



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

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**Committee on the Elimination of Racial Discrimination**

**Combined twenty-fifth and twenty-sixth periodic  
reports submitted by the Russian Federation  
under article 9 of the Convention, due in 2020\***

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\* The present document is being issued without formal editing.



## Introduction

1. This report, which constitutes the combined twenty-fifth and twenty-sixth periodic reports of the Russian Federation, is submitted under article 9 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination, in accordance with the guidelines for reports submitted by States parties to the Committee under article 9, paragraph 1, of the Convention (CERD/C/2007/1).
2. The report covers the period from September 2017 to February 2020 and contains a description of the full range of measures taken to give effect to the Convention in the Russian Federation since the submission of the combined twenty-third and twenty-fourth periodic reports (CERD/C/RUS/23-24).
3. The report also takes account of the Committee's concluding observations on the combined twenty-third and twenty-fourth periodic reports of the Russian Federation (CERD/C/RUS/CO/23-24) and includes information on their consideration.
4. The report was compiled by the Government of the Russian Federation and reflects its position. In preparing the report, consultations were held with non-governmental organizations (federal autonomous ethnic and cultural organizations, human rights organizations, religious organizations and others) and specialized institutions.
5. The Union of Soviet Socialist Republics ratified the Convention on 4 February 1969. Once the Soviet Union had ceased to exist, the main provisions of the Convention were incorporated into both the Constitution of the Russian Federation and its broader legal system. Article 15 (4) of the Constitution stipulates that, if an international agreement concluded by the Russian Federation establishes rules which differ from those provided for by law, the rules of the international treaty prevail. This approach is also applied in the State Nationalities Policy Strategy of the Russian Federation for the period up to 2025, ratified by Presidential Decree No. 1666 of 19 December 2012 (as amended on 6 December 2018). Paragraph 3 of this strategy stipulates that the nationalities policy is to be based on the provisions of the Constitution, the generally recognized principles and rules of international law and the international treaties to which the Russian Federation is a party.
6. The particular geographical position and the specific features of the historical, political and legal development of the Russian State have resulted in a population that is ethnically and culturally diverse. Over the course of its history, Russia developed as a multi-ethnic State, with the Russian people at its core. Over the centuries, most of the ethnic groups of Russia evolved within the territory of the Russian State and for this reason they are categorized as indigenous peoples of the Russian Federation. Indigenous minorities with a population of less than 50,000 are accorded special status by Russian legislation.
7. The main aims of State nationalities policy are the reinforcement of nationwide civic consciousness and spiritual community among the multi-ethnic population of the Russian Federation, the preservation and development of ethnic and cultural diversity among the peoples of Russia, the achievement of harmonious ethnic and inter-ethnic relations, the upholding of equal human and civil rights and freedoms regardless of race, ethnicity, language or attitude to religion, and the successful social and cultural adaptation and integration of migrants.
8. The term "nationalities policy" in the report refers to inter-ethnic policy.
9. From 2017 to the start of 2020, significant efforts were made in the Russian Federation to improve the work of State institutions to prevent and end racial discrimination, ethnic strife and various forms of extremism. There have been significant developments in federal and regional legislation in these areas. The new laws were subject to intense public debate, which allowed the views of members of civil society to be taken into account to the greatest possible extent.
10. On 6 December 2018, President Vladimir Putin signed a decree to amend the State nationalities policy strategy. In the new version, the priorities for the State nationalities policy were made clearer, and best practices and new mechanisms for implementing the strategy at the federal, regional and local levels were taken into account.

11. Added to the strategy were definitions of basic concepts, such as “State nationalities policy”, “civic unity”, “the Russian nation”, “inter-ethnic relations” and others developed by the Research Council of the Russian Academy of Sciences dealing with cross-cutting issues related to ethnicity and inter-ethnic relations.

12. The new version of the strategy reflects the current state of inter-ethnic relations, the results achieved in terms of inter-ethnic peace and harmony in the country, new challenges and threats in the area of State nationalities policy and instruments and mechanisms for implementing the policy. Targets and expected outcomes for the implementation of State nationalities policy were also included in the strategy to monitor how current challenges are being met.

13. Following the approval of the strategy, the constituent entities of the Russian Federation adopted regional guidelines on the implementation of State nationalities policy.

14. In implementation of the Committee’s recommendations, national counter-extremism legislation has been improved. An effective mechanism has been developed for combating ultra-nationalist and racist organizations (further information is provided in the section on article 2). Media activity is continuously monitored by the State and civil society to prevent the publication of materials intended to incite inter-ethnic and interreligious hatred or promote ethnic and racial supremacy.

15. The observance of human rights is continuously monitored by the federal Commissioner for Human Rights together with the human rights commissioners in the constituent entities of the Russian Federation. The Commissioner uses the legal means at his or her disposal to: restore human rights and freedoms that have been violated; improve the legislation on human and civil rights and freedoms and align it with the generally recognized principles and rules of international law; develop international cooperation in the field of human rights; and raise awareness of the law relating to human rights and freedoms and the ways and means of protecting such rights.

16. The Commissioner works continuously to protect human rights and freedoms from possible violations and eliminate discrimination. The media, public opinion and the positions of human rights defenders are all monitored, which prevents violations and gives an accurate view of the situation with respect to human rights and freedoms in the Russian Federation.

17. Over the period 2017–2020, a vertically integrated system was established for the management of State nationalities policy, taking due account of the federal structure of the Russian State. At the federal level, the system is overseen by the head of the Presidential Administration and the Deputy Prime Minister of the Russian Federation.

18. The Presidential Council on Inter-Ethnic Relations, the Interdepartmental Working Group on Inter-Ethnic Relations and sections of the Presidential Executive Office and the Government of the Russian Federation all work on this issue.

19. The creation of the Federal Agency for Ethnic Affairs, a specialized government body established pursuant to Presidential Decree No. 168 of 31 March 2018, demonstrates the importance placed on the issue of inter-ethnic and interreligious relations in the Russian Federation.

20. The management system for the State nationalities policy covers the regional as well as the federal level. Deputy heads of regions with responsibility for inter-ethnic relations have been appointed in the constituent entities of the Russian Federation. On 22 October 2013, Federal Act No. 284-FZ was adopted, which defines the powers and responsibilities of the public authorities of the constituent entities, local authorities and officials in the area of inter-ethnic relations. The Act includes an expanded list of the duties of municipal officials in the implementation of the State nationalities policy and spells out the legal penalties for failure to perform these duties.

21. As at the start of 2020, the following bodies were in operation in all 85 constituent entities of the Russian Federation:

- Separate departments or sections of regional authorities with competence for implementation of the State nationalities policy

- Standing working groups or interdepartmental coordinating bodies for promoting inter-ethnic harmony
  - Expert advisory bodies on inter-ethnic and ethno-religious relations
22. A funding instrument has been set up to help carry out the strategy through the development and adoption of the State programme to implement the State nationalities policy.
23. The State programme has the following aims:
- Increase the effective involvement of civil society organizations in the implementation of State nationalities policy in the Russian Federation
  - Develop and improve the system of partnership between the State and civil society with regard to the implementation of State nationalities policy in the Russian Federation
  - Strengthen the unity of the Russian people and the ethnocultural development of the multi-ethnic population of the Russian Federation
  - Uphold the right to preserve, study and develop one's native language, when this is one of the languages of the peoples of the Russian Federation
  - Support the numerically small indigenous peoples of the North, Siberia and the Far East of the Russian Federation, including through the preservation and protection of their native habitats and traditional ways of life
  - Facilitate the smooth and effective social and cultural adaptation and integration of migrants into Russian society
  - Reduce conflict situations in the area of inter-ethnic and ethnoreligious relations
24. The provisions of the Convention are implemented with close cooperation between government bodies, voluntary associations and academic organizations. Between 2017 and 2020, the authorities actively sought to increase their constructive engagement with civil society organizations that work to protect the rights and interests of ethnic minorities.
25. Cooperation with the largest religious groups, including Orthodox, Muslim, Jewish, Buddhist and other organizations, plays a major role in strengthening stability in society, preventing extremism and intolerance and protecting the country's cultural heritage. According to Ministry of Justice data, as at 25 February 2020, there were 31,539 religious organizations registered in the Russian Federation.
26. In the exercise of its functions and powers, the Government applies generally accepted international rules, condemns racial discrimination in all its forms, accepts the need to fulfil human rights in all spheres of public life and makes every effort to ensure that all citizens of the Russian Federation have the opportunity to enjoy and assert their rights and freedoms.
27. According to an ethnic relations survey conducted by the Russian Public Opinion Research Centre, entitled "Sociological monitoring of basic indicators of the state of inter-ethnic relations", overall satisfaction with the state of inter-ethnic relations in the country among the general population stands at 78 per cent. The respondents were overwhelmingly positive in their assessments of the state of inter-ethnic relations, with 22 per cent considering relations to be friendly and 56 per cent describing them as smooth and conflict-free.
28. Among those polled, 87 per cent said they bore no resentment or hostility towards members of any ethnic group. The overwhelming majority (96 per cent) had not experienced hostility or enmity based on their own ethnicity within the past year.

## **Article 1**

29. The equality of all citizens, irrespective of sex, race, ethnic background, language, origin, property, official status, place of residence, attitude to religion, opinions, or

membership of voluntary associations or any other social group, constitutes one of the basic principles of the Russian legal system, underpinning the standard-setting and rule-making work of State authorities at all levels, and also their enforcement practices.

30. To give effect to the requirements of article 1 of the Convention, the legislation of the Russian Federation includes provisions ensuring equal rights for citizens, irrespective of their race, language or ethnicity. For example, article 19 of the Constitution safeguards the equality of human and civil rights and freedoms, regardless of race, nationality, language, origin, place of residence or attitude to religion, and prohibits any form of restriction of citizens' rights on the grounds of social, racial, ethnic, linguistic or religious identity. In the Constitution, the principle of equality is not merely recognized in its technical, legalistic sense (equality of rights and freedoms), but is also established as the obligation of the State to uphold rights and freedoms for all regardless of physiological, ethnic, cultural, social, political, property-related and other circumstances. The above rights and freedoms apply to all persons under the jurisdiction of the Russian Federation, whether or not they hold citizenship of the Russian Federation.

31. The legislative acts specifically designed to regulate matters covered by the Convention include the Federal Act on the Principles of Legislation on Culture, the Federal Act on Ethnic and Cultural Autonomy, the Federal Act on Voluntary Associations, the Federal Act on Freedom of Conscience and Religious Associations, and the Federal Act on Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation, which provide for social policy measures, ensure the preservation of the culture of ethnic minorities and safeguard their languages and media outlets.

32. Laws and regulations aimed at preventing and combating incitement to racial and religious hatred and suppressing extremist activities also play an important role. These enactments are based on the Criminal Code and the Federal Act on Combating Extremist Activities.

33. Several articles of the Criminal Code criminalize offences of an extremist nature (arts. 282–282.3). The indicia for more than 10 offences include the motive of political, ideological, racial, ethnic or religious hatred or enmity, or hatred or enmity towards any social group as a criterion significantly aggravating liability.

34. Anti-discriminatory measures are included in sectoral legislation governing the protection of human rights in the areas of education, labour, health care, the courts, social protection and culture.

35. Russian legislation against all forms of racial discrimination is constantly being enhanced with the adoption of new laws and regulations and the amendment of legislation already in force.

36. Over the reporting period, Russia continued to improve its legislation as part of systematic efforts to eliminate all forms of racial discrimination and adopted anti-discrimination laws, including the following:

- Federal Act No. 467-FZ of 29 December 2017, amending articles 30 and 31 of the Code of Criminal Procedure and article 1 of the Federal Act amending the Code of Criminal Procedure to expand the use of juries. Since the entry into force of article 1 of Federal Act No. 467-FZ on 1 June 2018, the Code of Criminal Procedure has been brought into line with the principles enshrined in article 19 of the Constitution and discrimination has been eliminated in jury trials of criminal cases.
- Federal Act No. 234-FZ of 26 July 2019, amending articles 5 and 8 of the Federal Act on Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation, intended to improve the arrangements for payment of compensation to associations or individuals from such peoples to losses suffered by them as a result of damage to their native habitat caused by the business activity of organizations with any form of ownership or by private individuals. The Federal Act established the powers of the Government to approve the compensation arrangements for such losses.

- Federal Act No. 11-FZ of 6 February 2020, amending the Federal Act on Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation, to establish the arrangements for registering members of the numerically small indigenous peoples, pursuant to which a mechanism was introduced to record the citizens of the Russian Federation who belong to these peoples for the purpose of fulfilling their social and economic rights, including the rights to protection of their native habitat, preservation of their traditional ways of life, economic activities and trades, replacement of military service with alternative civilian service, conservation and development of their distinctive cultures and to local popular self-government based on ethnic, historical and other traditions.

## Article 2

37. The Russian Federation condemns all forms of discrimination and implements a consistent policy to eliminate them. Anti-discrimination provisions enshrined in the Constitution provide the policy framework in this area. They constitute the basic principles on which the entire legal system is built and, in accordance with article 18 of the Constitution, “determine the purpose, content and application of laws and the activity of the legislative and executive branches and are upheld by the justice system”.

38. Article 19 of the Constitution establishes the principle of equality before the law and the courts. Under this article, the Russian Federation guarantees equal human and civil rights and freedoms regardless of a person’s sex, race, ethnic background, language, origin, property, official status, place of residence, attitude to religion, opinions, membership of voluntary associations or other circumstances. Any restriction of human rights on social, racial, ethnic, linguistic or religious grounds is prohibited. Provisions of a general nature that prohibit discrimination against persons on the grounds of their ethnic background are applied in conjunction with the human rights recognized in a particular area – the exercise of labour rights, the right to education, people’s right to use their native language, the right to enjoy the benefits of culture, and others.

39. The legal system of the Russian Federation belongs to the Romano-Germanic family, which means that its legislation is articulated along sectoral lines – the entire body of legal instruments is divided up by individual sectors, each of which includes a set of rules and tailored methods governing a specific area of social relations. The anti-discrimination principles enshrined in the Constitution have been systematically incorporated in each branch of law and are reflected in the principles underpinning the different sectors.

40. In the constitutional system, ethnic equality, expressed in the State guarantee of equal rights and freedoms regardless of race, ethnicity or language, is also manifested in specific elements of the constitutional and legal status of the individual, such as the rights of all persons to determine and indicate their ethnic affiliation (Constitution, art. 26 (1)), to use their own language and to choose freely their language of communication, child-rearing, education and creative expression (Constitution, art. 26 (2)).

