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Human Rights Committee**Concluding observations on the eighth periodic report of the Russian Federation***

1. The Committee considered the eighth periodic report submitted by the Russian Federation (CCPR/C/RUS/8) at its 3934th meeting (CCPR/C/SR.3934), held on 20 October 2022. At its 3947th and 3948th meeting, 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. It deeply regrets that in spite of the two postponements granted by the Committee following the State party's requests in March and July 2022 (concerning the 134th and the 135th sessions), 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 (rule 68 of the Committee's Rules of Procedure). The Committee reiterates that the full engagement of States parties in interactive dialogues with the human rights treaty bodies is a key component of the periodic review process (GA Resolution 68/268).

B. Positive aspects

3. The Committee welcomes the following legislative and institutional steps taken by the State party:

- (a) Adoption of the National Strategy for Women for the period 2017–2022;
- (b) Adoption of specific measures to address the protection risks related to the Covid-19 pandemic affecting migrants and asylum-seekers, including allowing persons staying irregularly in the Russian Federation to regularize their stay by 30 September 2021 and maintaining a general moratorium on removal decisions until 30 September 2021.

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 exacerbated by the current interpretation of the Constitutional Court's judgment No. 1248-O of 28 June 2012 and the adoption of the Act No. 885214-7 amending the Constitution. The Committee expresses its concern about the

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

absence of a mechanism in the State party mandated with following up the Committee's Concluding Observations and Views. The Committee regrets the lack of detailed information on human rights training for members of the judiciary and the prosecution service and on decisions by the courts of the State party, if any, where 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; and

(d) Establish an appropriate and effective national mechanism for reporting, implementation and follow-up of the Committee's Views and Concluding Observations.

Protection of the Covenant rights in armed conflict situations

6. The Committee expresses its extreme concern about the ongoing armed conflict in Ukraine initiated by the State party, resulting, *inter alia*, in a large-scale deprivation of lives. In this context, the Committee is concerned about reports of, among others, the excessive use of force, killings, extrajudicial and summary executions, enforced disappearances, torture, rape and sexual violence, arbitrary detentions, forced conscription of civilians, massive displacement of population 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 violations of the Covenant committed during the armed conflicts in which the State party has been involved, as those in the South Ossetia region of Georgia and Ukraine (arts. 2, 6, 7).

7. In accordance with 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's parties authorities or agents adversely affecting the enjoyment of the rights enshrined in the Covenant by persons subject to its 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 full respect of all other Covenant rights to all individuals subject to its jurisdiction, including in respect to the acts perpetrated by its agents and other affiliated actors in the areas where the State party exercises effective control; and

(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; prosecution of perpetrators and their punishment, if convicted, in a manner commensurate with the gravity of the acts committed; and providing 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, and continuing harassment and killing of human rights defenders, including Marina

Dubrovina, political opponents, journalists, such as Elena Milashina, persistent persecution of LGBT persons, including 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, 15, 16 and 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 necessary measures 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 people and LGBT persons; (b) allegations of racial profiling of persons from the Caucasus, Africa, Asia and of Roma origin that 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, revisiting and eradicating stereotypical prejudices; and**

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

Discrimination on the ground of sexual orientation and gender identity

12. The Committee reiterates¹ its substantial concern about institutionalized discrimination and stigmatization of LGBT persons in the State party, including through the 2013 law “on the propaganda of non-traditional sexual relations among minors” and its amendment approved in the first reading by the Parliament to ban the “denial of family values” and the “promotion of non-traditional sexual orientations” to all ages. It is concerned by the non-recognition of LGBT persons as a social group for the purpose of aggravated circumstances of an offence in the Criminal Code and consequent failure to provide LGBT persons with an adequate protection against violence and attacks. It is also concerned about persistent harassment of LGBT organizations and their members, including excessive restrictions of 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, harassment, hate speech, discrimination or violence against persons based on their**

¹ CCPR/C/RUS/CO/7, para. 10

sexual orientation or gender identity, including by providing adequate training for law enforcement officials, prosecutors and the judiciary; amending the Criminal Code to include LGBT persons for the purpose of 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 LGBT persons are investigated, 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 “on the propaganda of non-traditional sexual relations among minors” and any other legislation stigmatizing or discriminating against LGBT persons; and

(d) Ensure the full exercise of the freedom of expression, the right to peaceful assembly and freedom of association to LGBT persons.

