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Consideration of reports submitted by States parties in accordance with article 16 of the International Covenant on Economic, Social and Cultural Rights

**Replies by the Government of the Russian Federation to the list of
issues (E/C.12/RUS/Q/5) to be taken up in connection with the
consideration of the fifth periodic report of the Russian Federation
(E/C.12/RUS/5)***

[9 February 2011]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Replies by the Government of the Russian Federation to the list of issues (E/C.12/RUS/Q/5) to be taken up in connection with the consideration of the fifth periodic report of the Russian Federation (E/C.12/RUS/5)

Reply to questions posed in part I, paragraph 2, of the list of issues (E/C.12/RUS/Q/5)

1. The Constitution establishes that the State must recognize, respect and defend human rights and freedoms, which are acknowledged as being of the utmost importance. Human and civil rights and freedoms are not subject to revision. They are inalienable, are the right of every person by birth, and are directly enforceable. The President of the Russian Federation is the guarantor of the Constitution and of human and civil rights and freedoms.
2. Russian law and its application in practice are in keeping with international legal instruments for the observance and protection of human rights and with the rulings of the European Court of Human Rights.
3. The Constitution guarantees judicial protection of every person's rights and freedoms. The Russian Federation does not have any restrictions on the judicial defence of citizens' constitutional, social or labour rights or on the right to appeal against unlawful decisions and actions (or omissions) by any State bodies, public organizations or officials that violate citizens' constitutional rights.
4. The country has independent bar and notaries' associations. A system of State legal aid offices providing services free of charge has been set up to improve access by socially vulnerable groups to qualified legal assistance.
5. In accordance with international treaties to which the Russian Federation is a party, it is the right of every person to apply to international bodies defending human rights and freedoms once all available domestic remedies have been exhausted. The Office of the Human Rights Commissioner was established to ensure that the State protects human rights and freedoms and that Russian State bodies, local administrations and officials observe and respect them. The Commissioner is independent, and is not subordinate to any State bodies or officials. A Social Forum has been established to provide a setting for exchanges between citizens and civil society organizations on the one hand and federal administrative authorities, the administrative authorities of the constituent entities of the Russian Federation and local administrations on the other.

Reply to questions posed in part I, paragraph 3, of the list of issues

6. Information on the number and content of petitions considered by the Human Rights Commissioner alleging violations of economic, social and cultural rights in 2009–2010:

| <i>Economic rights of citizens</i> | <i>Number of petitions received</i> | |
|--|-------------------------------------|--------------|
| | <i>2009</i> | <i>2010</i> |
| Total | 1 687 | 1 512 |
| Content: | | |
| Right to work (right to free choice of activity and profession, right not to be required to perform forced labour), including: | 928 | 711 |
| • Recruitment (employment) | 76 | 29 |
| • Termination of labour contract (dismissal) | 737 | 567 |
| • Collective agreements | 1 | - |

| <i>Economic rights of citizens</i> | <i>Number of petitions received</i> | |
|---|-------------------------------------|--------------|
| | <i>2009</i> | <i>2010</i> |
| Right to just and favourable conditions of work, including: | 372 | 348 |
| • Right to fair remuneration for work | 215 | 209 |
| • Right to safe and healthy working conditions | 5 | 7 |
| • Right to receive a temporary disability allowance | 7 | 5 |
| • Right to rest, leisure and reasonable limitation of working hours | 3 | 2 |
| • Right to periodic holidays with pay, as well as remuneration for public holidays and other compensation | 31 | 30 |
| • Right to compensation from the employer for harm caused to workers or employees through an employment injury or other injury to health in connection with the performance of duties | 90 | 75 |
| • Other questions | 21 | 20 |
| Right to form trade unions for the promotion and protection of economic and social interests, and the right of trade unions to function freely subject to no limitations | - | - |
| Right to strike | - | - |
| Right to review of individual and collective disputes | 387 | 364 |
| <hr/> | | |
| <i>Social rights of citizens</i> | <i>Number of petitions received</i> | |
| | <i>2009</i> | <i>2010</i> |
| Total | 4 497 | 4 900 |
| <hr/> | | |
| Content: | | |
| Protection of motherhood and childhood | 351 | 547 |
| Right to social security and social benefits for all categories of citizens | 1 269 | 1 337 |
| Right to housing | 2 279 | 2 391 |
| Right to protection of health and free medical assistance in State and municipal health-care facilities | 354 | 348 |
| Right to environmental security and to compensation for injury suffered to the health of a citizen or his property through an environmental offence | 79 | 90 |
| Right to education | 165 | 187 |
| <hr/> | | |
| <i>Cultural rights of citizens</i> | <i>Number of petitions received</i> | |
| | <i>2009</i> | <i>2010</i> |
| Total | 4 497 | 4 900 |
| <hr/> | | |
| Content: | | |
| Right to take part in cultural life and to enjoy the benefits of scientific progress and its applications | 51 | 48 |
| Right to the protection of intellectual property (copyright) | 36 | 22 |

7. Approximately half of the petitions received were declared inadmissible because they were inconsistent with the criteria set out in Federal Constitutional Act No. 1 of 26 February 1997 on the Human Rights Commissioner of the Russian Federation (requirement for the petitioner to submit a prior complaint against a decision or action taken by a State body or official in a court or administrative procedure and to provide copies of the decisions taken on the complaint).

8. In the other cases, the Human Rights Commissioner, bringing to bear the legal remedies set out under articles 29 and 31 of the Federal Constitutional Act, helped restore the rights of citizens when a violation was confirmed.

