



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Summary record of the 2212th meeting

Held at the Palais Wilson, Geneva, on Friday, 15 February 2013, at 10 a.m.

Chairperson: Mr. Calí Tzay

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The meeting was called to order at 10.05 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

Combined twentieth to twenty-second periodic reports of the Russian Federation (CERD/C/RUS/20-22; CERD/C/RUS/Q/20-22)

1. *At the invitation of the Chairperson, the delegation of the Russian Federation took places at the Committee table.*

2. **Mr. Osintsev** (Russian Federation) said that numerous NGOs, particularly those representing the small indigenous peoples of the North, had actively participated in the drafting of the report. Under article 15 of the Constitution, international instruments ratified by the Russian Federation, such as the Convention, were an integral part of the Russian justice system and the adoption of a general law against discrimination was therefore unnecessary. The Russian Federation had nonetheless developed a full legislative arsenal aimed at combating all forms of incitement to racial hatred and extremism, including the Federal Act on Political Parties and the Federal Act on Combating Extremist Activities. The latter also prohibited neo-Nazi propaganda and its dissemination and the circulation or wearing of Nazi symbols or emblems. In 2012, a candidate for the municipal elections had been forced to withdraw for breaching the Federal Act on Combating Extremist Activities. Following a reform of the administration of autonomous ethnic cultural organizations, there remained only 10 committees and commissions representing indigenous peoples, rather than 27 as before, but indigenous peoples continued to be represented in local parliaments. A Sami parliament had recently been established in the Kola Peninsula. In February 2011, President Medvedev had requested that measures should be put in place to guarantee equal access for all citizens to the public service, whatever their origin. Furthermore, many oblasts had established regional human rights ombudsmen, similar to the federal Ombudsman, but working with regional legislation.

3. In 2012, there were 250,000 Roma belonging to different ethnic groups. These persons, who were not referred to as Roma but rather as Gypsies (*tzigane*), were represented by the Federal Autonomous Ethnic Cultural Organization of Russian Roma, which was represented in the federal government. The overall plan for social, ethnic and cultural development for Gypsies for the period 2013 to 2014 was aimed at easing the integration of Gypsies to improve their socioeconomic prospects and encourage their integration.

4. **Mr. Zhuravsky** (Russian Federation) said that in 2010, the public authorities had held a census of the population and its ethnic composition, the detailed results of which would be submitted in writing to the Committee. The State granted various types of subsidies and financial support of up to several billion roubles to members of the small indigenous peoples of the North, Siberia and the Far East to ensure that they could maintain their traditional lifestyles through economic subsistence activities essential for their survival, such as fishing and reindeer farming. NGOs representing the interests of indigenous peoples were also entitled to a presidential subsidy for developing local initiatives. Furthermore, the Ministry of Economic Development subsidized community organizations and small and medium enterprises. The federal Government allocated the equivalent of 25 million to 48 million United States dollars per year to the regions where small indigenous peoples lived, the funds being used in consultation with the communities concerned. Alongside that, efforts were made to limit the effects of industrial activities, particularly mining, on indigenous peoples through the payment of indemnities of several million roubles. Furthermore, several major companies in the resource extraction sector had instituted support programmes for indigenous peoples to help them develop traditional forms of economic activity and to compensate for revenue lost as a result of extraction

activities. The programmes were bearing fruit; the demography of several indigenous peoples, notably the Telengits, Evens and Sojots, had progressed markedly in recent years and infant mortality had fallen significantly.

5. Indigenous peoples' traditional lands were subject to a special legal protection regime limiting economic activities that were harmful to the environment. Furthermore, a bill under consideration aimed to facilitate the recognition of certain indigenous territories as protected areas. Another bill was intended to afford indigenous peoples a right to unlimited use of the fishing resources on their ancestral lands. The Russian Federation was party to the Council of Europe Framework Convention for the Protection of National Minorities, and, while not a party, drew on the provisions of the International Labour Organization (ILO) Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (No. 169) to improve its legislation and public policies.

