

QUESTIONS PUT BY THE RAPPORTEUR
IN CONNECTION WITH THE CONSIDERATION OF
THE EIGHTEENTH AND NINETEENTH PERIODIC REPORTS OF THE
RUSSIAN FEDERATION
(CERD/C/RUS/19)

Composition of the population

1. Please provide updated data regarding the ethnic composition of the population and the socio-economic status of members of the various ethnic groups, including the percentage of ethnic minorities in the workforce and in governmental institutions.

Articles 1 and 2

2. Please indicate whether the State party considers adjusting the scope of the definition of racial discrimination in Article 136 of the Criminal Code which currently covers “violation[s] of the rights, freedoms and legitimate interests of persons and citizens” (para. 22 of the report) on the basis of grounds such as race, ethnicity, language and religion, with a view to bringing it into conformity with article 1 (1) of the Convention. (art. 1 (1))
3. Please indicate whether the State party considers adopting comprehensive anti-discrimination legislation, covering direct as well as indirect discrimination and providing for a shared burden of proof in civil and administrative court proceedings concerning acts of racial discrimination. (art. 2 (1) (c))

Article 4

4. Please provide information on measures taken against racist and xenophobic publications in the media, including in mainstream media, as well as racist rhetoric in official statements, discrediting certain ethnic groups, such as persons originating from the Caucasus and Central Asia, Roma, etc. Please also provide examples of cases, if any, where the Federal Act No. 114-FZ (2002) “On measures to counter extremism” was applied with regard to racist publications about rather than by members of minorities (para. 103 of the report). (article 4 (a) and (c))

5. Given the existence of numerous skinhead groups harassing and assaulting members of ethnic minorities (paras. 96-98 of the report), please explain why the Law “On measures to counter extremism” has been primarily applied against Muslims belonging to non-traditional Islamic groups. (art. 4 (b))

Article 5

6. Please provide information on the measures taken to ensure that allegations of unlawful detentions and ill-treatment of detainees, as well as of abductions and enforced disappearances in the Chechen Republic, Ingushetia and Dagestan, in particular in the context of anti-terrorist operations, are effectively investigated and that perpetrators are prosecuted and punished. (art. 5 (b))
7. Please indicate the steps taken by the State party to combat racially motivated violence by Cossacks (paras. 65-69 of the report), skinheads and nationalists against Chechens, Muslims, Jews, Roma, Meskhetian Turks in Krasnodar Krai, as well as African, Asian and other non-citizens. Please also indicate whether the State party is reviewing its sentencing policy concerning racially motivated violence. (arts. 2 (1) (b) and 5 (b))
8. Please provide more information on the measures, such as mandatory training of law enforcement officers, taken to put an end to racially selective inspections, identity checks, detentions, and harassment (para. 46 of the report), targeting members of visible minorities, such as Roma, Central Asians, Chechens and Georgians. (arts. 2 (1) (a), 5 (b) and 5 (d) (i))
9. Please comment on reports that improperly documented passengers have been deported at Moscow Sheremytevo Airport before being able to file asylum claims with the Federal Migration Service. (art. 5 (b))
10. In light of the fact that none of the small indigenous peoples in the State party are represented in the State Duma of the Federal Assembly, please provide information on the progress achieved in designating an authorized representative of the small indigenous peoples of the North (paras. 34 and 11 of the report). Please indicate whether the State party considers reintroducing quotas for indigenous peoples in regional legislatures. (art. 5 (c))
11. Please provide information on the measures taken to ensure that members of visible minorities, such as Central Asians, Chechens, Dagestanians and Ingush, Meskhetian Turks, Kurds, Hemshils and Yezidis in Krasnodar Krai, Afghans and Roma, including those who lost their legal status upon entry into force of the Federal Law No. 115-FZ (2002) “On the legal status of foreign citizens in the Russian Federation”, have access to permanent or temporary residence registration, without discrimination, on the basis of a simplified procedure, and that those who were denied citizenship for lack of registration, or lost it following the collapse of the Soviet Union, are recognized as Russian nationals, in accordance with Article 13 of the 1991 Law ‘On Citizenship of the Russian Federation’ (paras. 62-64, 115 and 118 of the report). (art. 5 (d) (i), (iii))

