



General Assembly

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Human Rights Council

Fifty-fourth session

11 September–13 October 2023

Agenda item 4

Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council on 12 October 2023

54/23. 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 Human Rights Council resolution 51/25 of 7 October 2022 on the situation of human rights in the Russian Federation,

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

Recalling further the alarming findings of the report of the Moscow Mechanism of the Organization for Security and Cooperation in Europe on the legal and administrative practices of the Russian Federation of 22 September 2022,¹ as well as of its report of 4 May 2023,²

Gravely concerned at the continued significant deterioration of the situation of human rights in the Russian Federation, in particular with regard to reports of the extrajudicial killing of government critics and severe restrictions on the rights to freedoms of opinion and expression, peaceful assembly and association, both online and offline, to silence dissent, anti-war expression and other peaceful activities vital for the functioning of a democratic society, resulting in systematic crackdowns on civil society organizations and representatives, human rights defenders, particularly women human rights defenders, who face specific sexual and gender-based violence and threats, independent media outlets, journalists, media workers, Indigenous Peoples, persons in vulnerable situations, persons

¹ www.osce.org/odihr/526720.

² www.osce.org/odihr/542751.



belonging to minorities, lawyers, political opposition representatives, and other individuals exercising their human rights by the Russian authorities,

Expressing its deep concern at the reported mass arbitrary arrests, detentions and harassment of the persons referred to in the previous paragraph, including persons peacefully protesting and speaking out against the deterioration of the rule of law in the Russian Federation and the war of aggression of the Russian Federation against Ukraine, and the excessive use of force against these individuals, as well as at the lack of an independent judiciary, the denial of the right to a fair trial and legal assistance of one's choice, including for those detained, as well as persistent impunity and unwillingness of the authorities to investigate allegations of enforced disappearances, torture and other ill-treatment and of sexual and gender-based violence against persons in detention, as well as at the situation of individuals, especially children, deported to the Russian Federation,

Expressing its concern at the mass forced shutdowns of civil society organizations, including Memorial, the Moscow Helsinki Group, the Sakharov Centre, the SOVA Center for Information and Analysis, the Centre for Support of Indigenous Peoples of the North and the Man and Law human rights organization, the blocking and forced closure of nearly all 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 on 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 to independent information, and the increase in censorship and disinformation, as well as cybersurveillance to control information and intimidate and silence critics,

Noting with deep concern legislative measures to increasingly restrict 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 news about the Russian army", adopted on 4 March 2022, amending the Code on Administrative Offences and the Criminal Code, and general prohibitions on the dissemination of information based on vague and ambiguous notions, as well as the misuse of the court system for political purposes, which together have the effect of suppressing peaceful, independent and pluralistic views through the application of steep fines, arbitrary detention and lengthy prison sentences,

Concerned that legislative measures are being used by the authorities against Russian civil society to penalize and criminalize cooperation with international organizations, including as reprisals for cooperation with United Nations human rights mechanisms, and that the enforcement of such legislation is reportedly leading to self-censorship and dissuading civil society actors from publicly engaging with the United Nations and other organizations,

Convinced that the independence and impartiality of the judiciary, 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 that, despite the two postponements granted by the Human Rights Committee, the Russian Federation did not participate in the constructive dialogue with the Committee during its 136th session, and taking note of the Committee's concluding observations on the eighth periodic report of the Russian Federation,³

Recalling that the Russian Federation ceased to be a high contracting party to the European Convention on Human Rights on 16 September 2022, and noting that 15,300 applications directed against the Russian Federation are currently pending before the European Court of Human Rights, which remains competent to deal with cases concerning acts or omissions which took place before that date, and noting also that the Russian

³ CCPR/C/RUS/CO/8.

Federation remains bound by decisions taken by the European Court of Human Rights on the aforementioned pending cases,

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; to put an immediate end to the misuse of the judicial system to suppress the rights of journalists and other media workers, cultural figures, lawyers, researchers, historians, civil society and human rights defenders, and peaceful anti-war protesters, notably women and persons in vulnerable situations; to release immediately and unconditionally all those arbitrarily detained or forcibly disappeared; and to ensure the safe return of deported individuals, especially children;

3. *Welcomes* the report of the Special Rapporteur on the situation of human rights in the Russian Federation;⁴

4. *Decides* to extend the mandate of Special Rapporteur on the situation of human rights in the Russian Federation as defined by the Human Rights Council in its resolution 51/25 for a period of one year, and requests the mandate holder to hold consultations with all stakeholders, including civil society inside and outside the Russian Federation, and to present a comprehensive report to the Council at its fifty-seventh session and to the General Assembly at its seventy-ninth session;

5. *Calls upon* the Russian authorities to establish full and non-selective engagement with all United Nations human rights mechanisms, including constructive communication and full cooperation with the mandate of the Special Rapporteur, to allow the mandate holder unhindered access to visit the country and meet freely with relevant stakeholders, including civil society and human rights defenders, as well as individuals in detention, and to provide the Special Rapporteur with the information necessary to properly fulfil the mandate, and also calls upon the Russian authorities to cooperate fully with all other special procedures of the Human Rights Council, the treaty bodies, the Office of the United Nations High Commissioner for Human Rights, as well as all stakeholders in the context of the universal periodic review, and to refrain from all forms of intimidation and reprisals against persons and associations for their cooperation with these bodies;

6. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all necessary assistance and adequate human, technical and financial resources to enable the effective fulfilment of the mandate.

*48th meeting
12 October 2023*

[Adopted by a recorded vote of 18 to 7, with 22 abstentions. The voting was as follows:

In favour:

Argentina, Belgium, Chile, Costa Rica, Czechia, Finland, France, Gambia, Georgia, Germany, Lithuania, Luxembourg, Montenegro, Paraguay, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America

Against:

Bolivia (Plurinational State of), China, Cuba, Eritrea, Kazakhstan, Kyrgyzstan and Viet Nam

Abstaining:

⁴ A/HRC/54/54.

Algeria, Bangladesh, Benin, Cameroon, Côte d'Ivoire, Gabon, Honduras, India, Malawi, Malaysia, Maldives, Mexico, Morocco, Nepal, Pakistan, Qatar, Senegal, Somalia, South Africa, Sudan, United Arab Emirates and Uzbekistan]