41. Anti-discrimination provisions are included in statutes and regulations at different legal levels. They are reflected in:

- Federal constitutional acts, including those on courts of general jurisdiction (art. 5), on referendums (art. 2), on the Government of the Russian Federation (art. 3) and on the judicial system (art. 7)
- Legal codes, including the Tax Code (art. 3), Code of Administrative Court Procedure (art. 8), Housing Code (art. 1), Code of Civil Procedure (art. 6), Code of Arbitration Procedure (art. 7), Labour Code (art. 2), Code of Criminal Procedure (art. 11), Criminal Code (art. 4), Civil Code (art. 1)
- Federal laws, including the Education Act (art. 3), the Act on Free Legal Assistance (art. 5), the Act on the Principles of Health Care for Citizens (art. 5), the Physical Culture and Sport Act (art. 11), the Act on Basic Guarantees of the Rights of the Child (art. 4), the Act on Freedom of Conscience and Religious Associations (art. 3), the Ethnic and Cultural Autonomy Act (art. 4), the Act on Trade Unions, Their

Rights and Guarantees of Their Activities (art. 9) and the Act on Public-Private and Municipal-Private Partnerships and the amendment of selected statutes of the Russian Federation (art. 4)

- Presidential decrees on the Federal Agency for Ethnic Affairs, on the State Nationalities Policy Strategy of the Russian Federation for the period up to 2025, and on measures to coordinate action by State bodies to combat manifestations of fascism and other forms of political extremism in the Russian Federation, and in decisions and orders of the Government of the Russian Federation, departmental statutes and other instruments

42. Thus, the provisions of article 2 of the Convention are implemented in full under national legislation, and the above-mentioned set of laws and regulations together with the Constitution and the Criminal Code constitute comprehensive anti-discrimination legislation, which is continuously improved to take present-day reality into account. The adoption of a specific anti-discrimination law is not compatible with the approach taken to building the Russian legal system involving all branches of the law.

43. Adopting a separate law would significantly reduce the scope of anti-discrimination provisions, whereas Russian legal approaches allow them to cover virtually all aspects of social relations governed by law.

44. Recognizing the important role played by legal forms of protection from discrimination, the Russian Federation is considering, as a matter of priority for domestic policy, the further modernization of the body of laws and regulations to uphold the rights of the numerically small indigenous minorities of Russia. The process of improving the legislative framework covers all levels of government, including the constituent entities of the Russian Federation.

45. Current national legislation on non-profit organizations allows numerically small indigenous peoples to establish communities for the protection of their native habitat and the preservation and development of their traditional ways of life, economic activities, trades and culture.

46. Pursuant to article 6.1 of Federal Act No. 7-FZ of 12 January 1996 on Non-Profit Organizations, communities are recognized as a form of self-organization for the numerically small indigenous peoples of the Russian Federation, uniting them along ancestral (family, clan) or territorial lines.

47. There are currently 1,543 registered communities of numerically small indigenous peoples in the Russian Federation.

48. On 6 February 2020, Federal Act No.11-FZ was adopted to amend Federal Act No. 82-FZ of 30 April 1999 on Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation with a view to establishing a procedure for registering members of the numerically small indigenous peoples. The law, as amended, provides for the registration of members of numerically small indigenous peoples and the grounds for keeping such a register, to be used by central and local authorities and for State extrabudgetary funding purposes as a source of the information required to ensure the social and economic rights of the members of these groups. It also establishes the contents and procedure for sending the data included in the register and specifies the Government of the Russian Federation as the body with the power to stipulate the procedure for keeping the register and providing the information contained in it.

49. The adoption of the Federal Act was intended to improve social protection for members of numerically small indigenous peoples and facilitate their full exercise of the social and economic rights under Russian law.

50. Efforts to improve legislation have been accompanied by political and practical measures, including budgetary allocations for programmes and individual activities.

51. In line with the requirements of article 2 (1) (b) of the Convention, the Russian Federation does not support any form of racial discrimination by any persons or organizations. The Constitution forbids activities by voluntary associations whose aims or effects are calculated to incite social, racial, ethnic or religious discord (art. 13 (5)). In

accordance with article 9 of Federal Act No. 95 of 11 July 2001 on Political Parties, the establishment of political parties on the basis of ethnic or religious affiliation is prohibited.

52. The activities of various kinds of voluntary associations are continuously monitored by the Ministry of Justice. The ultimate outcome of State monitoring and oversight of the activity of non-profit organizations is to identify and prevent violations by non-profit organizations of laws and regulations of the Russian Federation, whose enforcement falls to the Ministry of Justice (and its local agencies) using the measures prescribed by national legislation.

53. In line with the requirements of article 2 (e) of the Convention, the Russian Federation encourages integrationist multiracial organizations and movements and other means of eliminating barriers between races. Such measures are taken under the auspices of different departments, including the Federal Agency for Ethnic Affairs, the Ministry of Sport, the Federal Agency for Youth Affairs, the Ministry of Culture, the Ministry of Science and Higher Education and the Ministry of Digital Development, Communications and Mass Media.

54. In 2019, the Federal Agency for Ethnic Affairs organized the following events:

- Pokolenie (generation), an all-Russian inter-ethnic patriotic youth camp, which sought to raise awareness about the history and culture of the peoples of Russia, create an intercultural youth forum and foster intercultural cooperation between young persons in the Russian Federation
- Dialogue of Cultures, an ethnocultural youth camp whose main purpose is to bring together children from different countries to interact and engage in cultural exchange
- Zoloto Turkov (Turkic gold), a national Turkic youth forum and the first and only major educational setting in the Russian Federation for the exchange of experience and best practices in preservation of the historical and cultural heritage of the Turkic peoples
- Mashuk, a North Caucasus youth forum and social and educational project focused on the identification and support of initiatives by active young citizens and project teams from the North Caucasus Federal Area in the areas of inter-ethnic relations, economics, law, politics, journalism, science, innovation, information technology, civil society, art, culture, volunteering and healthy living

55. Over the reporting period, the Federal Agency for Youth Affairs also ran a significant number of youth events:

- Russian North, a youth forum for numerically small indigenous peoples, has been organized jointly with the Association of Indigenous Peoples of the North, Siberia and Far East of the Russian Federation since 2015. In 2019, the forum was held in Khanty-Mansiisk from 14 to 20 October and was attended by 129 persons from 39 regions of the Russian Federation. The forum's educational programme included thematic events focused on efforts to preserve and develop the ethnic cultures and languages of indigenous peoples, a debate on the policy framework for the sustainable development of the numerically small indigenous peoples of the North, Siberia and the Far East of the Russian Federation and a grant competition.
- An annual nationwide youth forum campaign is run jointly with the authorities of the constituent entities of the Russian Federation by the local authorities responsible for implementing State youth policy. The aim is to empower young persons to achieve self-fulfilment and the provisions of the Convention are taken into account when organizing the campaign.
- The fifth anniversary of the Tavrida forum for young persons active in culture and the arts took place from May to October 2019. Approximately 6,000 young professionals from the 85 constituent entities of the Russian Federation took part, including members of the Armenian, Bulgarian, Greek, Italian, Crimean Tatar and German communities in Russia.

56. To prevent ethnically motivated manifestations of extremism among young people, activities are being carried out in the following areas of youth policy:

- Improving the effectiveness of regional programmes for developing inter-ethnic and interfaith relations among young people; up-to-date forms of cooperation with young people in this area have been elaborated and implemented
- Increasing the number of initiatives aimed at encouraging interaction between young people of different races, ethnic backgrounds and religions
- Supporting the programmes and projects of voluntary associations targeting children and young people and designed to foster interracial, inter-ethnic and religious harmony
- Working with non-official associations of young persons and youth subcultures and encouraging them to engage in positive activities

57. All forms of racial discrimination are dealt with within the context of overall human rights protection. The Council for Civil Society Development and Human Rights is a standing body reporting to the President set up for this purpose.

58. Autonomous ethnic cultural organizations were introduced to ensure the proper development and protection of various ethnic groups. The basic law regulating the activities of such organizations was adopted in 1996 and is reviewed on a regular basis. In accordance with amendments made on 4 November 2014, these organizations carry out activities aimed at the social and cultural adjustment and integration of migrants, for which they receive the necessary government support.

59. The Russian Federation continues to actively engage with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in efforts to combat racism and racial discrimination. In practical terms, this includes the allocation of approximately \$600,000 of the annual voluntary contributions from the Russian Federation to the OHCHR budget for the implementation of United Nations projects and programmes related to combating racism and racial discrimination.

#### **Article 4**

60. The Russian Federation condemns all propaganda and all organizations based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and, accordingly, adopts positive measures designed to eradicate all incitement to, or acts of, such discrimination.

61. As defined in Federal Act No. 114-FZ of 25 July 2002 on Combating Extremist Activities, extremist activity encompasses: incitement to social, racial, ethnic or religious discord; advocacy of the exceptionality, superiority or inferiority of persons on the basis of their social, racial, ethnic, religious or linguistic affiliation or attitude to religion; and the violation of the rights, freedoms and legitimate interests of persons and citizens on the basis of their social, racial, ethnic, religious or linguistic affiliation or attitude to religion.

62. The Criminal Code contains a number of articles prohibiting extremist offences. It is a criminal offence to make public calls to carry out extremist activity (art. 280), incite hatred or enmity or diminish human dignity (art. 282), organize extremist associations (art. 282.1), organize the activities of extremist organizations (art. 282.2) or violate human or civil rights or freedoms (art. 136).

63. In accordance with the Criminal Code, the commission of any offence for reasons of political, ideological, racial, ethnic or religious hatred or enmity is deemed to be an aggravating circumstance and entails a harsher sentence.

64. Federal Act No. 114-FZ of 25 July 2002 on Combating Extremist Activities sets out the basic legal and organizational mechanisms for action in this regard, includes a definition of “extremism” and establishes administrative and criminal liability for the commission of unlawful acts of an extremist nature.

65. It is prohibited to disseminate extremist materials in the Russian Federation or to produce or store them for the purposes of dissemination.

66. Federal Act No. 80-FZ of 19 May 1995 on the Commemoration of the Victory of the Soviet People in the Great Patriotic War of 1941–1945 states that the unremitting struggle against manifestations of fascism is the most important facet of State policy to commemorate the victory of the Soviet people in the Great Patriotic War. The Russian Federation is committed to taking all measures necessary to prevent the formation and operation of fascist organizations and movements in its territory.

67. In the Russian Federation, the use of Nazi symbols in any form is prohibited on the basis that it constitutes an insult to the multi-ethnic population and the memory of the victims of the Great Patriotic War; also prohibited are the promotion or public display of the paraphernalia or symbols of organizations that cooperated with groups, organizations, movements or individuals recognized as criminal in nature or found guilty of crimes under judgments of the International Military Tribunal for the prosecution and punishment of the major war criminals of the European Axis (Nuremberg Tribunal) or the judgments of national, military or occupation tribunals that were based on the judgment of the Nuremberg Tribunal or were rendered during the Great Patriotic War or Second World War, and organizations (including foreign or international organizations) that deny the facts and conclusions established on the basis of the aforementioned judgments.

68. Efforts to improve legislation in this area are ongoing. On 2 December 2019, Act No. 421-FZ was adopted, amending article 6 of the Act on the Commemoration of the Victory of the Soviet People in the Great Patriotic War of 1941–1945 and article 1 of the Federal Act on Combating Extremist Activities to provide that the ban on the public display of Nazi symbols and paraphernalia does not apply to works of science, literature and art or to displays for information, teaching or awareness-raising purposes on the condition that Nazism and extremism are condemned. On 18 February 2020, the State Duma adopted amendments to the Code of Administrative Offences on their third reading, to stipulate that the administrative offence of using Nazi symbols is no longer applicable to works of science, literature and art that do not contain propaganda for Nazism or when used for educational and awareness-raising purposes.

69. On 27 December 2018, Federal Act No. 519-FZ was adopted, amending article 282 of the Criminal Code in order to partially decriminalize the activities covered by that article (Incitement to hatred or enmity).

70. To give effect to the requirements of the Convention regarding propaganda for ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination, Federal Act No. 128-FZ was adopted on 5 May 2014, amending various laws to criminalize the rehabilitation of Nazism.

71. The law enforcement agencies of the Russian Federation take measures to prevent, identify and detect offences motivated by racial, religious, ethnic and other forms of hatred or enmity, perform an in-depth systemic analysis, forecast developments in extremist circles and prevent and detect violent crime.

72. The increase in the number of extremist offences identified in the constituent entities of the Russian Federation is largely the result of the proactive work done to prevent such crimes by the counter-extremism centres of the internal affairs agencies.

73. Owing to preventive measures and certain amendments to administrative and criminal legislation (decriminalization of the offences covered in article 282 of the Criminal Code (Incitement to hatred or enmity and diminution of dignity)), the number of extremist offences is on the decline.

74. According to data from the federally funded Main Information Analysis Centre of the Ministry of Internal Affairs, 585 extremist offences were registered in 2019 (-53.8 per cent compared to 2018), of which 285 (-63.9 per cent) were identified by internal affairs officials, which accounts for 48.7 per cent of the total number of this type of offence. The investigation has been completed into 454 offences (-61.8 per cent), of which 370 criminal

cases (-61.4 per cent) were referred to court. The number of perpetrators of extremist offences identified (in completed criminal proceedings) was 445 (-50 per cent).

75. Whereas previously criminal cases initiated under article 282 of the Criminal Code accounted for more than half of all extremist offences recorded, approximately one half (46.5 per cent) of such offences recorded over the past year were initiated under article 280 of the Code (Public calls for extremist activities), a total of 272 (+1.1 per cent).

76. In 2019, the number of violent extremist offences (55) remained at 2018 levels, the most common among them being death threats (20), criminal mischief (17), battery (6) and the intentional infliction of minor bodily harm (5).

77. The Ministry of Justice maintains and publishes a federal list of extremist materials, in addition to lists of voluntary associations, religious organizations and other non-profit entities which are subject to an enforceable court order for their dissolution or a ban on their activities on grounds provided for by national legislation and organizations whose operations have been suspended owing to their extremist activities.

78. A total of 31 terrorist organizations and 73 extremist organizations are banned in the Russian Federation.

79. Pursuant to court decisions, 5,004 items of information material have been declared extremist; 239 of these items were included on the federal list of extremist materials in 2019 (as at 31 December 2019).

80. Particular attention is paid to combating organized forms of extremism. In 2018, the number of offences identified under article 282.2 of the Criminal Code (Organization of the activities of extremist organizations) increased by 85.1 per cent, to 161.

81. Incidents continue to come to light involving the spread of destructive ideology over the Internet, which is used by the leaders of radical organizations as a tool to recruit new members and as a means of communication and organization of extremist and terrorist actions. The phenomenon of "self-recruitment" has been observed, involving the violent radicalization of Internet users under the influence of propaganda, leading them to join the ranks of extremist and terrorist organizations.

82. The procuratorial authorities of the constituent entities of the Russian Federation continuously monitor the media and the Internet to identify information materials displaying signs of extremism. When violations are identified, a verification process is initiated and the procurator acts on any breaches found.

83. A package of measures has been implemented with the aim of preventing the dissemination of extremist ideology, which has led to the identification of more than 1,840 websites as containing extremist materials and inclusion in the federal list and the detection of 210 administrative offences related to the dissemination of extremist materials on the Internet.

84. In 2019, of the 585 recorded extremist offences, 310 (-69.5 per cent) were committed using the Internet.

85. In 2019, measures were taken to identify, prevent and suppress the activities of radical youth associations and groups and the dissemination in educational institutions of materials and information promoting violence, a criminal subculture and nationalist and religious extremist ideology.

86. In schools and organizations providing basic and intermediate vocational education, preventive work is organized as part of thematic lessons to avoid the involvement of students in groups of antisocial young persons and to encourage zero tolerance of incitement to inter-ethnic and interreligious hatred.

