

Council of Europe contribution for the 44th UPR session (October-November 2023) regarding the Russian Federation

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Exclusion of the Russian Federation from the Council of Europe

On 16 March 2022, the Committee of **Ministers** [decided](#), in the context of the procedure launched under Article 8 of the Statute of the Council of Europe, that the Russian Federation ceases to be a member of the Council of Europe as from that date.

The present contribution refers to activities and report adopted before that date. Specific information on the status of the Russian Federation pursuant to its exclusion from the Council of Europe with respect to the various conventions and monitoring and advisory bodies is reported under each chapter.

Prevention of torture (CPT)

The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment is a convention which is open to accession by non-member States of the Council of Europe. The Russian Federation thus remains a State Party to this Convention.

CPT's report on the 2018 ad hoc visit to the Russian Federation



CPT_Inf_2019_26_Russian Federation.pdf

The primary objective of the visit was to examine the progress made as regards the implementation of previous CPT recommendations concerning the situation of patients in civil and forensic psychiatric hospitals and of residents of psycho-neurological boarding homes (PNIs).

Executive summary



CPT_Inf_2019_26_Exec sum_Russian Federati

Government response



CPT_Inf_2019_27_Gov resp_Russian Federati

Council of Europe Commissioner for Human Rights

On 17 July 2018, the Commissioner published a [letter](#) she had addressed on 11 July to Yury Chaika, Prosecutor General of the Russian Federation, regarding the detention and prosecution of Oyub Titiev, the leading member of the Human Rights Centre Memorial, for alleged drug possession in the

Chechen Republic. In her letter, the Commissioner underscored Mr Titiev's important work in his quest for accountability for serious human rights violations committed by law enforcement agencies and stressed that decisive steps should be taken to ensure respect of his rights, including his urgent release from custody.



**letter_HR
Comm_Prosecutor Ge**

On 2 August 2019, the Commissioner addressed a [letter](#) to Vladimir Kolokoltsev, the Minister of Interior of the Russian Federation, expressing concern about the actions taken by law enforcement agencies to disperse the largely peaceful protests in Moscow on 27 July. In her letter, the Commissioner recommended that the Russian authorities review the methods and criteria allowing law enforcement agents to identify and apprehend individuals in the context of peaceful assemblies and align them with applicable human rights standards. Emphasising the need to ensure accountability for human rights violations committed by law enforcement officials during the above-mentioned events in Moscow, the Commissioner requested information about any proceedings initiated in that regard. She also urged the Russian authorities to provide law enforcement personnel involved in maintaining public order with adequate training and to render possible their clear identification during public gatherings.



**Letter HR
Comm_Minister of Int**

On 19 November 2020, the Commissioner published a [letter](#) addressed to the Chairman of the Investigative Committee of the Russian Federation, Alexander Bastrykin, concerning the abduction and ill-treatment of nineteen-year-old Salman Tepsurkaev, a chat moderator on a news channel on Telegram. Expressing her deep concern about Salman Tepsurkaev's unknown fate more than two months after his abduction and ill-treatment, the Commissioner requested information about any action taken by the investigative authorities to establish his whereabouts and ensure his safety. The Commissioner further requested to be notified about the progress of the investigation of this case, noting credible information from various reliable sources about the Chechen police's involvement in the abduction. The Commissioner also stressed that impunity for serious human rights violations had prevailed in Chechnya for many years and that she attached paramount importance to combating it.



**Letter HR Comm_Mr
Bastrykin.pdf**

On 5 February 2021, the Commissioner sent another [letter](#) to Vladimir Kolokoltsev, Minister of Interior of the Russian Federation, highlighting a number of human rights concerns related to the policing of demonstrations that had taken place in many Russian cities. Referring to reports about the dispersal of predominantly peaceful protests and the arrests of thousands of protesters and journalists reporting on those rallies, the Commissioner requested information about the Interior Ministry's policy, methods and guidelines concerning the policing of demonstrations. While conceding that certain restrictions on public events could be applied in the context of the COVID-19 pandemic, she noted that policing of the protests in question did not seem to have adequately responded to public health considerations. The Commissioner further expressed dismay about the alleged excessive use of force and violence against peaceful protesters during the demonstrations and afterwards when in custody, which had resulted in injuries, including serious ones. While

requesting information about actions taken to ensure the accountability of law enforcement officers for human rights violations, the Commissioner also urged the Russian authorities to stop the practice of apprehending individuals for the exercise of their right to peaceful assembly. She further called on the Russian authorities to bring policing of demonstrations into line with applicable human rights standards.