9. In 2009, following complaints addressed by the Human Rights Commissioner to the heads of federal government authorities, the government authorities of the constituent entities of the Russian Federation, the local authorities and the offices of the procurator:

- The economic rights of 1,131 citizens and 16 labour collectives were defended (in 46 complaints).
- In the area of social rights, additional measures were taken for the social protection of disabled veterans of the Second World War (replacement of means of transport for disabled persons), Heroes of the Soviet Union, Heroes of the Russian Federation and Full Cavaliers of the Order of Glory living abroad; material and social assistance was provided to more than 30 citizens; the legal interests of 47 petitioners who had submitted applications concerning pension questions were successfully defended; 23 persons received qualified medical assistance in hospitals, paid for from the federal budget; 20 persons received free medicine and other social benefits; and 9 citizens were placed in residential establishments providing social services. All told, the social rights of more than 1.3 million persons were restored.
- Housing was provided to 20 petitioners and members of their family (more than 100 persons), including 11 families of military personnel; needy petitioners received 235 State housing certificates; 6 families were reinstated on the waiting list for housing; and steps were taken to protect the interests of the inhabitants of Moscow participating in the programme on accessible housing for young families. All told, the housing rights and legal interests of more than 10,000 citizens were protected.
- Environmental violations in town-planning activities involving the construction and use of buildings, enterprises and other industrial facilities were eliminated in response to three collective complaints.
- The rights of 16 citizens to advanced vocational training were restored.
- Twenty-nine complaints concerning protection of the family, maternity, paternity and childhood were decided favourably.

10. In 2010, the Human Rights Commissioner was empowered to ensure the protection of civil and human rights and freedoms. Subsequently:

- The labour and economic rights of 212 persons were restored (in response to 26 complaints)
- Housing was made available to 131 persons, including 11 veterans of the Second World War; 4 families were moved out of dilapidated and hazardous housing; 18 persons, including 11 veterans of the Second World War, were registered on a waiting list for housing; and violations of other housing rights of citizens were addressed after consideration of 6 complaints
- The right to health and medical assistance was restored for more than 300,000 persons

- Environmental violations in town-planning activities involving the construction and use of enterprises, buildings and other facilities were eliminated in response to 12 (mainly collective) complaints by citizens protesting the violation of their right to a healthy living environment, as a result of which the rights of more than 200,000 persons were restored
- The rights to social security and the lawful interests in that regard of more than 20,000 pensioners, persons with disabilities and indigent citizens were restored
- The rights of 19 citizens to advanced vocational training were restored
- Eight complaints concerning protection of the family, maternity, paternity and childhood were decided favourably

Reply to questions posed in part I, paragraph 4, of the list of issues

11. In accordance with the National Security Strategy of the Russian Federation approved by Presidential Decree No. 537 of 12 May 2009, unlawful actions associated with corruption are a threat to national security. Improvements in laws and regulations on the prevention and suppression of this phenomenon are a key aspect of a policy aimed at ensuring State and public security in the long term.

12. Presidential Decree No. 460 of 13 April 2010 approved the National Strategy to combat corruption and the National Plan to combat corruption for 2010–2011. The relevant legal provision is Federal Act No. 273 of 25 December 2008, which establishes the underlying principles and the legal and organizational basis for preventing and suppressing the phenomenon and for minimizing and addressing its consequences. In accordance with article 1 of the Act, corruption is defined as abuse of office, giving or taking bribes, abuse of power, commercial bribery or other illegal use of an official position by a physical person contrary to the legal interests of society and the State in order to obtain an advantage in the form of money, valuables, other property or services of a material nature, other material rights for himself or others or the unlawful granting of such advantage to that person by other physical persons, as well as the above-mentioned actions committed on behalf of or in the interests of a legal entity. The main measures for combating corruption in the Russian Federation focus on:

- Encouraging public attitudes of intolerance towards corruption
- Conducting an assessment of laws and regulations for combating corruption
- Introducing, in accordance with the procedure prescribed by law, job specifications for citizens applying for State or municipal office and for posts in the State and municipal civil service, and verifying information submitted by applicants
- Establishing, as grounds for dismissal from a post in the State or municipal civil service, the failure to submit information or the submission of false or incomplete information concerning personal income, property or material liabilities as well as the submission of false information about the income, property or material liabilities of a spouse or underage children
- Introducing regulations according to which the continued irreproachable and effective performance by State and municipal officials of their duties must be taken into account when they are appointed to a higher post, awarded a military or special rank, superior grade or diplomatic rank, or promoted
- Setting up public and parliamentary bodies to monitor the enforcement of legislation on combating corruption

13. With a view to implementing the legal provision on the assessment of existing and proposed regulatory acts, Federal Act No. 172 of 17 July 2009 was adopted on the assessment of existing and proposed regulatory acts to combat corruption, and Government Decision No. 96 of 26 February 2010 on the assessment of existing and proposed regulatory acts to combat corruption approved the procedure and approach for its implementation. Federal Act No. 280 of 25 December 2008 amended the Police Act, the Office of the Procurator Act, the Federal Security Service Act, the Customs Authorities Act, the Military Duty and Military Service Act, the Status of Military Personnel Act and other legislation, pursuant to which the restrictions, prohibitions and obligations under Federal Act No. 273 of 25 December 2008 on the State Civil Service also apply to members of the police, the procurator's office, the interior affairs agencies, the agencies of the federal security service, the customs authorities and military personnel.

14. Federal Act No. 273 of 25 December 2008 establishes that, in order to coordinate the activities of the executive authorities at all levels aimed at implementing State policy on combating corruption, the corresponding bodies, consisting of representatives of the federal authorities, the authorities of the constituent entities and other persons, may be formed upon a decision by the President of the Russian Federation.

15. Pursuant to Presidential Decree No. 815 of 19 May 2008 on combating corruption, a council for corruption control was created which reports to the Office of the President and whose main tasks are to prepare proposals for the President on the elaboration and implementation of State policy in the area, coordinate the activities of the executive authorities at all levels and monitor implementation of measures envisaged under the relevant National Plan.