87. In 2019, more than 526,000 lectures and discussions were held in educational establishments and children's leisure and health facilities to raise legal awareness, including on the prohibition of racial discrimination.

88. In total, in the constituent entities of the Russian Federation, 37 conferences, 1,163 round tables, 7 competitions and more than 10,700 lectures and debates were held focusing

on the prevention of extremism, promoting the repudiation of radical ideology and the development of civic engagement in a spirit of patriotism, tolerance and the rejection of all forms of hatred and enmity. Focus was placed on safety guidelines for online social media.

89. In accordance with the provisions of the Convention on the need to stop the spread of ideas or theories advocating the superiority of one race or group of persons of one colour or ethnic origin over another or ideas that seek to justify or promote racial hatred and discrimination, the Russian Federation submits on an annual basis for adoption by the General Assembly a resolution on combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

## Article 5

90. Pursuant to article 5 of the Convention, the Russian Federation has been making sustained efforts for the total elimination of racial discrimination in all its forms. It has strived to ensure the equality of everyone before the law, without distinction as to race, colour or national or ethnic origin.

91. Article 19 of the country's Constitution establishes the principle of equality before the law and the courts. Furthermore, it establishes that "the State shall guarantee the equality of human and civil rights and freedoms regardless of sex, race, ethnicity, language, origin, property or official status, place of residence, attitude towards religion, beliefs, membership of voluntary associations or other circumstances". The Constitution expressly prohibits "any form of limitation of citizens' rights on social, racial, ethnic, linguistic or religious grounds".

92. Similar provisions are set out in article 7 of Federal Act No. 1-FKZ of 31 December 1996, on the court system of the Russian Federation, paragraph 2 of which establishes that the courts may not give preference to any bodies or parties to proceedings on the grounds of their national or social status, sex, race, ethnic background, language or political affiliation, origin, property or official status, place of residence, place of birth, attitude to religion, beliefs, membership of voluntary associations or other circumstances that are not prescribed by law.

93. The procedural legislation of the Russian Federation establishes no restrictions or preferences on the grounds listed above for persons taking part in court proceedings.

94. Pursuant to article 5 (b) of the Convention, the Russian Federation guarantees, without distinction as to race or national or ethnic origin, security of person and protection against violence or bodily harm inflicted by any persons, including government officials. Article 21 of the Constitution establishes that: "Human dignity shall be protected by the State. Nothing may serve as a basis to diminish it." It continues: "No one shall be subjected to torture, violence or other cruel or humiliating treatment or punishment. No one may be subjected to medical, scientific or other experiments without giving their voluntary consent."

95. The relevant rules set out in Federal Act No. 3-FZ of 7 February 2011, the Police Act, stipulate that: "Police officers shall not use torture, violence or other cruel or degrading treatment. Police officers are obliged to prevent actions deliberately intended to inflict pain or physical or mental suffering on citizens."

96. Article 13 of Federal Act No. 1-FZ of 8 January 1997, the Penalties Enforcement Code of the Russian Federation, establishes that convicted persons have the right to security of person. If the personal safety of convicted persons is at risk, they may approach any official of an institution in which penalties in the form of punitive work, pretrial detention or deprivation of liberty are enforced for help in ensuring such safety. A similar provision is contained in article 19 of Federal Law No. 103-FZ of 15 July 1995.

97. In the context of article 5 (c) of the Convention, article 32 of the Constitution establishes the right of citizens to take part in the conduct of public affairs both directly and through their representatives, to vote and stand for election to federal and local government bodies and to participate in referendums.

98. The right of citizens to vote and be elected and to participate in referendums regardless of sex, race, ethnicity, language or place of residence is provided for in article 4 (2) of the Federal Act of 12 June 2007 on the Fundamental Guarantees of Electoral Rights and the Right of Citizens of the Russian Federation to Participate in Referendums. The Act defines specific mechanisms for the exercise of this right by every citizen.

99. Article 28 of Federal Act No. 138-FZ of 26 November 1996, the Act on the Enjoyment of the Constitutional Rights of Citizens of the Russian Federation to Vote and to Stand for Election to Local Government Bodies, establishes that: "Electoral platforms and campaign materials must not contain appeals to bring about the violent change of the country's basic constitutional structure or to undermine its territorial integrity. Campaigns or propaganda advocating social, racial, ethnic or religious supremacy or the production and dissemination of messages and materials inciting social, racial, ethnic or religious hatred are prohibited."

100. The Constitution enshrines the inalienable right of both Russian citizens and any person legally present in the country "to move freely and to choose a place of temporary or permanent residence". Furthermore, in developing this right, article 27 of the Constitution establishes that citizens have the right to freely leave the country and to freely return to it.

101. This constitutional requirement is legally codified in Act No. 5242-1 of 25 June 1993 on the Right of Citizens of the Russian Federation to Freedom of Movement and to the Choice of a Temporary or Permanent Residence in the Russian Federation. Article 1 of the Act specifies that "every citizen of the Russian Federation has the right to freedom of movement and to the choice of their temporary or permanent place of residence in the Russian Federation". This right may not be restricted without justification. In accordance with the Constitution and the country's laws and the international treaties to which the Russian Federation is a party, the right to freedom of movement and to the choice of a place of temporary or permanent residence within the Russian Federation is fully applicable to all persons who are legally present in the country.

102. By its article 6, the Constitution stipulates that citizenship of the Russian Federation is acquired and revoked in accordance with federal law; it is the same and equal for all, irrespective of the grounds for acquisition. The same article establishes absolute protection of this right by establishing that citizens of the Russian Federation may not be stripped of their citizenship or denied the right to change it at will.

103. In accordance with article 4 of Federal Act No. 62-FZ of 31 May 2002, the Citizenship Act, the principles and regulations governing the acquisition of citizenship may not contain provisions that restrict the rights of citizens on social, racial, ethnic, linguistic or religious grounds.

104. Article 17 of the Constitution establishes the primacy of human and civil rights and freedoms and enshrines the principle of the personal freedom of every person, which is consistently realized both in the text of the Constitution itself and in other laws and regulations. Article 19 of the Constitution establishes equality of rights between men and women and states that they are to have equal opportunities to exercise those rights.

105. Pursuant to article 5 (d) (iv) of the Convention, article 1 of the country's Family Code establishes, as a basic principle, that "the regulation of family relations shall be carried out in accordance with the principles of the voluntary nature of a marital union between a man and a woman and the equality of the rights of the spouses in the family". The prohibition of any form of restriction on social, racial, ethnic, linguistic or religious grounds of the rights of citizens to marry and establish a family is enshrined in this article.

106. The provisions of article 5 (d) (v) and (vi) of the Convention are reflected in article 8 of the Constitution, which affirms that the Russian Federation accords equal recognition and protection to private, State, municipal and other forms of property. As part of the establishment of basic principles for the ownership, use and disposal of property, article 35 sets out the right of everyone to own, possess, use and dispose of property, either alone or jointly with others. The same article guarantees the right of inheritance.

107. The country's Civil Code makes provision for a wide range of means of protecting property rights and the principle of non-discrimination in respect of the owner is consistently applied in the implementation of these means.

108. In keeping with article 5 (d) (vii–viii) of the Convention, article 28 of the Constitution specifies that everyone is guaranteed freedom of conscience and religion, including the right to practise any religion individually or with others or not to profess any faith and the right freely to choose, hold and disseminate religious and other beliefs and to act in conformity with them. The Russian Federation complies strictly with the requirements of the Convention in the limitation of this right. Under article 29 of the Constitution, the right to freedom of thought and expression is guaranteed for all. Propaganda or agitation that incites social, racial, ethnic or religious hatred and enmity is prohibited. The advocacy of social, racial, ethnic, religious or linguistic superiority is also prohibited.

109. The Freedom of Conscience and Religious Associations Act, Federal Act No. 125-FZ of 26 September 1997, governs relations in the area of citizens' religious beliefs. The preamble to this law affirms "the right of every person to freedom of conscience and religion and to equality before the law, regardless of the person's attitude towards religion and belief". Furthermore, the objective of regulation in this area is defined as the promotion of "mutual understanding, tolerance and respect in matters of freedom of conscience and freedom of religion". Article 3 of the Act establishes that not only citizens, but also foreigner nationals and stateless persons, have the right, on an equal footing, to profess any religion, or to profess none. Obstructing the exercise of the right to freedom of conscience and freedom of belief is prohibited and punishable under federal law. Violations of this right are punishable under both administrative law (under the Code of Administrative Offences, art. 5.26, on violation of the legislation on freedom of conscience, freedom of belief and religious associations) and criminal law (under the Criminal Code, art. 148, on violation of the right to freedom of conscience and religious belief).

110. Article 59 of the Constitution provides citizens with the possibility "if their beliefs or faiths are in conflict with the performance of military service, and in other cases established by federal law, to replace such service with alternative civilian service". Act No. 113-FZ of 25 July 2002, the Alternative Civilian Service Act, was adopted to ensure the realization of that right.

111. Article 31 of the Constitution establishes the right of citizens to hold meetings, rallies and demonstrations, and to organize marches and pickets. As part of the system for countering extremism, including on the grounds of racial and ethnic intolerance, conditions for restricting this right have been introduced through the Constitution. Citizens must assemble peacefully and without weapons.

112. The same approach has been taken by the specific legislation governing the exercise of this right. Federal Act No. 54-FZ of 19 June 2004, the Assemblies, Meetings, Demonstrations, Marches and Picketing Act, is the main law establishing standards in this field. Article 3 of the Act sets out the basic principles for the conduct of public events, which include the principle of legality and voluntary participation.

113. Article 30 of the Constitution establishes the right of association. To ensure the realization of this right, a number of laws have been adopted which are fully in keeping with the implementation of the right: the Civil Code; the Voluntary Associations Act (Federal Act No. 82-FZ of 19 May 1995); the Non-Profit Organizations Act (Federal Act No. 7-FZ of 12 January 1996); the Act on Trade Unions, Their Rights and Guarantees relating to Their Activities (Federal Act No. 10-FZ of 12 January 1996); the Consumer Cooperation and Consumer Associations and Unions Act (Federal Act No. 3085-1-FZ of 19 June 1992); the Political Parties Act (Federal Act No. 95-FZ of 11 July 2001); and the Ethnic and Cultural Autonomy Act (Federal Act No. 74-FZ of 17 June 1996).

114. The provisions of article 5 (e) (i) of the Convention are reflected in article 37 of the Constitution, which enshrines the principle of free employment relations. This freedom is an absolute right and it covers all employment relations in the area of hired labour. Under the Constitution, everyone has the right to make free use of his or her ability to work and to choose a line of work and profession, and forced labour is completely forbidden. The

Constitution establishes that everyone has the right to work in conditions that meet the requirements of safety and hygiene and to remuneration for their labour without discrimination and in an amount not less than the minimum wage established by federal law, and also the right to protection against unemployment.

115. The principles of labour regulation established by the Constitution are fully defined in an array of sectoral laws and regulations, the basis of which is the country's Labour Code.

116. Article 2 of the Labour Code establishes the principles for the legal regulation of labour relations, taking into consideration international standards and the country's Constitution, including the following: the prohibition of forced labour and discrimination in employment; equal rights and opportunities for workers; the right of all workers to timely and full payment of fair wages, providing a decent living for them and their families and not below the minimum wage established by federal law; equal opportunities for workers' advancement, without any discrimination, taking into account their productivity, qualifications and length of service in their profession, and also for their vocational training, further training and skill enhancement; State guarantees to ensure the rights of workers and employers; and government supervision and monitoring of respect for those rights.

117. Article 3 of the Labour Code establishes that all persons have equal opportunities to exercise their labour rights and prohibits discrimination. Persons who consider that they have been subjected to employment discrimination are entitled to apply to the courts for the restoration of their violated rights and compensation for material and moral damages.

118. Under article 11, fifth paragraph, of the Labour Code, the rules established by the labour legislation and other laws setting out standards for labour rights are applicable to labour relations involving participation by foreign citizens, stateless persons, organizations created or established by or with their participation, international organizations and foreign legal entities, unless otherwise stipulated by the Code, other federal laws or an international treaty concluded by the Russian Federation.

119. No one may be restricted in their labour rights and freedoms or benefit from any preference on the grounds of sex, race, skin colour, ethnic background, language, origin, property, family, social or official status, age, place of residence, attitude to religion, political convictions, membership or non-membership of voluntary associations or other circumstances unrelated to an employee's occupational skills.

120. Federal Act No. 185-FZ of 2 July 2013 was adopted as part of the strengthening of the fight against all types of discrimination. The Act inserts a provision in article 2 of the Labour Code guaranteeing equality of opportunity for workers without any discrimination for their advancement, taking into account their productivity, qualifications and length of service in their profession, and for training and additional vocational training.

121. In order to prevent discrimination in remuneration, article 22 of the Labour Code establishes that the employer must ensure that employees receive equal pay for work of equal value. Article 132 of the Labour Code provides that the wages of each worker are to depend upon the worker's skills and the complexity and quantity and quality of the work done and that they must not be limited to a maximum amount. No discrimination of any kind is permitted in establishing and changing conditions of remuneration.

122. Federal Act No. 1032-1 of 19 April 1991, the Employment Act, was adopted to implement constitutional guarantees in the field of employment and protection against unemployment. The basic objectives of the State's employment policy are set out in article 5 of the Act. The aim of this policy is to ensure the equal opportunities of all citizens, without distinction as to ethnicity, sex, age, social status, political convictions and attitude to religion, to exercise their right to work or not to work as they wish, and to freely choose their occupation.

123. As part of the implementation of the constitutional right to freedom of association, and in accordance with article 5 (e) (ii) of the Convention, Russian law establishes the right of citizens to form trade unions and to freely participate in them.

124. The provisions of article 5 (e) (iii) of the Convention are reflected in article 40 of the Constitution, which establishes the right of everyone to housing. The Housing Code sets

out a comprehensive system for the regulation of housing issues in the country. Particular attention is paid to prohibiting arbitrary deprivation of housing. No one may be evicted or restricted in the right to use his or her home, including the right to receive communal services, except on the grounds and in accordance with the procedure provided for in the Housing Code and other federal laws.

125. The right to public health, medical care, social security and social services provided for in article 5 (e) (iv) of the Convention is enshrined in article 41 of the Constitution, which establishes the right of everyone to health care and medical assistance. Medical care is provided free of charge to citizens at State and municipal health-care institutions. This right belongs to any person under the jurisdiction of the Russian Federation.

126. The basic principles for the provision of health care for citizens is set out in article 4 of Federal Act No. 323-FZ of 21 November 2011 on the Principles of Health Care for Citizens of the Russian Federation.

127. Health-care measures are based on the recognition, observance and protection of citizens' rights, in accordance with the generally recognized principles and rules of international law. The Russian Federation ensures that citizens are provided with health care regardless of sex, race, age, ethnic background, language, presence of illness, health status, origin, property or official status, place of residence, attitude to religion, beliefs, membership of voluntary associations or other circumstances.

128. As part of the implementation of anti-discrimination provisions, visiting medical services using all forms of transport are now being introduced in the constituent entities of the Russian Federation where the numerically small indigenous peoples of the North, Siberia and the Far East have their traditional habitats and carry out their traditional economic activities. The aim is to bring medical assistance closer to the population, especially in rural areas.