**Letter HrComm
Vladimir Kolokolitsev I**

On 30 November 2021, the Commissioner sent a [letter](#) to the Prosecutor General of the Russian Federation in relation to the dissolution proceedings of the most senior and prominent human rights NGOs – International Memorial and Human Rights Center Memorial – for non-compliance with Russia’s so-called “foreign agents” law. In her letter, the Commissioner provided detailed reasoning as to why the liquidation proceedings did not comply with applicable European human rights standards and about the incompatibility of the said law with Russia’s obligations towards civil society organisations. The Commissioner regretted that the Russian authorities continued to restrict the space for independent civil society and free speech and urged the Prosecutor General to discontinue the liquidation proceedings against Memorial groups. Instead, she urged the Prosecutor General to take an active role in bringing the relevant legislation and practice into line with applicable human rights standards.



**Letter Hr Comm Igor
Krasnov Russian Fede**

Fight against racism and intolerance (ECRI)

As a consequence of the [decision](#) of 16 March 2002 on the cessation of the Russian Federation’s membership of the Council of Europe, and pursuant to a [Resolution](#) adopted by the Committee of Ministers on 23 March 2022, the Russian Federation ceased, inter alia, to be a member of the European Commission against Racism and Intolerance (ECRI)

Conclusions on the Russian Federation (adopted on 29 June 2021 / published on 5 October 2021)



**ECRI_2021_27_Conclu
sions_Russian Federati**

Fifth report on the Russian Federation (adopted on 4 December 2018/ published on 5 March 2019)



**ECRI_2019_2_Report
Russian Federation.pd**

Government comments (English)



ECRI_Gov
viewpoint_Russian Fed

Protection of minorities

Framework Convention for the Protection of National Minorities

The Framework Convention for the Protection of National Minorities is a convention which is open to accession by non-member States of the Council of Europe. The Russian Federation thus remains a State Party to this Convention.

The Advisory Committee on the Framework Convention adopted its 4th opinion on the Russian Federation on 20 February 2018.



FCNM_4th
opinion_Russian Fed

The CM/ResCMN(2020)14 on the implementation of the Framework Convention for the Protection on National Minorities by the Russian Federation was adopted by the Committee of Ministers on 8 December 2020 at the 1391st meeting of the Ministers' Deputies



FCNM_4th
opinion_Russian Fed

The Russian Federation submitted its 5th state report on 13 April 2021.

European Charter for Regional or Minority Languages

The Russian Federation has signed the Charter in 2001 but has not ratified it.

Action against trafficking in human beings (GRETA)

The Russian Federation has not signed the Council of Europe Convention on Action Against Trafficking in Human Beings.

Preventing and combating violence against women and domestic violence (GREVIO)

The Russian Federation has not signed the Istanbul Convention.

The project "[Co-operation on the implementation of the Russian Federation National Action Strategy for Women 2017–2022](#)" run from 2019 to 2020 and it produced the publication "Research on preventing and combating violence against women and domestic violence, including in situations of social disadvantage, in the Russian Federation", in April 2020 - based on an analysis of the Russian framework and compilation of good practices.

Protection of children against sexual abuse (Lanzarote Convention)

The Russian Federation ratified the Lanzarote Convention on 9 August 2013 and it entered into force in its respect on 1 December 2013. The Lanzarote Convention is open to accession by non-member States of the Council of Europe. The Russian Federation thus remains a State Party to this Convention.

Since the Russian Federation became a Party to the Convention after the launching of the 1st monitoring round, the Lanzarote Committee did not assess the situation in its respect on the “Protection of children against sexual abuse in the circle of trust”. In 2023, the Committee however plans to launch an evaluation of the situation with respect to this theme for all Parties it had not assessed during its 1st thematic monitoring round and this will thus include the Russian Federation.

The Russian Federation was assessed under the urgent monitoring round on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse” and on the second monitoring round on the “Protection of children against sexual exploitation and sexual abuse: Addressing the challenges raised by child self-generated sexual images and/or videos”.

Urgent monitoring round on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”

To respond to the urgent migrant and refugee situation in Europe, the Lanzarote Committee decided in 2016 to address the protection of children affected by the refugee crisis from sexual exploitation and sexual abuse through an urgent monitoring round. This resulted in a [special report](#) published in March 2017. The information submitted by the Russian Federation in the context of this round is accessible [here](#). To follow-up on the Special report and its monitoring findings, the Committee carried out a compliance procedure to assess the conformity of Parties with the recommendations urging them to act (the “urge” recommendations) in 2019, as well as those considering that they should act (the “consider” recommendations) in 2021 and 2022. In the context of this procedure, which was concluded before the military aggression by the Russian Federation against Ukraine, it appeared that the Russian Federation was in compliance with all the recommendations [urging](#) it to act as well as those [considering](#) that it should act to implement the Lanzarote Convention effectively in the context of this monitoring round.


