



International Covenant on Civil and Political Rights

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Summary record of the 3934th meeting

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Chair: Ms. Pazartzis

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The meeting was called to order at 3. p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (continued)

Eighth periodic report of the Russian Federation considered in the absence of a delegation (CCPR/C/RUS/8; CCPR/C/RUS/Q/8; CCPR/C/RUS/RQ/8)

1. **The Chair** said that the State party had been informed in November 2021 that the Committee would consider its eighth periodic report (CCPR/C/RUS/8) at its 134th session in March 2022. While the State party had initially intended to send a delegation to attend the meetings in question, it had informed the Committee on 28 February 2022 that the closure of the airspace by States members of the European Union prevented it from doing so. The Committee had rescheduled its consideration of the report to its 135th session, but the State party had requested that it should be postponed until a later date owing to the difficult international situation. The Committee had urged the State party to adhere to the schedule so that it could effectively discharge its mandate and had suggested holding the dialogue in hybrid format. As the State party had then reiterated its request for a postponement, the Committee had rescheduled the review to the current session and had advised the State party that it would, if necessary, consider the report in the absence of a delegation, in accordance with article 68 of the rules of procedure, and that it would issue its concluding observations during the session. The State party had informed the Committee on 12 October 2022 that serious organizational and technical difficulties continued to hinder the attendance of a delegation in person and it had declined the invitation to participate in a dialogue in hybrid format.

2. The Committee regretted the unfortunate situation that had arisen, which was not conducive to a meaningful review of the State party's periodic report, a situation about which the Human Rights Council had also expressed regret, in its recently adopted resolution 51/25. The Committee wished to remind the State party that ratification of the Covenant entailed the obligation to submit reports on the measures adopted to give effect to the rights under the Covenant rights and on the progress made in the fulfilment of its obligations under the Covenant. Representatives of the State party were also expected to be present at meetings of the Committee when their reports were being examined. The General Assembly had, in its resolution 68/268, recalled that the full engagement of States parties in interactive dialogues with human rights treaty bodies was a key component of the periodic review process. The Committee regretted the absence of a delegation and wished to reaffirm that it remained open to cooperation and engagement with the State party in the future.

3. Recalling the statement adopted by the Committee in March 2022 (CCPR/C/134/2), in which it had expressed extreme concern at the ongoing military invasion of Ukraine by the Russian Federation, conducted in breach of fundamental principles of the United Nations, and had urged the State party to take all measures necessary to comply with its obligations, in particular with the right to life, she said that the Committee nonetheless continued to receive reports of a deteriorating situation regarding respect for the rights protected under the Covenant.

4. **Mr. Santos Pais** said that the State party had provided quite detailed information on the Russian legal framework, for which the Committee was grateful, but that it had failed to provide adequate information on the practical implementation of domestic legislation. Moreover, there seemed to have been a significant curtailment of the rights and freedoms guaranteed by the Covenant in recent years.

5. The invasion of Ukraine by the State party's military forces had been described by the General Assembly in resolution ES-11/1 of 2 March 2022 as an act of aggression in violation of Article 2 (4) of the Charter of the United Nations. The Committee's concerns, as expressed in its previous concluding observations (CCPR/C/RUS/CO/7), regarding armed conflicts in the Donbas region of Ukraine and violations of the rights of residents of the Autonomous Republic of Crimea and the city of Sevastopol, had significantly deepened since that invasion. Various international organizations had reported cases of arbitrary detention, torture, summary executions, rape, enforced disappearances and forcible transfer from

Ukraine to the Russian Federation of many thousands of civilians, human rights defenders, journalists, politicians and activists.