16. The commission of illegal actions involving corruption is punishable by law. The Criminal Code sets out substantive rules defining specific offences involving corruption. As part of measures taken to combat corruption, from January to September 2010 the internal affairs agencies identified 32,705 criminal acts committed against State power and the interests of the State and local authorities, including 7,107 involving the taking of bribes (Criminal Code, art. 290), of which 1,232 were committed on a large or very large scale (in 255 cases involving the taking of bribes). Preliminary investigations were conducted in 28,439 criminal cases instituted for offences committed against State power and the interests of the State and local authorities, including 5,410 criminal acts associated with the taking of bribes. A total of 21,189 cases involving the above crimes were brought before the courts; 10,968 persons were identified as having committed an offence, including 1,926 under article 290 of the Criminal Code, and 6,664 were prosecuted, including 1,844 under article 290.

17. In 2010, 2,849 crimes against the interests of the service in commercial and other organizations (Criminal Code, chap. 23) were registered; 1,902 cases involving such crimes were brought before the courts. Most of the crimes (1,501) concerned commercial bribery (Criminal Code, art. 204).

18. The Supreme Court regularly examines and compiles the practice of the courts in cases involving corruption. In particular, it has repeatedly reviewed the practice of the criminal courts in investigating the taking and giving of bribes (Criminal Code, arts. 290 and 291), commercial bribery (Criminal Code, art. 204), abuse of office (Criminal Code, art. 285) and exceeding of authority (Criminal Code, art. 286). An analysis was conducted on data on convicted offenders, disaggregated by type of official activity, the amount of the bribe, sentencing practice of courts with regard to persons guilty of acts of corruption, and other current questions of law enforcement practice in the area.

19. In response to the recommendations made at the parliamentary hearings on ensuring the implementation of the National Plan for combating corruption, the Supreme Court

undertook a study of court practice in cases involving abuse of office and exceeding of authority. On the basis of its findings, on 16 October 2009 the Plenum of the Supreme Court issued Decision No. 19 on court practice in cases concerning abuse of office and exceeding of authority. In 2010, the Supreme Court completed a study of court practice in cases in 2007–2009 involving bribery, including commercial bribery. A survey of court practice in the area was sent to all the courts of the constituent entities of the Russian Federation to ensure the proper and uniform application of rules on liability for such offences. Joint order No. 187/86/2 of the Procurator-General and the Ministry of Internal Affairs of 30 April 2010 approved as from 1 January 2010 the index of crimes involving corruption to be used for statistical records. The index contains seven categories of such offences. The first category concerns offences involving corruption (acts of corruption as such) provided for in article 141.1 (violation of the regulations for financing the election campaign of a candidate, an electoral association, an electoral bloc or the activities of a pressure group promoting a referendum or another group of participants in a referendum), article 184 (bribery of participants and organizations of professional sports events and in connection with commercial tenders for entertainment events), article 188, paragraph 3 (b) (trafficking), article 204 (commercial bribery), article 289 (unlawful participation in a business activity), article 290 (taking of bribes) and article 291 (giving of bribes) of the Criminal Code. In 2009, cases concerning 1,988 persons accused of violations under article 290 were brought before the courts. Judgements took legal effect for 1,837 convicted offenders and 62 acquitted persons for whom the accusation under article 290 was the most serious charge. Criminal proceedings involving 27 persons were discontinued.

| <i>Criminal Code</i> | <i>Main offence</i> | <i>In conjunction with another more serious offence</i> |
|--------------------------|---------------------|---|
| Article 290, paragraph 1 | 587 | 342 |
| Article 290, paragraph 2 | 1 095 | 616 |
| Article 290, paragraph 3 | 13 | 14 |
| Article 290, paragraph 4 | 142 | 9 |
| Total | 1 837 | 981 |

20. Pursuant to article 290, paragraph 1, of the Criminal Code, 19 per cent of convicted offenders were sentenced to a punishment of deprivation of liberty, more than 50 per cent received a suspended sentence, and 28 per cent were fined. Under article 290, paragraph 2, more than 22 per cent of convicted offenders were sentenced to deprivation of liberty, 75 per cent received a suspended sentence and 3 per cent were fined. In accordance with article 290, paragraph 3, 1 person was sentenced to deprivation of liberty for taking bribes, more than 53 per cent of convicted persons received a suspended sentence, 30 per cent were fined, and 8 per cent forfeited the right to hold certain posts or engage in certain activities.

21. A total of 78.2 per cent of persons convicted of taking bribes with aggravating circumstances were sentenced to deprivation of liberty. The other persons convicted under article 290, paragraph 4, received suspended sentences (21 per cent) or forfeited the right to hold certain posts or engage in certain activities (1 per cent).

22. Thus, in 2009 25.4 per cent of persons convicted of giving bribes were sentenced to deprivation of liberty, 63.5 per cent received a suspended sentence, and 10.9 per cent were fined. The remaining convicted offenders were sentenced to other forms of punishment not involving deprivation of liberty. In 2009, 3,664 persons were indicted under article 291 on charges of giving bribes. In addition, a number of cases were brought before the courts in which the accusation of giving a bribe was made in conjunction with the accusation of the commission of another more serious crime (161 indictments). Also in 2009, judgements took legal effect for 3,621 convicted offenders and 8 acquitted persons for whom the

accusation under article 291 was the most serious charge. Criminal proceedings involving 31 persons were discontinued.

| <i>Criminal Code</i> | <i>Main offence</i> | <i>In conjunction with another more serious offence</i> |
|--------------------------|---------------------|---|
| Article 291, paragraph 1 | 430 | 17 |
| Article 291, paragraph 2 | 3 191 | 112 |
| Total | 3 621 | 129 |

23. Pursuant to article 291, paragraph 1, of the Criminal Code, 8.5 per cent of convicted offenders were sentenced to deprivation of liberty, 33 per cent received a suspended sentence, more than 57 per cent were fined, and a sentence of correctional labour was imposed on 1 per cent of convicted offenders. In accordance with article 291, paragraph 2, more than 9 per cent of convicted offenders were sentenced to deprivation of liberty, 58 per cent received a suspended sentence, and 33 per cent were fined. In all, in 2009 9.2 per cent of persons convicted of giving bribes were sentenced to deprivation of liberty, 55 per cent received a suspended sentence, and 35.5 per cent were fined. The remaining convicted offenders were sentenced to other forms of punishment not involving deprivation of liberty.