6. **Mr. Vagurin** (Russian Federation) said that several awareness-raising programmes to promote tolerance among young people had been introduced in all regions to curb rising extremism, including an international forum for young people in Ingushetia that was held in 2012. An interministerial working group to prevent extremism among young people had been established to study ways of fighting against racist propaganda and the spread of racist hate speech on the Internet. In order to ensure greater respect for constitutional rights, inquiries had been launched to investigate cases of abuse of power by law enforcement officials and instigate proceedings against those responsible. The Russian Federation took such problems seriously and intended, in particular, to amend the law to strengthen the prosecutor's oversight and so prevent the abuse of custody and pretrial and administrative detention.

7. **Ms. Yurkova** (Russian Federation) explained that, because of the non-compliance of its statutes, the Russian Association of Indigenous Peoples of the North (RAIPON) had temporarily suspended its activities. The statutes were being revised and the organization would soon be operational.

8. **Ms. Ermakova** (Russian Federation) said that school was free and compulsory for all children, regardless of their nationality, place of birth, migration status or statelessness, religious faith or ethnic origin. By the same token, the lack of a birth certificate was not an obstacle to school enrolment. Children and parents who did not speak Russian received special help in the form of private courses to facilitate their integration. Thanks to school enrolment programmes, close to 100 per cent of children living in the republics of the North Caucasus were currently attending school, and since 2003 annual studies had been carried out to monitor the situation as it developed. Russian legislation on education provided that small indigenous peoples could be taught in their mother tongue, in accordance with the legal provisions of the federal republics. Like students who had been taught in Russian, those who were taught in one of the national languages sat an exam at the end of their school education in order to obtain a certificate of their completed studies. Every year the public authorities granted refugee status to victims of political or other persecution, once the rigorous checks provided for by law had been performed. Between 2007 and 2012, 22 (4 per cent) of the 549 citizens from Africa who had requested refugee status had been successful. In total, for all nationalities combined, 20 per cent of asylum claims were granted during that period. Additionally, several thousand foreign students had been welcomed to the Russian Federation in 2011; 17 per cent were Asian and 12 per cent African.

9. **Ms. Larina** (Russian Federation) said that hate speech on the Internet was a complex problem and that a balance should be sought between repressing incitement to hatred and maintaining the right to free expression. Several measures facilitated the fight against hate speech, in particular the Federal Act on Combating Extremist Activities, and a

series of articles of the Criminal Code. In 2012, the Federal Supervision Service for Telecommunications, Information Technology and Mass Communications had issued 17 warnings to press outlets for breaches of the 1991 Mass Media Act that prohibited the use of the media for extremist activity, provoking ethnic or religious conflict or inciting ethnic or religious hatred. A journalists' code of ethics was also being drafted.

10. **Ms. Mukabenova** (Russian Federation) said that Russian legislation prohibited discrimination based on sex, religion or nationality and that numerous projects were run for minority women, particularly in the fields of health and education.

11. **Mr. Rucheykov** (Russian Federation) explained that migrants were recorded in a register not to limit their freedom of movement, but rather in order to take a census of them and allow them to exercise their rights and benefit from social security. On 1 January 2013 there were 38,000 displaced persons in the Russian Federation, mainly in North Ossetia and Ingushetia. According to the data available for 2012, over 198,000 stateless persons had been granted Russian citizenship, 190,000 a temporary residence permit, and 145,000 a residence permit. Persons awarded refugee status could also request naturalization one year after receiving refugee status. Between 2010 and 2012, 34 refugees had been granted Russian citizenship.

12. **Mr. Morozov** (Russian Federation) explained that the Act on Combating Extremist Activities, in force since 2002, had been amended several times to extend and refine the concept of extremist activity. The State Duma, the lower house of the Federal Assembly, was considering a bill criminalizing complicity in extremism, including complicity linked to financing extremist activities. The number of extremist offences had increased over the previous 8 years, rising from 130 in 2004, to 700 in 2012, although the number of homicides committed by extremists had fallen and only 6 had been recorded in 2012. All training organized by the Ministry of Internal Affairs included modules on cultural diversity and combating xenophobia and nationalism.

13. **Mr. Amir** expressed surprise at the resurgence of neo-Nazi movements in the State party and asked for information on the social and professional category of members of the Nazi and anti-Semitic groups that were currently rife in the Russian Federation.