129. Article 39 of the Constitution guarantees the provision of social welfare services in accordance with a person's age in the event of illness, disability or loss of breadwinner and for the raising of children. This right is specifically protected in sectoral regulatory instruments. Article 4 of Federal Act No. 195-FZ of 10 December 1995 on Fundamentals of Social Services for the Population establishes free and equal access of citizens to social services irrespective of their sex, race, age, ethnic background, language, origin, place of residence, attitude to religion, beliefs or membership of voluntary associations.

130. Foreign nationals permanently residing in the Russian Federation have the same right to social services as citizens, unless provided otherwise by an international agreement to which the Russian Federation is a party.

131. The provisions of article 5 (e) (v) of the Convention are reflected in article 43 of the Constitution, which enshrines the right to education. Under that article, preschool and basic general education and secondary vocational training at State and municipal educational establishments and at enterprises are accessible to all and free of charge. In addition, everyone has the right to compete for free higher education at State or municipal educational institutions and at enterprises.

132. Under article 3 (2) (1) of Federal Act No. 273-FZ of 29 December 2012, the Education Act, public policy and the legal regulation of relations in the field of education are based on the principle of ensuring the right of everyone to education and the right to non-discrimination in education.

133. Article 5 of the Act establishes State guarantees for the realization of the right to education. These guarantees provide that the right to education must be ensured regardless of sex, race, ethnic origin, language, origin, property or social status or official position, place of residence, attitude to religion, beliefs and membership of voluntary associations.

134. Under article 8 (1) (4) of the Act, the constituent entities of the Russian Federation have the authority to organize general education and also secondary vocational education in their public schools, including the provision of State guarantees for the realization of the right to receive publicly available secondary vocational education, free of charge.

135. In accordance with article 55 (3) the Act, admission to basic general education and secondary vocational education programmes is made available to the public on a publicly accessible basis, unless otherwise provided by the Act.

136. In accordance with article 78 (2) of the Act, foreign citizens and stateless persons enjoy the same rights as citizens to receive preschool, primary general, basic general and secondary general education, and also vocational training under specific job training programmes for the trades and for white-collar professions, within the scope of the curriculum of universal and free secondary education.

137. To ensure that the principle of universality is fully implemented that the right to education is actually realized, article 14 of the Act sets out provisions regarding the language of education. It guarantees access to education in the official language of the Russian Federation and also guarantees a choice of language of instruction and education, to the extent possible within the capabilities of the education system. The teaching and study of the official languages of the constituent republics of the Russian Federation may be introduced at the State and municipal schools in those republics in accordance with their local laws.

138. There are 193 ethnic groups in Russia, and 277 languages and dialects are used. The Russian education system alone includes over 100 languages; 24 languages are used to educate children and 81 are studied as optional subjects.

139. At the legislative level, Russia guarantees all its peoples, irrespective of their number, equal rights to preserve and comprehensively develop their native languages and the freedom to choose and use their language of communication. It recognizes equal rights for the preservation and development of all the languages of the peoples of the Russian Federation.

140. Pursuant to Presidential Order No. 611 of 26 October 2018, the Ministry of Education of the Russian Federation and the Federal Agency for Ethnic Affairs have set up a fund for the preservation and study of the native languages of the peoples of the Russian Federation. In 2019, the Ministry also established the Institute for the Development of Native Languages of the Peoples of the Russian Federation with the aim of creating the conditions for instruction in the native languages and for the study of the native languages of the peoples of the Russian Federation, and in order to improve accessibility and the quality of instruction and study.

141. The Ministry of Education is systematically working to ensure the rights of citizens to receive education in their native languages and to learn the languages of the peoples of the Russian Federation. It has worked on a draft policy framework for teaching the native languages of the peoples of the Russian Federation.

142. Work has been carried out to improve educational programmes, textbooks and teaching aids for the native languages and literature of the peoples of the Russian Federation, with the aim of incorporating them into the educational process.

143. Currently, 34 ethnic languages of the peoples of Russia have the status of State languages in the respective constituent republics and may be used on an equal basis with the Russian language.

144. The status and development of the languages of the peoples of Russia in the 2019/20 school year were monitored, producing the following findings:

- In 28 constituent entities of the Russian Federation, Russian has been chosen as the native language.
- In 57 constituent entities, the languages of the peoples of the Russian Federation are studied as native languages; in 12 of these constituent entities, various levels of general education are taught in 16 native languages at 2,402 general education schools with 339,405 students.

145. As at February 2020, the State register of exemplary general education programmes included 68 programmes devoted to native languages for 16 languages of the peoples of the Russian Federation and also 33 programmes in literary reading and native literature for 15

such languages. The federal list of textbooks currently includes 222 textbooks in 11 native languages.

146. Pursuant to the international agreements to which the Russian Federation is a party, the State helps representatives of the country's ethnic groups living abroad to obtain basic general instruction in their native languages.

147. In addition, literature is studied as an educational subject in the languages of the native peoples of the Russian Federation, and in some of the country's constituent entities, geography or local history is also studied in local languages.

148. Work is systematically being carried out in the constituent entities of the Russian Federation to improve Russian teachers' skills, including for non-native instruction.

149. For example, additional professional skill enhancement programmes are being carried out in Irkutsk Province under the titles, "Teaching of Russian as a native language and as a non-native language at schools" and "Ethno-cultural education in implementing the federal State educational standard for preschool education in the Ust-Ordyn Buryat area".

150. These programmes are aimed at improving the professional skills of Russian language teachers and teachers of primary-level classes in teaching the Russian language, including as a non-native language.

151. Since 2013, a further training course has been conducted in Chuvashia as part of a programme on the theory and methodology of preschool education. It includes a module under the title, "Teaching Russian as a Non-native Language".

152. A supplemental programme under the title "Improving teachers' methodology in the teaching of Russian as a second language" has been drawn up with the aim of improving the skills of specialists, instructors and teachers in teaching children whose mother tongue is not Russian, including preschoolers who do not attend any educational institutions. The programme takes into account the technological specificity involved in their studies and teaching and makes use of recent advances in teaching techniques and methodologies and in educational and information and communication technologies. The number of participants in the 2017/18 academic year was 411.

153. Effect is given to the provisions of article 5 (e) (vi) of the Convention through exercise of the constitutional right to participate in cultural activities, to make use of cultural institutions and to have access to cultural assets (Constitution, art. 44). This right is consistently implemented in the Russian Federation through a number of standard-setting legal enactments that make it possible to realize the right in specific social and political conditions:

- Federal Act No. 3612-1 of 9 October 1992, the Principles of Russian Cultural Legislation Act. Article 2 of the Act states that it is one of the objectives of Russian legislation on culture to ensure and protect the constitutional right of citizens of the Russian Federation to take part in cultural activities and to create legal guarantees for associations of citizens, peoples and other ethnic communities of the Russian Federation to engage freely in cultural activities. These objectives are addressed in section II of the Act, on cultural rights and freedoms, and in section III, on the cultural rights and freedoms of peoples and other ethnic communities.
- Federal Act No. 82-FZ of 30 April 1999 on Guarantees of the Rights of Numerically Small Indigenous Peoples of the Russian Federation. Article 10 of the Act provides a list of the rights of numerically small indigenous peoples, aimed at preserving and developing their distinctive cultures.
- Federal Act No. 1807-1 of 25 October 1991 on the Languages of the Peoples of the Russian Federation. Article 2 of the Act, which sets out State guarantees of equal rights for languages in the Russian Federation, specifies that "the Russian Federation guarantees everyone the right to use his or her native language and to freely choose the language of communication, upbringing, education and creativity, irrespective of his or her origin, social and property status, racial and ethnic affiliation, sex, education, attitude towards religion and place of residence".

- Federal Act No. 74-FZ of 17 June 1996 on Ethnic and Cultural Autonomy. The Act establishes a form of ethnic and cultural self-determination for the various ethnic communities that makes it possible to take into account their cultural specificities to the greatest extent possible and to effectively meet their needs. Among the rights to ethnic and cultural autonomy that are set out by the Act are the following: to set up media outlets; to receive and disseminate information in the ethnic (native) language; to preserve and enrich the community's historical and cultural heritage and to have unimpeded access to national cultural assets; to follow national traditions and customs and to revive and develop artistic trades and handicrafts; to establish private educational establishments, scientific organizations and cultural institutions and to maintain these in accordance with the law of the Russian Federation.

154. Compliance with the requirements of article 5 (f) of the Convention is ensured by all those laws of the Russian Federation adopted on the basis and for implementation of the country's Constitution which prohibit discrimination in any form against any group, including in respect of access to any place or service intended for use by the general public.

## Article 6

155. The Russian Federation ensures for all persons within its jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate their human rights and fundamental freedoms in violation of the Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

156. All judicial bodies, which taken together constitute the judicial system of the Russian Federation, are guided in their work by the corpus of laws and regulations which make up the country's legal system, of which the Convention forms an integral part. Decision No. 11 of the Plenum of the Supreme Court of the Russian Federation, of 28 June 2011, addressed judicial practice in criminal cases involving crimes of an extremist nature and set out the Court's position on this question. In the preamble to the decision, the Court noted that: "international human rights standards, while proclaiming the right of everyone to freedom of expression, also provides that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, enmity or violence; any dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, and all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance for racist activities, including the financing thereof; and any discrimination based on religion or belief, must be prohibited by law".

157. In their practice, the courts of the Russian Federation unflinchingly abide by the principle of strict protection of the rights and legitimate interests of persons under the country's jurisdiction, without distinction as to race, colour, descent, or national or ethnic origin.

158. The courts of the Russian Federation routinely hear criminal, civil and administrative cases involving racial discrimination. In the reporting period, acts falling under the following clauses of the Criminal Code were considered by the courts:

- Article 105 (2) (k), on murder committed for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 111 (2) (f), on intentional infliction of grievous bodily harm that is hazardous for human life or which has involved the loss of sight, speech, hearing, or any organ or the loss of the organ's functions, the loss of pregnancy, mental derangement, pathologies due to substance abuse or drug addiction, or which has manifested itself in irreparable facial disfigurement, or which has resulted in considerable permanent loss of not less than one third of a person's general capacity for work or, in the

perpetrator's full knowledge, the full loss of an occupational capacity, for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.

- Article 112 (2) (f), on intentional infliction of moderate bodily harm that is not hazardous for human life and has not caused the effects specified in article 111 of the Criminal Code, but which has resulted in a protracted health disorder or significant permanent loss of less than one third of general working capacity, for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 115 (2) (b), on intentional infliction of minor bodily harm that has resulted in a temporary health disorder or insignificant permanent loss of general working capacity, for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 116 (2) (b), on battery or other violent acts causing physical pain but not resulting in the consequences set out in article 115 of the Criminal Code, for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 117 (2) (h), on the infliction of physical or mental suffering through systematic acts of battery or other violent acts without resulting in the consequences set out in articles 111 and 112 of the Criminal Code, for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 119 (2), on the threat of murder or infliction of grievous bodily harm, if there is reason to believe that this threat will be carried out, for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 136, on discrimination, namely, violation of the rights, freedoms and legitimate interests of persons and citizens based on their gender, race, nationality, language, origin, property or official status, place or residence, attitude to religion, convictions, or membership of voluntary associations or any social groups, committed by a person in abuse of official position.
- Article 150 (4), on enticement of a minor to commit an offence through promises, deceit, threats or other means, committed by a person who has reached the age of 18, in connection with enticement of a minor to participation in a criminal group or in connection with a serious or an especially serious offence, or in connection with an offence motivated by political, ideological, racial, ethnic or religious hatred or enmity or motivated by hatred or enmity towards a social group.
- Article 213 (1) (b), on criminal mischief, that is, a gross violation of public order manifested in patent contempt of society, committed for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 214 (2), on vandalism, that is, the defacement of buildings and other structures, the infliction of damage to property on public transport or in other public places for reasons of political, ideological, racial, ethnic or religious hatred or enmity, or for reasons of hatred or enmity directed against any specific social group.
- Article 244 (2) (b), on the desecration of the bodies of the dead or the destruction, damaging or defilement of burial sites, gravestones or cemetery buildings, erected for ceremonies in connection with the burial of the deceased or their commemoration, for reasons of political, ideological, racial, ethnic or religious hatred or enmity or for reasons of hatred or enmity directed against any specific social group, and also on such acts carried out on sculptures and architectural structures erected to commemorate the struggle against fascism or victims of fascism, or on the burial sites of those who took part in the fight against fascism.
- Article 280, on public incitements to acts of extremism.

- Article 282, on actions intended to inflame hatred or enmity, and also to cause affront to the dignity of individuals or groups of persons on the grounds of sex, race, ethnic background, language, origin, attitude to religion, and membership of any social group, if these actions are performed in public or with the use of mass media or information and telecommunications networks, including the Internet.
- Article 282 (1), on the creation of extremist communities, that is, of organized groups of persons for the preparation or commission of offences of an extremist nature, and also the leadership of such extremist communities, or of their parts or subsidiary units, and the formation of associations of the organizers, leaders or other representatives of the parts or subsidiary units of such communities for the purposes of elaborating plans or determining the conditions for the perpetration of offences of an extremist nature.
- Article 282 (2), on actions intended to inflame hatred or enmity, and also to cause affront to the dignity of individuals or groups of persons on the grounds of sex, race, ethnic background, language, origin, attitude to religion, and membership of any social group, if these actions are performed in public or with the use of mass media or information and telecommunications networks, including the Internet.
- Article 357, on actions aimed at the complete or partial extermination of a national, ethnic, racial or religious group as such by killing its members, inflicting grievous bodily harm upon them, forcibly preventing their childbirth, forcibly transferring their children, forcibly resettling them, or by any other means of creating living conditions designed to bring about the physical destruction of the members of this group.

159. Between 2017 and November 2019, a total of 800 persons were convicted in criminal proceedings of crimes motivated by racial discrimination; 46 others incurred penalties for administrative offences involving racial discrimination.

160. For extremist crimes, the punishment was handed down taking into account the nature and degree of danger posed to society by the acts in question, within the limits of the penalties provided under the relevant articles of the Criminal Code. The motive of racial hatred, regardless of whether it was recognized as an indicium of a crime under the article of the Code in question, was considered by the courts to be an aggravating circumstance.

161. During this period, there has been a steady decline in the number of persons convicted of crimes motivated by racial discrimination. This has been greatly facilitated by preventive measures, certain amendments to the country's administrative and criminal legislation, in particular the fact that certain acts previously covered by article 282 of the Criminal Code (Incitement to hatred or enmity) are no longer treated as offences under the criminal law, and general measures taken by the Supreme Court to comply with the basic provisions of the Convention.

162. The significant decrease in the number of extremist crimes against individuals is generally indicative of a significant improvement in the quality of work carried out by law enforcement agencies in this field.

## **Article 7**

163. The Russian Federation regularly adopts measures in the fields of teaching, education, culture and information to combat prejudices that lead to racial discrimination and to promote understanding, tolerance and friendship among peoples and racial or ethnic groups, as well as to promote the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the Convention.

164. In its activities, the Russian Ministry of Education and Science devotes a great deal of attention to combating racial prejudice. A range of courses has been devised and introduced by the Ministry to familiarize schoolchildren and students with the culture of

other peoples and to nurture in them a spirit of friendship and respect for other cultures and religions.

