persistence of racially motivated police violence and racial profiling by law enforcement officers targeting members of groups vulnerable to racial discrimination, mainly Roma, migrants, particularly from Central Asia and the Caucasus, people of African descent, and those facing intersecting forms of discrimination, such as women and LGBTQI+ persons;

(b) The lack of a clear prohibition of racial profiling in the legislative framework on law enforcement and the lack of detailed information on measures taken to combat racial profiling and racially motivated police violence;

(c) The lack of information on the mandate and activities of the internal monitoring mechanism on racial discrimination established under the Ministry of Internal Affairs, on the availability and accessibility of safe and independent reporting channels for victims of racial profiling and racially motivated police violence, and on investigations, prosecutions, convictions and sanctions imposed, as well as on reparation provided to victims (art. 4).

17. Recalling its general recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, the Committee recommends that the State party:

(a) Develop and adopt legislation and other forms of regulation explicitly prohibiting law enforcement officials from engaging in racial profiling and racially motivated violence, with effective and meaningful participation of representatives of groups vulnerable to racial discrimination, mainly Roma, migrants, particularly from Central Asia and the Caucasus, people of African descent, and those facing intersecting forms of discrimination, such as women and LGBTQI+ persons;

(b) Establish an independent monitoring body with the competence to receive complaints of racial profiling and racially motivated police violence, with safe and accessible reporting channels for victims, to conduct thorough and impartial

investigations into all allegations of racial profiling and racially motivated police violence while ensuring the provision of effective remedies to the victims;

(c) Collect statistics on complaints of racial profiling and racially motivated police violence, on investigations, prosecutions, convictions and sanctions imposed, and on reparations provided to victims, and include those in its next periodic report.

Civic space

18. The Committee remains concerned about the utilization of laws in the State party, particularly Federal Law No. 129-FZ of 20 May 2015, in respect of undesirable activities of foreign and international non-governmental organizations, and Federal Law No. 121-FZ of 20 July 2012, in respect of foreign agents, and the amendments thereto, to arbitrarily silence human rights defenders and civil society organizations, in particular those working on the rights of members of Roma communities and other ethnic minorities, Indigenous Peoples, migrants and stateless persons. The Committee is particularly concerned about the recent amendments to the foreign agents law, which allow for the labelling of civil society organizations, activists and human rights defenders under broad and vague concepts, the imposition of undue registration and reporting requirements and the establishment of broad governmental oversight powers over the activities of such organizations, and which also restrict access to funding. The Committee is also concerned about the low number of civil society organizations operating and registered in the State party and the unusually low level of submissions by civil society organizations in the context of the consideration of the report of the State party, which may be attributed to the closure of many domestic organizations because of the restrictive legal framework. The Committee is further concerned about reports that human rights defenders, members of civil society organizations, activists, lawyers and journalists have increasingly become targets of intimidation, surveillance, harassment, threats and reprisals as a consequence of their work. Moreover, the Committee is concerned about the lack of information on investigations into allegations of reprisals and harassment against two human rights defenders in November 2017, following their participation in the consideration of the State party's report before the Committee (art. 5).

19. The Committee recommends that the State party review its legislative framework, particularly the law on foreign agents and the law on undesirable activities of foreign and international non-governmental organizations, to ensure an open space for the operation of civil society organizations and human rights defenders, including those working on the rights of Roma and other ethnic minorities, Indigenous Peoples, and non-citizens, without fear of reprisal. It also recommends that the State party conduct effective, thorough and impartial investigations into all reported cases of intimidation and harassment of, and threats and reprisals against, human rights defenders, journalists, lawyers, activists and members of civil society organizations.

20. The Committee is concerned that the overly broad and vague definition of "extremist activity" included in the legislative framework on countering extremism, particularly in Federal Law No. 114-FZ of 25 July 2002 on Combating Extremist Activity and provisions of the Criminal Code, including articles 280, 282.1 and 282.2, not only seriously endangers the legitimate exercise of the rights to freedom of expression and of association, but also allows for targeted applications against the operations and activities of civil society organizations, journalists and human rights defenders, in particular those working on the rights of Roma and other ethnic minorities, Indigenous Peoples, migrants and stateless persons. The Committee is also concerned about information that the State Duma is considering a bill to amend provisions of Federal Law No. 62-FZ of 31 May 2002 on Citizenship, to enable authorities to revoke citizenship due to alleged involvement in "extremist activity" as understood in the Law on Combating Extremist Activity and articles 280, 282.1 and 282.2 of the Criminal Code; such provisions could be used as a means of reprisal against human rights defenders, journalists and members of civil society organizations (art. 5).

