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Public statement concerning the Russian Federation

This public statement is made under Article 10, paragraph 2, of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

Strasbourg, 18 November 2024

Public statement concerning the Russian Federation

1. The CPT decided at its 115th plenary meeting, held from 4 to 8 November 2024, to make a public statement due to the Russian Federation's ongoing failure to cooperate with the Committee.
2. The Russian Federation, as a State Party to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (the Convention), is obligated to put in place the necessary guarantees and arrangements to enable the CPT to carry out its work; that is, to visit any place within the jurisdiction of the Russian Federation where persons are deprived of their liberty, as stipulated in Article 2 of the Convention. It is also incumbent on the Russian authorities to provide the Committee with information relating to the situation of persons deprived of their liberty, as required by Article 8, paragraph 2, of the Convention.
3. The Russian authorities have failed to cooperate on these fundamental issues. They have made no efforts to establish the conditions necessary to enable the CPT to carry out visits to the Russian Federation and provided no response to requests for information made by the Committee.

In such circumstances, the CPT can only conclude that the Russian Federation no longer accepts the Committee's independent, impartial and professional oversight of the places of detention under its responsibility, such as police establishments, prisons and psychiatric hospitals.

4. At the same time, the Committee has received information, since its last visit in 2021 to the country, which raises grave concerns about the treatment of persons apprehended by law enforcement officials and about the harsh detention conditions and treatment of persons held in prisons in the Russian Federation.

However, the work of the CPT and the dialogue in which it engages with a State Party are based on its monitoring visits on the ground. Without such visits, the Committee cannot evaluate the treatment of persons deprived of their liberty.

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5. Following its expulsion from the Council of Europe in March 2022, the Russian Federation ceased to be a Party to those conventions and protocols concluded in the framework of the Organisation which are only open to its member States. At the same time, the Russian Federation continues to be bound by the Convention establishing the CPT as the latter is open to non-member States.
6. Since the beginning of 2024, the CPT has sought to engage in a constructive dialogue with the Russian authorities to enable the Committee to resume its visits to the Russian Federation, with a view to reviewing the treatment of persons deprived of their liberty there. More specifically, in its letters of 19 February and 8 March 2024, the CPT requested to be provided with information on the necessary guarantees (including as concerns the privileges and immunities to be afforded to all members of its visiting delegations) and practical arrangements which the Russian authorities would make in order to enable the Committee to resume its work in the Russian Federation.

In these and other letters, the CPT also requested information relating to the death of Mr Alexei Navalny while in detention as well as to certain actions of law enforcement officials which have raised serious concerns about the torture of detained persons.

The Committee has, to date, received no constructive replies to its requests for information nor to its attempts to engage with the Russian authorities. Such a state of affairs can only be qualified as a failure to cooperate with the CPT.

7. At its 114th plenary meeting held in July 2024, the CPT set in motion the procedure envisaged under Article 10, paragraph 2, of the Convention establishing the Committee¹ to make a public statement, in view of the lack of cooperation on the part of the Russian authorities. A letter dated 26 July 2024 was subsequently sent to the Russian authorities, informing them of this decision and inviting them to express their views on the matter. No response was provided by the Russian authorities to this letter.

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8. The Committee's primary aim in making this public statement is to make it clear that all State Parties to the Convention must cooperate with the Committee as that is a fundamental principle of the Convention. The CPT has pursued a long-standing cooperation with the Russian Federation, monitoring its police, prisons, psychiatric hospitals and other places of detention since 1998. The Committee has previously made four public statements in relation to the Russian Federation, all of which concerned the treatment of persons detained in the North Caucasian region.

It is regrettable that only four of the 27 reports on the CPT visits to the Russian Federation have been made public. Publication represents a sign of a government's strength to promote the transparency and accountability of state officials, and to foster debate on how best to tackle difficult topics. A clear indication of the Russian authorities' commitment to resume dialogue with the CPT would be to authorise the publication of all unpublished visit reports and to address the fundamental issue of their cooperation with the Committee.

9. Torture is abhorrent. Its prohibition represents a *jus cogens* norm of international law which all countries are obligated to uphold. The CPT trusts that the Russian Federation still abides by this fundamental principle of a civilised society and that, in due course, it will re-engage with the Committee with the aim of eradicating torture and other forms of ill-treatment.

¹ Article 10, paragraph 2: "If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter."