



REFERENCE: 2019-102/CESCR/FU

9 December 2019

Excellency,

In our capacity as Chair and Rapporteur for follow up to concluding observations of the Committee on Economic, Social and Cultural Rights respectively, we have the honour to refer to the examination of the sixth report of the Russian Federation at the Committee's sixty-second session, held in October 2017. In the concluding observations (E/C.12/RUS/CO/6), the Committee requested the Russian Federation to provide, within 18 months, written information on the steps undertaken to implement the recommendations contained in paragraphs 8, 15 (a) and 51 (d) of the concluding observations.

The Committee welcomes the follow-up report (E/C.12/RUS/CO/6/Add.1) received in December 2018 under its follow-up procedure. The Committee examined the report at its sixty-sixth session, held in October 2019, and wishes to communicate the following assessment:

Paragraph 8: Civil society organizations – Insufficient progress. In its follow-up report, the State party maintains that the provisions of Federal Laws Nos. 121 and 129 with regard to the regulation of the activities of non-profit organizations acting as foreign agents are not inconsistent with international law and do not need to be repealed or amended.

The Committee expresses its concern that no progress has been made with the implementation of this recommendation and that the relevant Laws continue to be used to monitor and restrict the activities of non-governmental organizations.

On the recommendation regarding human rights defenders, the Committee has received insufficient information to make an assessment.

It requests the State party to provide information in its next periodic report on the repeal or amendment of relevant provisions of Federal Laws No. 121 and 129 and on measures taken to prevent and investigate harassment, intimidation or threats against human rights defenders and to create an enabling environment for NGOs working within the sphere of the Covenant rights.

Paragraph 15 (a): Indigenous peoples' land rights – Lack of sufficient information. The State party reports on ongoing legislative measures regarding the livelihoods of numerically small indigenous peoples and the regulation of land and other natural resources. The report also outlines various consultations and impact assessment procedures and refers to the practice of holding negotiations between corporations, regional authorities and small indigenous minorities whose traditional settlement areas are in close proximity of mining sites.

The Committee notes that the State party's response is formulated in broad and general terms and does not provide sufficient information for an assessment regarding the establishment of the federally protected territories recommended by the Committee and concerning the amendment of legal provisions that weaken indigenous peoples' land rights. Moreover, while information on consultations is provided, it is unclear whether the requirement of free, prior and informed consent of indigenous peoples is complied with in practice.

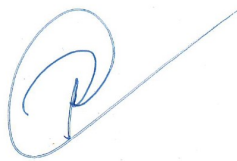
The Committee requests the State party to provide further information on concrete steps to implement the specific recommendations in paragraphs 15 (a) in the context of its next periodic report.

Paragraph 51 (d): Health care for drug users – Insufficient progress. In the follow-up report, the State party informs that opioid substitution therapy continues to be prohibited under Russian law. It also argues that drug addiction treatment programmes implemented are abstinence-based and have led to a reduction in the number of drug-dependent persons in the State party.

On the other recommendations in paragraph 51 (d), the Committee observes that the follow-up report provides very little information on “appropriate health care, psychological support services and rehabilitation to drug users.” Rather, measures described are very broad and are not based on best practices standards for the treatment of persons with drug dependencies. Accordingly, the Committee finds that there has been insufficient progress with respect to this recommendation and requests the State party to provide further information on its implementation in the context of its next periodic report.

The Committee looks forward to continuing its constructive dialogue with the Government of the Russian Federation, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Covenant.

Please accept, Excellency, the assurance of our highest consideration.



Renato Zerbini Ribeiro Leão
Chair
Committee on Economic, Social
and Cultural Rights



Sandra Liebenberg
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