6. The Committee disagreed with the State party's approach to compliance with its Views on individual communications. On ratifying the Optional Protocol, a State party implicitly undertook to cooperate with the Committee in good faith and committed serious violations of its obligations under the Optional Protocol if it treated the Committee's Views as nugatory and futile. Article 79 of the Russian Constitution, as amended by Act No. 885214-7, stated that decisions by intergovernmental bodies that interpreted international treaties in a manner that was incompatible with the Russian Constitution were not enforceable, and article 125, as amended, granted the Constitutional Court power to rule on their status. The Committee's Views were thus enforceable only if the domestic authorities found them acceptable, and none of its Views had hitherto been implemented by the Russian Federation. He wished to know whether a permanent internal mechanism had been tasked with preparing reports to treaty bodies and with monitoring the implementation of the Committee's concluding observations and Views. He would also appreciate detailed information on human rights courses for members of the judiciary and procurators and on any rulings handed down by Russian courts in which the provisions of the Covenant had been applied.

7. **Ms. Tigroudja** said that the Covenant remained applicable in situations of armed conflict and military occupation. In addition, article 2 of the Covenant stipulated that its provisions were applicable to all individuals within a State party's territory and subject to its jurisdiction. As the State party exercised effective control over the Donbas region and South Ossetia, it was bound to ensure compliance in those regions with the provisions of the Covenant. The Committee had received numerous reports of violations of Covenant rights in the regions over which the State party exercised effective control and it deplored the total lack of information received from the State party on the application of the Covenant in such territories.

8. The Committee had been informed of almost 8,000 cases of enforced disappearance in Chechnya and the North Caucasus as a whole. According to the reports, no investigations had been conducted and the bodies of missing persons had not been located and returned to their families. Human rights defenders had allegedly been subjected to assassinations, torture, intimidation and enforced disappearances in the North Caucasus. Yet the State party claimed in its replies to the list of issues ([CCPR/C/RUS/RQ/8](#)) that no illegal acts had been committed in the region. No investigation had been conducted into the killing in 2009 of the human rights defender Natalia Estemirova, and the European Court of Human Rights had concluded, in a judgment handed down on 31 August 2021, that there had been a violation of the right to life in procedural terms and that the respondent State had failed to comply with its obligation to furnish facilities for the examination of the case.

9. The Committee had received numerous reports of violations of the rights of lesbian, gay, bisexual, transgender and intersex persons in the North Caucasus, including massive abductions, attacks, verbal and physical violence, arbitrary arrests and detention and torture, which had allegedly been perpetrated in a climate of total impunity. In its judgment in the case of *Aslakhanova and others v. Russia* in 2012, the European Court of Human Rights had drawn attention to the systemic failure to investigate kidnappings and enforced disappearances in Chechnya and Ingushetia, and had recommended that the Russian authorities should take certain measures, as a matter of urgency, to remedy those shortcomings. The Committee was seriously concerned about the State party's denial of many widely documented violations and about the persistence of a climate of impunity.

10. **Ms. Kran** said that the Committee had received numerous credible reports of widespread harassment, torture and other rights violations committed with impunity by State agents in the North Caucasus against human rights defenders, political opponents, journalists, community leaders and bloggers. It was also aware of the forced conscription of individuals to fight in the war in Ukraine.

11. Twenty women who had protested in September 2022 against the conscription of Chechens to fight in Ukraine had been detained and beaten by law enforcement officers. The Chechen President had called them enemies of the people and had warned that male relatives

of demonstrators would be forcibly conscripted. Such action violated articles 7 and 21 of the Covenant and was inconsistent with the Code of Conduct for Law Enforcement Officials, adopted by the General Assembly in its resolution 34/169.

12. Although the State party stated in its replies to the list of issues that the trial of Mr. Oyub Titiev had been unrelated to his professional activities relating to human rights, the trial had been conducted in a manner that violated both the right to a fair trial and the prohibition of inhuman and degrading treatment. Mr. Salekh Magamadov and Mr. Ismail Isaev, who were defenders of the rights of lesbian, gay, bisexual, transgender and intersex persons, had been sentenced in February 2022 to terms of imprisonment of 8 and 6 years, respectively, on allegedly fabricated charges of complicity with illegal armed formations under the ambiguously worded article 208 of the Criminal Code.

