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Agenda item 4

Human rights situations that require the Council's attention

Albania,* Andorra,* Australia,* Austria,* Belgium,* Bulgaria,* Canada,* Croatia,* Cyprus,* Czechia, Denmark,* Estonia,* Finland, France, Germany, Greece,* Iceland,* Ireland,* Italy,* Japan, Latvia,* Liechtenstein,* Lithuania, Luxembourg, Malta,* Marshall Islands, Monaco,* Montenegro, Netherlands, New Zealand,* Norway,* Poland, Portugal,* Romania,* San Marino,* Slovakia,* Slovenia,* Spain,* Sweden,* Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

51/... Situation of human rights in the Russian Federation

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, and relevant international human rights treaties,

Reaffirming that it is the primary responsibility of each State to respect, protect and fulfil human rights in accordance with its obligations under international human rights law,

Reaffirming also its strong commitment to the sovereignty and political independence of the Russian Federation within its internationally recognized borders,

Recalling all relevant statements made by the Secretary-General, the United Nations High Commissioner for Human Rights, the acting High Commissioner, the special procedures of the Human Rights Council and the treaty bodies on the situation of human rights in the Russian Federation,

Noting with concern the findings of the recent report of the Moscow Mechanism of the Organization for Security and Cooperation in Europe on the legal and administrative practices of the Russian Federation, notably the use by the Russian authorities of propaganda, repressive legislation and violence to create a climate of fear and intimidation for civil society and activists, and the clear connection between domestic repression and war abroad, and noting the recommendation made in the report that the Human Rights Council should appoint a special rapporteur on the Russian Federation,

Gravely concerned at the significant deterioration of the situation of human rights in the Russian Federation, in particular the severe restrictions on the rights to freedoms of opinion and expression, peaceful assembly and association, both online and offline, resulting in systematic crackdowns on civil society organizations, human rights defenders, particularly women human rights defenders, who face specific gender-based threats, independent media

* State not a member of the Human Rights Council.



outlets, journalists, media workers, lawyers and political opposition by the Russian authorities, and the extrajudicial killing of government critics,

Expressing its deep concern in this respect at the reported mass arbitrary arrests, detentions and harassment of civil society representatives, human rights defenders, political opposition representatives, journalists and other media workers, particularly women, persons belonging to minorities and to groups who are discriminated against and marginalized and other individuals exercising their human rights, including persons peacefully protesting and speaking out against the deterioration of the rule of law in the Russian Federation as well as the aggression of the Russian Federation against Ukraine, and the excessive use of force against these individuals, as well as at the denial of the right to legal assistance, including for those detained, and the denial of their right to a fair trial,

Expressing concern at the mass forced shutdowns of civil society organizations, including the International Human Rights Centre “Memorial” and the Centre for Support of Indigenous Peoples of the North, and independent media outlets, including radio channels, television channels, online media and newspapers, including *Novaya Gazeta*, *Echo of Moscow* and the television channel *Dozhd*, the bans of foreign media and the targeted revocation of registration of foreign organizations by the Russian authorities, and also at the limited access of Russian civil society to information and communications infrastructure and the increase in censorship and disinformation,

Noting with deep concern the legislative measures increasingly restricting the freedoms of peaceful assembly, association and expression, including the freedom to seek, receive and impart information, both online and offline, notably the laws on so-called “foreign agents”, “extremism” and “undesirable organizations”, as amended, the law on “fake war news”, adopted on 4 March 2022, amending the Code on Administrative Offences and the Criminal Code and including general prohibitions on the dissemination of information based on vague and ambiguous notions,

Convinced that the independence and impartiality of the judiciary and the integrity of the judicial system and an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy, and for ensuring that there is no discrimination in the administration of justice, and that they should therefore be respected in all circumstances,

Regretting the repeated postponement by the Russian Federation of its review by the Human Rights Committee under the International Covenant on Civil and Political Rights,

Noting that the Russian Federation ceased to be a high contracting party to the European Convention on Human Rights on 16 September 2022, and that 17,450 applications directed against the Russian Federation are currently pending before the European Court of Human Rights,

1. *Strongly urges* the Russian authorities to comply with all of the State’s obligations under international human rights law;

2. *Calls upon* the Russian authorities to uphold the fundamental freedoms of thought, conscience, religion or belief, opinion and expression, peaceful assembly and association, in particular by removing restrictions on diversity in ideas, criticism and dissent, as well as associated rights to liberty and security of person, fair trial, and freedom from torture and other cruel, inhuman or degrading treatment or punishment for people exercising these freedoms;

3. *Decides* to appoint a special rapporteur on the situation of human rights in the Russian Federation for a period of one year, and requests the mandate holder to monitor the situation of human rights in the Russian Federation, to collect, examine and assess relevant information from all relevant stakeholders, including Russian civil society both inside and outside the country, taking into account relevant age, gender and disability dimensions, to cooperate with other relevant United Nations human rights mechanisms, to make recommendations, and to present a comprehensive report to the Human Rights Council at its fifty-fourth session and to the General Assembly at its seventy-eighth session;

4. *Calls upon* the Russian authorities to cooperate fully with the Special Rapporteur, including by allowing the mandate holder unhindered access to visit the country and to meet freely with relevant stakeholders, including civil society and human rights defenders, and providing the mandate holder with the information necessary to properly fulfil the mandate, and also calls upon the Russian authorities to cooperate fully with all special procedure mandate holders, the treaty bodies and the Office of the United Nations High Commissioner for Human Rights, and to refrain from all forms of intimidation and reprisals against persons and associations for their cooperation with these bodies;

5. *Requests* the Office of the High Commissioner to provide the Special Rapporteur with the assistance and all the resources necessary to enable the fulfilment of the mandate.