24. The second category covers offences under article 174 (Legalization (laundering) of monetary assets or other property acquired by other persons by criminal means), article 174.1 (Legalization (laundering) of monetary assets or other property acquired by another person through the commission by that person of an offence), article 175 (Misappropriation or sale of property known to have been acquired by criminal means) and article 210, paragraph 3 (Organization of a criminal conspiracy (criminal organization) or participation therein), of the Criminal Code committed in conjunction with another offence when the other offence involved corruption.

25. In 2009, indictments filed in connection with the above-mentioned offences were as follows:

- Under article 174 of the Criminal Code in connection with 25 criminal acts
- Under article 174.1 of the Criminal Code in connection with 246 criminal acts
- Under article 175 of the Criminal Code in connection with 7 criminal acts
- Under article 210 of the Criminal Code in connection with 2 criminal acts

A guilty verdict without modification of the charges was delivered:

- Under article 174 of the Criminal Code in connection with 17 criminal acts
- Under article 174.1 of the Criminal Code in connection with 133 criminal acts
- Under article 175 of the Criminal Code in connection with 7 criminal acts

No guilty verdicts were delivered under article 210 of the Criminal Code.

26. The third category covers offences under article 294 (Impeding the administration of justice and the institution of a preliminary investigation), article 295 (Attempt on the life of a person administering justice or conducting a preliminary investigation), article 296 (Threat or use of violent actions in connection with the administration of justice or the conduct of a preliminary investigation), article 302 (Coercion of a person to testify) and article 309 (Subornation or coercion of a person to testify, to refrain from testifying or to give an inaccurate translation) of the Criminal Code, when corruption is involved in accordance with international instruments and when a corrupt intent is confirmed.

27. In 2009, indictments filed in connection with the above-mentioned offences were as follows:

- Under article 294 of the Criminal Code in connection with one criminal act
- Under article 296 of the Criminal Code in connection with one criminal act
- Under article 309 in connection with five criminal acts

A guilty verdict without modification of the charges was delivered:

- Under article 296 of the Criminal Code in connection with one criminal act
- Under article 309 in connection with five criminal acts

One verdict of not guilty was delivered in connection with an indictment on charges of committing a criminal act under article 294 of the Criminal Code.

28. The fourth category covers illegal actions involving corruption when committed for personal gain, which come under article 141, paragraph 2 (a) and (b) (Hindering the exercise of electoral rights or the work of an electoral commission), article 142, paragraph 2 (Falsification of electoral or referendum documents), article 170 (Registration of illegal land transactions), article 201 (Abuse of power), article 202 (Abuse of power by a notary or an accountant), article 285 (Abuse of office), article 286 (Exceeding of authority, apart from paragraph 3 (a) and (b)) and article 292 (Forgery by an official) of the Criminal Code.

29. In 2009, indictments filed in connection with the above-mentioned offences were as follows:

- Under article 141, paragraph 2, of the Criminal Code in connection with criminal acts
- Under article 201 of the Criminal Code in connection with 422 criminal acts
- Under article 202 of the Criminal Code in connection with 11 criminal acts
- Under article 285 of the Criminal Code in connection with 1,957 criminal acts
- Under article 286 of the Criminal Code in connection with 1,286 criminal acts
- Under article 292 of the Criminal Code in connection with 3,044 criminal acts

Guilty verdicts without modification of the charges were delivered:

- Under article 141, paragraph 2, of the Criminal Code in connection with 2 criminal acts
- Under article 201 of the Criminal Code in connection with 282 criminal acts
- Under article 202 of the Criminal Code in connection with 6 criminal acts
- Under article 285 of the Criminal Code in connection with 1,393 criminal acts
- Under article 286 of the Criminal Code in connection with 910 criminal acts
- Under article 292 of the Criminal Code in connection with 2,152 criminal acts

30. The fifth category covers offences under article 188, paragraph 4 (Trafficking), article 226, paragraph 3 (c) (Theft or extortion of a weapon, ammunition, explosives or explosive devices), article 228.2, paragraph 2 (Violation of regulations on the sale of narcotic or psychotropic substances), and article 229, paragraph 2 (c) (Theft or extortion of narcotic drugs or psychotropic substances, as well as plants or parts of plants containing narcotic drugs or psychotropic substances), of the Criminal Code when committed by a person acting in an official capacity (civil servant or person performing an administrative

function in a commercial or other organization on behalf of and in the interests of a legal entity).

31. In 2009, indictments filed in connection with the above-mentioned offences were as follows:

- Under article 188 of the Criminal Code in connection with 86 criminal acts
- Under article 226 of the Criminal Code in connection with 10 criminal acts
- Under article 228.2 of the Criminal Code in connection with 7 criminal acts
- Under article 229 of the Criminal Code in connection with 13 criminal acts

Guilty verdicts without modification of the charges were delivered:

- Under article 188 of the Criminal Code in connection with 61 criminal acts
- Under article 226 of the Criminal Code in connection with 8 criminal acts
- Under article 228.2 of the Criminal Code in connection with 6 criminal acts
- Under article 229 of the Criminal Code in connection with 10 criminal acts

32. The sixth category covers offences under article 183, paragraphs 3 and 4 (Unlawful acquisition and disclosure of information constituting a commercial, fiscal or bank secret), and article 228.1, paragraph 3 (b) (Unlawful production, sale or sending of narcotic drugs or psychotropic substances or their analogues as well as unlawful sale or sending of plants or parts of plants containing narcotic drugs or psychotropic substances), of the Criminal Code when committed for personal gain by a person acting in an official capacity. In 2009, indictments filed in connection with the above-mentioned offences were as follows:

