



International Convention on the Elimination of All Forms of Racial Discrimination

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109th session

Summary record of the 2959th meeting*

Held at the Palais des Nations, Geneva, on Wednesday, 12 April 2023, at 3 p.m.

Chair: Ms. Shepherd

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Combined twenty-fifth and twenty-sixth periodic reports of the Russian Federation

* No summary records were issued for the 2957th and 2958th meetings.

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The meeting was called to order at 3.05 p.m.

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

Combined twenty-fifth and twenty-sixth periodic reports of the Russian Federation (CERD/C/RUS/25-26; CERD/C/RUS/Q/25-26)

1. *At the invitation of the Chair, the delegation of the Russian Federation joined the meeting.*
2. **Mr. Barinov** (Russian Federation), introducing his country's twenty-fifth to twenty-sixth periodic reports (CERD/C/RUS/25-26), said that the provisions of the Convention had been incorporated into the Russian legal system and were an integral part of State policy in areas such as combating extremism, hate speech, prejudice and intolerance, law enforcement, legal protection, education and the restoration of historical justice.
3. True to the country's long history as multi-ethnic State and the experience in building a legal and political environment conducive to the peaceful coexistence and ethnocultural development of its ethnic communities, the consolidation of inter-ethnic peace and harmony in the Russian Federation was a government priority.
4. The State Nationalities Policy Strategy for the period up to 2025, approved by presidential decree, translated constitutional guarantees of equality and non-discrimination into practice. Implementation was entrusted to the Federal Agency for Ethnic Affairs, established pursuant to a presidential decree, whose main functions entailed the prevention of discrimination on grounds of racial, ethnic, religious or linguistic affiliation and incitement to racial, national or religious hatred or enmity. A programme on the implementation of the ethnic policy in question had been developed, which contained a series of measures designed to safeguard human and civil rights and freedoms irrespective of race, ethnicity, language or attitude to religion. The powers, terms of reference and responsibilities of different State bodies of the constituent entities and local authorities with regard to inter-ethnic relations were laid down by law.
5. Domestic legislation was formulated along sectoral lines. Each sector came with a set of rules that contained specific anti-discrimination provisions. All legislation was subject to continuous review and improvement, taking present-day realities into account.
6. Acts defined as extremist activity under the Federal Act No. 114-FZ of 25 July 2002 on Combating Extremist Activities, including incitement to social, racial, ethnic or religious discord and 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, were liable to prosecution. The Criminal Code provided a list of specific conduct deemed to constitute extremist activity. Article 63 of the Code classed political, ideological, racial, ethnic or religious hatred or enmity and hatred or enmity towards a particular social group as an aggravating circumstance, establishing more severe punishment for crimes committed on those grounds.
7. Voluntary associations whose aims or effects were to incite social, racial, ethnic or religious discord were banned. The activities of voluntary associations were monitored continuously to ensure compliance with the relevant constitutional provisions.
8. The Strategy to Combat Extremism in the Russian Federation for the period up to 2025, approved by presidential decree, was part of wider efforts to prevent incitement to social, racial, ethnic and religious discord.
9. Russia pursued a consistent policy aimed at countering attempts to glorify Nazism and promote Nazi ideology and other ideas or theories of superiority based on race, ethnic, religious or social origin. In particular, the publication of the writings of the leaders of the National Socialist German Workers' Party and the Italian Fascist Party, literature justifying the practice of war crimes or other crimes aimed at the total or partial destruction of an ethnic, social, racial, national or religious group and the use of Nazi symbols as an insult to the memory of the victims of the Great Patriotic War were prohibited by law. The rehabilitation of Nazism was classed as a criminal offence.

10. Any such acts were duly investigated and prosecuted, and law enforcement officers received regular training on combating racial discrimination and racial profiling. Intensified efforts to combat extremism were yielding tangible results. In particular, the proactive work done by the counter-extremism centres of the internal affairs agencies in the constituent entities and the measures taken by the Supreme Court to enforce compliance with the provisions of the Convention were proving successful. Supreme Court judges and other officials were kept abreast of current jurisprudence relating to the prosecution of human rights violations under the Convention. In order to protect the rights and legitimate interests of persons within their jurisdiction, Russian courts drew directly on the relevant provisions of the Convention.

11. Given the rise in extremist crimes planned or committed online, the Federal Service for Supervision of Communications, Information Technologies and Mass Media had stepped up efforts to identify and block materials aimed at inciting racial, national or religious hatred and supremacist propaganda published on the Internet. The procuratorial authorities of the constituent entities also monitored the media and the Internet to identify information materials displaying signs of extremism and take corresponding measures, where required. The Federal Agency for Ethnic Affairs monitored inter-ethnic and interfaith relations to preempt conflict.

12. The Government attached high importance to preventing all forms of discrimination against athletes and other actors in sport. Russian sports organizations had set up anti-discrimination units to that end. Sadly, Russian sport currently faced unprecedented discrimination in the international arena on grounds of ethnicity. Russian national sports organizations were excluded from relevant international federations, Russian athletes were banned from international competitions, and the Russian Federation was banned from hosting international sporting events.

13. In order to prevent and resolve inter-ethnic and interfaith conflicts and promote understanding, tolerance and friendship among peoples, special mechanisms had been created and were being used effectively in close cooperation with representatives of ethnic diasporas and relevant civil society organizations. The Government encouraged multicultural organizations and movements, where appropriate, and activities aimed at removing racial and ethnic barriers. Government institutions themselves conducted such activities. State funding was made available for the work of autonomous ethnic cultural organizations and activities aimed at preserving and developing the traditional culture of the peoples of Russia.

14. State and municipal education institutions were running courses to foster a culture of mutual respect and patriotism; promote traditional cultural, religious and moral values; familiarize young persons with the cultural and religious traditions of the peoples of Russia; and preserve the memory of the Holocaust. Special emphasis was placed on preventing youth radicalization. Higher education institutions had established centres for harmonious inter-ethnic relations, inter-ethnic friendship clubs and schools that promoted tolerance. Onboarding programmes were implemented for foreign students.

15. Beyond the constitutionally guaranteed right of the country's more than 190 peoples and ethnic groups to preserve and develop their language, culture and traditions, the numerically small Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation and other ethnic minorities were provided additional support. More than 450 regional laws and regulations had been adopted in 28 relevant constituent entities to foster those peoples' social and economic development.

16. Extensive efforts were made, in cooperation with Roma representatives, to improve the situation of Roma and integrate them into society. A comprehensive plan of action for the socioeconomic and ethnocultural development of Russian Roma had been prepared and the situation of Roma in the constituent entities was subject to ongoing monitoring. The vast majority of Roma were sedentary and integrated into the economic, social and cultural life of society. Nomadic Roma received additional support, including with regard to their children's education.

17. His delegation was not in a position to discuss the issues raised in paragraphs 3, 8, 9, 12 and 17 of the list of themes ([CERD/C/RUS/Q/25-26](#)) and other questions that touched on the application of the Convention in the territory of the Republic of Crimea and the federal

city of Sevastopol. Some of the issues were subject to proceedings brought by Ukraine before the International Court of Justice and it would be premature to discuss the matter with the Committee before the Court had rendered its final decision. The issues raised in paragraph 20 of the Committee's concluding observations on the twenty-third and twenty-fourth periodic reports of the Russian Federation (CERD/C/RUS/CO/23-24) had not been discussed during the respective dialogue with the Russian delegation; the inclusion of the paragraph was inconsistent with the Convention and the Committee's working methods.

18. **Mr. Payandeh** (Country Rapporteur) said that it would be useful to know which human rights organizations had been consulted in the preparation of the periodic report and how they had been chosen. The delegation might also wish to elaborate on the specific nature of their participation and on the reasons for the unusually low number of submissions from civil society organizations in connection with the State party's current periodic report.

19. The Committee would be grateful for details of the results of the national population census conducted in 2021 in terms of the ethnic composition of the population. It would also be helpful to find out whether the census had yielded data that would allow for a comprehensive appraisal of the enjoyment of economic and social rights of specific ethnic groups, including Roma and indigenous peoples. If not, he was curious to know how the State party intended to fulfil its obligations under the Convention in that regard. He wondered whether representatives of different ethnic groups had participated in the development of the group categories used in the census.

20. The delegation might indicate whether the State party's legal system contained a definition of racial discrimination that included all prohibited grounds listed in article 1 of the Convention, encompassed both direct and indirect discrimination, covered intersectional forms of discrimination, and provided for special measures as set forth in articles 1 (4) and 2 (2) of the Convention. He was particularly interested to know whether domestic legislation covered forms of discrimination that specifically affected LGBTI+ persons.

21. It would be helpful to obtain information on any measures taken to prevent and punish acts of discriminatory violence committed by police and other law enforcement officers. Data on the number of complaints lodged, investigations instituted and convictions handed down in connection with such acts would also be appreciated. He would be grateful to hear about action taken to address racial profiling by law enforcement officers, studies conducted in that regard and independent oversight mechanisms in place to prevent and remedy racial profiling.

22. Additional information on the scope, content and aim of the State nationalities policy would be appreciated. He wished to know, in particular, what specific measures had been taken and whether representatives of different ethnic groups had participated in the development, implementation and evaluation of that policy. How did the State party ensure that such policies took account of the rights and interests of ethnic minorities?

23. Given the lack of data on the implementation of anti-discrimination laws in the State party's report, the Committee invited the delegation to provide updated disaggregated statistics and detailed information on the number and types of complaints on racial discrimination reported to penal, civil and administrative bodies and to the police, and their outcome, including convictions obtained or disciplinary measures imposed and compensation awarded to victims.

24. The definition of extremism in the State party's legislation remained a cause for concern, particularly since it allowed for the possibility that advocacy for the rights of minorities might be regarded as hatred towards ethnic Russians and thus an act of extremism. He therefore wished to know whether the State party had considered revising or repealing its laws on extremist activities and ensuring that they complied with all requirements under international human rights law. He also wondered how the State party ensured that such laws were not arbitrarily applied in order to target specific groups, particularly those vulnerable to discrimination, and that the laws did not limit civic space, legitimate political dissent or freedom of expression and religion.

25. **Ms. Stavrinaki** (Country Task Force) said that the Committee would appreciate updated information on the number of recognized Indigenous Peoples and Indigenous

minority peoples and on their population sizes. She also wondered whether any mechanisms were available for Indigenous Peoples to contest their being classified as numerically small Indigenous Peoples and, if so, how many such cases there had been. An update on the status of the bill to improve legislation on territories of traditional natural resource use referred to in the State party's report would be helpful. She also wished to know what mechanisms were in place to ensure that effective consultations were held with Indigenous Peoples when adopting legislation or amending legal frameworks which affected their rights. The Committee would welcome updated information on the federal legislation for the protection of land rights, the implementation of the federal law specifying the procedure for the compensation of Indigenous Peoples for losses, including the number of cases that had been brought, and the status of the federal bill before the parliament on ethnological impact assessments of economic activities in areas where Indigenous Peoples lived.

26. Given that there was no comprehensive federal legislation on free, prior and informed consent of Indigenous Peoples in the State party, she wished to know what guarantees were in place to ensure that consultations were carried out systematically, in good faith and in a timely fashion and that appropriate information was provided to those concerned, particularly in cases relating to development projects or the exploitation of natural resources. She also wondered how the federal Government ensured that consultations with Indigenous Peoples were carried out in line with the Convention.

27. She wished to know what measures were in place to prevent, mitigate and redress environmental harm and health risks due to mining and other activities, in cooperation with Indigenous Peoples, and what measures were in place to raise awareness among Indigenous peoples of their rights, including the rights to access to justice and to compensation for environmental harm and pollution. The Committee would also appreciate an update on quotas for the commercial fishing grounds allocated to indigenous organizations and measures to mitigate the adverse effect of restrictions on fishing rights. She invited the delegation to provide information on measures taken to restore the rights of the Shor people following the destruction of the village of Kazas in 2013, particularly measures to provide fair compensation for the loss of their lands and houses and to ensure their access to ancestral lands and the village cemetery. She also wished to know what steps had been taken to investigate the high rates of suicide among Indigenous young people in Siberia and the Far North and to address the issue by establishing public health mechanisms and services.

28. She would appreciate an update on the situation of Ms. Yana Tannagashova and Mr. Vladislav Tannagashov, human rights defenders advocating for the rights of the Shor people, who had participated in the State party's previous meeting with the Committee in 2017 and had allegedly been subjected to harassment and intimidation by the local authorities on their return home. What was the status of the ongoing investigation into the case and did it cover the alleged reprisals against Mr. Tannagashov? It would also be useful to receive clarification regarding a subsequent incident involving the reported attempt to intimidate Ms. Tannagashova as she was making a statement at the session of the Expert Mechanism on the Rights of Indigenous Peoples in July 2022, including whether an investigation into the incident had been initiated. The organization represented by Ms. Tannagashova had published a statement online in the aftermath of the incident but had received a request from the authorities to remove it; she invited the delegation to explain why they had made that request.

29. **Mr. Guissé** (Country Task Force) said that he wished to know what measures had been taken by the State party to combat the abuse and labour exploitation of migrant workers and to facilitate their access to effective remedies. He would also welcome updated information on the extent to which labour inspections and other administrative or judicial procedures were performed; statistics on labour inspection visits, any violations of rights detected and the penalties subsequently imposed; and compensation awarded to victims, disaggregated by type of violation, sector, age, gender and ethnic origin.

30. He wished to know what measures were in place to address racial discrimination, such as racial profiling, racially-motivated police raids and racist hate speech, against migrant workers and to ensure their access to justice, including through the provision of legal aid and safe reporting mechanisms. He would also appreciate details of the current status of and proposed amendments to the Outline of the State Policy on Migration for 2019–2025.

31. **Mr. Kut** (Follow-up Coordinator) said that, in paragraph 38 of its previous concluding observations, issued in September 2017, the Committee had requested the State party to provide information, within one year, on its follow-up to the recommendations contained in paragraphs 20 and 26. The interim report had been submitted by the State party but the Committee had considered that the response to the recommendations contained in paragraph 20 was unsatisfactory and that the response to the recommendations contained in paragraph 26 was partially satisfactory. A follow-up letter had subsequently been sent to the State party requesting detailed information on the implementation of those recommendations in the State party's periodic report, but no new information had been received. The Committee would therefore welcome specific and updated information on the implementation of those recommendations.

32. **Ms. Tlakula** said that she wished to know whether the State party had been informed of the reasons for the suspension of the accreditation of the Office of the Commissioner for Human Rights in the Russian Federation by the Global Alliance of National Human Rights Institutions (GANHRI) and whether the State party had any plans to challenge that suspension.

The meeting was suspended at 16.15 and resumed at 16.35.

33. **A representative of the Russian Federation** said that the national census of 2021 had identified 194 main ethnic groups in the country and that, of a total population of 147 million persons, some 349,000 persons were temporarily residing in the Russian Federation and were primarily citizens of countries of the Commonwealth of Independent States, particularly Tajikistan and Uzbekistan, who were living in the country for reasons of employment. As in the 2010 national census, approximately 80 per cent of the population were Russian and the largest other ethnic groups, all with populations of over 1 million persons, were the Tatars, Chechens, Bashkirs, Chuvash and Avars. The smallest of the country's numerically small Indigenous Peoples surveyed were the Kereks, with a population of just 23, and the Aleuts with a population of 98. More than 16 million persons responding to the census had not disclosed their ethnic identity. The results of the census were publicly available on the website of the Federal State Statistics Service and included information related to housing, education and employment.

34. The categories for ethnicities and ethnic groups as included in the census had been determined based on the work of the Institute of Ethnology and Anthropology of the Russian Academy of Sciences and with the participation of representatives of different ethnic groups.

35. **A representative of the Russian Federation** said that, in the preparation of the State party's periodic report, consultations had been held with representatives of 24 of the country's largest non-governmental organizations working to defend the interests of different ethnic groups. In order to ensure direct, systematic and open dialogue with non-governmental organizations, an organization called House of the Peoples of Russia had been established and was responsible for protecting the national and cultural rights of the citizens of the Russian Federation and for addressing issues related to equality and tolerance.

36. **A representative of the Russian Federation** said that 176 human rights organizations were registered in the country, including organizations working to protect the rights of specific social or ethnic groups; for example, some 51 organizations worked for the protection of the rights of migrants. There was also a number of unregistered voluntary organizations that worked for the protection and promotion of human rights, including those related to issues of discrimination. Information from many of those organizations had also been used in the preparation of the State party's periodic report.

37. Anti-discrimination legislation was comprehensive and wide-reaching and was grounded in the Constitution, which prohibited discrimination on the basis of race, ethnicity, language, religion and other such characteristics. Sectoral laws translated the provisions of the Constitution on non-discrimination into practice, and supervisory bodies monitored compliance with the law and human rights in their respective sectors. For example, the Labour Code prohibited discrimination in employment and there were similar laws in the area of education and the civil service. The labour inspectorate was responsible for monitoring the enforcement of labour legislation, the protection of rights and the prevention of discrimination in the workplace.

38. The procuratorial authorities were responsible for protecting citizens' rights and preventing discrimination in all areas and had addressed around 2,000 cases relating to migrants' rights in 2022 alone. The Code of Administrative Offences contained provisions on responsibility for non-compliance with laws on discrimination. In addition, the Criminal Code established criminal liability for acts of discrimination committed against public officials and considered acts motivated by ethnic and religious hatred to be aggravating factors. According to those instruments, discrimination was defined as the violation of the rights of citizens on the basis of race, skin colour, language, religion and other characteristics, a definition that was fully aligned with the Convention.

39. Russian law prohibited any form of restriction of the rights of citizens, including on grounds of sex. A 2014 ruling of the Constitutional Court had declared that the Constitution and other legislation prohibited any restrictions on the rights and freedoms of citizens and any differential treatment of individuals on the basis of membership of certain social groups. The rights of lesbian, gay, bisexual and transgender persons were therefore protected in the Russian Federation.

40. **A representative of the Russian Federation** said that the activities of police officers and other law enforcement officials were regulated by the Constitution and Federal Act No. 3-FZ of 7 February 2011, the Police Act, which governed the main responsibilities of the police. In particular, article 7 of the Police Act provided that the police should protect the rights and legitimate interests of citizens regardless of their social, legal, national, linguistic and religious affiliations.

41. An internal security division of the Ministry of Internal Affairs handled complaints regarding the internal affairs agencies. Where necessary, the judicial branch would take further action on such complaints and would determine whether a criminal offence had been committed, whether the complainant could be recognized as a victim and whether they would be entitled to compensation. The procuratorial authorities were responsible for ensuring that police officers acted in accordance with law.

42. Police officers and other law enforcement officials used profiling methods to identify suspects and establish links between crimes that could have been committed by particular individuals or groups. Such methods were used to apprehend serial killers and rapists and identify terrorists and perpetrators of cybercrime, not to investigate citizens on the basis of racial, ethnic, linguistic or other characteristics. In training provided to officials of the internal affairs agencies, special attention was paid to ethics, the law and the principle of impartiality. Police officers received such training on a weekly basis.

43. **A representative of the Russian Federation** said that special attention was paid in the implementation of the State Nationalities Policy to the preservation of the languages of Russian peoples and the status of the Russian language as the State language. One of the policy's priorities was to support the numerically small Indigenous Peoples of the country and their way of life to help them to adapt their traditional activities to the modern economic environment.

44. The comprehensive, multisectoral State Nationalities Policy Strategy had recently been revised to address two key concerns: the need for greater unity among the country's multi-ethnic population and the importance of preserving and supporting ethnocultural diversity. The new version of the strategy also contained a greater emphasis on the participation of civil society organizations, the preservation of the languages of the peoples of Russia, the promotion of the Russian language as a State language, support for numerically small Indigenous Peoples and their traditional way of life and increased coordination among federal and local authorities. The number of events envisaged in the strategy had since increased from 58 to 112 and the number of federal bodies implementing it had risen from 13 to 23. Some 60 per cent of the strategy's activities were being implemented at the regional and local levels. All constituent entities of the Russian Federation had adopted implementation plans, and an action plan and financial mechanism had been adopted at the federal level to support implementation. Organizations of various ethnic and religious groups and experts from the academic community had participated in the process. The strategy's implementation was openly discussed in public forums such as the Civic Chamber of the

Russian Federation and various advisory councils, and information on its results was publicly available on the Internet.

45. **A representative of the Russian Federation** said that 1,566 crimes linked to racial discrimination had been recorded in 2022, which was nearly 50 per cent more than the 1,057 crimes recorded in 2021, a consequence of increased efforts of the law enforcement agencies to detect such crimes and prosecute perpetrators. Of the crimes recorded in 2022, 1,109 had been non-violent in nature and related to online hate speech, in comparison to the 922 recorded in 2021. In the past two years, 571 persons had been convicted of crimes involving online hate speech, and 57 had been punished for violent crimes motivated by racial or religious hatred. Those statistics showed that anti-discrimination legislation was working.

46. Complaints of rights violations concerning an individual's membership of a particular social or ethnic group were addressed by the relevant sectoral supervisory body. However, the Office of the Procurator General could also receive complaints of discrimination. All complaints were handled in the manner provided for in domestic legislation, such as Federal Act No. 59-FZ of 5 May 2006 on the Procedure for Examining Appeals from Citizens of the Russian Federation. In addition, citizens could lodge appeals on decisions with high-level authorities or the courts.

47. Over the past year, the Office of the Procurator General had reviewed around 3,500 appeals relating to cases of incitement to racial hatred, most of which referred to online hate speech. The Office of the Procurator General had verified and addressed all complaints received, had monitored the steps taken by State authorities to consider and resolve cases of rights violations and had taken corrective measures against any sectoral supervisory bodies failing to take the action required. All complaints concerning discrimination were therefore examined by State mechanisms in an objective and respectful manner.

48. **A representative of the Russian Federation** said that extremist activities carried out by radical nationalist, religious and ethnic organizations were one of the main threats to national security. The Government therefore paid special attention to counter-extremism activities. The definition of extremist activity in domestic legislation was already very detailed; it was therefore unnecessary to specify that extremist activity included incitement to hatred and the belief in the superiority or inferiority of certain groups on the grounds of social status, race, nationality, language or religion.

49. Under domestic legislation, judicial complaints could be lodged against actions taken by public authorities in the exercise of counter-extremism activities. Moreover, the courts had handed down decisions on preventive measures to be taken in that area.

50. The concept of foreign agents was first introduced into legislation in 2012 to identify organizations and individuals carrying out political activities in the country while receiving funding from foreign sources. The relevant legislation had been amended and simplified over time. Federal Act No. 255-FZ of 14 July 2022 on Control over the Activities of Persons under Foreign Influence contained a clear definition of foreign agents, which ensured that persons who did not meet those criteria would not be treated as such. An individual or organization could be removed from the register of foreign agents through a declaration or decision of the relevant public authorities. The law also provided for the right to appeal against judicial decisions to include an individual or organization in the register and envisaged sufficient guarantees for the protection of the rights of citizens and organizations. The legislation did not infringe on the rights and freedoms of individuals and legal entities funded by foreign sources but rather ensured transparency in the implementation of their activities in the country. In its consideration of the matter, the Constitutional Court had stressed that the designation of an individual or organization as a foreign agent did not imply a negative assessment of the respective party by the Government and was not intended to foster negative attitudes towards their activities or discredit the individual or organization.

51. **A representative of the Russian Federation** said that Federal Act No. 255-FZ of 14 July 2022 did not place any restrictions on the rights of foreign agents, including the right to carry out their activities. The only additional obligations imposed on those individuals and organizations was the responsibility to label their products accordingly and submit additional reports to the regulatory authorities. Experience had shown that activities carried out using foreign funding often went against the State's interests; the Government therefore had the

right to place controls on such activities to protect its citizens. Its approach was aligned with international instruments, including the Universal Declaration of Human Rights and the Convention for the Protection of Human Rights and Fundamental Freedoms, which permitted the imposition of restrictions on freedom of association if prescribed by law and required in the interest of national security.

52. **A representative of the Russian Federation** said that since there was no definition of Indigenous peoples in international law, the legal status of Indigenous Peoples was determined at the State level in line with national legislation. The special category of numerically small Indigenous Peoples, referring to Indigenous groups of fewer than 50,000 people who maintained traditional practices in their ancestral homelands, had been established to enable the State to grant them collective and individual rights. Of the 47 recognized numerically small Indigenous Peoples living in 34 regions of the Russian Federation, 40 were classed as numerically small Indigenous Peoples of the North, Siberia and the Far East, granting them special legal status under the Constitution. Matters relating to those peoples were governed by federal legislation aimed at safeguarding their rights. According to the 2020 census, just over 315,000 individuals belonged to numerically small Indigenous Peoples. The populations of some groups, such as the Veps, Telengits, Nganasans and Kamchadals, had fallen significantly, while others, including the Tuvans, had increased. The Government was exploring why some populations were in decline and was considering measures to improve legislation and promote their socioeconomic development.

53. Under domestic legislation, it was possible to create territories of traditional natural resource use administered at the federal, regional and local levels. Of those territories, 80 per cent were locally administered. Federally administered territories could be created if two or more Indigenous peoples claimed that land as their ancestral homeland; however, no such proposals had yet been made. Certain territories of traditional natural resource use had lost that status and the respective special protections. Economic activities were prohibited in territories of traditional natural resource use, with the exception of traditional activities of the numerically small Indigenous Peoples. An amendment to legislation on the procedure for compensation for damages had been approved. In addition, amendments had been made to federal legislation on historical and cultural and environmental expert assessments, which had led to the adoption of a law on ethnological assessments. However, the main issues concerning the protection of the activities of Indigenous Peoples were covered by amendments to other laws.

54. Although no international standards had been established regarding free, prior and informed consent, the practice of obtaining such consent was widespread in the Russian Federation. Councils of numerically small Indigenous Peoples, created under the auspices of regional authorities, formed cooperation agreements with businesses. Practices differed among regions: for example, 8 agreements had been signed in Khakasia between 2021 and 2022, and 39 relevant studies had been conducted in Sakha Republic since 2010 to determine the procedure for compensation for damages. Three communities had received compensation in the amount of 15 million roubles as a consequence of one such agreement and, in the Khanty-Mansiysk Autonomous Area – Ugra, around \$10 million was paid out in compensation each year through agreements signed between businesses and several hundred households living over an area spanning 135,000 square kilometres. The registration of land parcels was prohibited by law; the delegation could provide the Committee with further information in that regard if necessary.

55. **Mr. Barinov** (Russian Federation) said that one example of the penalties imposed on companies that violated environmental law had been the record fine of 148 billion roubles – more than \$2 billion – that had been handed to Norilsk Nickel following an oil spill on the Taimyr Peninsula. A 2 billion rouble compensation package had been agreed with the victims and was accompanied by measures to repair the damage caused in the territories of numerically small Indigenous Peoples.

56. **A representative of the Russian Federation** said that fishing activities by Indigenous Peoples were subject to restrictions, such as the prohibition of fishing for endangered species. In early 2023, a bill had been submitted to the parliament that would significantly reduce barriers to fishing by Indigenous Peoples by no longer requiring them to obtain authorization.

57. The Government had introduced standards for the prior consultation of residents who might be affected by the economic activities of corporations. Henceforth, all decisions would be taken in accordance with a mandatory public agreements concluded between residents and the company concerned, with the participation of representatives of the Government. One such agreement, which had been concluded by a company operating near the territory of the Shor people, provided for measures such as the refurbishment of schools and health clinics and the provision of homes to local inhabitants who wished to be relocated.

58. All persons who had been willing to move from the village of Kazas had been granted that opportunity and their homes had been purchased at the market rate. Efforts were under way to build a new settlement as close as possible to the previous location of the village, although several people had refused to move for various reasons. The local authorities had taken steps to preserve the village cemetery, including by installing fences, repairing the road and providing bus services for those who wished to visit the cemetery. A holy well next to the cemetery had been placed under protection.

59. **A representative of the Russian Federation** said that Russian labour laws afforded migrant workers the same rights and guarantees in the sphere of employment as Russian citizens, including in relation to wages, rest days and labour protection. Employers were liable to incur administrative and criminal penalties for violations of the labour laws concerning wages and recruitment, and violations of the rights of migrant workers. Reports that migrant workers earned low wages were likely related to their employment in areas of activity that did not require high skill levels or advanced qualifications. Russian citizens employed in the same activities would receive the same wage. Low wages in themselves did not constitute a violation of labour laws, which would occur only if the worker was paid less than the minimum wage.

60. The labour inspectorate carried out inspections of employers throughout the country and in all areas of the economy. Migrant workers had an equal right to seek the protection of the labour inspectorate. In 2021, the labour inspectorate had conducted over 90,000 inspections, 600 of which had concerned the employment of foreign workers. The most common labour violations related to salaries and working conditions. In such cases, the inspectorate ordered the employer to remedy the violations, which were subject to administrative fines. An estimated 80 per cent of violations had been redressed; the inspectorate thus protected the working conditions of migrant workers and Russian workers alike.

61. Migrant workers were entitled to seek the support of the employment services in finding a job. In 2022, more than 3 million people had applied to those services, and about 2 million of them, including 4,000 foreign nationals, had found work. Migrants also benefited from social services in the spheres of housing, education and health. Foreign nationals with the status of permanent residents, stateless persons and refugees were all eligible to receive special allowances related to pregnancy, birth and childcare. All persons legally employed in the Russian Federation had the right to a pension.

62. **Mr. Payandeh** said that he was particularly interested to know what the population census had revealed about the equal enjoyment of human rights by ethnic groups and minorities. For instance, he would like to know whether certain ethnic groups performed more poorly in education or experienced higher rates of unemployment. Noting that 176 human rights organizations had been registered in the Russian Federation, he wished to know why hardly any of them had submitted reports to the Committee. He would also appreciate an explanation of how the State party applied its anti-discrimination laws in practice, together with information on complaints, prosecutions and convictions related to acts of discrimination and compensation for victims. Lastly, he would welcome information on cases in which law enforcement officials had been held accountable for racial profiling, and on cases in which individuals or organizations had been removed from the list of foreign agents.

63. **A representative of the Russian Federation** said that the census had yielded information on the characteristics of persons belonging to numerically small Indigenous Peoples, including their age, gender, language, education level, source of income and employment status. The census findings had been published on 30 December 2022 and would inform the decisions taken in respect of specific ethnic groups.

64. **A representative of the Russian Federation** said that individuals or organizations could be removed from the list of foreign agents in two ways: they could provide a document proving that they no longer received foreign funding, or they could contest before the courts the decision whereby they had been placed on the list. There had been several instances in which individuals and organizations had been delisted.

65. **Ms. Stavrinaki** said that it was unclear why the State party continued to apply a legal definition of Indigenous Peoples that imposed a numerical ceiling of 50,000 individuals, despite the Committee's recommendation, in its previous concluding observations (CERD/C/RUS/CO/23-24), to undertake the necessary legal revision with a view to ensuring that Indigenous Peoples, regardless of their numbers, were recognized as such and could enjoy legal and constitutional protection of their cultural, territorial and political rights. She would be interested to know whether the State party had conducted any studies to investigate the reasons for the decline in the numbers of Indigenous Peoples. She wished to know why certain territories had lost their protected status and what role the State played in overseeing the fulfilment of agreements between companies and Indigenous communities. She would appreciate details of how the \$2 billion fine paid by Norilsk Nickel would benefit the Indigenous communities that had been affected by the oil spill. Lastly, she wished to know why no information on the Shor people had not been included in the report.

66. **The Chair** said that she was curious to know whether the Russian Federation supported the United Nations Declaration on the Rights of Indigenous Peoples.

67. **Mr. Barinov** (Russian Federation) said that the State's support for Indigenous Peoples with a population of less than 50,000 was guaranteed by the Constitution. Such support was not discriminatory but reflected the vulnerability of their situation, considering that they led traditional ways of life in a very harsh climate. It should be noted that the population census had been conducted during the coronavirus disease (COVID-19) pandemic and that about 16 million respondents had not indicated their ethnic identity. The Government believed that the apparent drop in the population of numerically small Indigenous Peoples was related to the conditions under which census had been conducted and was not a true reflection of their situation. It would, however, pay close attention to the issue during the coming reporting cycle.

68. **A representative of the Russian Federation** said that agreements between companies and Indigenous communities were a mechanism that had only been introduced in 2020. Such agreements were entered into by a council of Indigenous persons established under the auspices of a public authority such as a regional government or governor. The State acted as an intermediary and arbiter between Indigenous Peoples and industrial companies and supported the interests of numerically small Indigenous Peoples. The information on the Shor people related to events that followed after the submission of the report. The delegation was ready to provide additional details regarding the oil spill on the Taimyr Peninsula and its impact on Indigenous Peoples.

69. **Mr. Diaby** said that on 25 January 2023, Moscow City Court had ordered the dissolution of one of the country's oldest human rights organizations; a ruling with severe implications for freedoms. He wondered how many such organizations had been dissolved by the courts, for what reasons, and whether they included organizations that defended the rights of minorities. He would be interested to know whether the State party planned to enact a law for the protection of human rights defenders.

70. **Mr. Amir** said that, under the Constitution, one of the subjects of the Russian Federation was the Jewish Autonomous Province, which had been established in the early twentieth century with its administrative centre at Birobidzhan. He would appreciate information concerning the current status of the region and whether a Jewish community still lived there.

71. **Mr. Barinov** (Russian Federation) said that the Jewish Autonomous Province retained its constitutional status and Jews continued to settle and reside there. On the subject of the Jewish community, it should be noted that the Government and the Russian Jewish Congress organized regular international conferences devoted to issues such as antisemitism and xenophobia. According to independent research, levels of antisemitism were lower in

Russia than in many other countries; a finding that had been confirmed by the President of the World Jewish Congress during a recent visit.

72. **A representative of the Russian Federation** said that Federal Act No. 115-FZ of 25 July 2022 on the Legal Status of Foreign Nationals in the Russian Federation had been amended in February 2021 in order to introduce temporary identification papers for stateless persons with the aim of regularizing their legal status. Furthermore, on 13 December 2022, the State Duma had adopted a bill amending Federal Act No. 109-FZ of 18 July 2006 on the Migration Registration of Foreign Citizens and Stateless Persons in the Russian Federation. The amended law, which would allow foreign nationals or stateless persons to notify the Ministry of Internal Affairs of their place of residence by submitting proof of a rental contract, would enhance the quality of the services provided to such persons and improve the management of migration records.

The meeting rose at 6.05 p.m.