13. The Committee had been informed of other politically motivated prosecutions in the North Caucasus region, including the conviction in 2019 of prominent activists in Ingushetia of participation in an extremist group during peaceful protests that had been violently dispersed by the Russian security forces. The State party had reportedly failed to conduct effective investigations into the torture, disappearance and murder by Chechen security forces in 2020 of Mr. Salman Tepsurkaev, a 19-year-old dissident, and into the violent attack in an incident incited by the President of the Chechen Republic in 2020 of Ms. Elena Milashina, a journalist, and Ms. Marina Dubrovina, a human rights defender.

14. The Committee had received reports of over a hundred cases in which persons, including children, had been detained as a result of protesting against the war in Ukraine in September 2022. Apparently, none of the incidents had been adequately investigated.

15. The Chechen military, police, and paramilitary forces increasingly used collective punishment to deter activists and dissidents. In January 2022, the Chechen police had abducted the diabetic mother of Mr. Abubakar Yangulbayev, a human rights defender, reportedly to deter him from undertaking work on torture prevention in the North Caucasus. No remedies had been provided to victims of collective punishment.

16. **Mr. Ben Achour** said that hate speech and hostile rhetoric appeared to be a relatively widespread phenomenon in the State party, particularly during electoral campaigns, and were sometimes accompanied by violent acts. According to the information received by the Committee, the main targets were migrants, especially from the Caucasus and Central Asia, Muslims, Ukrainians, lesbian, gay, bisexual, transgender and intersex persons, the Roma and refugees. Unfortunately, leading political personalities and religious leaders also occasionally resorted to hate speech. For example, the President of the Russian Federation and the Patriarch of the Russian Orthodox Church had both stigmatized lesbian, gay, bisexual, transgender and intersex persons.

17. Racial profiling appeared to target the Caucasian community, Africans, Asians and the Roma and had escalated during the coronavirus disease (COVID-19) pandemic. Law enforcement bodies were reported to use artificial intelligence, especially in Moscow, to investigate or collect information on certain minorities, thereby violating many articles of the Covenant.

18. Federal Act No. 114-FZ on Countering Extremist Activities could be applied, owing to certain vague provisions, to non-violent activities and religious minorities. The federal list of extremist materials compiled by the Ministry of Justice featured some 4,200 items, including Islamic publications, Jehovah's Witness pamphlets, a fundamentalist Orthodox pamphlet, atheist documents, and documents published by the political opposition. It could thus be used as a means of repression or discrimination, particularly against religious minorities.

19. **Ms. Tigrudja** said that the Committee was seriously concerned about institutionalized discrimination against lesbian, gay, bisexual, transgender and intersex persons. The State Duma had discussed in June and October 2022 a text aimed at bolstering the fight against the "ideology and propaganda" of lesbian, gay, bisexual, transgender and intersex persons. Any information that denied family values or promoted non-traditional relationships would allegedly be comparable to propaganda in support of drugs, suicide and extremism. The State party had thus ignored the Committee's recommendations in its

previous concluding observations and appeared to be reinforcing its discrimination on the grounds of sexual orientation and gender identity.

20. The State party was required to take vigorous action against attacks, abuse, stigmatization by hate speech or incitement to violence based on discrimination against a particular social group. However, lesbian, gay, bisexual, transgender and intersex persons were not recognized as a social group under the Criminal Code. Homophobic or transphobic violence and conduct had therefore not been prosecuted, with discrimination as an aggravating circumstance, in the State party, and the perpetrators enjoyed impunity. Such institutional discrimination and stigmatization encouraged conversion therapies aimed at altering a person's sexual orientation or gender identity by force, ignorance and fear.

21. The Committee deplored the excessive restriction of the rights of lesbian, gay, bisexual, transgender and intersex persons to peaceful assembly and freedom of expression. Since late 2021, a dozen individuals and a dozen non-governmental organizations (NGOs) who protected those rights had been placed on a list of "foreign agents", which was maintained by the Ministry of Justice, as a result of which they were denied freedom of movement, were prevented from conducting their activities, and had had their assets frozen. The Committee therefore reiterated the recommendation contained in its previous concluding observations and its findings in individual communications concerning the right to peaceful assembly and freedom of expression without discrimination on transphobic or homophobic grounds.

22. **Mr. Santos Pais** said that almost 33,000 crimes of domestic violence had been reported in 2012 and almost 65,000 in 2016, but they probably constituted only a small proportion of the total number. According to a joint study by the Russian Federal Statistics Service and the Ministry of Health, 38 per cent of Russian women had been subjected to verbal abuse and a further 20 per cent had experienced physical violence, but only a very small proportion of such incidents had been reported to the police. A 2017 report by the Russian High Commissioner for Human Rights had noted a lack of progress in addressing the problem of domestic violence. As a result of the adoption of recent legislative amendments, assault on family members was now considered a criminal offence only if committed for a second time within 12 months or if it had resulted in minor bodily harm. The main aim of decriminalizing acts of battery inflicted by spouses, parents or partners appeared to be to avoid interference in the Russian family and to prevent an assault on traditional values.

23. The Committee wished to know whether the State party was considering enacting legislation on domestic violence and criminalizing such conduct with a view to sanctioning perpetrators, providing for restraining and protective orders and increasing the number of years for the statute of limitations. It was important to compile consolidated and disaggregated statistics on domestic violence and to organize related training courses for law enforcement officers, judges, prosecutors and other public officials.

24. Steps should be taken to facilitate the receipt of complaints by victims, to increase the number of places in State-run shelters, and to facilitate and shorten the decision-making process for admission to such shelters. Public awareness of the adverse impact of domestic violence should be raised by means of regular nationwide information campaigns.

25. **Mr. Zyberi** said that while assistance for abused women was provided by social service organizations, the scope of coverage across the country was unclear. The impact of the 2017–2022 National Strategy for Women was also unclear.

26. Expanding the range of sexual violence offences that were criminalized would protect victims from, inter alia, sexual harassment, sextortion, image-based sexual abuse, and non-consensual image- or video-sharing. Adequate social and psychological support should be provided to victims.

27. The report of the Independent International Commission of Inquiry on Ukraine had identified rape and other crimes of sexual violence committed against victims of all ages by Russian armed forces in Kyiv, Chernihiv, Kharkiv and Sumy. Such crimes had also reportedly been committed in the regions of Donetsk, Luhansk, Kherson and Zaporizhzhia,

which were occupied by Russian military forces. Steps should be taken to investigate and prosecute the perpetrators.

28. While the Criminal Code contained a number of provisions aimed at preventing female genital mutilation and so-called honour killings, it was unclear what measures had been taken by the State party to address those crimes and how many investigations and prosecutions had been undertaken during the reporting period. It was essential to generate disaggregated data on reports of sexual violence and harmful traditional practices to ensure that effective measures were taken against such acts.

29. Referring to paragraphs 151 and 35–37, respectively, of the State party's report, he said that the Committee would appreciate information on the status of both the draft road map to address social disadvantages and prevent violence against women, and the federal bill on the prevention of domestic violence, which had been drafted in the State Duma in 2014.

30. **Ms. Kran** said that the Committee was concerned that the 2006 Federal Counter-Terrorism Act and article 205 of the Criminal Code concerning terrorism were being used to prosecute political opponents and persons who criticized the Government. Ms. Svetlana Prokopyeva, a journalist who had stated in 2018 that the suicide bombing of a Federal Security Service building in Arkhangelsk was linked to the social and political situation in Russia, had been convicted for "justifying terrorism" under article 205 (2) of the Criminal Code. The Committee had received credible reports that her defence counsel had not been given adequate time to prepare her case, which constituted a violation of article 14 of the Covenant and was inconsistent with the Basic Principles on the Role of Lawyers. The Committee's general comment No. 34 (2001) stated that offences, including "justification of terrorism", should be clearly defined to ensure that they did not lead to unnecessary or disproportionate interference with the freedom of expression.