Domestic violence

14. The Committee is concerned about delays in adopting a federal legislation prohibiting domestic violence. It is also concerned about reports of domestic violence that increased during the Covid-19 pandemic, lack of adequate services for victims, including shelters, significant constraints on victims to present their complaints and reluctant attitude 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 and that all cases of domestic violence are investigated, 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; and**

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

Sexual violence and harmful traditional practices

16. The Committee is concerned both about a lack of criminalization of marital rape and a lack of its inclusion as an aggravated circumstance of sexual violence crimes in the Criminal Code of the State party. It is also concerned about reports on the prevalence of female genital mutilation and so called “honour killings” in the North Caucasus 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, 6 and 7).

17. **The State party should:**

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

(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 victims provided with effective remedies under article 2(3) of the Covenant; and**

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

Counter-terrorism measures

18. The Committee is concerned about the ambiguous definition of terrorism in the 2006 Counter-Action against Terrorism Act, particularly, about a lack of clarity of “justifying terrorism” under article 205 of the Criminal Code and the application of these provisions to allegedly target political opponents, journalists, such as Svetlana Prokopyeva and those criticizing the government, as well as reports of incommunicado detention, torture, and ill-treatment of members of groups classified as terrorist organizations during the reporting period (arts. 2, 7, 9, 10, 14 and 17).

19. The Committee reiterates² its recommendations that the State party should take all measures necessary to ensure that its counter-terrorism legislation and its application are in full compliance with its obligations under the Covenant.

Torture and ill-treatment

20. The Committee is deeply concerned about reports of torture and ill-treatment in the State party, which is exacerbated by a lack of effective investigation of torture complaints and reprisals against complainants, non-existence of reliable disaggregated statistics and an absence of criminalization of torture as a separate crime in the legislation of the State party. The Committee is also concerned about reports that despite the prohibition by law, the detainees are used to maintain order in penitentiary facilities, including through acts of torture and ill-treatment of other detainees. The Committee is further concerned about the reports of insufficient conditions in penitentiary and detention facilities in the State party and in territories where the State party exercises effective control and a lack of an effective monitoring, that are conducive to torture and ill-treatment reported from 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 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 reprisals, ensuring that perpetrators are prosecuted and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies;

(d) Taking measures to improve conditions of detention to comply with the Covenant and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and ensure the independent monitoring of all detention and penitentiary facilities; and

(e) Providing effective training programmes for law enforcement officials, the judiciary, public prosecution and penitentiary staff, drawing up on international standards, including Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169), as well as awareness-raising programmes for detainees 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 risk of penalization, detention and refoulement of asylum seekers; limited reception conditions with no designated procedures for persons with specific needs, low recognition rate of non-Ukrainian asylum seekers; and difficulties in integration for temporary asylum holders 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 concerned about application of the

² CCPR/C/RUS/CO/7, para.13 and CCPR/C/RUS/CO/6 and Corr.1, para. 7

Decree n° 330 with regard to Ukrainian orphans and 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 UNHCR's comments to ensure compliance with the 1951 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; and**

(c) **Ensure that the Decree n° 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 to the appointment of members of the Constitutional Court and the Supreme Court, the presidents and judges of the federal courts, as well as the initiation of dismissal of appeals and cassation court presidents, vice-presidents and judges on vague grounds, 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, the prohibition of judges in that Court to publish or publicly refer to their dissenting opinions, may have altogether a chilling effect on the functioning of the Constitutional Court. The Committee is concerned that according to surveys, the public has a 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) **Strengthening the role of an independent body, in particular the High Judicial Council in the appointment and dismissal of judges and prosecutors and limit the broad power of the President in these processes;**