14. **Ms. Crickley** (Country Rapporteur) asked the delegation to indicate the measures taken to ensure that legislation to combat extremism and terrorism did not curtail individual rights and freedoms. She would like to learn about the Cossack patrols that were springing up in Moscow, and asked in particular whether they were part of the police force and how their members were recruited. The delegation could perhaps explain why the small indigenous peoples of the North were unable to engage in non-traditional economic activities, and indicate whether bills were being drafted to protect the exercise of their rights. It would also be useful to know whether the Roma were consulted regarding decisions that concerned them, and why 24 houses inhabited by Roma families had been destroyed in Tula province. Information would also be welcome on amendments to the registration procedure for foreigners, refugees and stateless persons.

15. **Mr. Morozov** (Russian Federation) said that fascist and racist movements were indeed active in the country but that considerable efforts were being undertaken by the police to monitor their activities. Over 20 Nazi groups had thus been neutralized over the course of the previous two years. The Russian authorities had also taken radical measures to combat racism in sport.

16. **Mr. Zhuravsky** (Russian Federation) clarified that the Cossack patrols were in fact under the control of the police and that their members were not armed and were recruited on a voluntary basis. A programme to combat racism in football, introduced by the Ministry of Sport and Tourism, placed emphasis on prevention.

17. **Ms. Shamshina** (Russian Federation) explained that a study carried out on the activities of the small indigenous peoples of the North had revealed that the indigenous peoples were extracting nephrite outside the authorized zone and infringing environmental protection regulations. The Ministry of Internal Affairs had therefore requested the launch of legal proceedings against the communities concerned for illegal exploitation of that mineral.
18. **Ms. Larina** (Russian Federation) said that women enjoyed equal rights in the Russian Federation, including in the field of employment, and that many women occupied positions at the very highest levels of government.
19. **Ms. Ermakova** (Russian Federation) said that a regulation had been circulated in 2012 concerning the procedure for the enrolment in school of children whose parents were unregistered or stateless.
20. **Mr. Vagurin** (Russian Federation) said that legislation to combat extremism set out the inviolable principles of protection of the rights of citizens and preventive measures against acts prejudicial to individual freedom. The principle of legality meant that the fight against extremism had to be carried out in conformity with federal legislation.
21. **Ms. Yurkova** (Russian Federation) explained that recent amendments to the 1996 Federal Act on Non-Profit Organizations were aimed at protecting national interests and ensuring the financial transparency of organizations.
22. **Mr. Osintsev** (Russian Federation) said that a comprehensive plan for the development of Russian Gypsies had been adopted in January 2013. To the best of his knowledge, no house belonging to any Gypsy had been destroyed in the Tula province and any housing problems that might arise were resolved by the public authorities in strict accordance with the law.
23. **Mr. Diaconu** asked whether indigenous communities living in one of the traditional areas on the Government's list enjoyed privileged access to the natural resources contained in those areas and whether the territories concerned were adjacent, thereby permitting the seasonal migration of reindeer herds. He also wished to know whether the small indigenous peoples were fairly represented in the public administration and service, and whether the treatment of persons displaced within a constituent entity of the Russian Federation was the same as the treatment of persons who had been forced to move to another constituent entity. In other words, was there a difference between the treatment of those who left Grozny for another region of Chechnya and those who left Chechnya for Ingushetia, for example?
24. **Mr. Kemal** asked whether the 1.5 million persons who had acquired Russian citizenship in the 2000s were ethnic Russians who lived in member countries of the Commonwealth of Independent States (CIS), and whether the drop in the number of naturalizations since 2010 marked the end of that process.
25. **Ms. Zolotova** (Russian Federation) said that information on the application of the Convention by the courts was not available but that she would ensure that it was provided in the following periodic report. She nonetheless clarified that, in order to make rulings, the courts referred to the decisions and interpretations of various international human rights bodies, such as the European Court of Human Rights and the recommendations of the treaty bodies of the United Nations regarding individual complaints.
26. **Mr. Zhuravsky** (Russian Federation) said that the list of traditional zones and traditional economic activities of the small peoples of the North set out by the Government did not prevent herders from crossing other zones with their reindeer herds. Furthermore, passages had been built in industrialized zones to allow them to bypass certain obstacles like motorways and gas pipelines. The inclusion of an A zone was always included in the list in consultation with the regional authorities and representatives of the indigenous