165. Russian legislation on education contains no provisions that would lead to discrimination against persons receiving general education or secondary vocational education.

166. Government order No. 2403-r, of 29 November 2014, entitled “Principles of State Youth Policy”, established the framework for carrying out the tasks of improving the State’s public system for the civil, patriotic, spiritual and moral education of children and young people and for harmonizing inter-ethnic relations within the country.

167. Paragraphs 13 and 15 of this plan of action are aimed at organizing and conducting activities to strengthen social, inter-ethnic and interfaith harmony among young people.

168. As part of the implementation of the Convention and the concluding observations, the Federal Agency for Youth Affairs is working to create the conditions to strengthen inter-ethnic and interfaith harmony and the personal fulfilment of young people, to increase their level of civic engagement and their involvement in solving the country’s social problems and to support social initiatives taken by young people.

169. A forum was held under the title “The Russian North”, in Khanty-Mansiisk, from 14 to 20 October 2019, with the aim of creating the conditions for the personal fulfilment of the young people of the numerically small indigenous peoples of the country’s North and Far East and Siberia. The forum included participation by 150 people from 37 constituent entities of the Russian Federation. The Government of the Khanty-Mansiisk Autonomous Area-Yugra, the Russian Association of Indigenous Peoples of the North, Siberia and the Far East and Yugra State University were partners in this activity.

170. To support youth initiatives, the Federal Agency for Youth Affairs held a national youth projects competition.

171. In 2019, one of the projects nominated under the competition was entitled “Prevention of negative manifestations among youth, and inter-ethnic cooperation”. This nomination included 150 projects which received grants totalling 97,703,000 roubles.

172. Institutions of higher education play a major role in the prevention of destructive ideas. We should also note that the academic community actively holds events of an ethnic, religious or spiritual and moral nature.

173. As part of the national youth projects competition among institutions of higher education, 58 projects received a total of 75,340,000 roubles in the category “Prevention of negative manifestations among youth, and inter-ethnic cooperation”.

174. In addition, a national forum entitled “Formula of Harmony” was held from 25 to 28 June 2019 in Dombay, a town in the Republic of Karachaevo-Cherkessia, with the aim of improving the prevention of extremism among youths.

175. The “Routes of Russia” youth ethno-tourism expedition, which has become a tradition, took place from 8 to 24 August 2019 through all the regions of the North Caucasus Federal Area. The tour is dedicated to the study of the peoples, culture and history of Russia.

176. In the area of culture and information, the Russian Federation is making continuous efforts to combat prejudices that lead to racial discrimination and to promote understanding, tolerance and friendship among nations and racial or ethnic groups. A variety of cultural and information products are provided which foster the notions of tolerance and mutual respect among different peoples and cultures.

177. The State media regularly carry out awareness-raising work aimed at harmonizing inter-ethnic and interfaith relations, fostering a culture of inter-ethnic dialogue and preventing ethnic and racial conflicts. Thus, the All-Russia State Television and Radio Broadcasting Company, a federal State unitary enterprise, regularly airs cultural, educational, religious, social, political and musical entertainment programmes and series on this subject. The company has allotted a weekly slot on its television channel, Rossiiskoe Televidenie, for ethnic broadcasts by its 25 regional stations and 3 regional departments.

The company's regional stations produce and broadcast information and thematic television and radio programmes in more than 50 ethnic languages. For example, the Dagestan regional station alone broadcasts in 13 local languages.

178. The Federal Press and Mass Communications Agency, which operates under the Ministry of Digital Development, Communications and Mass Media of the Russian Federation, provides government support to electronic and print media organizations that produce, circulate and distribute projects of social importance aimed at harmonizing inter-ethnic relations, fostering inter-ethnic understanding, promoting notions of inter-ethnic tolerance, preventing extremism on ethnic and religious grounds and strengthening inter-ethnic dialogue and the unity of the Russian people.

179. Since May 2018, by a decision of the Agency's board of experts, 51 electronic media projects have received State support totalling 82 million roubles and 81 print media projects have received a total of over 39 million roubles.

180. The State publications *Rossiskaya Gazeta* and the magazine *Rodina* regularly carry out awareness-raising work aimed at harmonizing inter-ethnic and interfaith relations, fostering a culture of inter-ethnic dialogue and preventing ethnic and racial conflicts. A large amount of material on inter-ethnic and interfaith relations, on the authorities' activities in this field and on the ethnic cultures and traditions of the peoples of Russia is carried in the central and regional issues and on the official www.rg.ru website, under sections entitled "Society", "In the Regions", "Culture", "Religion", "Migration" and "Foreigners in Russia", etc.

181. During the reporting period, the Russia Today international news agency, a federal State unitary enterprise, published 618 reports, and its international multimedia press centre held 30 press events of various formats on this topic.

## **Information on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination on the twenty-third and twenty-fourth periodic reports of the Russian Federation**

### **Paragraph 6**

182. Judges and staff members of the Supreme Court system of the Russian Federation are kept informed about the Committee's current work. This includes, in particular, the Committee's decisions on individual communications, along with its general recommendations and information contained in its annual reports. Russian translations of the Committee's decisions are also included in periodic reviews of jurisprudence by the Supreme Court of the Russian Federation. The judges and staff members of the Supreme Court also receive information on the content of the reports of the special procedures of the United Nations Human Rights Council.

183. During the reporting period, the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/73/305 and A/HRC/38/52) and the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/73/279) were brought to the attention of judges and staff members of the Supreme Court.

184. Judges and staff members of the Supreme Court system are kept informed about resolutions of the General Assembly of the United Nations. For example, from 15 November 2018 to the present day, information was provided on the following General Assembly resolutions: 73/211 on measures to eliminate international terrorism; 73/128 on enlightenment and religious tolerance; 73/129 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace; 73/164 on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief; 73/172 on extrajudicial, summary or arbitrary executions; 73/174 on terrorism and human rights; 73/155 on the rights of the

child; 73/156 on the rights of indigenous peoples; and 73/173 on the promotion and protection of human rights and fundamental freedoms, including the rights to peaceful assembly and freedom of association.

185. The judges and staff members of the Supreme Court of the Russian Federation are also kept informed about the current practice of international treaty bodies for the protection of human rights and freedoms.

186. The texts of the international instruments mentioned above can be found on the website of the Supreme Court of the Russian Federation in the intranet section (International Law folder), which is accessible to the lower courts.

187. Judges and staff members of the Supreme Court continue to draw judges' attention to updated information on the prohibition of racial discrimination in weekly training courses with judges of the supreme courts of republics, territories and provinces and similar courts along with judges of district and city courts at the further training faculty of the Russian State University of Justice, a State-funded, federal institution of higher education.

## Paragraph 8

188. In accordance with national law, identity documents do not have an entry for ethnicity (ethnic background). Under article 26 of the Constitution, no one may be compelled to determine or to indicate his or her ethnic identity.

189. The Federal Act on Civil Registration provides for an entry on ethnic background in a birth certificate at the applicant's request, and in a death certificate if there is an entry to that effect in the deceased's personal identity document. The official statistical forms used to record migration flows do not include an entry for ethnic background. Thus, it is not possible to systematically capture data broken down into ethnic groups from the current statistics.

190. The Russian population census is the sole source of information on the ethnic composition of the population.

191. Data on the country's ethnic composition, based on the 2010 census, including basic social and demographic characteristics, and on the census in the Crimean Federal Area are readily available on the Federal State Statistics Service website ([www.gks.ru](http://www.gks.ru)) and include information on the main social and demographic characteristics of the various ethnic groups, including marital status, level of education, sources of livelihood and economic activity. In particular, information is available on educational attainment, sources of income and employment, including information disaggregated by the different areas traditionally inhabited by the numerically small indigenous peoples of the Russian Federation. Microcensuses and separate surveys are carried out during intercensal periods. In particular, the following surveys and research were conducted during the reporting period:

- A nationwide poll on inter-ethnic and interfaith relations conducted by the Public Opinion Foundation at the request of the Federal Agency for Ethnic Affairs in the summer of 2018
- Four comprehensive surveys in the Republic of Crimea entitled "Sociological monitoring of the state of inter-ethnic relations in the Republic of Crimea", in 2015, 2016, 2018 and 2019
- A nationwide poll on inter-ethnic and interfaith relations conducted by the Russian Public Opinion Research Centre at the request of the Federal Agency for Ethnic Affairs, in September 2018
- A poll entitled "Sociological monitoring of the main indicators of inter-ethnic relations" conducted by the Centre at the request of the Federal Agency, in 2019

192. In October 2020, a national population census will be taken throughout the country. The legal basis for the census is Federal Act No. 8-FZ of 25 January 2002, the Russian Population Census Act, and an order of the Government of the Russian Federation.

193. This census will be the twelfth in the history of Russia and the results of the census will be included in the 2020 World Population and Housing Census Programme.

194. Most of the indicators collected during a census cannot be obtained from other sources of information. Only the results of the forthcoming census will provide unique information on the number of inhabitants, size and structure of households and ethnic composition and educational attainment of the country's population.

195. The 2020 national population census programme consists in a set of questions that will allow information on the population to be obtained in accordance with article 6 of Federal Act No. 8-FZ of 25 January 2002, the Russian Population Census Act, approved by the Government Commission on the 2020 Russian Population Census (minutes of the meeting on 18 June 2019, No. 1). The following questions for the country's usual residents are included in the 2020 Russian population census:

- Ethnic background
- First language
- Russian language proficiency and use
- Proficiency and use of other languages

196. The census methodology provides for strict compliance with article 26 of the Constitution with regard to people's rights to decide whether or not to identify themselves as members of an ethnic group and to refuse to answer questions on this issue.

197. The results of the 2020 population census will present a full range of replies from the population to the question on ethnic background and break down these replies into ethnic groups and subgroups. Among the group categories there are ethnicities and ethnic groups, which are classified according to the respondent's native language. Specialists in ethnology will be involved in coming up with the group categories and their composition for processing the results of the 2020 Russian population census.

198. The preliminary results of the 2020 national population census on the size of the population will be presented in December 2020. In the course of 2021–2022, the full census results will be published in the form of spreadsheets with detailed characteristics of the population on all issues covered under the census programme.

## Paragraph 10

199. Information on this recommendation may be found in paragraphs 33–53 of the present report.

200. It should also be noted that, under article 19 of the Constitution, whose provisions are spelled out in detail in article 7 of Federal Constitutional Act No. 1-FKZ of 31 December 1996 on the Judicial System of the Russian Federation, the courts may not give preference to any bodies or parties to proceedings on the basis of their public or social status, sex, race, ethnic background, language or political affiliation, origin, property or official status, place of residence, place of birth, attitude to religion, beliefs, membership of voluntary associations or other grounds not covered by federal law.

201. This principle applies to all types of legal proceedings and are provided for in article 4 of the Criminal Code, article 17 (1) and article 1 of the Civil Code, article 6 of the Code of Civil Procedure, article 7 of the Code of Commercial Procedure and article 1.4 of the Code of Administrative Offences of the Russian Federation.

202. The principle of equality of citizens before the law and the courts is not defined in the Code of Criminal Procedure among the principles of criminal proceedings but is rather implemented through the whole set of rules governing the form and content of criminal proceedings and the rights and obligations of participants in proceedings (in particular in art. 244).

203. Justice is administered on the basis of the legislation of the Russian Federation, which is the same for everyone. No law that discriminates against citizens on the above-

mentioned grounds may be passed. The laws applied by the courts confer equal rights and impose equal obligations on citizens and also provide for effective enforcement of legal liability. In turn, equality before the courts means that the courts are equally accessible to all. Everyone is equal before the courts. Everyone brought before the courts is endowed with the appropriate rights and obligations in strict conformity with their procedural status.

204. There may be derogations from this rule, under article 55 of the Constitution, only for the purpose of protecting the fundamental principles of the constitutional system, morality, health, the rights and legitimate interests of other persons, the defence of the country and the security of the State, which highlights the uniformity of legal procedures for all. This means that the court, in hearing a case, may not establish privileges or restrictions for anyone that are not provided for by law. The Court is under the obligation to ensure equal treatment of participants in proceedings. Direct or indirect restrictions on the principle of equality of citizens before the courts or the establishment of direct or indirect privileges for citizens in this regard on the basis of their racial or ethnic origin are subject to criminal liability under article 136 of the Criminal Code.

205. Furthermore, the administration of justice solely by courts that are a part of the common judicial system of the Russian Federation are a judicial guarantee of citizens' equality before the courts (Judicial System Act, art. 4).

206. However, the law provides for exceptions to the rule of equality of all before the law and the courts involving the inviolability of certain categories of officials and the procedures for bringing them to justice. For example, article 98 of the Constitution establishes the inviolability of members of the Federation Council and State Duma of the Federal Assembly of the Russian Federation throughout their terms of office. Legislation on the status of judges in the Russian Federation and the procurator's office establishes separate guarantees of the inviolability of judges and procuratorial staff. Article 447 of the Code of Criminal Procedure also establishes a special procedure for bringing a criminal prosecution against a number of other officials.

207. These exceptions are aimed at creating additional guarantees of the legality and validity of taking criminal and other legal action and the use of government actions of last resort against persons holding special positions in the State machinery, which is driven by the need to guarantee their independence in carrying out official duties. At the same time, judicial immunity is not a personal privilege of a public official but a means of protecting public interests. For the sake of justice, society and the State, in making special demands on judges and their professional activities, are under the obligation to provide them with additional guarantees so that they may properly fulfil their official duties (decision No. 6-P of the Constitutional Court of 7 March 1996 and ruling No. 452-0 of the Constitutional Court of 14 December 2004).

208. The definition of "discrimination" in the Russian Criminal Code (art. 136 (1)) is identical to that in the Code of Administrative Offences (art. 5.62).

209. Discrimination, as defined under the Criminal Code and Code of Administrative Offences "is the violation of human and civil rights, freedoms and legitimate interests on the basis of sex, race, ethnicity, language, origin, property or official status, place of residence, attitude towards religion, beliefs or membership of a voluntary association or social group". In this definition, added to the list of grounds of discrimination prohibited by the Constitution is "membership of a social group".

210. The labour legislation of the Russian Federation also contains provisions that explicitly prohibit employment and labour discrimination, such as article 3 of the Labour Code.

211. Some federal laws contain a similar prohibition, for example the Employment Act and the Federal Act on the Social Protection of Persons with Disabilities in the Russian Federation.

212. Current Russian legislation, like international instruments, contains a definition of discrimination that has a similar meaning to the definition set out in article 1 (1) of the Convention and explicitly prohibits discrimination both in labour law and in other branches of law.

## Paragraph 12

213. The Constitution of the Russian Federation and other legislative acts prohibit activities aimed at incitement to ethnic, racial or religious hatred, the commission of unlawful acts in connection with political, racial, national or religious intolerance, the violation of human and civil rights and freedoms and harm to the health of citizens on the grounds of their beliefs, race, ethnic background, religion, social background or social origin.

