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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Russian Federation

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

1. The Russian Federation reiterates its unwavering commitment to the universal periodic review, which provides a unique means of examining and evaluating the development of human rights globally and enables national authorities to share best practices in this area.
2. The competent authorities of the Russian Federation have carefully examined the 231 recommendations that it received during the sixteenth session of the Working Group on the Universal Periodic Review of the Human Rights Council.
3. Replies expressing agreement or disagreement with specific recommendations are set out below in thematic clusters. Explanations of the position of the Russian authorities with regard to those recommendations are contained in the annex in table form.
4. In all, the Russian Federation accepts 149 recommendations, including those whose content and wording the authorities support, and others that have already been put into practice or are being implemented.
5. The Russian Federation partially accepts 14 recommendations, some of which, although meeting with the authorities' overall approval, cannot be fully supported because they contain elements that, for various reasons, cannot be put into practice. They also include recommendations made up of a number of separate recommendations addressing questions that are unrelated to one another and with which the authorities do not concur.
6. The Russian Federation does not accept 68 recommendations. It cannot support them either because they contradict the letter, spirit or practical implementation of the law or certain trends in its development, or because the assertions made in them reveal factual inaccuracies and inconsistencies.

International human rights commitments

7. The Russian Federation **accepts** the following recommendations:
140.1, 140.7, 140.8, 140.22, 140.23.
8. The Russian Federation **partially accepts** the following recommendations:
140.2, 140.9, 140.12, 140.21.
9. The Russian Federation does **not accept** the following recommendations:
140.3, 140.4, 140.5, 140.6, 140.10, 140.11, 140.13, 140.14, 140.15, 140.16, 140.17, 140.18, 140.19, 140.20.

Human rights legislation and institutions

10. The Russian Federation **accepts** the following recommendations:
140.24, 140.27, 140.28, 140.29, 140.30, 140.32, 140.33, 140.56, 140.57, 140.58, 140.59, 140.60, 140.61.
11. The Russian Federation does **not accept** the following recommendations:
140.25, 140.26.

International cooperation in the field of human rights

12. The Russian Federation **accepts** the following recommendations:
140.55, 140.62, 140.63, 140.64, 140.72, 140.73, 140.74, 140.230.
13. The Russian Federation does **not accept** the following recommendations:
140.65, 140.66, 140.67, 140.68, 140.69, 140.70, 140.71.

Equality and non-discrimination – general issues

14. The Russian Federation **accepts** the following recommendations:
140.77, 140.78, 140.79.
15. The Russian Federation does **not accept** the following recommendations:
140.75, 140.76.

Promotion of tolerance. Combating racism, racial discrimination and xenophobia

16. The Russian Federation **accepts** the following recommendations:
140.34, 140.35, 140.36, 140.37, 140.38, 140.39, 140.40, 140.41, 140.42, 140.80,
140.81, 140.82, 140.83, 140.84, 140.85, 140.138, 140.212.

Protection of socially vulnerable groups

17. The Russian Federation **accepts** the following recommendations:
140.31, 140.43, 140.44, 140.45, 140.46, 140.47, 140.48, 140.49, 140.50, 140.51,
140.52, 140.53, 140.54, 140.141, 140.142, 140.143, 140.213, 140.214, 140.215,
140.216.

Sexual orientation issues

18. The Russian Federation **accepts** the following recommendations:
140.93, 140.94, 140.96, 140.97.
19. The Russian Federation **partially accepts** the following recommendation:
140.95.
20. The Russian Federation does **not accept** the following recommendations:
140.86, 140.87, 140.88, 140.89, 140.90, 140.91, 140.92.

Right to life, liberty and security of the person. Combating human trafficking

21. The Russian Federation **accepts** the following recommendations:
140.101, 140.103, 140.104, 140.116, 140.117, 140.118, 140.119, 140.231.
22. The Russian Federation does **not accept** the following recommendations:
140.98, 140.99, 140.100, 140.102, 140.105.

Combating violence, including against women

23. The Russian Federation **accepts** the following recommendations:
140.106, 140.108, 140.109, 140.110, 140.112, 140.114, 140.115, 140.137.
24. The Russian Federation **partially accepts** the following recommendations:
140.107, 140.111, 140.113.

Administration of justice and the judicial system

25. The Russian Federation **accepts** the following recommendations:
140.120, 140.121, 140.123, 140.124, 140.125, 140.126, 140.127, 140.128, 140.129,
140.130, 140.131.

26. The Russian Federation does **not accept** the following recommendations:
140.122, 140.139, 140.140.

Penitentiary system. Law enforcement agencies

27. The Russian Federation **accepts** the following recommendations:
140.132, 140.133, 140.134, 140.135, 140.136.

Civil liberties, NGOs, human rights defenders, journalists and elections

28. The Russian Federation **accepts** the following recommendations:
140.144, 140.148, 140.149, 140.150, 140.152, 140.154, 140.156, 140.157, 140.159,
140.160, 140.164, 140.166, 140.167, 140.170, 140.173, 140.185, 140.186, 140.187,
140.188, 140.189, 140.190, 140.191, 140.192.
29. The Russian Federation **partially accepts** the following recommendations:
140.145, 140.175, 140.177.
30. The Russian Federation does **not accept** the following recommendations:
140.146, 140.147, 140.151, 140.153, 140.155, 140.158, 140.161, 140.162, 140.163,
140.165, 140.168, 140.169, 140.171, 140.172, 140.174, 140.176, 140.178, 140.179,
140.180, 140.181, 140.182, 140.183, 140.184, 140.193.