21. Recalling its previous concluding observations,⁸ the Committee recommends that the State party review the Law on Combating Extremist Activity and articles 280, 282.1 and 282.2 of the Criminal Code with a view to establishing a precise definition of “extremist activity” in line with article 4 of the Convention. The Committee also recommends that the State party ensure that the legislative framework on countering extremism is not used to intimidate, harass, arrest, detain or prosecute journalists, human rights defenders or representatives and employees of civil society organizations, including those working on the rights of Roma and other ethnic minorities, Indigenous Peoples and non-citizens, for exercising their rights to freedom of opinion and expression and to freedom of association. It further recommends that the State party employ a human rights-based approach while considering amendments to the Law on Citizenship and avoid using the revoking of citizenship as a repressive or retaliatory measure against human rights defenders, members of civil society organizations, activists, lawyers and journalists for carrying out their activities.

Convention rights of residents of Crimea and the City of Sevastopol, temporarily occupied by the Russian Federation

22. While noting the position of the State party that the Committee is barred from examining issues currently pending before the International Court of Justice, the Committee highlights that the International Court of Justice, in its Judgment of 8 November 2019 on Preliminary Objections in the case *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*, only examined the question of the jurisdiction of the Court and did not address or pronounce itself on the competences of the Committee. The Committee furthermore notes that the rule prohibiting duplication of procedures concerning the consideration of the same matter (*lis pendens*) applies only to the consideration of individual communications and not to the consideration of States parties’ reports, in accordance with the provisions of the Convention, particularly article 9, the relevant provisions of the Committee’s rules of procedure and the well-established general practice of other United Nations treaty bodies.

23. Regretting the refusal of the delegation to provide information during the dialogue and reiterating the Committee’s position on the legal status of Crimea under international law and the fundamental importance of the principle of territorial integrity of all States Members of the United Nations, the Committee is deeply concerned about:

(a) Reports of numerous and serious human rights violations against members of ethnic minority groups and Indigenous Peoples in Crimea, in particular abductions, enforced disappearances, arbitrary detention, ill-treatment and the forcible transfer or deportation of inhabitants from those territories to the Russian Federation, and the lack of information on measures taken to investigate such allegations and to provide victims with redress and support;

(b) Reports of the destruction of and damage to Crimean Tatar cultural heritage, including tombstones, monuments and shrines, and the lack of information on investigations carried out into such allegations and on other measures to prevent such vandalism;

(c) Reports of the barriers to using and studying in the Ukrainian and Crimean Tatar languages;

(d) Reported restrictions on the representative institutions and political rights of Crimean Tatars, such as the dissolution of the Mejlis and the prosecution and persecution of its members;

(e) Reports that human rights defenders, activists, lawyers and journalists have increasingly become targets of politically motivated charges and prosecution, intimidation, surveillance, harassment, threats, reprisals and assassinations, as a consequence of their work;

⁸ CERD/C/RUS/CO/23-24, para. 12.

(f) Reports of the forced mobilization and conscription of Crimean Tatars and members of Indigenous Peoples in the ongoing armed conflict in Ukraine (arts. 2 and 5).

24. Recalling its previous concluding observations,⁹ the Committee recommends that the State party:

(a) **Conduct effective, thorough and impartial investigations into allegations of violations of human rights committed against members of ethnic minority groups and Indigenous Peoples in Crimea, prosecute those responsible, and appropriately punish those convicted;**

(b) **Effectively investigate reports on the destruction of and damage to Crimean Tatar cultural heritage and adopt measures to prevent such acts;**

(c) **Adopt and implement measures to ensure the availability of education at all levels in the mother tongue of ethnic groups and Indigenous Peoples in Crimea;**

(d) **Adopt measures to ensure and respect the exercise of political rights by Crimean Tatars and the operation of their representative institutions, in particular by reinstating the Mejlis;**

(e) **Carry out effective, thorough and impartial investigations into all reported cases of arbitrary detention and prosecution, intimidation and harassment of, and threats and reprisals against, community leaders, human rights defenders, activists, lawyers and journalists and adopt and implement measures to ensure that they are able to carry out their work effectively and without fear of reprisals;**

(f) **End the practice of forced mobilization and conscription of Crimean Tatars and members of Indigenous Peoples in Crimea in the ongoing armed conflict with Ukraine.**