214. In order to protect human and civil rights and freedoms and the fundamental principles of the constitutional system and to ensure the integrity and security of the Russian Federation, article 282 of the Criminal Code establishes criminal liability for inciting hatred or enmity or affronts to human dignity; Federal Act No. 114-FZ of 25 July 2002 on Combating Extremist Activity defines the legal and organizational basis for countering extremist activity and establishes liability for engaging in extremist activity.

215. Under this law, extremist activity (extremism) is defined as: incitement to social, racial, ethnic or religious discord; the advocacy of exclusiveness or the superiority or inferiority of citizens on the grounds of their social, racial, ethnic, religious or linguistic identity or attitude to religion; the violation of the rights, freedoms and legitimate interests of persons and citizens on the basis of their social, racial, ethnic, religious or linguistic identity or attitude to religion; the commission of crimes on grounds of political, ideological, racial, ethnic or religious hatred or enmity or on grounds of hatred or enmity towards a particular social group, which is classed as an aggravating circumstance under the criminal law (Criminal Code of the Russian Federation, art. 63 (1) (f)); the promotion and public display of Nazi paraphernalia or symbols, or materials that may be mistaken for Nazi paraphernalia or symbols, or the public display of paraphernalia or symbols of extremist organizations; public incitement to extremist acts or mass distribution of materials known to be extremist, or the production or storage of such materials for mass distribution; the levelling of a public accusation known to be false against a State official of the Russian Federation or a constituent entity of the Russian Federation of committing during his or her term of office the above-mentioned criminal acts; the organization or preparation of such acts and incitement to carry them out; and the financing of such acts or other assistance in their organization, preparation or execution, including through the provision of training, printing and physical facilities, telephones or other means of communication or information services.

216. This law also provides that extremist materials are documents or information contained in other media intended for publication that advocate extremist activities or that lend credibility to or justify the need for such activities, including works by the leaders of the National Socialist German Workers' Party or the Fascist Party of Italy, or publications that lend credibility to or justify national or racial superiority, or both, or that justify the practice of war crimes or other crimes aimed at the full or partial elimination of any ethnic, social, racial, national or religious group.

217. The Ministry of Justice, within its competence, is vested with the power to monitor the activities of non-profit organizations acting as foreign agents and supervises the list of foreign and international non-governmental organizations whose activities have been deemed undesirable in the Russian Federation.

218. As of 10 February 2020, the register of non-profit organizations acting as foreign agents contained data on 190 non-profit organizations, 72 of which are in operation, 45 have been removed from the register by request in connection with their ceasing activities as foreign agents, and 73 removed in connection with their dissolution.

219. The Constitutional Court, in its decision No. 10-P of 8 April 2014, found that the obligation on non-profit organizations acting as foreign agents to apply for inclusion in the register of non-profit organizations acting as foreign agents does not prevent them from receiving financial support, in the form of cash or other assets, from foreign and international organizations, foreign nationals and stateless persons. Nor are these organizations precluded from participating in political activities in the territory of the

Russian Federation or thereby discriminated against in comparison to other non-profit organizations that do not receive foreign funding.

220. The obligation on non-profit organizations acting as foreign agents to apply for inclusion in the register before engaging in political activities is thus intended only to ensure greater transparency in the activities of such organizations. It does not prevent them from seeking and receiving funding from either foreign or Russian sources and does not entail different treatment for non-profit organizations involved in political activities based on the aims, forms and methods of such activities. This obligation in itself does not violate the rights of such non-profit organizations.

221. With regard to the Committee's concluding observations on procedural guarantees for participants in court proceedings involving cases of extremism, we note that, under article 13 of the aforementioned Federal Act on Combating Extremist Activity, information materials are declared as extremist by the federal courts with jurisdiction over the locality where they are discovered or distributed or where the organization that produced the materials is located, on an application by the procurator or in the course of proceedings involving an associated administrative offence, or other civil, administrative or criminal proceedings.

222. As stated by the Constitutional Court in its decision No. 1053-0 of 2 July 2013, recognizing certain information materials as extremist means stating that they violate the prohibitions established by anti-extremist legislation and, as such, pose a real threat to human and civil rights and freedoms, the fundamental principles of the constitutional system and the integrity and security of the Russian Federation.

223. An appeal by the procurator or the disclosure of extremist material during the prosecution of another case may serve as grounds for initiating legal proceedings. At the same time, the law does not limit the scope of legal proceedings in which extremist materials may be identified.

224. The federal legislature has given the procurator's office the authority to apply to the courts to have information material recognized as extremist, for the protection of State and social interests, because it considers that the responsibilities entrusted to the office and the powers of procurators meet the objective of upholding the rule of law and harmonizing and strengthening the legal system, protecting human and civil rights and freedoms and defending the legitimate interests of society and the State, in accordance with articles 2, 4 (2), 15 (1–2) and 18 of the Constitution, and assumes that it will be independent from other authorities and officials and citizens and their associations in exercising such powers.

225. In this connection, Federal Act No. 2202-1 of 17 January 1992 on the Procurator's Office, specifies as one of the principles governing the procurators' work that procuratorial authorities exercise their powers independently of federal State authorities, the State authorities of the constituent entities of the Russian Federation, local authorities and voluntary associations, and in strict compliance with the laws in force in the Russian Federation (art. 4 (1) (2)).

226. Accordingly, the procurator's office has considerable discretion in deciding whether it is necessary to apply to court to have particular information material deemed extremist and may give a preliminary assessment of whether the material in question shows signs of extremism with a view to taking further action on it. It is independent in deciding whether it is necessary to apply to a court to have the information material declared as extremist.

227. In this connection, current regulations make it impossible for citizens to compel procurators to have specific information materials deemed extremist before the courts given that such applications are made by the procurator in defence of the public interest and not the rights and interests of specific citizens. If a citizen believes that specific information material affects or violates his or her rights and freedoms and legitimate interests, he or she has the right to use the means of protection of these rights provided for by law (Constitutional Court ruling No. 906-0 of 20 April 2017).

228. The Constitutional Court, in its ruling No. 1177-0-0 of 23 September 2010, noted that, while guaranteeing everyone judicial protection of rights and freedoms, the Constitution also provides that the procedure for judicial proceedings is to be determined by

federal legislation (arts. 71 (p) and 76 (1)). It is thus understood that the person concerned has the right to apply to the court for the protection of a right that has been violated or contested or of a legally protected interest under the established procedure, which may not be considered as a violation of the right to judicial protection; the person reporting an offence in exercise of the right of everyone to apply to the courts must meet the requirements established by law.

229. The Constitution guarantees everyone judicial protection of his or her rights and freedoms on the basis of the adversarial principle and equality of the parties to proceedings, and also in accordance with the principles of the independence of judges and their subordination only to the Constitution and federal law (arts. 46 (1), 120 (1) and 123 (3)).

230. Article 47 (1) of the Constitution reads: “No one may be deprived of the right to have his or her case heard by the court and judge with jurisdiction over the case.”

231. Federal Act No. 451-FZ of 28 November 2018 amending certain legislative acts of the Russian Federation introduced a new chapter 27.2 to the Code of Administrative Procedure, concerning administrative proceedings to declare information materials as extremist.

232. Article 265.6 of the Code states that an administrative claim to have information materials declared as extremist may be filed with a district court with jurisdiction over the locality where they are discovered or distributed or where the organization that produced the materials is located.

233. Judicial decisions on administrative cases of this category are to be enforced immediately (Code, art. 265.10 (4)).

234. Information on this recommendation may be found in paragraphs 62–70 of the present report.

## **Paragraph 14**

235. During the reporting period, the Office of the Commissioner for Human Rights in the Russian Federation monitored information on possible manifestations of racial discrimination, including through commissioners for human rights in the constituent entities of the Russian Federation, which showed that the situation with regard to inter-ethnic relations was stable and the number of cases of xenophobia and racial intolerance compared with the previous period had generally declined.

236. One of the Commissioner’s areas of work is to raise awareness of the law relating to human rights issues and the forms and methods of protecting such rights, in accordance with article 1 (3) of Federal Constitutional Act No. 1-FKZ of 26 February 1997, the Act on the Commissioner for Human Rights in the Russian Federation.

237. In 2018, the Commissioner was involved in 113 events aimed at raising such legal awareness, 43 of which were organized jointly by State and social institutions, and more than 30 academic workshops and round tables were held.

238. Considerable attention is paid to providing citizens with information on the law and promoting legal literacy and to raising awareness among young people in educational organizations at various levels by introducing human rights courses, programmes and teaching aids into the learning process.

239. The function of providing legal education is performed by the Commissioner’s Office as part of its work on communications from citizens, in the course of which they are provided with written advice on their rights and forms and methods of protecting such rights, and in private meetings with citizens during public receptions held by the Commissioner and staff members. In 2018, 4,494 citizens were received in person, of whom 1,410 (a third of the total) received face-to-face advice about the law and were provided with other legal support. In addition, 14,800 telephone consultations were held over a dedicated telephone line.

240. The Office also uses the news media and the Internet as resources to raise awareness and inform the public about the Commissioner's work.

241. The Commissioner continued to work closely with the media community over the reporting period and to build relationships on the basis of transparency, accessibility and openness to dialogue.

242. As part of efforts to keep the public informed about the public human rights institution with the help of the Internet, the Office is working on a specialized satellite site (in Russian and English) devoted to the issue of education about the law, where information about current laws, the procedure for addressing legal issues, a compilation of best practices and legal awareness programmes in the constituent entities of the Russian Federation are posted.

243. Work is being done on the "Human Rights Map of Russia" awareness-raising project, including the introduction in 2018 of a new interactive web page on the work of the Board of Experts attached to the Commissioner's Office and the coordinating councils reporting to the Commissioners for Human Rights in the federal areas, the international activities of the Commissioner for Human Rights in the Russian Federation and the Eurasian Ombudsman Alliance.

244. The *Bulletin of the Commissioner for Human Rights in the Russian Federation* continues to be published. This news and analysis journal is designed to inform public officials, professional human rights defenders and a wide range of readers about the forms and methods of remedying violations of human and civil rights, to give regional Commissioners an opportunity to share best practices and to serve as a forum for discussion of legislative initiatives and proposals to improve human rights jurisprudence in Russia.

## **Paragraph 18**

245. Russia hosted the International Federation of Association Football World (FIFA) World Cup in 2018, which was held in 11 cities: Moscow, St. Petersburg, Volgograd, Yekaterinburg, Kazan, Kaliningrad, Nizhny Novgorod, Rostov-on-Don, Samara, Saransk and Sochi.

246. Over 35,000 volunteers worked at the events, including 17,040 people from 112 countries (7 per cent of whom were volunteers from abroad) and 85 regions of the Russian Federation.

247. In order to prevent political, provocative and extremist actions in the stadiums of the World Cup that could lead to conflicts and clashes between fans, a system was developed to check and clear the flags and banners used by spectators at the matches of the Cup.

248. During the Cup, a programme of activities to create an environment free from discrimination was rolled out (similar to the programme implemented during the 2017 FIFA Confederations Cup), which included:

- Development and introduction of a three-step response to acts of discrimination at the matches
- Introduction of a monitoring system for cases of discrimination, including three observers at each match and the submission of a report on the outcome of the match to the FIFA Disciplinary Committee
- Inclusion of the issue of stopping discrimination during matches in the internal policies and procedures of the Russia 2018 Organizing Committee, an independent non-profit organization
- Training of FIFA and Russia 2018 staff members, ticket collectors and food service staff on ensuring an environment free from discrimination
- Briefings on combating discrimination for participating national football association members of FIFA and their teams, FIFA referees, the FIFA general coordinators,

FIFA facilities coordinators, FIFA match commissioners and persons responsible for ensuring the safety of FIFA officials

- Coverage of the issue of an environment free from discrimination in the guidance on ticket sales to supporters
- Fan ID cards bearing the slogan “Say No to Racism”

249. At the request of the Commissioner for Human Rights in the Russian Federation, the heads of all constituent entities of the Russian Federation that hosted football matches included regional human rights commissioners in the organizing committees for the preparation and holding of the 2018 World Cup. During the Cup, the Office of the Commissioner for Human Rights in the Russian Federation set up a group to monitor observance of the rights of citizens. Part of its work involved a 24-hour hotline, which fielded calls in Russian, English and Spanish. There were no complaints from foreign visitors to the 2018 FIFA World Cup about discrimination or xenophobia. The communications received had to do with requests for information.

250. The international sports community, in particular FIFA, commended the safety measures that had been developed and successfully implemented during the lead-up to and holding of the World Cup, which had allowed for this major international sports competition to take place at the highest possible level.

251. The Committee expressed its concern in the concluding observations on the twenty-third and twenty-fourth periodic reports of the Russian Federation that racism remained deeply entrenched among football fans, especially against persons belonging to ethnic minorities and people of African descent. Such concerns proved unwarranted. During the 2018 World Cup, conflict situations involving discrimination on the basis of race had been reduced to zero, and the rights and safety of both Russian citizens and visitors were ensured to the maximum extent possible. A draft memorandum between Russia and OHCHR on the use of the legacy of the 2018 FIFA World Football Cup in the Russian Federation is now being finalized. The idea behind the document is to create an environment free from discrimination in countries that hold major international sports events, under which the signatories are invited to:

- Set in place the right conditions to maintain an environment free from discrimination, develop centres of expertise to address inequalities and discrimination and provide funding for projects aimed at combating discrimination and racism in sport
- Develop and modernize measures and actions to combat discrimination in cooperation with the persons involved in this area, participate in conferences, round tables, international programmes organized by the International Olympic Committee, FIFA and the Union of European Football Associations (UEFA)
- Train staff in matters involving racism and discrimination and cooperate with organizations, clubs and unions in the field of sports to develop measures to combat discrimination and racism

252. With a view to fulfilling the provisions of the Convention and the Committee’s concluding observations, the Ministry of Sport was involved in the development of the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events, which was ratified by the Russian Federation by Act No. 185-FZ of 26 June 2017.

253. The Convention seeks to provide for safety and a welcoming atmosphere not only at football matches but also other sports events. It envisages a number of preventive measures and penalties for acts of violence, hooliganism and racist manifestations during such events.

254. The mechanisms in place to create and ensure a safe environment during the preparation and holding of World Cup and other related events have taken account of the Council of Europe Convention, ratified in July 2017 (Federal Act No. 185-FZ of 26 July 2017), providing for the following:

- Establishment of a national football information office in the law enforcement system
- Compliance by the authorities with their obligation (as necessary and in accordance with national and international law) to review the matter of granting judicial and administrative authorities the power to impose penalties on persons guilty of or involved in unlawful acts or misconduct, or both, including the option of imposing travel restrictions for football events in another country
- Defining the role and place of public authorities and organizations concerned in providing for safety, protection and services during football matches

255. Former football player for the Russian national team A.G. Smertin, the inspector reporting to the Russian Football Union responsible for combating racism and discrimination in football, who was appointed pursuant to the recommendation made by the Committee in paragraph 18 of its concluding observations, is actively involved in efforts to end racism and discrimination in football.

256. For example, Mr. Smertin delivered a statement on the results of the previous World Cup and on the measures envisaged by the Russian Football Union under the programme to combat racism and discrimination in football during the open discussion at the Social Forum of the Human Rights Council on the theme “Celebrating diversity: inclusivity, equality and non-discrimination in sport – the case of football”, held from 1 to 3 October 2018 in Geneva, Switzerland.