Economic, social and cultural rights

31. The Russian Federation **accepts** the following recommendations:
140.194, 140.195, 140.196, 140.198, 140.199, 140.200, 140.201, 140.203, 140.204.
32. The Russian Federation **partially accepts** the following recommendation:
140.197.
33. The Russian Federation does **not accept** the following recommendation:
140.202.

Education, including in the field of human rights

34. The Russian Federation **accepts** the following recommendations:
140.205, 140.206, 140.207, 140.208, 140.209, 140.210, 140.211.

Rights of ethnic minorities and indigenous peoples

35. The Russian Federation **accepts** the following recommendations:
140.217, 140.218, 140.219, 140.220, 140.221, 140.222.
36. The Russian Federation **partially accepts** the following recommendation:
140.224.
37. The Russian Federation does **not accept** the following recommendations:
140.223, 140.225.

Rights of migrants

38. The Russian Federation **accepts** the following recommendations:
140.227, 140.229.
39. The Russian Federation **partially accepts** the following recommendation:
140.228.
40. The Russian Federation does **not accept** the following recommendation:
140.226.

Annex

Annex to the views of the Russian Federation on the recommendations made during the presentation of its second national report under the universal periodic review

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.1	<p>Accepted</p> <p>The Russian Federation will continue to give close consideration to the possibility of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance, taking into account the provisions of current domestic legislation.</p>
140.2	<p>Partially accepted</p> <p>Accession to the International Convention for the Protection of All Persons from Enforced Disappearance is accepted (see 140.1).</p> <p>With regard to accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Russian Federation draws attention to the fact that it is a party to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and that it actively cooperates with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. A system of public monitoring commissions, which are allowed unfettered access to places of detention, has been operating since 2008.</p> <p>Given that the Optional Protocol largely overlaps with the above-mentioned mechanisms, the recommendation on accession to it is not accepted.</p>
140.3	<p>Not accepted</p> <p>See 140.2.</p>
140.4	<p>Not accepted</p> <p>There has been a legal prohibition on the imposition and application of the death penalty in the Russian Federation for more than 15 years. This has been confirmed by established legal practice.</p> <p>The country is thus in full compliance with the basic obligation contained in the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, even though it has not acceded to the Protocol.</p> <p>The possibility of accession depends directly on the emergence of a broad public consensus in support of the de jure abolition of the death penalty and, if necessary, will be considered in due course.</p>
140.5	<p>Not accepted</p> <p>See 140.4.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.6	<p>Not accepted</p> <p>Ratification of the Rome Statute of the International Criminal Court is being considered by the competent authorities. A decision on the matter and its timing, which is the prerogative of the State, will be taken in the light of the current provisions of the law. There is at present no basis for acceding to the Rome Statute.</p> <p>See also 140.4.</p>
140.7	<p>Accepted and already implemented</p> <p>The optional protocol in question was ratified by the Russian Federation on 7 May 2013.</p>
140.8	<p>Accepted and already implemented</p> <p>The optional protocols in question were ratified by the Russian Federation on 7 May 2013 and 26 June 2008.</p>
140.9	<p>Partially accepted</p> <p>The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was ratified by the Russian Federation on 7 May 2013.</p> <p>The possibility of ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure was examined by the competent authorities, which concluded that a number of provisions of the Optional Protocol are incompatible with current domestic law. The Russian Federation therefore has not accepted this part of the recommendation.</p>
140.10	<p>Not accepted</p> <p>The possibility of ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities will be considered in due course by the Russian Federation in the context of a broadening of its human rights commitments.</p>
140.11	<p>Not accepted</p> <p>Consideration of the compatibility of individual provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families with the domestic law of the Russian Federation and with international treaties to which it is a party will proceed in due course.</p>
140.12	<p>Partially accepted</p> <p>The recommendation to ratify the International Convention for the Protection of All Persons from Enforced Disappearance is accepted. See 140.1.</p> <p>The recommendation to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is not accepted. See 140.2.</p> <p>The recommendation to ratify the Rome Statute is not accepted. See 140.6.</p>
140.13	<p>Not accepted</p> <p>See 140.2 and 140.6.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.14	<p>Not accepted</p> <p>See 140.2 and 140.6.</p> <p>With regard to ratification of the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, the Russian Federation draws attention to the fact that the legal status of stateless persons in accordance with those international conventions is in no way diminished under its domestic law. There is therefore no objective need at present for accession to them.</p>
140.15	<p>Not accepted</p> <p>After a thorough examination, involving representatives of indigenous communities and experts, of the provisions of ILO Convention No. 169, with a view to possible ratification, it was concluded that current legislation concerning small indigenous peoples in the Russian Federation was not only more comprehensive than the Convention but that it was also subject to constant amendment in line with circumstances on the ground and emerging challenges.</p>
140.16	<p>Not accepted</p> <p>See 140.6.</p>
140.17	<p>Not accepted</p> <p>See 140.6.</p>
140.18	<p>Not accepted</p> <p>See 140.6.</p>
140.19	<p>Not accepted</p> <p>See 140.6.</p>
140.20	<p>Not accepted</p> <p>See 140.6.</p>
140.21	<p>Partially accepted</p> <p>The recommendation to ratify the International Convention for the Protection of All Persons from Enforced Disappearance is accepted. See 140.1.</p> <p>The remainder of the recommendation is not accepted. See 140.2, 140.4, 140.6, 140.11, 140.14.</p>
140.22	<p>Accepted</p> <p>The Russian Federation is a party to the overwhelming majority of the main universal international human rights treaties. It intends to continue gradually broadening the range of its international human rights commitments, bearing in mind the financial implications and the need to amend legislation and modify practices.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.23	Accepted The possibility of accession to the Convention and its ratification is included in a plan of action to implement the 2012–2017 National Strategy for Children and will be considered by the competent authorities according to a timetable set under the plan.
140.24	Accepted
140.25	Not accepted The detailed definition of extremism set forth in the legislation is not contrary to the Russian Federation's international commitments and is duly applied by law enforcement agencies and the courts.
140.26	Not accepted See 140.25.
140.27	Accepted Much has been accomplished in this regard in the past few years and the results have been made known on several occasions, including in the second national report of the Russian Federation.
140.28	Accepted
140.29	Accepted
140.30	Accepted
140.31	Accepted
140.32	Accepted and already implemented In 2011, the President of the Russian Federation approved a policy outline for the promotion of legal literacy and awareness among the public. Key goals include, in particular, making citizens more aware of their rights. The policy sets forth measures to improve the legal culture of public servants and is being implemented by all the public authorities in conjunction with civil society institutions.
140.33	Accepted
140.34	Accepted
140.35	Accepted
140.36	Accepted
140.37	Accepted
140.38	Accepted

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.39	<p>Accepted and already implemented</p> <p>A variety of effective mechanisms for interreligious dialogue have been established, including:</p> <p>The Council of the President of the Russian Federation for Inter-ethnic Relations;</p> <p>The Council of the President of the Russian Federation for Relations with and between Religious Associations;</p> <p>The Government Commission on Religious Associations;</p> <p>The Interfaith Council of Russia;</p> <p>The Social Forum's Commission for Inter-ethnic Relations and Freedom of Conscience;</p> <p>Consultative and advisory bodies attached to government authorities in the country's constituent entities, in the work of which representatives of religious associations take an active part.</p>
140.40	Accepted
140.41	Accepted
140.42	Accepted
140.43	Accepted
140.44	Accepted
140.45	Accepted
140.46	Accepted
140.47	Accepted
140.48	Accepted
140.49	Accepted
140.50	Accepted
140.51	Accepted
140.52	<p>Accepted and already implemented</p> <p>Under the Constitution, citizens' rights may not be restricted in any way on the grounds of social, racial, ethnic, linguistic or religious identity. Neither the law nor the way in which it is administered are discriminatory against any social groups.</p>
140.53	Accepted
140.54	Accepted
140.55	Accepted
140.56	Accepted

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.57	Accepted
140.58	Accepted
140.59	Accepted Much has been accomplished in this regard in the past few years, resulting in a marked increase in transparency in the authorities' activities.
140.60	Accepted
140.61	Accepted
140.62	Accepted
140.63	Accepted
140.64	Accepted
140.65	Not accepted The Russian Federation regularly receives visits from special procedures of the Human Rights Council and will, to the extent that it is able, continue to do so, taking into account the importance to it of any given matter and the need to prepare for such visits properly.
140.66	Not accepted See 140.65.
140.67	Not accepted See 140.65.
140.68	Not accepted See 140.65.
140.69	Not accepted See 140.2, 140.65.
140.70	Not accepted See 140.65.
140.71	Not accepted See 140.2, 140.6, 140.15, 140.65. As far as ratification of ILO Convention No. 189 is concerned, national legislation adequately protects all categories of workers, including those working at home. Chapter 49 of the Labour Code addresses the specific situation of home workers.
140.72	Accepted
140.73	Accepted See 140.65.
140.74	Accepted

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.75	<p>Not accepted</p> <p>Russian law already contains a detailed definition of both direct and indirect discrimination.</p> <p>Acts of discrimination are punishable under criminal and administrative law. The Criminal Code and the Code of Administrative Offences each contain definitions of discrimination. Moreover, the victims of such acts are entitled to sue the perpetrator for damages.</p>
140.76	<p>Not accepted</p> <p>See 140.75.</p>
140.77	<p>Accepted</p> <p>See also 140.75.</p>
140.78	<p>Accepted</p> <p>See also 140.75, 140.107.</p>
140.79	<p>Not accepted</p> <p>See 140.75.</p>
140.80	Accepted
140.81	Accepted
140.82	Accepted
140.83	<p>Accepted and already implemented</p> <p>Public servants are, without exception, forbidden by law from favouring particular social groups in any way and are duty-bound to take into account the specific characteristics of different ethnic groups and to promote inter-ethnic and interfaith harmony.</p> <p>Article 29, paragraph 2, of the Constitution prohibits propaganda and public campaigning that incite social, racial, ethnic or religious hatred and enmity.</p> <p>The law also stipulates that the election campaign programmes of candidates and electoral associations, other campaign materials, and presentations at public events and in the media should not contain calls for extremist action or justify extremism.</p>
140.84	Accepted
140.85	<p>Accepted</p> <p>The authorities investigate such crimes with the utmost diligence and will continue to take all the necessary steps to establish the identity of the perpetrators and bring them to justice.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.86	<p>Not accepted</p> <p>The law does not discriminate against lesbian, gay, bisexual and transgender (LGBT) persons.</p> <p>In the Russian Federation, all are guaranteed the right to freedom of thought and expression, as well as to freedom of assembly. According to articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, to which the Russian Federation is a party, the exercise of these freedoms may be subject to restrictions as are prescribed by law and are necessary in a democratic society, including for the protection of health and morals, and the protection of the reputation or rights of others.</p> <p>The law contains no measures whatsoever aimed at prohibiting or officially censuring homosexuality, or any indications of a discriminatory nature. Nor does it allow for excessive action by the authorities. It cannot, therefore, be said that it places undue restrictions on the freedoms of speech or assembly.</p>
140.87	<p>Not accepted</p> <p>See 140.86.</p>
140.88	<p>Not accepted</p> <p>See 140.86.</p>
140.89	<p>Not accepted</p> <p>See 140.86.</p>
140.90	<p>Not accepted</p> <p>See 140.86.</p>
140.91	<p>Not accepted</p> <p>See 140.86.</p>
140.92	<p>Not accepted</p> <p>The law already contains provisions on sex offences against persons under the age of consent and these are duly applied without any form of discrimination.</p>
140.93	<p>Accepted</p> <p>The law does not discriminate against LGBT persons and does not allow for the arbitrary application of the relevant regulations.</p>
140.94	<p>Accepted</p> <p>See 140.93.</p>
140.95	<p>Partially accepted</p> <p>Discrimination against LGBT persons is already prohibited under the law and, accordingly, the recommendation in the paragraph to pass such legislation is not accepted.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.96	<p>Accepted and already implemented</p> <p>All acts of violence, regardless of whether perpetrated on members of the LGBT community or representatives of other social groups, are duly acted upon by the law enforcement agencies.</p> <p>An offence committed on the grounds of hatred or enmity towards any social group is regarded as an aggravating circumstance pursuant to article 63, paragraph 1 (f), of the Criminal Code.</p>
140.97	<p>Accepted and already implemented</p> <p>In the Russian Federation the dissemination of information that encourages any form of discrimination, including on the grounds of sexual orientation, is already prohibited.</p> <p>With regard to the conduct of officials, see 140.83.</p> <p>As far as the conduct of the media is concerned, the Russian Federation draws attention to the fact that freedom of the press is guaranteed and censorship is prohibited. It follows that the Government is not in a position to determine editorial policy in the media. By the same token, it is an offence under the Mass Media Act (No. 2124-1 of 27 December 1991) to abuse freedom of the press. Such offences are punishable by law.</p>
140.98	<p>Not accepted</p> <p>See 140.4.</p>
140.99	<p>Not accepted</p> <p>See 140.4.</p>
140.100	<p>Not accepted</p> <p>See 140.4.</p>
140.101	<p>Accepted</p> <p>The law enforcement agencies do all that is necessary to investigate such offences.</p> <p>Since the Working Group on Enforced or Involuntary Disappearances was established, the Russian Federation has worked actively with it on specific cases of disappearances, in accordance with domestic law and the provisions of the Declaration on the Protection of All Persons from Enforced Disappearance. All of the Working Group's requests receive close attention. The law enforcement agencies take all the necessary steps to obtain information on the fate and precise whereabouts of missing persons.</p> <p>See 140.1.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.102	<p>Not accepted because of factual inaccuracies and inconsistencies in the recommendation's content and form.</p> <p>The law enforcement agencies of the Russian Federation do not engage in arbitrary detentions, torture or excessive use of force. Detention and other coercive measures are carried out in accordance with procedural law, which provides effective safeguards against civil rights violations.</p> <p>Any instances of improper treatment of detainees are duly investigated by the Investigative Committee and Office of the Procurator-General. Law enforcement officers found guilty are subject to prosecution as stipulated under the law.</p>
140.103	<p>Accepted</p> <p>See also 140.102.</p>
140.104	<p>Accepted and already implemented</p> <p>Under Article 75 of the Code of Criminal Procedure, evidence obtained in violation of the law (including through the use of violence, torture and other cruel or degrading treatment) is inadmissible. Such evidence does not have legal force and may not be used as grounds for prosecution.</p>
140.105	<p>Not accepted because of factual inaccuracies and inconsistencies in the recommendation's content and form.</p> <p>See 140.102, 140.120, 140.145, 140.152.</p>
140.106	<p>Accepted</p>
140.107	<p>Partially accepted</p> <p>The Coordinating Council on Gender Issues of the Ministry of Health and Social Development has adopted a decision on the preparation of draft amendments to legislation to impose harsher penalties for violence against women. The working group set up by the Coordinating Council for this purpose is conducting the preparatory work for a draft federal bill on the prevention of domestic violence.</p> <p>However, the law already prohibits all forms of violence within the family and provides for the corresponding penalties. Help centres for the support of victims of domestic violence operate in the constituent entities of the Russian Federation and provide the necessary services.</p>
140.108	<p>Accepted</p> <p>See also 140.107.</p>
140.109	<p>Accepted</p> <p>See also 140.107.</p>
140.110	<p>Accepted</p> <p>See also 140.107.</p>
140.111	<p>Partially accepted</p> <p>See also 140.107.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.112	Accepted
140.113	Partially accepted See also 140.107.
140.114	Accepted See also 140.107.
140.115	Accepted
140.116	Accepted
140.117	Accepted
140.118	Accepted
140.119	Accepted
140.120	Accepted The Russian authorities have already made extensive regulatory and organizational changes in this area in recent years. One of the main challenges in the development of the judicial system is to ensure access to justice for citizens and maximum transparency in the work of the courts. A Federal Act that came into force in 2010 made mandatory the publication on the Internet of the texts of judicial instruments and other information relating to the activities of the judicial system as a whole, as well as of individual courts and judges. The Federal Act on Free Legal Assistance, which came into force in January 2012, provides further guarantees of access to qualified legal advice for citizens. An effective mechanism has been established to ensure that trials are held and court rulings are executed within a reasonable time, allowing citizens to claim compensation for unreasonable delays by the authorities in this respect. An appeals chamber dealing with all categories of cases has been set up in courts of general jurisdiction to speed up the judgement review process. A new Code of Judicial Ethics adopted in December 2012 gives a detailed explanation of the mandatory rules of conduct for all judges in both their professional and other activities. The Russian authorities intend to continue their efforts to make further improvements to the judicial system, which they consider to be the most important mechanism in a modern State governed by the rule of law.
140.121	Accepted See 140.120.

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.122	<p>Not accepted</p> <p>The relevant independent bodies have already been established.</p> <p>Under the Constitution, federal court judges are appointed by the President of the Russian Federation. Justices of the peace are appointed to their duties by the legislative bodies of the relevant constituent entity of the Russian Federation or are elected by the population of the judicial district concerned.</p> <p>Examination commissions, which administer the qualifying examinations for judges, and judicial qualification boards are independent bodies within the judicial community. Their membership includes representatives of the public.</p> <p>Complaints about decisions of judicial qualification boards in respect of early termination of a judge's term of office for breach of discipline are reviewed by a special judicial authority, the Judicial Disciplinary Tribunal.</p>
140.123	<p>Accepted</p> <p>The right to consult freely with counsel of the detainee's choice immediately upon arrest is already laid down in article 48 of the Constitution and is realized in practice without any restrictions.</p>
140.124	<p>Accepted</p> <p>See 140.120.</p>
140.125	<p>Accepted</p> <p>See 140.120.</p>
140.126	<p>Accepted</p> <p>See 140.120.</p>
140.127	<p>Accepted</p> <p>See 140.120.</p>
140.128	<p>Accepted</p> <p>See 140.120.</p>
140.129	<p>Accepted</p> <p>See 140.120.</p>
140.130	<p>Accepted</p> <p>See 140.120.</p>
140.131	Accepted
140.132	Accepted
140.133	Accepted
140.134	Accepted
140.135	Accepted

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.136	Accepted
140.137	Accepted
140.138	Accepted
140.139	Not accepted The universal periodic review procedure may not be used as a justification for intervening in pretrial investigations or proceedings in the national courts.
140.140	Not accepted As a member of the Council of Europe, the Russian Federation recognizes the jurisdiction of the European Court of Human Rights in the interpretation and application of the Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols in cases of alleged violations by the Russian Federation of the provisions of international treaties. Pursuant to article 46 of the Convention, issues related to execution by the Russian Federation of the Court's judgements come under the competence and supervision of the Committee of Ministers of the Council of Europe, to which reports are submitted in the prescribed order, regardless of the existence or absence of any additional circumstances (resolutions, recommendations, decisions) at the national or international levels that would encourage the execution of the relevant decisions.
140.141	Accepted
140.142	Accepted and already implemented Under article 13 of the Family Code, marriage is generally permitted between citizens aged 18 years or over. Article 14 of the Family Code prohibits marriage between persons, of whom at least one is already in another registered marriage. Polygamy is thus prohibited in the Russian Federation. Reports of any violent acts against women are investigated by the law enforcement agencies and punished in accordance with the procedure established by law.
140.143	Accepted
140.144	Accepted

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.145	<p>Partially accepted</p> <p>Pursuant to article 29 of the Constitution, everyone has the right to freely seek out, receive, transmit, produce and disseminate information by any legal means. The freedom of the media is guaranteed. Censorship is prohibited.</p> <p>However, under article 10, paragraph 2, of the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which the Russian Federation is a party, the exercise of freedom of expression may be subject to certain formalities, conditions, restrictions or sanctions, which are provided for by law and are necessary in a democratic society in the interests of national security, territorial integrity or public order, in order to prevent disorder or crime, to protect health and morals, or the reputation or rights of other persons, to prevent the disclosure of information received confidentially, or to ensure the authority and impartiality of the justice system.</p> <p>Thus, the freedom of expression is not absolute and the recommendation to ensure its implementation “by eliminating all restrictive impediments” cannot be accepted.</p> <p>The Federal Information, Information Technology and Protection of Information Act (No. 149-FZ of 27 June 2006) defined, in all, four categories of information that represent a particular danger to society and may be banned from the Internet without recourse to legal action: (1) child pornography; (2) methods for the manufacture, use and distribution of drugs; (3) methods of suicide and suicide advocacy; (4) personal information on minors who have been victims of unlawful acts.</p> <p>See also 140.153 and 140.156.</p>
140.146	<p>Not accepted</p> <p>According to article 19, paragraph 3, of the International Covenant on Civil and Political Rights, the right to freedom of expression is not absolute. It carries with it special duties and responsibilities. The national legislator is thus entitled independently to choose an approach to countering defamation, including by criminalizing it.</p> <p>The establishment of criminal liability for defamation in Russian legislation is in line with current practice in the world. Defamation is a criminal offence in many States.</p>
140.147	<p>Not accepted</p> <p>Russian legislation complies with article 19 of the International Covenant on Civil and Political Rights, which does not prohibit establishing criminal liability for defamation.</p> <p>See also 140.146.</p>
140.148	<p>Accepted</p> <p>Crimes against journalists and human rights defenders have serious and harmful consequences on the development of society as a whole and consolidation of the idea of a State governed by the rule of law. The law enforcement agencies thus place high priority on investigating and preventing such crimes.</p>
140.149	<p>Accepted</p> <p>See 140.148.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.150	<p>Accepted</p> <p>See 140.148.</p>
140.151	<p>Not accepted because of factual inaccuracies and inconsistencies in the recommendation's content and wording.</p> <p>The legislation does not limit the exercise of the right to freedom of expression, association and assembly, and is not contrary to the rules of international law.</p> <p>See 140.145–140.147, 140.152, 140.153 and 140.158.</p>
140.152	<p>Accepted and already implemented</p> <p>Russian legislation does not create disproportionate restrictions on the exercise of freedom of assembly and expression.</p> <p>The Constitution guarantees the right to assemble peacefully, without weapons, and to hold meetings, rallies, demonstrations, marches and pickets. Realization of this right is an important form of citizen participation in the conduct of State affairs.</p> <p>The legislation establishes a notification system for the holding of public events. An authority may refuse to agree to the holding of a public event only if the notification was submitted by a person who is not legally entitled to organize public events, or if it specifies a place where the holding of public activities is prohibited by law.</p> <p>Citizens and organizations may challenge the authority's decision in a court of law.</p> <p>See also 140.145–140.147.</p>
140.153	<p>Not accepted</p> <p>In the part concerning the right to freedom of association, it should be made clear that enjoyment of that right is guaranteed by the international treaties to which the Russian Federation is a party. There is no restriction in the law on the activities of non-commercial organizations, including those that receive funding from abroad and participate in political activities. The main objective of the legislative changes was to ensure greater transparency in the activities of the relevant non-commercial organizations. The public are entitled to know about the sources of funding for political activities in the country.</p> <p>See 140.152.</p>
140.154	<p>Accepted and already implemented</p> <p>Any form of discrimination, including on grounds of sexual orientation, is prohibited by law. LGBT people may freely exercise their rights to freedom of expression and peaceful assembly, as may any other citizens of the Russian Federation.</p> <p>See also 140.86.</p>
140.155	<p>Not accepted because of factual inaccuracies and inconsistencies in the recommendation's content and wording.</p> <p>There are no laws in the Russian Federation that curb the rights of the LGBT community.</p> <p>See also 140.86.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.156	Accepted
140.157	Accepted
140.158	<p>Not accepted</p> <p>The Russian authorities do not limit the activities of non-commercial organizations; indeed, they seek to ensure the widest possible involvement of civil society in governance of the State.</p> <p>The 2012 reform of the legislation on political parties significantly relaxed the requirements for their establishment and functioning. As a result, more than 70 political parties have been registered. There are also more than 90 organizing committees for the establishment of new political parties.</p> <p>See also 140.153.</p>
140.159	<p>Accepted</p> <p>See 140.145, 140.148, 140.152, 140.153 and 140.158.</p>
140.160	<p>Accepted and already implemented</p> <p>This issue has already been examined at the national level, during the adoption of the relevant laws and regulations by the legislature, as well as during the constitutional review of the individual provisions by the Constitutional Court, the resulting decisions being mandatory for all State bodies.</p>
140.161	<p>Not accepted</p> <p>The right of peaceful assembly is guaranteed by the Constitution. However, the exercise of this right may not violate the rights and freedoms of other citizens and, in particular, their right to personal and public safety, which must be guaranteed by the law enforcement agencies during public events.</p> <p>In the performance of their duties, officers of the law enforcement agencies are subject only to the authority of the law and apply it equally to all participants in any public events.</p>
140.162	<p>Not accepted</p> <p>When considering the advisability of amending the legislation governing public assemblies, the Russian authorities will be guided primarily by the interests of all citizens of the Russian Federation, the Constitution, and the legal position of the Constitutional Court.</p>
140.163	<p>Not accepted because of factual inaccuracies and inconsistencies in the recommendation's content and wording.</p> <p>There are no legal restrictions on the freedom of association that are incompatible with the international treaties to which the Russian Federation is a party.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.164	<p>Accepted</p> <p>Since its entry into the Council of Europe in 1996, the Russian Federation has collaborated actively with all of that organization's structures and is one of its biggest sponsors. The Russian Federation has ratified more than 50 Council of Europe conventions on various issues.</p> <p>It has cooperated actively with the Venice Commission since it was set up and has taken part in all of its sessions.</p>
140.165	<p>Not accepted</p> <p>Russian law does not impose any legislative or administrative barriers that restrict the activities of non-commercial organizations or civil society.</p> <p>See 140.153, 140.156 and 140.158.</p>
140.166	Accepted
140.167	Accepted and already implemented
140.168	<p>Not accepted</p> <p>Russian law and the international treaties to which the Russian Federation is a party provide a satisfactory level of protection for the rights of citizens and organizations and offer opportunities for their effective protection.</p> <p>Furthermore, the provisions of the United Nations Human Rights Council resolution are not binding, but rather recommendatory in nature, and are not a part of the international obligations of the Russian Federation.</p>
140.169	<p>Not accepted</p> <p>The legislation does not allow these regulations to be used for the purpose of intimidation or harassment of non-commercial organizations or civil society.</p> <p>See 140.153, 140.156, 140.158 and 140.165.</p>
140.170	<p>Accepted and already implemented</p> <p>See 140.153, 140.156 and 140.158.</p>
140.171	<p>Not accepted</p> <p>The legislation does not establish any restrictions that might be inconsistent with the obligations arising from international treaties to which the Russian Federation is a party.</p> <p>See 140.153, 140.156, 140.158, 140.165 and 140.169.</p>
140.172	<p>Not accepted</p> <p>See 140.153, 140.156, 140.158, 140.165 and 140.169.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.173	<p>Accepted</p> <p>When considering the advisability of amending the legislation governing non-commercial organizations, the Russian authorities will be guided by the interests of all citizens of the Russian Federation and will take into account emerging law enforcement practices, as well as all relevant circumstances that may affect the legitimate activities of those organizations.</p>
140.174	<p>Not accepted</p> <p>See 140.153, 140.156, 140.158, 140.165 and 140.169.</p>
140.175	<p>Partially accepted</p> <p>Repeal the registration of non-commercial organizations as “foreign agents” – not accepted. See 140.153, 140.156, 140.158, 140.165 and 140.169.</p> <p>Amend the definition of treason – not accepted. Taking into account the broad discretion that exists in establishing responsibility for offences against the foundations of the constitutional order and the security of the State, the Russian legislature introduced necessary clarifications into the relevant articles of the Criminal Code. There is at this time no basis for repealing the amendments made.</p> <p>Prosecution for any harassment, threats or discrediting of civil society groups – accepted. Ensuring the security and equality of rights of citizens is an absolute priority for the Russian authorities.</p>
140.176	<p>Not accepted</p> <p>When considering the advisability of amending the legislation governing non-commercial organizations, the Russian authorities will be guided by the interests of all citizens of the Russian Federation and will take into account emerging law enforcement practices, and, when necessary, the views of the appropriate international bodies.</p> <p>See also 140.153, 140.156, 140.158 and 140.165.</p>
140.177	<p>Partially accepted</p> <p>The Russian Federation cooperates actively with the Special Rapporteur on human rights defenders on individual cases and on general requests in accordance with national law.</p> <p>However, when considering the advisability of amending the legislation governing non-commercial organizations, the Russian authorities will be guided primarily by the interests of citizens of the Russian Federation and may take account of the views of the relevant international bodies as necessary.</p>
140.178	<p>Not accepted</p> <p>See 140.153, 140.156, 140.158, 140.165 and 140.169.</p>
140.179	<p>Not accepted</p> <p>See 140.153, 140.156, 140.158, 140.165 and 140.169.</p>
140.180	<p>Not accepted</p> <p>See 140.153, 140.156, 140.158, 140.165 and 140.169.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.181	Not accepted See 140.153, 140.156, 140.158, 140.165 and 140.169.
140.182	Not accepted See 140.153, 140.156, 140.158, 140.165 and 140.169.
140.183	Not accepted The legislation does not restrict civil society from receiving funding from abroad, nor non-commercial organizations from conducting political activities. The main objective of the amendments to the legislation on non-commercial organizations is to ensure greater transparency in their activities. Checks on non-commercial organizations are carried out in accordance with the relevant rules of law and are not in any way intended to put pressure on them. If they disagree with the process or results of these checks, the organizations do have the possibility to challenge the inspectors' actions in court.
140.184	Not accepted See 140.140.
140.185	Accepted
140.186	Accepted
140.187	Accepted
140.188	Accepted
140.189	Accepted
140.190	Accepted
140.191	Accepted
140.192	Accepted
140.193	Not accepted According to the mandate of the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (ODIHR), its recommendations are not binding. In considering the issues assessed by ODIHR, the Russian authorities will be guided by legislation and the interests of citizens of the Russian Federation; they may, where necessary, take account of the relevant recommendations of ODIHR.
140.194	Accepted
140.195	Accepted
140.196	Accepted