31. In another case of alleged misuse of the Federal Counter-Terrorism Act, a member of the Memorial civil society organization who had filed human rights cases in national courts and the European Court of Human Rights had been charged, in February 2022, with glorifying terrorism in the Uzbek language in a Facebook post. The purpose of the charge was allegedly to put pressure on Memorial.

32. It was reported that article 3 (1) of the Federal Counter-Terrorism Act, which defined terrorism as an "ideology of violence", had been used arbitrarily to infringe persons' right to liberty, a right that was enshrined in article 9 of the Covenant. Article 2 (1) of the Act stated that counter-terrorism activities served to protect fundamental civil and human rights. Yet the Committee had received credible reports of incommunicado detention, torture and ill-treatment of members of at least forty groups that had been classified as terrorist organizations during the reporting period. Article 2 of the Covenant required States parties to provide effective remedies in such cases.

33. **Mr. Ben Achour**, referring to paragraphs 57–65 of the State party's replies to the list of issues, said that, although the Committee had received credible reports of cases of torture, it was difficult to draw reliable conclusions about such reports, owing to the ineffectiveness of investigations, the lack of statistics and the fact that video recordings of procedural actions were preserved for only one month. However, video recordings had demonstrated that cases of torture and rape had occurred in October 2021 in Saratov prison hospital for detainees suffering from tuberculosis. According to information received by the Committee, around one hundred cases of torture had been reported during the period from 2015 to 2020. The authorities had launched extensive investigations in 20 regions of the State party, but the results were allegedly unsatisfactory and the perpetrators either enjoyed impunity or received light sentences.

34. The State party had still not established torture and ill-treatment as separate criminal offences. In prisons and other places of detention, inmates had the right to lodge complaints of torture and ill-treatment, but prison officials allegedly discouraged them from doing so by punishing anyone – sometimes with weeks of solitary confinement – who lodged a complaint. It was also reported that prison officials pitted inmates against each other with a view to ensuring that complainants dropped their complaints, and that people who submitted complaints were sometimes charged with making false reports. The Committee was further concerned at the situation in the occupied territories of Ukraine, which was worse still.

35. **Mr. Zyberi**, commending the State party for its efforts to improve the national legal framework in favour of stateless persons, asylum-seekers and refugees, said that a sizeable number of people in the State party nevertheless remained stateless or at risk of statelessness. The State party should expedite the process of signing into law the bill on asylum in the Russian Federation.

36. Asylum-seekers in the State party faced a wide range of challenges. It would be useful to know whether the Government intended to make a particular entity responsible for the integration of refugees and asylum-seekers. Any steps taken to confer Russian nationality on orphans or other children without parental care from Ukraine could be incompatible with international law.

37. **Mr. Santos Pais** said that, despite constitutional guarantees of judicial independence, Constitutional Court and Supreme Court justices were appointed and dismissed by the Federation Council, the upper house of the Federal Assembly, based on proposals made by the President, and federal court judges were appointed by the President. Judges were now prohibited from making their dissenting opinions public. Furthermore, all law enforcement agencies, including intelligence and other agencies, had been brought under the control of the President. Since 2020, when the Constitution had been amended, the Procurator General, whose office was meant to have broad supervisory powers over the executive and legislative branches of government, investigative bodies and administrative agencies, also answered to the Head of State.

38. Many court rulings in the State party were never executed, and, in 2019, the courts had acquitted only 0.36 per cent of all defendants. It would be useful to know what measures the State party intended to take to combat corruption in the judicial system and whether judges and prosecutors were required to declare their assets, including assets held in foreign countries. It would also be useful to know what was being done to combat the public's lack of confidence in the judicial system.