257. As part of the celebration of the International Day of Football and Friendship on 25 April 2019, Mr. Smertin took part in the International Football and Friendship Lesson, held at the House of Russian Football, in his capacity as the anti-discrimination officer of the Russian Football Union.

258. Between 10 and 24 October 2019, Fare network (formerly Football Against Racism in Europe), the key partner of UEFA in the fight against discrimination, organized a week in which the UEFA Champions League and Europa League matches became platforms for popularizing the idea of combating discrimination. In this regard, the programme on 20 October 2019 included training sessions, games and other sports events with the participation of the Russian national football team as part of a one-day “mother and daughter” football festival, which has helped increase women’s participation in sports.

259. As part of its annual voluntary contribution to OHCHR, the Russian Federation continues to support the implementation of United Nations projects aimed at promoting the legacy of the 2018 FIFA World Cup as well as the fight against racism and xenophobia in sport in general.

## Paragraph 20

260. The Russian Federation considers it necessary to emphasize that the questions raised in paragraph 20 of the Committee’s concluding observations following its consideration of the combined twenty-third and twenty-fourth periodic reports on the implementation of the Convention were not touched upon during the dialogue between the Russian delegation and the Committee’s experts on 3 and 4 August 2017.

261. The inclusion of questions that were raised neither in the periodic report of a State party to the Convention nor in the list of themes issued prior to consideration of the report, nor during the dialogue between the members of the Committee and the Russian delegation, is inconsistent with the provisions of the Convention and also the Committee’s working methods. Such action does not make it possible to carry out a fair evaluation of the facts and assertions relating to the situation in question. Therefore, the Russian Federation considers that the concluding observations cannot be considered objective on these issues. Conclusions and recommendations can be made only after a dialogue between the Committee experts and the Russian Federation is held.

262. We believe it is necessary to emphasize that the Republic of Crimea and the federal city of Sevastopol became part of the Russian Federation as a result of a referendum carried

out fully in accordance with international law. Through the referendum, the population of Crimea realized its right to self-determination, enshrined in such founding documents as the Charter of the United Nations and in article 1 of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and also in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.

263. The Constitution, Russian legislation and other laws and regulations are fully applicable in the territory of the Republic of Crimea and the federal city of Sevastopol, as constituent entities of the Russian Federation, as are the international treaties to which the Russian Federation is a party, including human rights instruments.

264. Persons living in territory of the Republic of Crimea and the city of Sevastopol enjoy all the human rights and freedoms, on an equal footing and without any discrimination, that are guaranteed by the Constitution, Russian law and the international treaties to which the Russian Federation is a party. All credible reports of possible violations of human rights standards that warrant attention are checked by the competent Russian authorities.

265. If any persons consider that they have been victims of such violations, they have every opportunity to defend their rights within the national legal framework, including in the courts. There are no differences in the way the law enforcement agencies and judicial authorities in the territory of the Republic of Crimea and the federal city of Sevastopol and those in the other constituent entities of the Russian Federation operate.

266. Russia is committed to fulfilling its international obligations throughout the Russian Federation, including the Republic of Crimea and the federal city of Sevastopol. We are prepared to enter into a dialogue with the United Nations and other international organizations on the issue of human rights in Crimea under the procedures applicable to the observance by the Russian Federation of its human rights obligations in the territory of Russia. We are also prepared to host missions to Crimea from the relevant organizations, if they are conducted under the mandate of the organization in question in accordance with the procedures applicable to visits to the territory of the Russian Federation.

## **Paragraph 22**

### **(a) and (b)**

267. In the Russian Federation, the rights of Roma, like those of citizens from other ethnic groups, are protected under article 19 (2) of the Constitution, whereby all citizens of the Russian Federation are guaranteed equal rights and freedoms regardless of sex, race, ethnicity, language, origin, property or official status, place of residence, attitude to religion, beliefs, membership of voluntary associations or other circumstances. On 31 January 2018, the Deputy Prime Minister, A.G. Khloponin, approved another comprehensive plan of action for the socioeconomic and ethnocultural development of the Roma in the Russian Federation. In 2019, the plan was amended by the Deputy Prime Minister, V.L. Mutko, and, as a result, the comprehensive plan of measures for the socioeconomic and ethnocultural development of the Roma in the Russian Federation was expanded to include:

- Measures to issue members of the Roma community with passports certifying their identity as citizens of the Russian Federation in the territory of the Russian Federation
- Organization and holding of a round table, as part of the Roma under Russian Skies Festival, on current issues relating to the social and cultural development of the Roma community in the Russian Federation, with the participation of representatives of Roma voluntary associations and the authorities of constituent entities of the Russian Federation with large Roma populations

- Inclusion of topics related to the socioeconomic and ethnocultural development of the Roma in the agenda of seminars and meetings on the implementation of State ethnic policy in the federal areas of the Russian Federation
- Involvement of representatives of Roma communities in activities aimed at strengthening national identity
- Facilitation of a thematic visit by a group of Council of Europe experts to Russia in the second and third quarters of 2019 to study the issue of the State's support for Russian Roma culture and traditions and prepare a related report
- Development and testing of a further training programme for teachers of preschool educational and general educational institutions to teach Russian to children for whom it is not their native language, including children of preschool age not attending educational institutions
- Development of traditional handicrafts of the Roma population by involving children and youth in arts and crafts clubs
- Development of social and cultural infrastructure in areas with a large Roma population
- Provision of methodological support to the *Roma of Russia* magazine
- Organization and conduct of a comprehensive study on the socioeconomic, ethnocultural and legal aspects of Roma integration in Russia
- Monitoring of the situation in the constituent entities of the Russian Federation with large Roma populations, such as situations involving the demolition of buildings built illegally by the Roma, and taking measures to address the underlying factors that make the situation worse, including monitoring publications in the news media and the Internet
- Assistance in the coverage by the State media of the socioeconomic and ethnocultural development of Roma in the Russian Federation
- Provision of State support to organizations that issue, distribute or reproduce print and electronic media projects with a significant social impact devoted to the socioeconomic and cultural development of the Roma in the Russian Federation, to be chosen from among the organizations concerned

268. Compared to the initial comprehensive plan of action, which set out individual activities, the current plan is more general in nature, highlighting mainly the main areas of work for the sociocultural integration of the Roma, along with specific activities.

269. As part of the implementation of the comprehensive plan and also the place of action to implement the State programme on the implementation of State ethnic policy, approved by decision No. 1532 of the Government of the Russian Federation of 29 December 2016, the Federal Agency for Ethnic Affairs is providing funding for the Roma under Russian Skies Festival and organizing and conducting comprehensive research into the socioeconomic and ethnocultural and legal aspects of integrating the Roma into Russia.

270. In 2019, the Agency developed guidelines for the executive authorities of the constituent entities of the Russian Federation and local authorities for work with the Roma population (approved by order No. 78 of 9 August 2019 of the head of the Agency), which:

- Took account of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination and the Framework Convention of the Council of Europe for the Protection of National Minorities and are aimed at assisting State authorities in organizing work to improve the living standards of the Roma population, including the following objectives
- Ensuring that the authorities of the constituent entities of the Russian Federation and local authorities meet the international obligations undertaken by the Russian Federation and implement national law on the protection of human and civil rights and freedoms

- Contributing towards the improvement of the living standards of the Roma population
- Promoting the ethnocultural development of the Roma population
- Promoting the successful sociocultural and economic integration of Roma into public life
- Implementing measures aimed at overcoming discrimination and negative social stereotypes against the Roma population
- Monitoring of the situation of the Roma population in the Russian Federation

271. In order to identify the main problems and assess the level of social engagement of the Roma population, the comprehensive plan provided for a multiple survey of the socioeconomic, ethnocultural and legal aspects of Roma integration in Russia.

272. Under article 3 (2) (1) of Federal Act No. 273 of 29 December 2012, the Education Act, public policy and the legal regulation of education issues are based on the principles of ensuring the right of everyone to education and non-discrimination in education. Under article 5 (2) of the Act, the right to education is guaranteed in the Russian Federation without distinction as to sex, race, ethnic background, language, origin, property or social status, place of residence, attitude to religion, beliefs or other circumstances.

273. In accordance with article 78 of the Act, foreign nationals and stateless persons enjoy equal rights with citizens of the Russian Federation regarding access to preschool, primary, basic general and general secondary education and to vocational training programmes for trades and white-collar jobs offered as part of the curriculum of universal and free secondary education.

274. In this regard, with a view to upholding the right to education of children, including Roma children, pursuant to articles 5 (4) and 9 of the Education Act and articles 15 and 16 of Federal Act No. 131 of 6 October 2003, the Act on the General Principles of Local Self-Government in the Russian Federation, local authorities have drawn up a register of all children aged 6–15 who should be attending school, with particular attention to foreign nationals (stateless persons), and steps have been taken to consolidate municipal educational establishments for specific areas.

275. Within the framework of the above-mentioned measures and on the basis of article 14 (1) (4) and (2) (2) of Federal Act No. 120-FZ of 24 June 1999 on the Foundations of the System for the Prevention of Child Neglect and Juvenile Delinquency, the education authorities and organizations carry out educational activities, identify and keep a record of young people who do not attend or are regularly absent from school without a reasonable excuse and take measures to guide them and ensure that they receive a general education. Under article 11 of the Act, juvenile affairs and children's rights commissions exercise their powers as mechanisms for the protection of the rights and redress for violations of the rights and legitimate interests of children in receiving an education.

276. Where necessary, children from Roma families that have difficulty coping with basic educational programmes, and with the challenges of personal development and social adaptation, receive psychological, educational, medical and social assistance, in accordance with the requirements of article 42 of the Education Act.

277. In line with the federal State standard for basic general education, approved by order No. 1897 of 17 December 2010 of the Ministry of Education and Science, programmes are carried out in the different constituent entities of the Russian Federation in response to the individual needs of students and schoolchildren, including members of the Roma population, by building their social skills and promoting their character development through extracurricular activities in such areas as health and fitness, moral and social education, general knowledge and culture.

278. Roma children have equal rights and opportunities to attend educational institutions, where they receive textbooks, stationery and meals. Buses are made available to transport schoolchildren to general educational establishments located in rural areas.

279. There have been no established cases of the segregation of Roma children. In some rural schools, so-called Roma classes have been organized in response to requests by parents, taking into account the ethnic traditions and nomadic lifestyle of this ethnic group. For the same reasons, in some educational institutions, distance learning and after-hours classes are arranged for these children.

280. In order to improve the teaching skills of specialists and teaching staff in the field of teaching Russian as a second language, including children of preschool age who do not attend educational institutions, taking into account the methodological and technological specificities of their study and teaching and in accordance with modern achievements in the field of teaching, methodology, and educational and information and communication technologies, in 2017, the Academy of In-Service Training and Retraining of Teaching Staff, an independent federal State further professional training institution, developed an additional skills development programme to enhance the methodological competencies of teachers in the field of teaching Russian as a second language.

281. The constituent entities of the Russian Federation are carrying out systematic work to improve the qualifications of teachers and specialists in teaching Russian, including as a second language. Further vocational education programmes are being implemented in the constituent entities of the Russian Federation in stages according to a schedule.

282. The Procurator General of the Russian Federation has received no reports of violations of the right of Roma children to receive an education in accordance with federal education standards, nor of discrimination against Roma children in the field of education or the establishment of separate classes or remedial classes for Roma children in general education establishments.

(c)

283. One of the most pressing issues affecting social tensions has to do with infrastructure, namely illegally constructed buildings, squatting and unlawful connections to public utilities.

284. The most critical of these issues is illegal buildings. As of 2020, there were more than 250 buildings in the Russian Federation with unregistered property titles housing members of the Roma community.

285. One solution to the problem of illegal structures is to document buildings that already exist, although this is not always possible, most often because they are located in areas where there are main gas pipelines and other networks. In such cases, the provision of alternative accommodation or land or tenant buyouts is considered.

286. Regular raids are carried out by utility providers to check unauthorized connections to the gas and electricity supply system in areas with large Roma populations.

## Paragraph 24

(a)

287. There are 193 peoples living in the Russian Federation, speaking 270 languages and dialects. The absolute majority of such peoples have historically emerged and developed within the modern borders of the Russian Federation.

288. In this regard, their right to free and effective development is ensured in jurisprudence based on the recognition of them as “peoples of Russia”.

289. The peoples concerned have been given ample opportunity for their self-determination in terms of culture and territory in accordance with generally recognized international principles. In the Russian Federation, ethnic autonomous areas have been established in the form of 22 ethnic republics, 1 autonomous province and 4 autonomous areas, which are separate State territorial units within the federal State. Such regions form municipal ethnic territorial entities: villages (*auly*), settlements (*ulusy*), yurts, etc.

290. This is the main form of internal self-determination of the indigenous peoples of Russia as subjects of international law. It affords them with ample opportunities to develop freely and effectively, including through the exercise of power over their ancestral homelands, the determination of priorities for their social, economic and cultural development, the management of their own budgets and the adoption of laws and regulations governing their activities.

291. In addition, the fundamental principle of the self-determination of indigenous peoples is implemented through ethnic and cultural associations, which are widespread in the Russian Federation, and through forms of local self-government, which, in accordance with the law, may take into account the historical, cultural and ethnic specificities of the livelihoods and settlement patterns of the peoples of Russia and also exercise certain public powers to address local issues.

292. The constitutions and charters of such constituent entities of the Russian Federation proclaim and guarantee the exercise of all the fundamental collective and individual rights of such peoples and the broadest possible representation of the peoples at all levels of government.

293. In addition, any citizen of the Russian Federation, irrespective of his or her ethnicity, may be subject to special legislation on guarantees of the rights of indigenous peoples of the Russian Federation if such persons live in conditions similar to such peoples and carry out their traditional economic activities.

294. Numerically small indigenous peoples are distinguished from peoples of Russia by their unique way of life, means of providing for themselves based on traditional subsistence activities, from which they derive a special connection with the land, the size of the ethnic group and the specific conditions in which they live. Among them is the group of numerically small indigenous peoples of the North, Siberia, the Far East and the North Caucasus, which together make up more than a third of the total number of peoples of Russia.

295. On the basis of the generally recognized international principles and the principle of social justice, numerically small indigenous peoples have been granted additional rights and guarantees by the State in order to ensure their equality with other peoples in their ability to meet their ethnocultural and socioeconomic needs and preserve their ethnic identity, way of life, languages, etc.

296. Additional guarantees from the State are related to the fact that such peoples, being in an extreme minority vis-à-vis the surrounding cultural majority and given their way of life and complete dependence on access to their lands, are in a particularly vulnerable position as compared with other indigenous peoples of Russia and are unable to develop freely on an equal basis with others without special support from the State.

297. In accordance with Government Decision No. 255 of 24 March 2000 on the Single List of Numerically Small Indigenous Peoples of the Russian Federation, 47 peoples are officially recognized as such on Russian territory. According to the 2010 national population census, in all the constituent entities, there are more than 316,000 members of numerically small indigenous peoples living in the Russian Federation. Up to 70 per cent of all numerically small indigenous peoples live in Tyumen Province, Khabarovsk Territory, Kamchatka Territory, the Republic of Sakha (Yakutia), the Khanty-Mansiisk Autonomous Area-Yugra, the Republic of Karachaevo-Cherkessia, the Chukchi Autonomous Area and Kemerovo Province, the smallest groups being the Abazins, Mansi, Nenets, Khanty, Chukchi, Shors, Evenks and Evens (Lamuts).