- Under article 183 of the Criminal Code in connection with 3 criminal acts
- Under article 228.1 of the Criminal Code in connection with 83 criminal acts

Guilty verdicts without modification of the charges were delivered:

- Under article 183 of the Criminal Code in connection with 3 criminal acts
- Under article 228.1 of the Criminal Code in connection with 24 criminal acts (28.9 per cent)

33. The seventh category covers offences under article 159, paragraphs 3 and 4 (Fraud), and article 160, paragraphs 3 and 4 (Misappropriation or embezzlement), of the Criminal Code when committed by a person acting in an official capacity with misuse of official status. In 2009, indictments filed in connection with the above-mentioned offences were as follows:

- Under article 159 of the Criminal Code in connection with 4,597 criminal acts
- Under article 160 of the Criminal Code in connection with 3,248 criminal acts

Guilty verdicts without modification of the charges were delivered:

- Under article 159 of the Criminal Code in connection with 3,467 criminal acts
- Under article 160 of the Criminal Code in connection with 2,555 criminal acts

34. According to data of the legal division of the Supreme Court, in the first nine months of 2010 6,826 persons were convicted of criminal acts involving corruption (not counting persons convicted of an additional offence, i.e. the above-mentioned act in conjunction with another more serious offence). State and municipal civil servants accounted for 32 per cent of those found guilty, senior officers and other persons exercising an administrative function in commercial or other organizations for 23 per cent, staff of

offices of the procurator and other law enforcement agencies for 6 per cent (including 15 procurators, 33 investigators and 357 other law enforcement officials), private businessmen for 3.6 per cent, court officials for 0.4 per cent (including 3 judges) and lawyers, notaries and military personnel for 0.2 per cent each.

35. In 2010, bribery remained the most widespread form of corruption; 55 per cent of all convictions for offences involving corruption were for taking or giving bribes. In the first nine months of 2010 1,460 persons were indicted for crimes committed under article 290 of the Criminal Code, and criminal cases brought before the courts involved 1,460 persons, of whom 1,347 persons were convicted (not including persons convicted of an additional offence, i.e. the above-mentioned act in conjunction with another more serious offence):

- 394 were convicted under article 290, paragraph 1, of taking bribes
- 805 civil servants were convicted under article 290, paragraph 2, of taking bribes to commit unlawful actions (or omissions)
- 6 State officials of the Russian Federation, the constituent entities or administrating bodies of a municipal authority were convicted under article 290, paragraph 3, of taking bribes
- 142 were convicted under article 290, paragraph 4, of taking bribes as part of a group conspiracy or large-scale extortion

36. In the first nine months of 2010, 2,403 persons were prosecuted on charges under article 291 of the Criminal Code. Of these, 2,358 were convicted (not counting persons who committed the act in conjunction with another more serious offence) as follows:

- 315 persons were convicted under article 291, paragraph 1, of giving a bribe to an official directly or through an intermediary
- 2,043 persons were convicted under article 291, paragraph 2, of giving a bribe to an official to commit acts which were known to be unlawful

In the first nine months of 2010, 293 persons were prosecuted on charges of commercial bribery under article 204 of the Criminal Code. Following criminal prosecution, 250 persons were convicted (not counting persons who committed the act in conjunction with another more serious offence). The convictions were as follows:

- 59 persons were convicted under article 204, paragraph 1, of commercial bribery committed without qualifying circumstances
- Five persons were convicted under article 204, paragraph 2, of commercial bribery committed as part of a group conspiracy or as an organized group
- 186 persons were convicted under article 204, paragraph 3, of unlawful receipt, by a person holding a position of authority in a commercial or other organization, of money, securities or other property or of illegal exploitation of services of a material nature to commit actions (or omissions) in the interest of the person giving a bribe to the person in that position of authority
- 10 persons were convicted under article 204, paragraph 4, of committing the act defined in article 204, paragraph 3, in a group conspiracy or as an organized group and also in conjunction with extortion

37. In the first nine months of 2010, six persons were prosecuted on charges of illegal participation in a business activity; two were convicted (not counting persons who committed the act in conjunction with another more serious offence). One person was sentenced to a punishment of deprivation of liberty, and the other to deprivation of the right to hold certain posts or engage in certain activities.

38. In the first nine months of 2010, four officials were convicted under article 188, paragraph 3 (b), of the Criminal Code (Trafficking) of abusing their position of authority; one was sentenced to deprivation of liberty, and the other three received a suspended sentence. In the first nine months of 2010, no cases were brought before the courts for the commission of criminal acts under article 141.1, paragraph 2 (a) and (b), or article 184 of the Criminal Code, and seven cases were brought before the courts involving persons charged with committing an offence under article 174.1 in conjunction with another more serious act of corruption. Four cases were discontinued.

39. In the first nine months of 2010, no cases were brought before the courts involving charges of unlawful activities under articles 174, 175 or 210 of the Criminal Code. In the same period, the courts heard cases involving 202 persons charged under article 285, of whom 183 were convicted (not counting persons who committed the act in conjunction with another more serious offence), and they heard cases involving 105 persons under article 286 of the Criminal Code, of whom 92 were convicted (not counting persons who committed the act in conjunction with more serious crimes); 156 persons were prosecuted under article 292 of the Criminal Code, of whom 132 were convicted (not counting persons who committed the act in conjunction with another more serious offence).

40. In the first nine months of 2010, the courts heard the following cases concerning crimes committed for personal gain:

- Under article 142, paragraph 2, of the Criminal Code in connection with one person, who was sentenced to pay a fine
- Under article 201 in connection with 28 persons, of whom 24 were convicted (not counting persons who committed the act in conjunction with another more serious offence)
- Under article 202, on abuse of power by a private notary or accountant, in connection with three persons, who were convicted
- Under article 305 for handing down a judgement, decision or other judicial act known to be wrongful, in connection with two persons
- Under article 188, paragraph 4, in connection with 15 persons
- Under article 226, paragraph 3 (c), in connection with two persons
- Under article 183, paragraphs 3 and 4, in connection with one person (the case was discontinued)
- Under article 228.1, paragraph 3 (b), in connection with 22 persons, of whom 12 were convicted

In the first nine months of 2010 the courts heard cases under article 159, paragraphs 3 and 4, of the Criminal Code involving 1,614 persons, and verdicts concerning 1,462 persons became enforceable. Over the same period, the courts heard cases concerning 1,020 persons, of whom 917 were convicted.

