



HAUT-

COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

2 November 2018

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Russian Federation and welcome the constructive engagement of your Government during the 30th session of the UPR Working Group in May 2018.

As the final outcome report on the review of the Russian Federation has been recently adopted by the Human Rights Council at its 39th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Russian Federation – the Compilation of UN information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years until the next cycle of the UPR. In identifying those areas, I have also considered the statements and recommendations made by 112 delegations, the presentation and responses made by the delegation of the Russian Federation and the actions taken by the Government to implement the 149 recommendations it had accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues and appear in the Annex to this letter.

I would like to highlight some areas that were raised during the review of the Russian Federation and which I am particularly encouraged by. I appreciated the Russian Federation's efforts to protect against discrimination, as well as to promote tolerance and counteract forms of intolerance; to combat corruption; to strengthen the independence of the judiciary, to undertake procedural and penitentiary reforms. Further steps were made on social matters, including policies on poverty reduction; compulsory social insurance; allowances for the birth of children and the development of prenatal centres.

I also appreciated the adoption of the National Strategy for Women; the National Public Policy Strategy against all forms of discrimination; the National Strategy for Children; the Strategy for the Development of Education; the Concept of State Family Policy; a federal law on the access of persons with disabilities to facilities and services; and the Constitutional Court's initiative for a reduction in the number of cases of expulsion of foreign citizens having stable social ties in the country.

I noted with satisfaction the ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and of a number of regional human rights instruments.

/..

H.E. Mr. Sergey Lavrov
Minister of Foreign Affairs
The Russian Federation



I encourage the Russian Federation to develop national human rights action plans in order to follow-up matters contained in the annex and to facilitate the Russian Federation's preparations for the fourth cycle of the UPR. The development of national human rights action plans should include consultations with all stakeholders, in particular civil society organisations, and, where necessary, with the support of international organisations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR).

I welcome the efforts of the Russian Federation towards strengthening its national mechanism for comprehensive reporting and follow up in relation to international and regional human rights mechanisms and treaty obligations. I encourage the Russian Federation to continue its efforts in this sense. This mechanism should be consistent with the practical guide that my Office released in 2016 on this topic and which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please kindly note that I will be sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of UPR recommendations early on, following the review. An important measure that can contribute positively to follow up action is voluntary mid-term reporting. I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Russian Federation to submit a mid-term report on the follow-up of the third cycle of the review, by 2020.

As the Secretary-General stated in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist the Russian Federation to take action in the areas I have identified in this letter and its Annex.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Michelle Bachelet', written in a cursive style.

Michelle Bachelet
High Commissioner for Human Rights

cc : H.E. Alexander Kononov
Minister of Justice
The Russian Federation



Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the Optional Protocol to the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; the Rome Statute of the International Criminal Court, including the Kampala amendments on the crime of aggression; the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness; and the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189).
- Considering taking additional measures to ensure compliance of domestic legislation, de jure and de facto, with international human rights obligations and commitments.
- Extending a standing invitation to all international human rights mechanisms, and cooperating with them through, inter alia, allowing unhindered access throughout the country.
- Compliance with decisions and provisional measures from the International Court of Justice and the European Court of Human Rights.

National human rights framework

- Establishment of a national mechanism for coordination, implementation, reporting and follow-up on human rights issues, and of a national preventive mechanism against torture.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Pursuing efforts to promote tolerance and equality, and combat discrimination, in particular racial discrimination, xenophobia and hate speech, as well as discrimination on the grounds of religion or belief, sexual orientation and gender identity.

B. Civil and political rights

Right to life, liberty and security of person

- Investigation of all alleged cases of abductions, extrajudicial killings, unlawful detentions, torture and other ill-treatment in custody.
- Adoption of further measures to prevent all alleged cases of enforced disappearances, arbitrary detentions, torture and ill-treatment, attacks and threats, perpetrated by civilians or the military, and bring all those responsible to justice.



Administration of justice, including impunity, and the rule of law

- Continuing efforts for the reform of the administration of justice, in particular of the penitentiary system, including the implementation of the right to fair trial, the right to remedy and access to justice.
- Strengthening efforts to make the judiciary independent in line with the Basic Principles on the Independence of the Judiciary.
- Ensuring that no sentence entailing compulsory labour can be imposed on persons, who, without using or advocating violence, express political views or opposition to the established political, social or economic system.
- Strengthening measures to combat corruption and increasing transparency in public administration, and ensuring effective protection for victims of corruption, whistle-blowers and their lawyers.

Fundamental freedoms and the right to participate in public and political life

- Strengthening legislation for the promotion and protection of the rights to freedom of opinion and expression, religion or belief, association and assembly, in particular guaranteeing the protection of the rights of journalists, human rights defenders and political activists, as well as considering the review of legislation related to the activities of civil society organizations.
- Investigation and prosecution of alleged assaults on journalists, media workers, human rights activists and their lawyers, and ensuring space for civil society to operate in a free and independent manner, without fear of reprisals.
- Taking measures to ensure that the legislation on public assemblies is in conformity with international human rights standards by, inter alia, ending the practice of obstructing peaceful demonstrations, refraining from detaining participants in peaceful demonstrations and ensuring that police officers who use excessive force against protesters are held accountable.
- Amending legislation on 'foreign agents' and 'undesirable organizations' so that foreign-funded NGOS are not stigmatized and their operational activities are not negatively impacted.

Prohibition of all forms of slavery

- Taking additional measures, including the adoption of specific policies and strategies, to fight against human trafficking.

C. Economic, Social and Cultural Rights

Right to an adequate standard of living

- Ensuring access to social security, in particular health services, to persons living in remote areas.

D. Rights of specific persons or groups

Women



- Taking additional measures, including the adoption of specific policies and strategies, to fight against domestic violence, violence against women and children, in particular sexual violence, and to combat patriarchal attitudes and stereotypes in order to grant equal employment opportunities for women and men, and to guarantee the full participation of women in public life.
- Adoption of a comprehensive law against gender-based violence and investigation of domestic violence cases, and providing support services for victims, including the establishment of psychological and educational centres and shelters.
- Amendment of the list of “prohibited professions” for women so they are not restricted in their employment choice.

Children

- Investigation of alleged cases of ill-treatment and abuses of children committed by the police in detention or during pre-trial proceedings.
- Adoption of further measures to eliminate all forms of violence against children and adolescent, including sexual abuses of minors, and the sale and trafficking of children, through investigations and prosecutions of persons engaging in those crimes, and ensuring child victims with access to justice and reparation, as well as providing them with rehabilitation and social reintegration.

People with disabilities

- Enhancement of the support provided to elder persons and persons with disabilities, to make sure that they can fully enjoy human rights on an equal foot.

Minorities and indigenous peoples

- Strengthening efforts for the promotion and protection of the rights of indigenous peoples and minorities, including policies and measures to ensure social support and inclusion.
- Harmonization of legislation on the rights of indigenous peoples in line with international standards, especially with respect to access to land and natural resources and protection of their natural environment.

Migrants

- Strengthening efforts for the promotion and protection of the rights of migrants, including policies and measures to ensure social support and inclusion.

Stateless Persons

- Strengthening measures to reduce the number of unregistered persons, especially stateless persons, refugees, holders of temporary residence permits and individuals belonging to minority groups.