298. A subprogramme on numerically small indigenous peoples of the Russian Federation – part of the programme to implement State ethnic policy, approved by Government Decision No. 15324 of 29 December 2016 – is being carried out to ensure support for such peoples, including the preservation and protection of their native habitat and traditional way of life. The due date for completion of the subprogramme is 31 December 2025, with the total amount of funding exceeding 1.2 billion roubles. Its implementation will ensure greater participation of numerically small indigenous peoples of

the Russian Federation in matters affecting their rights and interests, help to preserve their distinctive cultures and traditional ways of life, as well as improve their quality of life.

299. Under government decision No. 16 of 19 January 2019 amending a number of acts of the Government, amendments were introduced to regulations governing the rights of numerically small indigenous peoples of Siberia and the Far East of the Russian Federation.

300. Members of extended families (clans) among the numerically small indigenous peoples of Siberia and the Far East, along with the peoples of the North, are now included in the regulations on the special provisions for calculating temporary disability, maternity and monthly child benefit for citizens covered by compulsory social insurance in the event of temporary disability or maternity and also in the regulations on the payment of insurance contributions by persons who have voluntarily taken on obligations under the compulsory social insurance scheme.

301. Every year, the OHCHR office in the Russian Federation holds training workshops as part of the training of Russian-speaking representatives of indigenous peoples in the United Nations system under a specialized training programme established by OHCHR. The purpose of the training is to provide legal education, increase awareness among indigenous peoples about existing international human rights mechanisms and instruments and promote their use to better protect the rights and freedoms of the communities concerned.

**(b)**

302. In accordance with the instruction of the President of the Russian Federation of 8 July 2015, a bill is being developed to improve legislation on territories of traditional natural resource use. It is worth noting the following:

- Consistent measures are being taken in the Russian Federation to expand and strengthen the legal status of the lands and territories of indigenous peoples to ensure sustainable development in their ancestral lands.
- Federal laws establish the rights of indigenous peoples of Russia to preferential and free use of land, water, hunting and other natural resources in terms of time frames, quantities and territory on grounds where they traditionally live and carry out economic activities.

In accordance with acts of the Government of the Russian Federation, such grounds include more than half of the total area of all 28 regions where numerically small indigenous peoples of Russia live, while the number of indigenous peoples in the corresponding territories is about 1.5 per cent of the total population. In six regions (Khabarovsk and Kamchatka territories and Nenets, the Khanty-Mansiisk, Chukotka and Yamalo-Nenets autonomous areas), such grounds cover more than 90 per cent of the total area, and in another six regions (Altai Republic and Sakha (Yakutia), Krasnoyarsk Territory and Murmansk, Sakhalin and Tomsk provinces) more than 60 per cent.

With respect to the actual access of indigenous peoples to land, it should be borne in mind that, in addition to the unprecedented size of the areas that indigenous peoples have traditionally inhabited and conducted economic activities in Russia, more than 600 territories of traditional natural resource use of numerically small indigenous peoples have been established in 13 out of the 28 regions where their ancestral homelands are located, covering an area of about 200 million ha, including:

- 475 such territories in the Khanty-Mansiisk Autonomous Area-Yugra
- 8 in the Nenets Autonomous Area
- 59 in the Republic of Sakha (Yakutia)
- 43 in Khabarovsk Territory

303. Such territories are protected by a special legal system of protection and use that ensures numerically small indigenous peoples' access to natural resources and limits industrial activities within their borders.

304. The uneven development of the institute of territories of traditional natural resource use in Russian regions is owing to the fact that they are formed taking into account the objective needs of indigenous peoples, including the presence of real threats to their traditional habitat as a result of industrial development.

305. Territories of traditional natural resource use are consistent with the concept of indigenous peoples' lands and territories, as used in International Labour Organization (ILO) Conventions and the United Nations Declaration on the Rights of Indigenous Peoples, which do not refer to individual property but to all components of indigenous peoples' native environments – lands, waters, coastal seas and flora and fauna – and the rights of indigenous peoples derived from them.

306. Whether or not territories of traditional natural resource use are federally administered is contingent on the practical considerations involved in forming them at a given point in time and specific circumstances to be taken into account; their federal status is not a qualitative indicator of the state of affairs as far as land use by indigenous peoples is concerned, considering that there are 200 million ha of territories of traditional natural resource use administered at the regional or local level that do not differ from federal territories of traditional natural resource use in terms of the content of the legal frameworks governing them.

307. In this regard, the need for federal territories of traditional natural resource use may arise if they are established in the territories in which there are two or more indigenous peoples' ancestral homelands, which may require a decision to be taken by federal authorities.

308. There are plans to clarify the foregoing circumstances as the basic criteria for the establishment of federally administered territories of traditional natural resource use in the above-mentioned draft legislation in accordance with the current instruction of the President of the Russian Federation.

**(c) and (d)**

309. National legislation and jurisprudence, in accordance with international principles, provide for the full consideration of the legitimate interests of indigenous peoples and consultation and negotiation in matters involving potential economic activities in their territories.

310. The relevant requirements are established by federal legislation, including the Land Code, which takes precedence, and by the local laws in indigenous people's ancestral homelands concerning land use and natural resource management.

311. The fulfilment of any principles, including the principle of prior, free and informed consent in judicial precedents, calls for further exploration of the relevant forms and mechanisms, including through implementation in national legislation.

312. Given the unprecedented diversity and specific characteristics of indigenous peoples, the protection of their rights has been placed under the joint jurisdiction of the Russian Federation and its constituent entities. Federal legislation sets national minimum standards for the protection of the rights of indigenous peoples, while the constituent entities of the Russian Federation clarify the mechanisms for the realization of the relevant rights on most issues, taking into account the objective needs and requests of indigenous peoples.

313. Depending on the specific living conditions of indigenous peoples, their traditional uses of natural resources and the degree of industrialization, the appropriate practice may extend to the territories of the regions to varying degrees.

314. In terms of the general sense and content of national legislation, the requirements for such procedures and the form of participation of indigenous peoples and their community institutions are made more rigorous and expanded on the basis of the specific living conditions, ways of life and means of self-sustainment of any social groups of indigenous peoples. In practice, they take the form of public hearings, including on the Internet, citizen gatherings, etc. and also of private consultations and written agreements separately for each industrial facility.

315. In cases involving persons who lead a nomadic and semi-nomadic way of life, in order to organize effective and full consultations with them and their duly authorized representatives, the regions may record their names in a register and conduct ethnological and other expert appraisals and procedures aimed at entering into meaningful negotiations and consultations, including compensation for any losses in prescribed cases and according to established procedure.

316. Such practices are carried out within the boundaries of the territories of traditional natural resource use of numerically small indigenous peoples. For example, in Khanty-Mansiisk Autonomous Area-Yugra, more than 1,100 individual agreements are entered into every year between members of communities of numerically small indigenous peoples (covering about 3,000 persons) and industrial companies on the locations for industrial facilities within the boundaries of territories of traditional natural resource use (about 133,000 km<sup>2</sup>, or 25 per cent of the entire territory of Yugra), amounting to some 650 million roubles (\$10 million) per year.

317. In the Republic of Sakha (Yakutia), business entities incur administrative liability for refusing to conduct preliminary ethnological impact assessments to determine the opportunities and consequences of any economic activity in the homeland of the indigenous peoples concerned and possible losses for such peoples. In April 2019, the Supreme Court of the Republic of Sakha (Yakutia) ordered a gold mining company to carry out an appropriate assessment for the sake of the indigenous peoples, based on a preliminary similar decision by the procurator and the court of first instance.

318. In addition, in accordance with the list of instructions from the President of the Russian Federation of 2019, the State Duma of the Russian Federation adopted a federal law specifying the procedure for compensating indigenous peoples for losses and introduced a federal bill on ethnological assessment in the conduct of economic activities in the territories where indigenous peoples live.

**(e)**

319. In accordance with the federal laws of the Russian Federation, hunting and fishing to ensure the traditional way of life is maintained without restriction (without any permits) to the extent necessary to meet personal needs. Exceptions apply only to rare and endangered species, as well as within scientifically based generally accepted limits on the use of such biological resources. The Tax Code exempts indigenous peoples from taxation because they acquire such biological resources for personal consumption.

320. The great importance that indigenous peoples place on this sphere of activity is also confirmed by the percentage of commercial hunting and fishing grounds provided to indigenous organizations for business purposes and limits on hunting and fishing for traditional lifestyles compared with the total number of such grounds and limits. For example, in a number of key regions where indigenous peoples make up half of the total number of such peoples in the Russian Federation, these figures are about 50 per cent.

321. Specific restrictions on the use of biological resources, by season, species and territory, are often based on objective scientific data for the protection of biodiversity.

322. Information on this recommendation may be found in paragraphs 44 to 50 of the present report.

## **Paragraph 28**

323. Under article 5 (e) (i) on the rights to work, free choice of employment, just and favourable conditions of work, protection against unemployment, equal pay for equal work, and just and satisfactory remuneration provides for the following.

324. One of the basic principles of the legal regulation of labour relations is the equality of the rights and opportunities of workers (Labour Code, art. 2).

325. Employers are required to ensure that workers receive equal pay for work of equal value (Labour Code, art. 22).

326. Under article 57 of the Labour Code, the employment contract must include the remuneration conditions (including the employee's pay-scale or salary (official salary for the post), additional emoluments, bonuses and incentive payments), and working hours and rest periods (if for the employee in question this differs from the general rules in force for that employer).

327. The wages of all workers depend on their qualifications, the complexity of the work they perform and the quantity and quality of the work done (Labour Code, art. 132). Discrimination of any kind in the wage conditions is prohibited.

328. The principle of the prohibition of discrimination in remuneration is based on article 1 of ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), ratified by the Russian Federation on 31 January 1961, which provides that discrimination includes "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation".

329. The wages paid to a worker are determined by an employment contract concluded in accordance with the remuneration system used by the employer.

330. Such systems should provide for differentials in pay for employees performing work of various levels of complexity and quality and set wages and salaries according to the quality of the work performed and the workers' productivity, as defined by specified criteria and indicators.

331. At the same time, it should be noted that, given the economic independence of the business entities, collective bargaining is a key factor in regulating compensation of employees. In accordance with the current legislation, corporate employees may influence the level of their wages and salaries when entering into collective agreements and industry-wide (regional, territorial) pay scale agreements.

332. By virtue of articles 2, 23 and 27 of the Labour Code, one of the main principles underlying labour relations and other related matters is that of social partnership, which is aimed at harmonizing the interests of employees and employers and is implemented in the form of collective bargaining and the conclusion of collective agreements and accords. The outcomes of these negotiations are drawn up in accords or collective agreements and are binding on employers. Issues concerning wage increases in the real economy are explored with the aid of social partnership mechanisms at the federal, industry-specific and regional levels.

333. Article 352 of the Labour Code, concerning the means of protecting labour rights and freedoms, states that everyone has the right to defend his or her labour rights and freedoms by all means not prohibited by law. The main ways to protect labour rights and freedoms are:

- Workers' own defence of their labour rights
- Protection of employees' labour rights and legitimate interests by trade unions
- State control (supervision) over compliance with labour law and other regulatory acts containing labour standards
- Judicial protection

334. The right of trade unions to monitor compliance with labour law and other regulations containing labour standards and compliance with the terms and conditions of collective agreements and accords is laid down in article 370 of the Labour Code.

335. The rights of migrant workers in the Russian Federation are protected, including through the work of working groups to implement bilateral and multilateral international treaties and agreements on labour migration entered into by the Russian Federation with countries such as Armenia, Tajikistan, Uzbekistan, Kazakhstan and Kyrgyzstan.

336. Joint bilateral working groups have been established and are working towards implementing the following: Agreement between the Government of the Russian Federation and the Government of Armenia on Employment and Social Protection for

Citizens of the Russian Federation Working in Armenia and the Citizens of Armenia Working in the Russian Federation, of 19 July 1994; Agreement between the Government of the Russian Federation and the Government of Kyrgyzstan on Employment and Social Protection for Migrant Workers of 28 March 1996 and the Protocol thereto of 22 September 2003; Agreement between the Government of the Russian Federation and the Government of Tajikistan on Employment and Protection of the Rights of Citizens of the Russian Federation in Tajikistan and Citizens of Tajikistan in the Russian Federation, of 16 October 2004; Agreement between the Government of the Russian Federation and the Government of Uzbekistan on Employment and Protection of the Rights of Migrant Workers Who Are Citizens of the Russian Federation in Uzbekistan and Migrant Workers who are Citizens of Uzbekistan in the Russian Federation, of 4 July 2007.

337. The working groups of the parties to the agreements meet to consider problems that arise on the part of the citizens of the States parties when working in the Russian Federation and exchange information on the changes to migration and labour law.

338. Cooperation between the Russian Federation and Kazakhstan in the area of labour migration is based on the Treaty on the Eurasian Economic Union of 29 May 2014.

339. In accordance with the provisions of the Treaty, workers from States members of the Eurasian Economic Union do not need to obtain a permit to work in the State of employment, and the work of a worker in the State of employment is regulated by the legislation of the State of employment, subject to the provisions of this international agreement.

340. Also, the term of temporary stay (residence) of a worker from a member State and family members in the territory of the State of employment is determined by the validity of the employment or commercial contract concluded between the worker from the member State and the employer or the customer for the work or services rendered.

341. The provisions of the Treaty stipulate that social security (social insurance), excluding pension provision, for workers from member States and their family members are provided under the same terms and conditions and in the same manner as for citizens of the State of employment.

342. The Eurasian Economic Union member States may not introduce or impose restrictions under their national laws aimed at protecting the domestic labour market, with the exception of the restrictions provided for in the Treaty and the legislation of the member States in the interests of national security and public order, with regard to the work carried out by workers from the member States, their occupation and country of residence.

343. The Russian Federation and Uzbekistan cooperate in the area of labour migration under the Agreement on the Formal Recruitment and Engagement of Uzbek Citizens for Temporary Employment in the Russian Federation of 5 April 2017.

344. Within the framework of implementation of the decisions and recommendations recorded in the minutes of the 19th meeting of the Intergovernmental Commission on Economic Cooperation between the Russian Federation and Uzbekistan of 7 September 2018, the Ministry of Labour of the Russian Federation and the External Labour Migration Agency attached to the Ministry of Employment and Labour Relations of Uzbekistan established a joint Russian-Uzbek working group for the implementation of the above-mentioned agreement, whose members include representatives of the Ministry of Internal Affairs of Russia.

345. An agreement between the Government of the Russian Federation and the Government of Azerbaijan on cooperation in the area of labour migration is being developed with a view to building an appropriate legal framework for such cooperation.

346. Currently, the Ministry of Foreign Affairs of Russia has submitted a note to its foreign partners with a draft of the agreement, prepared by the Russian party, for their consideration.

**Paragraph 35**

347. The Russian Federation allocates part of its annual voluntary contribution to OHCHR to the events planned for the International Decade for People of African Descent. In 2020 alone, the Russian contribution for this purpose amounted to \$150,000.

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