Reply to questions posed in part I, paragraph 5, of the list of issues

41. Awareness of State officials about the International Covenant on Economic, Social and Cultural Rights and the practice of the Committee is promoted through seminars, round tables and briefings and comprehensive programmes on various areas of activity. In connection with the need to continue to improve judicial activities associated with the implementation of the provisions of the Covenant at domestic level, and with a view to ensuring the proper and uniform application of international law by the courts in the administration of justice, the Plenum of the Supreme Court issued Decision No. 5 of 10

October 2003 on the application by courts of general jurisdiction of the universally recognized principles and norms of international law and international agreements to which the Russian Federation is a party, in which it referred to the need for coordination with the Plenipotentiary of the Russian Federation in the European Court of Human Rights to ensure that judges are informed of the practice of the European Court, in particular with regard to decisions concerning the Russian Federation; to this end, they should be sent authenticated texts and their translation into Russian, and they should be provided, regularly and in a timely fashion, with authenticated texts and official translations of international agreements to which the Russian Federation is a party and other instruments of international law.

42. It is recommended that, in training, retraining and improving the qualifications of judges and court officials, the Russian academy of justice should give particular attention to inculcating generally accepted principles and norms of international law and international agreements to which the Russian Federation is a party, regularly analysing the sources of international and European law and publishing practical guides, commentary, monographs and other instructional and methodological literature and research. In Decision No. 8 of 31 October 1995 of the Plenum of the Supreme Court on certain matters relating to the application by the courts of the Constitution of the Russian Federation in the administration of justice, the Supreme Court ruled that, in their consideration of cases, the courts must proceed from the commonly recognized principles and norms of international law, as enshrined in international agreements, conventions and other documents (including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) and that, in compliance with article 15, paragraph 4, of the Constitution, the Russian Federation's international treaties are a component part of its legal system. The same constitutional norm also provides that if an international treaty of the Russian Federation establishes principles which differ from those stipulated in Russian domestic law, the principles of the international treaty shall apply.

Reply to questions posed in part I, paragraph 6, of the list of issues

43. The bill on the ratification of the Convention on the Rights of Persons with Disabilities and a package of related documents is undergoing approval by the executive authorities of the Russian Federation before being submitted to the Government and the Federal Assembly. Federal Act No. 137 of 1 July 2010 ratified International Labour Organization (ILO) Convention No. 135 concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking.

44. A number of executive authorities deem it appropriate at the current stage to consider whether the Russian Federation should sign the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights after its entry into force and the development of the practice of review by the Committee on Economic, Social and Cultural Rights of individual complaints of violations of the provisions of the Covenant. They are also of the opinion that the Russian Federation should sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

45. ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and the obligations emanating from its articles have been carefully analysed. The State Duma of the Federal Assembly has held two public hearings, with the participation of representatives of the indigenous peoples of Russia, leading national jurists and international experts on the possibility of the Russian Federation acceding to that international legal instrument. The point of view ultimately prevailed that, until a domestic procedure was in place for ratifying the Convention, it was important to develop, to the maximum extent, national legislation concerning the protection of the rights and interests of

indigenous peoples and to bring it into line with the main requirements of the Convention. Although Russia was not a party to ILO Convention No. 169, domestic law is taking its provisions into account in the course of improving national legislation in the area.

Reply to questions posed in part II, paragraph 7, of the list of issues

Article 2, paragraph 2: Non-discrimination

46. The Russian Federation became the first Member State of the United Nations to set up a national steering committee for organizing the Second International Decade of the World's Indigenous People proclaimed by the General Assembly in December 2004. From the outset, the steering committee has played a key role in the formation of State policy with regard to representatives of small indigenous minorities. The committee is made up of representatives from the leading associations of small indigenous minorities of the Russian Federation. Successive steps have been taken to analyse the situation and define priorities of State policy relating to these minorities.

47. The main aim is to ensure a lasting development of the small indigenous minorities of the North, i.e. to strengthen their socio-economic potential and protect their native habitat, traditional way of life and cultural values through targeted State support and a mobilization of their internal resources. To that end, decisions have been taken on the future direction of the work of the State authorities which will involve:

- Preserving the native habitat and traditional resource use in order to protect and promote the traditional way of life of the small indigenous minorities of the North, inter alia by ensuring that they have priority access to fishing and hunting grounds, biological resources in their traditional habitat and traditional economic activities
- Developing and modernizing their traditional economic activities
- Raising their quality of life to the national level
- Improving the demographic situation, in particular by reducing infant mortality and raising life expectancy to the national level
- Promoting their access to educational services, taking into account their ethnocultural particularity

48. At the beginning of 2009, the Government approved a policy framework for the sustainable development of the small indigenous minorities of the North, Siberia and the Far East of the Russian Federation (Government Order No. 132 of 4 February 2009). The policy framework was elaborated with the direct participation of the association of these minorities, bearing in mind the current situation in the area of traditional resource use, education, health care and the ethnocultural and sociodemographic development of these peoples. For the first time, it provided not only for State support for small indigenous minorities but also for assistance in mobilizing their domestic resources.

49. The policy framework is based on a number of principles which define approaches to achieving the sustainable development of small indigenous minorities, including the recognition of the right to use one's mother tongue, the need for an overall resolution of problems concerning the socio-economic and ethnocultural development of the small minorities of the North, cooperation between the Russian Federation and its constituent entities to preserve their native habitat and traditional way of life and recognition of their right to have priority access to historical natural resources. Its main purpose is to create the necessary conditions and incentives in the Russian Federation for the sustainable development of these minorities by strengthening their socio-economic potential and preserving their native habitat, traditional way of life and traditional economic activities.

