



**AMBASSADOR  
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION  
TO THE UNITED NATIONS OFFICE  
AND OTHER INTERNATIONAL ORGANISATIONS IN GENEVA**

Geneva, 20 October 2017

Dear Ms.Crickley,

I am writing to you with reference to the concluding observations on the 23<sup>rd</sup> and 24<sup>th</sup> periodic reports of the Russian Federation (CERD/C/RUS/CO 23-24). The Russian Federation is currently assessing the said observations, within the framework of the dialogue with the Committee on the abovementioned reports.

I would like to draw your attention to the paragraphs 19 and 20 of the mentioned Concluding observations, which contain respectively the following language:

*“With regard to the situation in Crimea, the Committee also is particularly concerned ... .. and about violations of Crimean Tatars’ human rights, including allegations of disappearances, criminal and administrative prosecutions, mass raids, and interrogations” and “It also recommends that the State party effectively investigate the allegations of violations of human rights of the Crimean Tatars, in particular abductions, enforced disappearances, arbitrary detention and ill-treatment, and bring perpetrators to justice and provide victims or their families with effective remedies”.*

Unfortunately, the allegations outlined in the paragraphs 19 and 20 have not been raised by the members of the Committee during the dialogue with the Russian delegation held on the 3 and 4 August 2017. Here is the exact transcript of the intervention of a member of the Committee:

*“...the Committee would like to receive the information on the impact of the conflict between the State party and Ukraine on enjoyment of conventional rights by ethnic minorities including the Crimean Tatar living in Autonomous Republic of Crimea and the city of Sevastopol. Information and measures to prevent, investigate and deter the acts of abuse of authority and force by law enforcement officials to minority groups would also be welcomed.”.*

Ms. Anastasia CRICKLEY  
Chairperson  
Committee on the Elimination  
of Racial Discrimination  
Geneva

**OHCHR REGISTRY**

23 OCT. 2017

Recipients :...CERD...  
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Enclosure .....  
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The inclusion in the text of the Concluding observations of the issues which have been mentioned neither in the periodic report, nor in the list of issues, nor during the dialogue between CERD members and the Russian delegation is not consistent with both the provisions of the Convention and the Working methods of the Committee. It did not permit a fair assessment of the relevant facts and allegations and to that extent the Russian Federation considers that the concluding observations cannot be viewed as authoritative on the corresponding issues. A dialogue between the Committee and the Russian Federation is still needed on them before reaching any conclusions.

I would also like to recall that the scope and the mandate of the Committee established by the provisions of International Convention on the Elimination of All the Forms of Racial Discrimination do not encompass any issues related to territorial jurisdiction. In this regard references to “territorial integrity” and “effective control” in paragraphs 19 and 20 manifestly contravene the Convention, in particular its article 9.1.

I would also like to stress that in a due time before the official publication of the Concluding observations the Permanent Mission notified the Committee about the inadmissibility of the current formulation of paragraphs 19 and 20. However, regrettably, our request was apparently ignored.

The Russian Federation strictly respects and observes the letter and spirit of the International Convention on the Elimination of All the Forms of Racial Discrimination. It expects from the Committee that all allegations against the Russian Federation are assessed in a fair and detailed manner, taking into account all the relevant facts, within the interactive dialogue with the Committee.

You are hereby requested to bring this letter to the attention of members of the Committee, include it in its entirety in the annual report of the Committee to the General Assembly as provided by its Working Methods and publish it on the CERD webpage.

Regards,



A.BORODAVKIN