

**ICJ Oral Statement in the Interactive Dialogue on the adoption of the UPR Report of  
the Russian Federation**

**HUMAN RIGHTS AND THE RULE OF LAW IN THE RUSSIAN FEDERATION**

20 September 2013

*Check against delivery*

Mr President,

The International Commission of Jurists (ICJ) welcomes the Russian Federation's acceptance of recommendations to address the lack of judicial independence, which leads to widespread unfair trials (recommendations 140.121, 140.123). Despite positive amendments to the judicial disciplinary system, grounds for dismissal are still not clearly specified in law, and this is conducive to arbitrary sanctioning of judges, many of whom are dismissed each year. The ICJ regrets that the Russian Federation did not accept to establish an independent body for removal of judges (recommendation 140.22).

Torture and other ill-treatment in detention is facilitated by frequent denial of access to lawyers. Lawyers face harassment and intimidation for defending the human rights of their clients. The Russian Federation must eliminate these practices, in accordance with its acceptance of relevant recommendations (140.103, 140.123, 140.186, 140.187 to 140.192).

The ICJ regrets the Russian Federation's rejection of key recommendations concerning the law on non-governmental organizations, which requires any Russian non-profit organisation that receives money or other property from foreign sources and that carries out "political activity" to register as a "foreign agent" (e.g. 140.165, 140.169, 140.171, 140.172, 140.174, 140.176, 140.178 to 140.183, partial acceptance only of 140.175 and 140.177). Such requirements threaten the freedom of association of a wide range of organisations, including NGOs and bar associations.

The Russian Federation rejected many recommendations on lesbian, gay, bisexual and transgendered people (LGBT) (140.86 to 140.92, 140.155). However, it did accept several that should require repeal of the federal law prohibiting "propaganda of non-traditional sexual relationships" and laws in many regions prohibiting the promotion of homosexuality, which violate the freedom of expression of advocates for the human rights of LGBT people (recommendations 140.93, 140.94, 140.95 (partially), 140.96, 140.97, 140.154).

The ICJ calls upon the Russian Government to:

- Establish, in legislation, clear and predictable grounds for disciplinary action against judges, and ensure impartial application;
- Ensure the right of all detainees to prompt and regular access to a lawyer;
- Amend the law on NGO activities to protect against its arbitrary application; and
- Adopt comprehensive anti-discrimination legislation that includes sexual orientation and gender identity as protected grounds.

I thank you.

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