Roma

25. The Committee takes note of the information provided by the delegation on the implementation of the comprehensive plan of action for the socioeconomic and ethnocultural development of Roma in the Russian Federation. However, the Committee is concerned that members of Roma communities continue to suffer from social exclusion and are disproportionately affected by poverty, and that negative stereotypes, prejudices and intolerance against Roma remain widespread. The Committee is particularly concerned about:

(a) The lack of information on the participation of members of Roma communities, including women, in the design, implementation and evaluation of the comprehensive plan of action;

(b) Reports about the disproportionately high dropout rate among Roma children, particularly at the secondary school level, and the lack of information on the support provided to Roma children and families who face difficulties in coping with the education system, in accordance with article 42 of the Law on Education;

(c) Reports of the refusal to admit Roma children in certain schools and of the persistence of segregation in education faced by Roma children;

(d) Reports that Roma communities are living in informal settlements with limited access to basic services and with continual gas and electricity cuts by the local authorities or companies, that a low level of security of tenure is provided to Roma communities, and that the practices of house demolitions and forced evictions have continued, without alternative housing or compensation being offered to the Roma individuals and families affected (art. 5).

26. Recalling its general recommendation No. 27 (2000) on discrimination against Roma, the Committee recommends that the State party:

(a) **Establish a mechanism for consultation with the Roma communities, including women and children, to ensure their effective and meaningful participation in the design, implementation and evaluation of the comprehensive plan of action for**

⁹ CERD/C/RUS/CO/23-24, para. 20.

the socioeconomic and ethnocultural development of Roma in the Russian Federation and other policies;

(b) Through, inter alia, its agencies, and with a view to combating stereotypes and prejudices against Roma, monitor and provide information on evidence-based progress in the enjoyment of human rights by Roma and take measures to combat structural discrimination and to discourage the stigmatization and stereotyping of Roma communities;

(c) Intensify its efforts to combat discrimination against Roma in all spheres of life; to ensure that Roma who are victims of discrimination have access to effective remedies; to provide training on Roma issues for law enforcement and judicial officers and journalists; and to conduct awareness-raising campaigns to promote Roma identity and culture;

(d) Strengthen its efforts to ensure access by Roma children to quality and inclusive education, with a view to increasing school enrolment rates and combating school dropout, including by strengthening the support system for Roma children and families in accordance with article 42 of the Law on Education and by conducting awareness-raising campaigns on the importance of education targeted at Roma children and young people and their families;

(e) End the de facto segregation in schools and investigate instances of refusal of admission of Roma children into school;

(f) Halt forced eviction of Roma and the demolition of their houses, including by providing security of tenure to Roma communities and legalizing the informal settlements, and when house demolition or forced eviction cannot be avoided, ensure that the families and individuals affected are provided with alternative adequate housing and compensation. The Committee also recommends that the State party adopt effective measures to ensure access in Roma settlements to basic services and that Roma are not subjected to repressive measures, such as gas supply and electricity cuts, by the local authorities.

Incidents of inter-ethnic violence

27. The Committee is concerned about reports of cases of violent inter-ethnic conflicts involving members of Roma communities in the State party, particularly the incidents that occurred in Chemodanovka, Penza Province, in June 2019 and in Ust-Abakan, Khakasia, in May 2019, in which hundreds of Roma fled their settlements due to threats and intimidation, houses were vandalized, and many Roma men were arbitrarily detained and subjected to ill-treatment during detention. While noting the information provided by the delegation, the Committee regrets the lack of investigation into the violence against Roma communities and the attacks on their properties (arts. 5 and 6).

28. The Committee recommends that the State party adopt and implement measures to ensure an effective, objective and proportionate response by law enforcement to inter-ethnic clashes and to ensure the protection of members of Roma communities and their properties. It also recommends that the State party investigate all allegations of violations and abuses perpetrated against Roma communities, independently, effectively and thoroughly, and that it provide victims with redress and support following such conflicts. The State party should also take measures to promote tolerance and mutual understanding among Roma and non-Roma communities and reinforce trust by Roma communities in official institutions by actively promoting their inclusion and participation.