39. **Ms. Kran**, referring to the harassment reportedly faced by lawyers, journalists, human rights defenders and opposition politicians, said that Mr. Alexey Navalny, who appeared to have been imprisoned for being an opposition politician, was still in prison even though the European Court of Human Rights had ruled that the trial that had led to his imprisonment had not been fair and a witness for the prosecution had recanted. More than 130 candidates or potential candidates for regional elections in September 2022, of whom many were associated with Mr. Navalny's opposition party, had been prosecuted for administrative or criminal offences, preventing them from standing for election. Sixty of those candidates had been removed from the ballot, in apparent violation of article 25 of the Covenant, pursuant to legislation designed to combat extremism.

40. Legal action against politicians who criticized the Government was becoming disturbingly common. In October 2022, for example, Mr. Vladimir Kara-Murza had been charged with treason for having publicly criticized the war in Ukraine. Also troubling was the practice of subjecting activists and dissidents to psychiatric evaluation and treatment. Others were arrested on dubious drug charges. In the past decade alone, several attempts had been made to kill prominent dissidents. The victims of those assassination attempts, carried out using sophisticated poisons developed by the State, had included Nobel laureate Mr. Dmitry Muratov, Mr. Navalny, Mr. Kara-Murza and Mr. Pyotr Verzilov.

41. Independent journalism in the Russian Federation appeared to be non-existent. Thousands of journalists had been hounded or otherwise persecuted. There had been dozens of attempts, some successful, on their lives. There was nothing to suggest that those crimes, including the killings of the journalists Mr. Khadzhimurad Kamalov and Mr. Akhmednabi Akhmednabiev, had been properly investigated. Hundreds of journalists had been jailed for reporting on the war in Ukraine or protests about the war. For writing about the Mariupol theatre airstrike, for instance, Ms. Maria Ponomarenko had been charged with discrediting the Russian armed forces and placed in solitary confinement.

42. The number of reports indicating that lawyers were prevented from confidentially communicating with their clients and that they faced unwarranted disciplinary proceedings had increased since February 2022, when the State party had launched its war on Ukraine.

Under the Basic Principles on the Role of Lawyers and article 14 of the Covenant, everyone charged with a criminal offence was entitled to the assistance of legal counsel.

43. **Mr. Zyberi** said that the Committee was concerned about amended article 148 of the Criminal Code (Federal Act No. 136-FZ of 29 June 2013), under which insulting citizens' religious beliefs and feelings had been made an offence. The State party's explanation that religious feelings were the devout attitude of a person towards something he or she held sacred did little to allay the Committee's concerns. The widespread practice of filing defamation charges had an adverse effect on freedom of expression and the press.

44. **Ms. Kran** said that the law under which the dissemination of what was termed fake news or unreliable information was punishable contained imprecise definitions, making it possible for the law to be applied arbitrarily. Legal provisions restricting freedom of speech had to be drafted precisely if they were to be compatible with article 19 of the Covenant. Since February 2022, the authorities had reportedly blocked hundreds of media outlets. Fake news, it seemed, was any news not from official sources.

45. Federal lawmakers were reportedly considering adopting a law that would allow the Office of the Procurator General to close media outlets without a court order, a step that would remove even the veneer of lawfulness from the State party's unprecedented clampdown on freedom of expression.

46. Educational institutions, too, were affected by the clampdown. Educators, according to reports, had been fired for anti-war remarks, and students had been forced, in violation of article 20 of the Covenant, to attend pro-war events organized by the State. In addition, the monitoring and disruption of Internet traffic and use of facial recognition software to identify peaceful protesters had adverse effects on freedom of expression. Excessive monitoring of the type currently favoured by the State party's authorities was incompatible with article 19 of the Covenant.