community concerned and, given the financial stakes (the allocation of federal Government funds), discussions were often lively. The special measures applied as part of the policy to support indigenous peoples were economic (fishing and livestock quotas and tax breaks); they were never aimed at favouring a particular ethnic group. The small indigenous peoples were represented in regional legislative assemblies, ministries and public bodies. Moreover, places that were sacred or held religious meaning for ethnic communities were protected in the northern territories, the Volga Federal Area and the Altai Republic, among others.

27. **Ms. Prokofieva** (Russian Federation) said that persons who were obliged to move from one constituent entity to another for professional reasons received material support intended to cover the expense of moving, relocation and other related costs.

28. **Mr. Rucheykov** (Russian Federation) added that, previously, to obtain the status of “internally displaced person” and thereby receive State protection, a person had had to cross an administrative boundary, in other words to leave the territory of a constituent entity. The decree establishing that requirement, which was aimed at guaranteeing protection for persons who had fled Chechnya, had been withdrawn and State support had been extended to persons who did not cross the administrative boundary of a given entity. The majority of those who had acquired Russian citizenship in the previous 10 years had indeed been citizens of neighbouring Russian-speaking CIS countries.

29. **Ms. Umarova** (Russian Federation) said that the conversion, restoration and reconstruction of heritage was the responsibility of the federal Government and that the national cultural heritage programme 2012–2018 had been allocated a budget of several million roubles.

30. **Ms. Shamshina** (Russian Federation) said that, given the strength of feeling, both in the country and internationally, about the lack of condemnation of the Mayor of Sochi following his comments on the Gypsy community, the Prosecutor of the town of Sochi and the relevant authorities would be closely following the action taken.

31. **Mr. Ewomsan** asked how the emergence of extremist and neo-Nazi movements could be explained in a country that had fought those very phenomena during the Second World War.

32. **Mr. Vázquez** asked whether the State party intended to require all large enterprises that established operations on indigenous lands to compensate the members of the communities concerned.

33. **Mr. de Gouttes** asked whether, in that regard, the State intervened to encourage social responsibility among those enterprises and whether the nature of their activities might endanger the indigenous peoples’ lifestyle. He also asked whether the religious organizations of all confessions that coexisted in the country were a factor for social cohesion.

34. **Ms. Larina** (Russian Federation) said that the Government had adopted a law to combat extremism that prohibited all propaganda and other manifestations of Nazi ideology, including the use of symbols and references to *Mein Kampf*.

35. **Mr. Vagurin** (Russian Federation) said that extremist propaganda was present first and foremost on the Internet and that to combat that largely urban phenomenon, the Government should review its policy on migration between regions, tackle youth unemployment and corruption, and mitigate political and social conflicts to prevent extremists from being able to exploit those problems and radicalize the disadvantaged.

36. **Mr. Zhuravsky** (Russian Federation) said that the Cossack patrols represented an independent social and cultural group which, like its ancestors in the eighteenth and nineteenth centuries, offered assistance to the army and the police, in accordance with the

law. To prevent any abuse, the level of compensation paid to indigenous communities by large enterprises was set by tripartite agreements between the enterprises, regional authorities and indigenous communities. Major corporations like Gazprom, Novatek and Rosneft had introduced social programmes for indigenous communities. Religious organizations undeniably contributed to social cohesion and peacebuilding.

37. **Ms. Crickley** (Country Rapporteur) outlined the issues of concern that would feature in the Committee's concluding observations addressed to the State party, notably the lack of a clear definition of racial discrimination in Russian law or measures to prohibit and prevent the phenomenon; the emergence of extremist and neo-Nazi movements; the difficulty for indigenous communities of meeting their needs while preserving their traditional way of life; and discrimination against Roma, and the obstacles experienced by migrants, minorities and stateless persons regarding administrative procedures.

The meeting rose at 1 p.m.