Indigenous Peoples

29. The Committee takes note of the adoption of decision No. 16 of 19 January 2019, which expands social benefits to the extended families of members of Indigenous Peoples. Nevertheless, the Committee is concerned:

(a) That only 47 of the approximately 190 groups of Indigenous Peoples are officially recognized as such due to the narrow definition of Indigenous Peoples in the legal

framework, which provides for a numerical ceiling of 50,000 individuals, beyond which self-identified Indigenous groups are not classified as Indigenous and thus prevented from enjoying legal protection of their lands, resources and livelihoods;

(b) That the State party has not established any territory of traditional resource use with federal status since the adoption of Federal Law No. 49-FZ of 7 May 2001 on Territories of Traditional Resource Use by the Numerically Small Indigenous Peoples of the North, Siberia and the Far East, which is limiting the protection of Indigenous Peoples with regard to their land and territorial rights;

(c) About the insufficiency of the federal legislation and policy frameworks on free, prior and informed consent of Indigenous Peoples, and reports of the inadequacies of processes of consultation with Indigenous Peoples on the development of legislation and other measures affecting their rights; on issuing permits for economic and development projects on their lands; and before lands are expropriated;

(d) About the irreparable damage caused by economic, industrial and natural resource development projects, including mining projects, particularly through pollution and climate change, and the impact this has on Indigenous Peoples' right to use and enjoy their traditionally owned lands and natural resources, and thus their rights to food and to a clean, healthy and sustainable environment;

(e) About reports that there is excessive bureaucracy and restrictive regulations for Indigenous fisheries, and that commercial fisheries are prioritized and facilitated;

(f) About the reportedly high rate of suicide and self-harm among Indigenous youth (art. 5).

30. Recalling its previous concluding observations,¹⁰ the United Nations Declaration on the Rights of Indigenous Peoples, and its general recommendation No. 23 (1997) on the rights of Indigenous Peoples, the Committee recommends that the State party:

(a) Review its legislative framework with a view to amending the definition of Indigenous People by repealing the requirement to be below a numerical ceiling in order to be officially recognized as an Indigenous People, and ensure full and effective legal protection of the cultural, territorial and political rights of all Indigenous Peoples;

(b) Adopt legislative and operational measures at the regional and federal levels to ensure meaningful and effective consultation with Indigenous Peoples on any projects or legislative or administrative measures that may affect their land, territories and resources, with a view to obtaining their free, prior and informed consent;

(c) Establish territories of traditional resource use with federal status, in accordance with the Law on Territories of Traditional Resource Use by Numerically Small Indigenous Peoples of the North, Siberia and the Far East;

(d) Conduct timely and systematic environmental and human rights impact assessments and effective and meaningful consultations with Indigenous Peoples before authorizing any economic, industrial or natural resource development projects that may affect their land, territories and resources, and continuously monitor such projects after authorization;

(e) Adopt measures to prevent, mitigate and redress the impact of economic, industrial and natural resource development projects, as well as pollution and climate change, on the lands, territories and resources of Indigenous Peoples, with a view to protecting their customs and traditional ways of life and the right to a clean, healthy, and sustainable environment;

(f) Review the legal and policy frameworks on fishing, with the aim of facilitating access by Indigenous Peoples and repealing any discriminatory restrictions on Indigenous fisheries;

¹⁰ CERD/C/RUS/CO/23-24, para. 24.

(g) **Adopt measures to increase the availability and accessibility of quality mental health services for Indigenous Peoples, to address the root causes of the high prevalence of suicide and to provide individuals and groups who are at risk of suicide with effective prevention programmes and support services.**

Migrant workers

31. While noting the information provided by the delegation on the situation of migrant workers and labour inspections that have been carried out, the Committee remains concerned that migrant workers, particularly from Central Asia and the Caucasus, still face harsh working conditions, abuse and exploitation and are subjected to discrimination in employment. The Committee is also concerned about the barriers to migrant workers who are victims of racial discrimination, particularly migrants in an irregular situation, in accessing justice and remedies (arts. 5 and 6).

32. **The Committee recommends that the State party strengthen its efforts to combat the abuse and exploitation of migrant workers, including by assessing and reviewing the employment framework for migrant workers, to reduce their vulnerability to exploitation and abuse, including by increasing inspections and investigating cases of exploitation and punishing those responsible. The Committee also recommends that the State party adopt measures to ensure access by migrant workers to justice, irrespective of their status, including through free legal aid, and that it conduct awareness-raising campaigns among migrant workers on their rights and on existing remedies.**

Stateless persons and migrants who are undocumented or in an irregular situation

33. The Committee takes note of the information provided by the delegation on the adoption of Law No. 22-FZ of 24 February 2021, which amended provisions of the Law on the Legal Status of Foreign Nationals in the Russian Federation and other legislation regulating the legal status of stateless people in order to enable authorities to regularize and facilitate the situation of stateless persons by granting them a 10-year temporary identity document, among other measures. The Committee is, however, concerned:

(a) About reported undue delays in processing, and regularizing the situations of, stateless persons and issuing temporary identity cards;

(b) About reports that stateless persons who have been granted temporary identity cards are still facing barriers in registering their marriages and accessing education and health-care services;

(c) That stateless persons and migrants who are undocumented or in an irregular situation may be arbitrarily detained under administrative procedures for a maximum period of two years without judicial review or access to legal aid (arts. 5 and 6).