47. **Mr. Ben Achour**, noting that the Government or its supporters appeared to control all the State party's television channels, many of its print and online media and the majority of the advertising market, said that the media environment in the State party had been growing more difficult by the month, in particular since February 2022, as the expression of dissenting views had become a punishable offence. In addition, Academics in all fields were adversely affected by the unjustified restrictions on academic freedom imposed by the Ministry of Education and Science, in particular in respect of relations between universities in the State party and universities abroad. Those restrictions should be lifted.

48. **Ms. Tigroudja** said that, according to reports, Federal Act No. 114-FZ of 25 July 2002 on Countering Extremist Activities was used by the State party's authorities to target political opponents, human rights defenders, journalists, religious communities, artists and lawyers, among others, and lay at the heart of a complex institutional, legislative and administrative mechanism for attacking civic space. Reiterating the concerns expressed and recommendations made by the Committee in paragraphs 19 and 20 of its previous concluding observations (CCPR/C/RUS/CO/7), she said that the Committee was concerned that there was still no clear definition of extremist activity or extremism in domestic legislation, that courts conducted only a superficial assessment of such activity before reaching a decision, that there had been interference with Jehovah's Witnesses' right to profess their religion, that conscientious objection and the refusal to accept blood transfusions were considered forms of extremism, that the punishments imposed for extremism were particularly severe, ranging from censorship to arbitrary arrest and detention, and that no action had been taken in response to findings of the Working Group on Arbitrary Detention in that regard.

49. **Mr. Ben Achour** said that he wondered whether the notification procedure for the organization of public events provided for by Federal Act No. 54-FZ of 19 June 2004 on Meetings, Rallies, Demonstrations, Marches and Picketing was compatible with the Covenant. More generally, there were concerns over serious and repeated violations of the right to freedom of assembly and association, particularly in the context of anti-war protests. The number of political prisoners in the State party continued to rise and there had been reports of excessive use of force by law enforcement officers against protesters. The situation had been exacerbated by legislative amendments introduced in recent years, in particular a provision of the Criminal Code pursuant to which the repeated violation of rules governing

public assemblies was punishable by up to 5 years' imprisonment. The provision had twice been found not to be unconstitutional by the Constitutional Court. Nevertheless, he invited the State party to review its policy of repression of peaceful protests.

50. **Ms. Kran**, noting reports of widespread ill-treatment, including torture, of detained anti-war protesters, said that Federal Act No. 121-FZ on Non-Commercial Organizations, known as the "foreign agent law", provided for the imposition of disproportionate sanctions such as forced labour and the dissolution of organizations. Hundreds of independent journalists, human rights defenders and organizations, including the human rights group Memorial, which had been liquidated as a legal entity earlier that year, were registered as "foreign agents" in the Russian Federation. The implementation of the Act, particularly during the reporting period, had created a situation in which the only information available to citizens was State propaganda.

51. Also of concern was Federal Act No. 129-FZ on Amendments of Some Legislative Acts of the Russian Federation, known as the "undesirable foreign and international organizations law", which enabled the criminal prosecution of any individual who managed, donated to or, in certain cases, merely participated in the activities of organizations designated as "undesirable". In July 2022, the State Duma had amended the Act to impose extraterritorial liability. The use of the Act to target individuals exercising their freedom of association was a violation of article 22 of the Covenant.

52. **Mr. Santos Pais** said that, according to information at the Committee's disposal, citizens had been unable to participate fully in the political process during the 2018 presidential election because the Government had limited the ability of opposition parties to register candidates for public office, gain access to media outlets and conduct political campaigns. In July 2020, the Government had held a national vote on a package of constitutional amendments. No international observers had been present to monitor the process and persons seeking to campaign publicly against the amendments had reportedly been denied the opportunity to do so. The recent elections of 18 governors and 11 regional legislative bodies had been marked by similar allegations of government interference and manipulation.