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

(d) **Taking all necessary measures 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 increasing allegations of harassment, violence and killing of opposition politicians, journalists, lawyers and human rights defenders, including reports of using unwarranted prosecutions, psychiatric evaluations and illicit substances to silence, discredit or kill critics of the government, such as politician Alexei Navalny and Vladimir Kara-Murza, journalist Dmitry Muratov and dissident Pytor Verzilov. The Committee expresses its deep concern about increasing reports of violence and harassment of journalists, in particular for writing about the war in Ukraine, including Ivan Safronov and Maria Ponomarenko. 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 of anti-war protests (arts. 1, 6, 7, 9, 14 and 19).

27. **The State party should immediately**

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

(b) **Conduct thorough and independent investigations into all allegations of harassment, intimidation, prosecution, poisoning of, violence against and 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 of March 2022 criminalizing: a) public dissemination of knowingly false information about the Russian army and the exercise of powers by the Russian public authorities abroad (art. 207.3), b) public discrediting of the Russian army or the exercise of powers by the Russian public authorities defending the interests of Russia and its citizens and maintaining international peace and security (art.280.3) and c) calls for sanctions against Russia, 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 (Roskomnadzor), at the request of the Prosecutor General, which allows journalists to report only the Russian Government's information about the war in Ukraine or face sanctions of blocking and fines. It is concerned about reports of blocking of thousands of sites and Internet resources, social media platforms (Twitter, Facebook, and Instagram) and suspending more than 20 media outlets, both national and international, including a major independent news outlet Novaya Gazeta. The Committee notes with great concern the dissolution of the Journalists and Media Workers' Union defending 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 express its substantial concern about limitations of 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 necessary measures 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, 284.2 of the Criminal Code, and refrain from adopting any further restrictions incompatible with article 19.**

(b) **Promote 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 through repealing restrictions and 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; and**

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

Combatting extremism

30. The Committee reiterates³ its concern about the vague, open-ended and regularly modified definition of “extremist activity” in the Federal Law on Combating Extremist Activity that 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 a civic space, including freedom of expression, for example through extra-judicial blocking of the Internet sites or censorship of books, songs and other artistic expressions. It is also concerned about infringements of the freedom of religion, targeting, *inter alia*, Jehovah’s Witnesses, and the application of disproportionate sanctions for alleged infractions, for example, the dissolution of institutions, such as the Mejlis of Crimean Tatars, and 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 clarifying the definition of “extremist activity” and defining it more precisely to ensure its compliance with article 19 of the Covenant. It should ensure compliance of both the law and its application with the Covenant, to all individuals under its effective control, and in particular refrain from its arbitrary use 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 of the authorities to authorize peaceful protests, in particular anti-war protests, alleged arbitrary detentions of hundreds of thousands of participants in peaceful protests and violent response of the law enforcement officials to peaceful assemblies. It is further concerned about implications on freedom of assembly of the Federal Law No. 260-FZ dated 14 July 2022 criminalizing public calls for activities aimed against the State security or at obstructing the exercise of the public bodies’ or officials’ authority to ensure the State security, on right of assembly. It is concerned about reports that participation in assemblies is hampered by the use of preventive detention, facilitated by the use of facial recognition systems that are not regulated by law, including as regards the procedure of 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 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 the requirement of *de facto* authorisation 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, 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 participants in peaceful assemblies whose detention is not compatible with the Covenant; and

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

³ CCPR/C/RUS/CO/7, para. 20; CCPR/C/RUS/CO/6, para. 24; CCPR/CO/79/RUS, para. 20

Freedom of association

34. The Committee reiterates⁴ its deep concern about legislation that severely restricts freedom of association, including that on “foreign agents” and “undesirable organizations”. It is further concerned about the recent expansion of these restrictions, including through Federal Law No. 225-FZ broadening different categories of “foreign agents” which apply to new groups, Federal Law No. 260-FZ criminalizing confidential cooperation with foreign State and international or foreign organizations, and Federal Law No. 260-FZ extending criminal liability to persons abroad for participating in, financing and organizing the activities of an “undesirable organisation” to persons abroad. The Committee is concerned that application of these laws has led to significant restriction or closure of the activities of numerous human rights organizations, including the 2022 Nobel Peace Prize laureate “Memorial” (arts. 14, 19, 21 and 22).

