



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Chairperson of the Committee against Torture, I have the honor to refer to the follow-up to the examination of the sixth periodic report of the Russian Federation, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 64th session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/RUS/CO/6, para. 54) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 15, 17 and 29 of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 13 August 2019 providing your Government's response on the above-mentioned paragraphs CAT/C/RUS/CO/6/Add.1) and to make the following comments:

Investigation of acts of torture and ill-treatment (para. 15)

The Committee takes note of the measures adopted by the State party to ensure that cases of torture, ill-treatment and excessive use of force are properly investigated by qualified experts, in addition to the statistical data on criminal complaints lodged against prison personnel between January 2018 and June 2019 and the subsequent prosecutions and/or disciplinary action. Nevertheless, it regrets not having received detailed information on the number of convictions and sentences handed down in cases of torture and ill-treatment since the adoption of the concluding observations. In this regard, the Committee draws the attention of the State party to reports that a number of serious shortcomings still remain concerning the investigation of allegations of torture and ill-treatment, including during the preliminary investigation phase (see submissions by ADC Memorial and World Organization against Torture & NGO Committee against Torture).

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H. E. Mr. Gennady Gatilov
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The Committee also takes note of the information provided by the State party about the recent amendments to the Federal Law on Public Oversight of Human Rights in Places of Detention and Assistance to Persons in Places of Detention. It is, however, concerned about reports that the most recent version of the Regulation governing public monitoring commissions (Order No. 203 of 18 March 2019) allows members of the Federal Penitentiary Service to supervise, interrupt and stop, at their discretion, interviews being held with inmates (1/C).

Case of Yevgeny Makarov (para. 16)

The Committee appreciates the information provided by the State party on the criminal proceedings initiated in July 2018 against 15 prison employees in relation to the torture of Mr. Yevgeny Makarov in Yaroslavl in 2017. It would also appreciate receiving further information on the outcome of the criminal proceedings against the accused in this case, as well as on the measures taken by the State party to prevent such incidents in the future. The Committee takes note of the information provided by the State party on the protection measures granted to Mr. Makarov, his lawyer –Ms. Irina Biryukova– and her daughter. However, it remains concerned about reports indicating that the actual protection measures involved placing Mr. Makarov in solitary confinement under constant video surveillance for almost two months until his release on 2 October 2018. Similarly, it has been reported that the protection provided by authorities to Ms. Biryukova was limited to accommodation in a safe location, an offer that she declined as being ineffective (1/B2).

Human rights defenders and journalists (para. 29)

While noting the explanations provided by the State party regarding the applicable requirements for the activities of non-profit organizations acting as “foreign agents”, the Committee remains concerned at reports that these regulations continue to limit the activities of certain human rights organizations. Lastly, the Committee regrets not having received detailed information on the outcome of the investigation concerning reported cases of harassment, abduction, arbitrary detention, torture, ill-treatment and killings of human rights defenders, lawyers, journalists and political opponents (1/D).

Implementation plans (para. 54)

The Committee regrets that the State party has not provided information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (C).

The Government of the Russian Federation is encouraged to provide additional information, if any, which may further contribute to the Committee’s analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee’s request in its concluding observations on the sixth periodic report of the Russian Federation.

The Committee looks forward to a continued constructive dialogue with the authorities of the Russian Federation on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.



Jens Modvig
Chairperson
Committee against Torture