53. Concerns regarding violations of the Covenant rights of residents of the Autonomous Republic of Crimea and the city of Sevastopol had been raised by the Committee in its previous concluding observations, by other human rights treaty bodies and by the General Assembly of the United Nations in its resolution 75/192. Almost 300 people had been reported as victims of enforced disappearance in Crimea. The fate and whereabouts of many of them remained unknown. According to reports, the occupation authorities in Crimea continued to interfere with peaceful assemblies, clamp down on anti-war rhetoric, arrest and convict lawyers who provided professional assistance to victims of political repression, disregard the presumption of innocence, hold court hearings in private, conduct conscription campaigns, convict journalists and exert pressure on media workers and outlets in the form of physical and non-physical attacks and threats. Since the occupation of Crimea in 2014, over 10 media outlets had relocated to mainland Ukraine and many media workers had left the profession.

54. **Ms. Tigroudja**, recalling 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)* that was pending before the International Court of Justice, as well as the concerns previously raised by the Committee over violations of the rights of religious communities in Crimea, said that, in her report of 4 May 2022, the Secretary General of the Council of Europe had indicated that there was a de facto denial of access to education in the Crimean Tatar language and an "excessive militarization of schools" in Crimea. More generally, access to Ukrainian-language education had been in sharp decline since 2014. According to information received by the Committee, NGOs and other bodies continued to be dissolved under accusations of engaging in "extremist activities". Even more seriously, the State party indicated in paragraph 161 of its replies to the list of issues that the Mejlis of the Crimean Tatar People had been dissolved by court decision for the same reason, yet nothing was said about the activities in which the Mejlis had supposedly engaged. The fact that the State party continued to deny

allegations of violations of Covenant rights, even as the situation in Crimea had deteriorated considerably, was cause for concern.

55. **Mr. Zyberi** said that it was unclear whether there was a legal process or mechanism for the official recognition of indigenous peoples and what tasks were carried out by the commissioners for the rights of numerically small indigenous peoples in the Sakha Republic and the Kamchatka and Krasnoyarsk territories. The Committee had received reports of violations of the rights of indigenous peoples during extractive industry operations and other development projects. It was concerned that federal laws did not appear to acknowledge the right of indigenous peoples to participate in decision-making processes that might affect them and that the Centre for Support of Indigenous Peoples of the North had been dissolved, rather than being afforded the opportunity to correct any potential violations of domestic legislation. The State party had provided no information on the measures taken in law and practice to prevent the pollution of the air and soil, the degradation of drinking water and the destruction of sacred sites and burial sites as a result of industrial operations, nor had it responded to allegations of harassment of indigenous human rights defenders. According to reports, indigenous peoples encountered difficulties in obtaining access to the Internet and to information in general, while indigenous peoples' representatives had faced harassment and restrictions on their participation in international forums concerning their rights.

56. While the State party was to be commended for being the first country to develop a vaccine against COVID-19 and for sharing the vaccine widely, the domestic vaccination rate remained comparatively low and the number of deaths from COVID-19 was high. Given the scale of the restrictions that the State party had imposed on the enjoyment of rights during the pandemic, it was unclear why it had not resorted to derogations from the Covenant, in accordance with the guidance provided by the Committee in document [CCPR/C/128/2](#). It would be helpful to receive detailed data on the number of cases of COVID-19 infection in detention settings, the number of recoveries and deaths and the vaccination rate among detainees. Information on the restrictions imposed on detainees' rights, including visitation rights, would also be welcome. Although most COVID-19 measures had been lifted in the State party, restrictions continued to affect the right to freedom of peaceful assembly and create obstacles for lawyers wishing to meet their clients. Noting concerns about the protection of the privacy of children whose data had been collected during the pandemic through online learning products, he invited the State party to consider adopting child-specific data protection laws that addressed the significant impact on child rights of the collection, processing and use of children's personal data.

57. **The Chair**, summarizing the concerns raised by Committee members, said that it was regrettable that the State party had chosen not to engage in a constructive dialogue. In accordance with the usual procedure, it had 48 hours to submit information in writing, should it wish to do so.

The meeting rose at 6 p.m.