34. **Recalling its previous concluding observations¹¹ and its general recommendation No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State party:**

(a) **Expedite the registration of non-documented and stateless persons and the process for issuing temporary identity cards;**

(b) **Adopt measures, including legislative measures, to ensure that stateless persons with temporary identity cards can access education, employment, health care and marriage registration;**

(c) **Review its legal and policy framework with a view to ending the arbitrary detention of stateless persons and migrants who are undocumented or in an irregular situation under the administrative procedure, while ensuring the provision of legal aid and remedies to victims.**

¹¹ CERD/C/RUS/CO/23-24, para. 30.

Human rights education to combat prejudice and intolerance

35. The Committee takes note of the information provided on the activities implemented by the Federal Agency of Ethnic Affairs and the Federal Agency for Youth Affairs to promote understanding and tolerance among nations and ethnic groups. Nevertheless, the Committee regrets the lack of information provided by the delegation during the dialogue that would have allowed the Committee to assess the impact of such activities and other measures to promote human rights education, including on racial discrimination, in all school curricula, university programmes and teacher training. The Committee is particularly concerned about the lack of information on measures to ensure that history education is conducted in such a way as to prevent a dominant historical narrative and ethnic hierarchization, as well as on awareness-raising campaigns targeting the general public, members of law enforcement and judicial authorities on the importance of cultural diversity, tolerance and inter-ethnic understanding (art. 7).

36. **Recalling its previous concluding observations,¹² the Committee recommends that the State party adopt measures to ensure that history education is conducted in such a way as to prevent a dominant historical narrative and ethnic hierarchizing, considering the multi-ethnic, multicultural and religiously diverse nature of the population of the State party and its different historical experiences. It also recommends that the State party conduct public awareness-raising campaigns with measurable outcomes, targeting the general public, civil servants, law enforcement officials and judicial authorities, on the importance of ethnic and cultural diversity, tolerance and inter-ethnic understanding.**

D. Other recommendations**Ratification of other treaties**

37. **Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Domestic Workers Convention, 2011 (No. 189) and the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization. The Committee encourages the State party to accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

Amendment to article 8 of the Convention

38. **The Committee recommends that the State party accept the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.**

Follow-up to the Durban Declaration and Programme of Action

39. **In the light of its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State party include in its next periodic report specific information on action plans and other**

¹² [CERD/C/RUS/CO/23-24](#), para. 32.

measures taken to implement the Durban Declaration and Programme of Action at the national level.

International Decade for People of African Descent

40. In the light of General Assembly resolution 68/237, in which the Assembly proclaimed 2015–2024 the International Decade for People of African Descent, and Assembly resolution 69/16 on the programme of activities for the implementation of the Decade, the Committee recommends that the State party prepare and implement a suitable programme of measures and policies. The Committee requests that the State party include in its next report precise information on the concrete measures adopted in that framework, taking into account its general recommendation No. 34 (2011) on racial discrimination against people of African descent.

Consultations with civil society

41. The Committee recommends that the State party effectively consult and increase its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination and including organizations representative of the groups most exposed to racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

Dissemination of information

42. The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all State bodies entrusted with the implementation of the Convention in the official and other commonly used languages, as appropriate.

Common core document

43. The Committee encourages the State party to update its common core document, which dates to 2017, in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted at the fifth inter-committee meeting of the human rights treaty bodies held in June 2006.¹³ In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 42,400 words for such documents.

Follow-up to the present concluding observations

44. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 5 (a) and (c) (application of the Convention in the context of armed conflict), 24 (a) and (d) (Convention rights of residents of Crimea and the City of Sevastopol, temporarily occupied by the Russian Federation) and 34 (a) and (b) (stateless persons and migrants who are undocumented and or in an irregular situation) above.

Paragraphs of particular importance

45. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 15 (racist hate speech and hate crimes), 17 (racially motivated police violence and racial profiling) and 21 (civic space) above and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

¹³ [HRI/GEN/2/Rev.6](#), chap. I.

Preparation of the next periodic report

46. The Committee recommends that the State party submit its combined twenty-seventh to twenty-ninth periodic reports, as a single document, by 6 March 2026, taking into account the reporting guidelines adopted by the Committee during its seventy-first session¹⁴ and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 21,200 words for periodic reports.

¹⁴ [CERD/C/2007/1](#).