12. Please explain why the right of preferred, non-competitive access to aquatic biological resources of small indigenous peoples has been removed from the laws “On the continental shelf” and “On the exclusive economic zone” and comment on reports about the reduction of fishing quota, arbitrary allocation of fishing grounds and undue delays and administrative requirements for issuing fishing licenses to indigenous communities. Please also explain to what extent the granting of exclusive hunting licenses to private tourist companies and the establishment of natural parks on indigenous territories are compatible with the right of indigenous peoples to preferred access to the fauna, as protected in Article 49 of the Law “On the fauna”. (arts. 5 (d) (v) and 5 (e) (vi))
13. Please indicate any progress achieved in establishing federal areas of traditional resource use (para. 52 of the report), as well as the measures taken to ensure that indigenous peoples have immediate and full access free of charge to territories on which they rely for their traditional economic activities. Please explain to what extent the construction of the Evenkiiskaya hydroelectric dam and commercial logging activities on indigenous territories under the new Forest Code are compatible with the obligation of the State party under article 4 of Federal Act No. 82 FZ (1999) “On safeguarding the rights of small indigenous peoples” to protect the traditional lifestyle of indigenous peoples and with the principle of free, prior and informed consent of the communities concerned (paras. 48-50, 55 of the report). (arts. 5 (d) (v))
14. Please provide information regarding alleged discrimination against Chechens and Roma in access to employment, housing, health care and social protection? (art. 5 (e))
15. Please provide information on measures taken to protect non-citizens and ethnic minority workers from discrimination in job recruitment and from exploitative conditions of work, e.g. by regularizing the situation of workers in the informal sector and by ensuring that victims of discrimination and exploitation have access to effective remedies to seek redress for violations of Articles 2 and 3 of the Labour Code of 30 December 2001 (para. 17 of the report). Please provide information on any cases where these provisions were applied by labour inspectors or courts, and on their outcome. (art. 5 (e) (i))
16. Please provide more detailed information on the measures taken to ensure the voluntary, safe and sustainable return of Chechen and Ingush internally displaced persons (IDPs) to their pre-conflict places of residence (paras. 73-74 of the report). Please also clarify whether Chechen IDPs are still being denied forced migrant status and related benefits. (arts. 5 (d) (i) and 5 (e) (iii), (iv))
17. What measures have been taken to put an end to the “Tabor” operations which have been conducted in numerous cities and regions of the State party since 2002, during which Roma were allegedly detained and evicted from their settlements and their property seized or destroyed? Please indicate whether adequate alternative housing has been provided to those concerned and/or

whether they have received any compensation for the loss of their property. (arts. 5 (d) (v)) and 5 (e) (iii))

18. Please provide information on the steps taken to ensure that children belonging to ethnic minorities whose parents lack a residence registration stamp are not being denied access to education by school principals. (art. 5 (e) (v))
19. What measures are being taken to integrate children belonging to ethnic minority groups, such as the Roma, Meskhetian Turks and other visible minorities in Krasnodar Krai, Leningrad Oblast, the Republic of Tatarstan, Novosibirsk, Perm and Sverdlovsk Oblasts, who are reportedly often segregated into special classes with lower educational standards, into the general education system, while providing adequate opportunities for them to benefit from remedial classes and classes in Russian as a second language, as well as from instruction in or of their mother tongue? (art. 5 (e) (v))
20. Please provide more information on the funding of activities for the promotion of cultural and linguistic pluralism, including subsidies for broadcasting and print media in minority languages. (arts. 5 (d) (viii) and 5 (e) (vi))

Article 6

21. Please provide detailed information on the impact of any measures taken by the State party to ensure that judges, prosecutors and the police, in proceedings concerning acts of racial discrimination, strictly apply articles 136 and 282 of the Criminal Code and other criminal law provisions specifically criminalizing racial discrimination rather than provisions on hooliganism and public order, and that they take into account the racist motive of the offence as an aggravating circumstance (para. 24 of the report).
22. Please provide information on any cases, and their outcome, related to racial discrimination that have been examined by the Commissioner on Human Rights (Ombudsman), the Presidential Human Rights Commission or the commissioner referred to in paragraph 58 of the report.
23. Please provide information on remedies, including just and adequate reparation or compensation, available to victims of racial discrimination in the State party, and on their application in practice. Are there any court decisions concerning cases of racial discrimination, where compensation for damages has been awarded under articles 151 and 1069 of the Civil Code? (art. 6)

Article 7

24. What measures is the State party taking to combat stereotyping against persons originating from the Caucasus and Central Asia, in particular Muslims? In this context, please provide more detailed information on measures taken to combat behaviour on the part of law enforcement officers

that “may reflect undesirable characteristics in society at large” (para. 47 of the report).

25. Please provide more detailed information on the impact of the programme “Shaping an attitude of tolerance and preventing extremism in Russian society (2001-2005)” (para. 32 of the report) and clarify whether the programme has been extended or replaced by an equivalent programme. (art. 7)