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.197	Partially accepted Combating poverty is one of the main thrusts of the Russian authorities' social and economic policy. However, it is the national legislature that has the competence to select the most appropriate form of regulation to combat poverty effectively (such as a national strategy, a plan of action, a State programme, etc.).
140.198	Accepted
140.199	Accepted
140.200	Accepted
140.201	Accepted
140.202	Not accepted Victims who have suffered mistreatment are entitled to make complaints to the law enforcement agencies and have every procedural opportunity to have their rights restored and to bring the perpetrators to justice.
140.203	Accepted
140.204	Accepted
140.205	Accepted
140.206	Accepted
140.207	Accepted
140.208	Accepted
140.209	Accepted
140.210	Accepted and already implemented Educational institutions already have access to topic modules on reproductive health and sex education and may use them in their work.
140.211	Accepted
140.212	Accepted
140.213	Accepted
140.214	Accepted
140.215	Accepted
140.216	Accepted
140.217	Accepted and already implemented Russian legislation complies with article 27 of the International Covenant on Civil and Political Rights. The right of the peoples of the Russian Federation to preserve, develop and use their native languages, traditions and culture is guaranteed. The public education system uses 89 languages.

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.218	Accepted
140.219	<p>Accepted and already implemented</p> <p>Legislation already gives small indigenous peoples priority in the use of land and natural resources.</p> <p>The Federal Act on Territories of Traditional Resource Use of Small Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation, the policy framework for the sustainable development of small indigenous peoples and a number of other laws and regulations have been adopted to protect those peoples' ancestral habitat and traditional ways of life and to preserve biological diversity in territories of traditional resource use.</p> <p>The Land Code enshrines the right of indigenous peoples' communities to use agricultural land to preserve and develop their traditional ways of life, livelihoods and crafts.</p>
140.220	<p>Accepted and already implemented</p> <p>See 140.219.</p>
140.221	Accepted
140.222	<p>Accepted and already implemented</p> <p>The authorities are paying greater attention to the school education of indigenous peoples and national minorities. The public education system uses 89 languages, of which 39 are languages of instruction and 50 languages of the peoples of the Russian Federation are taught as school subjects.</p> <p>The regional authorities fund and implement targeted programmes to support education in the native languages of small indigenous peoples.</p>
140.223	<p>Not accepted</p> <p>The Government's policy on small indigenous peoples is aimed at ensuring those peoples' sustainable development and is based on provisions of national legislation that are, to a large degree, identical to the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.</p> <p>Russian legislation and law enforcement practice in respect of the rights of indigenous peoples and the preservation and development of their cultures goes substantially further than the provisions of the Declaration, extending its boundaries.</p>
140.224	<p>Partially accepted</p> <p>Approval of the United Nations Declaration on the Rights of Indigenous Peoples – not accepted. See 140.223.</p> <p>Guarantee of the rights of indigenous peoples to education and the use of land resources – accepted. See 140.217, 140.219 and 140.222.</p> <p>Representation of indigenous people in the State institutions – accepted and already implemented in practice. There are no laws or regulations that restrict the rights of small indigenous peoples to occupy public positions. Indeed, the Russian Federation provides supplementary guarantees of informed and meaningful participation by representatives of indigenous peoples in decision-making.</p>

<i>Recommendation</i>	<i>Position of the Russian Federation</i>
140.225	<p>Not accepted</p> <p>The authorities have already allocated substantial funds to support the development of small indigenous peoples. A total of approximately 12 billion roubles were allocated from State budgets at various levels during the period 2009–2011. The amount allocated in the future will be determined on the basis of need and the financial possibilities of the respective budgets.</p>
140.226	<p>Not accepted</p> <p>The rules provided for in the Federal Act on the Legal Status of Foreign Nationals that make it compulsory for some categories of migrant workers to be proficient in Russian were developed by the competent authorities after a thorough examination of the situation and came into force on 1 December 2012. If practice shows that adjustments to the Act are needed, a review will be conducted to consider the relevant amendments.</p>
140.227	Accepted
140.228	<p>Partially accepted</p> <p>Ratification of the International Convention on the Protection of the Rights of All Migrant Workers – not accepted. See 140.11.</p>
140.229	Accepted
140.230	Accepted
140.231	Accepted