

Human Rights Without Frontiers Int'l

Avenue d'Auderghem 61/16, 1040 Brussels

Phone/Fax: 32 2 3456145

Email: international.secretariat.brussels@hrwf.org – Website: <https://hrwf.eu>

No Entreprise: 0473.809.960



UN Universal Periodic Review of the Russian Federation 2023

Challenging Russia on human rights as the country disengages from international platforms

Following its expulsion from the Council of Europe on 16 March 2022, the Russian Federation ceased to be a party to the European Convention on Human Rights on 16 September 2022. Although the expulsion was correct and justified, there are concerns that the Russian Federation does still need to be held accountable for human rights abuses.

The Council of Europe and the European Court of Human Rights

The Russian Federation became a member of the Council of Europe on 28 February 1996. Entry into force of the European Convention on Human Rights took place on 5 May 1998. Before the 2022 expulsion, 1368 cases had been implemented against the Russian Federation, ranging from the victims of the Beslan school terrorism attack, where it was judged the authorities had enough information to know of the upcoming attack but did not take action, through to the reforms introduced after failure to pay compensation to a Chernobyl rescue worker.

There can be no doubt that having to face the European Court of Human Rights did cause some positive changes in the Russian Federation and protected victims who might otherwise have had no recourse. The challenge for the human rights community is now to continue to put the spotlight on Russia and to find ways to protect those whose rights are infringed.

The UN Human Rights Committee

An alternative forum is the Human Rights Committee at the United Nations. However, in October 2022, that committee considered the eighth periodic report of the Russian Federation on how it implements the provisions of the International Covenant on Civil and Political Rights in the absence of a delegation. Photini Pazartzis, Committee Chairperson, in opening remarks, said the Committee deeply regretted this situation, which came after two postponements of the dialogue and did not allow it to engage in a meaningful exchange on the report of the State party. Committee Experts raised issues concerning the persecution of journalists and the arrests of protesters. As the Russian Federation chooses not to engage with the Committee, essentially this is another forum lost in terms of defending human rights in Russia.

The persistent practice of politically motivated charges

At the last Universal Periodic Review of Russia, 309 recommendations were filed by UN Member States to improve its human rights record. Among them, Sweden was quoted as saying: “End the practice of using broad and vague anti-extremism and counter-terrorism legislation to pursue politically motivated charges” (Recommendation 147.66).

Politically motivated charges, used as a method of persecution by the Russian Government, have a long track record.

Since Russia’s last UPR in 2018, **Arshak Makichyan**, a 28-year old Russian citizen of Armenian origin, who is known as a climate and anti-war activist, has been facing politically motivated persecution. After having to leave the country, he was put on trial while in exile in Germany, losing his Russian citizenship as a result. The Russian Court accused him of providing false information about himself when applying for his Russian citizenship in 2004, when he was... 10 years.

The case of **Alexei Navalny** is well-documented, as are the cases of Valeriya Igorevna Volodina, Murad Redzhepovich Garabayev and Ms. Tunikova, who, among many others, have taken their cases to the European Court of Human Rights. The method of using trumped up charges dates back even to the case against **Dmitry Leus** in 2002 which was later overturned and widely accepted

to have been politically motivated.

As the United Nations' Human Rights Committee has said, Russia commits excessive and disproportionate restrictions of rights, including of freedom of expression and assembly of journalists, political dissidents, lawyers and human rights defenders, and closure of media outlets and websites. They also raised concerns about reports of extrajudicial arrests, prolonged arrests, ill treatment in detention that was not investigated, and a lack of independence of the judiciary.

In conclusion, the challenge for the international human rights committee is how we work together to protect human rights in the Russian Federation, when that country slips further away from international norms and organisations as its war in Ukraine rages on.

Human Rights Without Frontiers recommends that the Russian Federation put an end to the practice of using broad and vague laws to pursue politically motivated charges.