Lanzarote
Committee_Special re
T-ES_2016_RFG-RUS.
pdf

In March 2022, the Lanzarote Committee however adopted a [Statement on protecting children from sexual exploitation and sexual abuse resulting from the military aggression of the Russian Federation against Ukraine](#), in which it reaffirmed the relevance of its [Declaration on protecting refugee and migrant children against sexual exploitation and sexual abuse](#). In this Statement, the Lanzarote Committee called upon States Parties to the Lanzarote Convention to “ensure that follow-up is given to the recommendations contained in its urgent monitoring round report on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse” also with respect to the

ongoing crisis due to the military aggression of the Russian Federation against Ukraine, and highlighted that priority should be given to the increasing number of children in vulnerable situations at a higher risk of sexual exploitation and sexual abuse in this context, such as unaccompanied and missing children. An evaluation of measures taken in this specific respect is being considered.



T-ES_2022_06_Statement.pdf



T-ES_2018_17_Declaration.pdf

2nd thematic monitoring round: Protecting children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs): Addressing the challenges raised by child self-generated sexual images and/or videos.

This monitoring round was carried out between October 2017 and March 2022 and was dedicated to the “Protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”, with a focus on “Addressing the challenges raised by child self-generated sexual images and/or videos”. It led to the adoption of an [implementation report](#) in March 2022. The information submitted by the Russian Federation in the context of the 2nd monitoring round is available [here](#).



T-ES_2022_22_final.pdf



T-ES_2017_ICT_RU.pdf

The recommendations requiring and requesting the Russian Federation to take steps to implement the Lanzarote Convention effectively in the context of this monitoring round are as follows (editing of the recommendations to be verified with the final version of the implementation report):



Lanzarote
Committee Recommendation

Fight against corruption (GRECO)

On 28 February 2023, the President of the Russian Federation signed a Federal Law entitled “Criminal Law Convention on Corruption” denouncing the Council of Europe convention (ETS 173) signed by the Russian Federation in Strasbourg on 27 January 1999. The Russian Federation became a member of GRECO by ratifying the convention in 2006 and participation was limited by [Resolution](#) of the Committee of Ministers of the Council of Europe on 23 March 2022. In accordance with Article 41 of the Convention, the Russian Federation will cease to be a member of GRECO on 1 July 2023 - the first day of the month following the expiry of a period of three months after the receipt on 20 March of the notification by the Secretary General of the Council of Europe.

The Russian Federation was evaluated in 2017 under the Fourth Evaluation Round on “Prevention of corruption in respect of members of parliament, judges and prosecutors”. The corresponding [4th](#)

[Round Evaluation Report](#) was adopted by GRECO Plenary and made public in 2018. GRECO's [4th Round Compliance Report](#) assessing the implementation of the recommendations was made public in 2020. The Second Compliance Report was adopted in 2021 and awaits authorisation by the authorities to be published.



GRECO_EVAL4Rep_20
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Concerning the Third Evaluation Round on “Incriminations and Transparency of Party Funding”, the adoption of the [3rd Round Second Addendum to the Second Compliance Report](#) in 2019 terminated the compliance procedure.



GRECO_RC3_2019_4_5
econd addendum to :

Execution of judgments and decisions of the European Court of Human Rights

As a consequence of the [decision](#) of 16 March 2002 on the cessation of the Russian Federation's membership of the Council of Europe, the Russian Federation ceased to be a High Contracting Party to the European Convention on Human Rights on 16 September 2022. The Court remains competent to deal with applications directed against the Russian Federation in relation to acts or omissions capable of constituting a violation of the Convention provided that they occurred until 16 September 2022. The Committee of Ministers will continue to supervise the execution of the judgments and friendly settlements concerned and the Russian Federation is required to implement them. The Russian Federation is to continue to participate in the meetings of the Committee of Ministers when the latter supervises the execution of judgments with a view to providing and receiving information concerning the judgments where it is the respondent or applicant State, without the right to participate in the adoption of decisions by the Committee nor to vote.



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Social and Economic Rights (ECSR)

As a consequence of the [decision](#) of 16 March 2002 on the cessation of the Russian Federation's membership of the Council of Europe, and pursuant to a [Resolution](#) adopted by the Committee of Ministers on 23 March 2022, the Russian Federation ceased to be a Party to the Revised European Social Charter.



ESC_Factsheet_Russia
n Federation.pdf

Venice Commission

As a consequence of the [decision](#) of 16 March 2002 on the cessation of the Russian Federation's membership of the Council of Europe, and pursuant to a [Resolution](#) adopted by the Committee of Ministers on 23 March 2022, the Russian Federation ceased to be a member of the Venice Commission.

[CDL-AD\(2021\)027](#)



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2021_027_Russian Fed**

[CDL-AD\(2021\)005](#)



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[CDL-AD\(2020\)009](#)



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[Previous opinions](#), some of which are still relevant