50. A plan of action was elaborated and approved to ensure the practical implementation of the policy framework in 2009–2011 (Government Order No. 1245 of 28 August 2009). In 2010, a package of priority measures was devised for preparing and giving effect to the Second Decade of Indigenous People in 2008–2010. A similar document is being drawn up for the years 2011–2014. It contemplates a number of concrete measures for elaborating effective economic mechanisms to support the traditional way of life of the small indigenous minorities of the North and initiatives to improve their health care and educational system and preserve and promote their cultural heritage and culture.

51. Since 2009, subsidies have been granted from the federal budget to the budgets of the constituent entities to support the economic and social development of the small indigenous minorities of the North, Siberia and the Russian Far East. The subsidies, which amounted to 600 million roubles in 2009 and 240 million roubles in 2010, are allocated to co-finance measures aimed at the economic and social development of the small indigenous minorities of the North in areas where they have their traditional habitat and traditional economic activities. One of the conditions for receiving these subsidies is the presence of a plan agreed with the regional associations of these minorities on how the resources will be spent.

52. In 2010, agreements on the allocation of subsidies were concluded with 22 constituent entities of the Russian Federation (Amur Province, Republic of Altai, Komi Republic, Magadan Province, Nenets Autonomous Area, Chukotka Autonomous Area, Yamal-Nenets Autonomous Area, Transbaikal Territory, Republic of Sakha (Yakutia), Tomsk Province, Altai Territory, Vologda Province, Tyumen Province, Sverdlovsk Province, Republic of Khakasia, Irkutsk Province, Kemerovo Province, Sakhalin Province, Murmansk Province, Republic of Buryatia, Krasnoyarsk Territory and Khanty-Mansi Autonomous Area).

Reply to questions posed in part II, paragraph 8, of the list of issues

53. The Constitution guarantees the right to freedom of movement and freedom to choose one's place of residence within the boundaries of the Russian Federation. Act No. 5242-1 of 25 June 1993 on the right of citizens of the Russian Federation to freedom of movement and freedom to choose their place of residence within the boundaries of the Russian Federation abolished the residence permit system which existed in the USSR. Instead, the registration of citizens at their place of residence was introduced, which is intended to enable them to exercise their rights and freedoms and to fulfil their obligations towards other citizens, the State and society. In accordance with the Act, the registration of citizens of the Russian Federation at their place of residence within the Russian Federation takes place by notification and is free of charge. The Act provides that neither registration nor failure to register may constitute a precondition for the exercise of the civil rights and freedoms set out in the Constitution and the law or for the restriction thereof.

54. The registration system is currently being improved. Federal Act No. 227 of 27 July 2010 on amendments to a number of legislative acts in connection with the adoption of the Federal Act on the organization of the provision of State and municipal services introduced changes to the above-mentioned Act No. 5242-1 to simplify the issuance of documents by the registration authorities. It allows citizens to submit registration applications and applications for removal of registration and the necessary documents in electronic form and to send them via public telecommunications networks, such as the Internet, including the federal State information system (the integrated portal of State and municipal services (functions)). The amendments entered into force on 1 January 2011. In addition, Government Order No. 894 of 1 June 2010 approved the plan for the realization of measures to improve regulations for implementing State functions and procedures in connection with the registration of citizens of the Russian Federation at their place of

residence and the preparation and issuance of passports and other identification papers for citizens in the Russian Federation and abroad. The authorities have been instructed to simplify the procedure for registration at the place of residence and to complete by 2012 the introduction of a national electronic registration system which consolidates their individual information databanks.

55. In implementing the plan, and with a view to giving effect to Federal Act No. 227 of 27 July 2010, Government Decision No. 885 of 11 November 2010 was issued on amendments to the regulations for registration and removal of registration at a person's place of residence within the boundaries of the Russian Federation, pursuant to which, as from 28 November 2010, Russian citizens may notify the registration office of their place and duration of residence by mail or in electronic form via the above-mentioned publicly accessible telecommunications networks.

56. The Federal Migration Service of Russia, its regional bodies and the internal affairs agencies are empowered to monitor compliance by citizens with the rules concerning registration and removal of registration (article 3, paragraph 5, of the Act on the right of citizens of the Russian Federation to freedom of movement and freedom to choose their place of residence within the boundaries of the Russian Federation, and article 10 of the Police Act). In accordance with article 4 of the Act and pursuant to the regulations of the Federal Migration Service approved by Presidential Decree No. 928 of 19 July 2004, the regional authorities of the Federal Migration Service are responsible for operating the register. In localities without an office of the Federal Migration Service, this task is performed by the local authorities.

Reply to questions posed in part II, paragraph 9, of the list of issues

57. Federal Refugees Act No. 4528-1 of 19 February 1993 defines the grounds and procedure for granting refugee status in the territory of the Russian Federation and establishes the economic, social and legal guarantees for the protection of the rights and legal interests of refugees in accordance with the Constitution, generally recognized principles of international law and international agreements to which the Russian Federation is a party. A person who has applied for refugee status in the territory of the Russian Federation receives notification within five days that the request is under consideration on the merits, provided the request does not fall under article 5, paragraph 1, of the Act (grounds for refusing to consider a request on the merits).