35. The State party should repeal or revise its legislation that restricts freedom of association, including that on “foreign agents” and “undesirable organizations”, end prosecution and persecution of individuals and organizations based on this legislation and allow 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 of citizens’ participation in electoral processes, at the federal, regional and local levels, including due to the limitations on opposition parties to organize, register candidates for public office, access media outlets, and conduct political campaigns, and about reported cases of government interference and manipulation in the elections. The Committee is concerned about burdensome administrative procedures limiting the access of observers and journalists to monitoring elections and about the overbroad application of the anti-extremist legislation to limit participation of political opponents. The Committee is greatly concerned about the lack of fair trial guarantees in the proceedings leading to the imprisonment of the opposition leader Alexei Navalny, including reports that his prosecution is politically motivated and about the conditions of his detention putting his health and life at serious risk. The Committee is also concerned that the amendments of the Constitution of 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 for opposition political candidates, and bring its electoral regulations and practices into full compliance with the Covenant. In particular, it should:

(a) Consider the revision of 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 of independent observers, media and journalists to monitor elections; and

(d) Release the 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.

⁴ CCPR/C/RUS/CO/7, para 22; CCPR/C/RUS/CO/6, para. 26

Violations of Covenant rights in the Autonomous Republic of Crimea and the city of Sevastopol

38. The Committee, reiterating its due regard for the General Assembly resolution 68/262 on the territorial integrity of Ukraine, remains⁵ gravely concerned about the reported violations of the Covenant in the Autonomous Republic of Crimea and the city of Sevastopol, which are under the effective control of the State party, including allegations of serious violations committed against residents of Crimea, in particular extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, including sexual violence, arbitrary detentions and arrests, torture and ill-treatment, in particular to extract confessions, and psychiatric internment, and their forcible transfer or deportation from Crimea to the Russian Federation, and lack of investigation of 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; and serious restrictions of freedom of expression, including freedom of the media, reported attacks and threats against media workers, prosecution of journalists and blocking of media outlets. It is also seriously concerned about allegations of discrimination against the Crimean Tatar and Ukrainian communities in Crimea, including with respect to education in their language and political participation, including dissolution of Mejlis. It expresses its concern about alleged persecutions, arrests and convictions of lawyers who provide professional assistance to victims of political repression, and the serious deficiencies of the judicial system, including the absence of public hearings under the pretext of 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 end, in particular extrajudicial killings, abductions, arbitrary detention, enforced disappearances, torture and ill-treatment; investigate all allegations, prosecute perpetrators, and, if convicted, punish them with commensurate sanctions and provide victims with effective remedies, under article 2 (3) of the Covenant;

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

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

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

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

⁵ CCPR/C/RUS/CO/7, para. 23

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 or 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 that remain unanswered by the State party and about further allegations of harassment, it has received, including in relation to participation of indigenous representatives in international fora (arts. 6, 19, 22 and 27).

41. **Based on article 27 of the Covenant, other international standards and constitutional guarantees, the State party should:**

(a) **Ensure participation of indigenous peoples in the decision-making process concerning their lands and resources based on the principle of free, prior and informed consent;**

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

(c) **Protect indigenous human rights defenders from all harassment, including in respect to their participation in relevant international fora on indigenous peoples' rights.**

D. Dissemination and follow-up

42. **The State party should widely disseminate the Covenant, its Optional Protocol, its eight periodic report 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 and non-governmental organizations operating in the country, and 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, paragraph 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, 27 and 29 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.**