58. In accordance with article 6, paragraph 1, of the Act, persons who have received such notification and members of their family residing with them have the right:

- To use the services of a translator and to receive information about the procedure for recognition of refugee status, their rights and obligations as well as other information
- To receive assistance for transit and for transport of luggage to their place of temporary residence
- To be paid a lump sum for each member of their family
- To be sent to a temporary holding centre for persons who have filed a request for recognition of refugee status
- To be accompanied by representatives of the regional office of the Federal Migration Service and/or the regional office of the Ministry of Internal Affairs to the temporary holding centre and, once there, to have representatives of the regional office of the Ministry of Internal Affairs ensure their protection

- To receive food (either for a fee or free of charge) and to use communal services free of charge at the temporary holding centre
- To receive medical care and medicine
- To be assisted in receiving vocational training at the temporary holding centre or on the job

In accordance with article 8, paragraph 1, of the Act, persons who have been recognized as refugees and members of their family residing with them have the right:

- To use the services of a translator and to receive information about their rights and obligations as well as other information
- To be assisted in preparing documents for entry into the territory of the Russian Federation if they are outside its boundaries
- To receive assistance for transit and for transport of luggage to their place of temporary residence
- To be fed and to use communal services at the temporary holding centre until their departure for their new place of residence
- To have representatives of the regional office of the Ministry of Internal Affairs ensure their protection at the temporary holding centre
- To use housing allocated from the housing stock for temporary populations (this right is lost if the persons who have been recognized as refugees and members of their family acquire, obtain or rent other housing)
- To receive medical care and medicine on the same footing as citizens of the Russian Federation
- To be assisted in receiving vocational training at the temporary holding centre or on the job on the same footing as citizens of the Russian Federation, except in cases provided by domestic law and international agreements to which the Russian Federation is a party
- To be hired or to start their own businesses on the same footing as citizens of the Russian Federation, except in cases provided by domestic law and international agreements to which the Russian Federation is a party
- To receive social protection, including social security, on the same footing as citizens of the Russian Federation, except in cases provided by domestic law and international agreements to which the Russian Federation is a party
- To receive assistance in placing children in State or municipal preschool facilities, general education schools and initial vocational training establishments and in transferring them to a secondary or higher vocational training school on the same footing as citizens of the Russian Federation
- To receive assistance from the Federal Migration Service in obtaining news from relatives residing in the State of which they are nationals (former habitual residence)
- To request the regional office of the Federal Migration Service at their place of residence to provide documents for travel outside the boundaries of the Russian Federation
- To apply for the right to permanent residence in the territory of the Russian Federation and for citizenship

- To take part in public activities on the same footing as citizens of the Russian Federation, except in cases provided by domestic law and international agreements to which the Russian Federation is a party
- To return voluntarily to the State of which they are nationals (previous usual place of residence)
- To go to their place of residence in a foreign country
- To enjoy the other rights guaranteed by domestic law and international agreements to which the Russian Federation is a party

59. A person who has been granted temporary asylum in the territory of the Russian Federation has the same rights as a person who has received notification that a request for recognition of refugee status is under consideration on the merits, except for entitlement to a lump sum cash payment. Persons who have received notification that a request for recognition of refugee status is under consideration on the merits, persons who have been recognized as refugees and persons who have been granted temporary asylum have the right to work; they do not need to receive permission to do so.

60. The children of foreign nationals, regardless of the legal status of their parents in the territory of the Russian Federation, have access to primary and secondary school education. In the period 2005–2010, 13,030 foreign nationals and stateless persons from 85 countries applied for refugee status, and 9,617 persons from 72 countries applied for temporary asylum. Over the same period, 854 persons from 35 countries were granted refugee status, and 4,924 persons from 49 countries were granted temporary asylum. In the first 11 months of 2010, 2,051 foreign nationals and stateless persons from 49 countries applied for refugee status. Since the beginning of 2010, 106 persons from 15 countries were granted refugee status, and 996 persons from 25 countries were granted temporary asylum.

61. As of 1 December 2010, 801 refugees from 32 countries were registered with the Federal Migration Service, and 3,781 persons from 39 countries had received temporary asylum in the Russian Federation.

Article 3 – Equal rights of men and women

Reply to questions posed in part II, paragraph 10, of the list of issues

62. Work is continuing on the preparation of the federal bill on State guarantees of equal rights and freedoms and equal opportunities for men and women in the Russian Federation. As the question of ensuring equal rights and freedoms for men and women is covered in various legislative acts, including the labour, family, civil, criminal, criminal procedural and administrative codes, steps are now being taken to incorporate into these texts the rules contemplated under the above-mentioned bill.

Reply to questions posed in part II, paragraph 11, of the list of issues

63. Despite their high level of social and political activity, the number of women in federal legislative bodies is at present insignificant. There are seven female senators in the Federation Council of the Federal Assembly (the upper house of parliament). In the State Duma of the Federal Assembly (the lower house of parliament), there are 64 female deputies (46 in the period 2003–2006). The number of female deputies in the legislative (representative) bodies of State power grew in the majority of the constituent entities of the Russian Federation. On average, across the country women make up between 2 and 19 per cent of the total number of deputies in the legislative bodies in the constituent entities (between 25 and 42 per cent in some regions).

64. Under Russian law, women have the same right as men to be appointed to State service and to be promoted in the service ranks. The law makes no distinction between men and women and prohibits direct or indirect restrictions or preferences in the State civil service on the basis of gender. Women remain numerically the dominant group among State workers, but they predominate in executing-type positions, in which the “gender pyramid” in governmental agencies and administration is maintained. There are three female ministers in the Government of the Russian Federation: the Minister of Economic Development, the Minister of Health and Social Development and the Minister of Agriculture. Two women are governors (heads of the constituent entities of the Russian Federation: Saint Petersburg and Khanty-Mansi Autonomous Area).

65. In accordance with a Presidential Decree, a national reserve of high-potential administrative personnel is being established – a single openly accessible database of the best specialists on three management levels: municipal, regional and federal. Professionals with the most promising prospects have been included in what has been termed the President’s quota, comprising 100 persons, 11 of them women. Subsequently, a further 500 persons have joined the reserve, including 79 women (13.8 per cent).

Reply to questions posed in part III, paragraph 12, of the list of issues

Article 6 – Right to work

66. The international financial crisis which began in autumn 2008 had a serious adverse impact on the labour market. For the Russian Federation, this posed a difficult problem, because in the previous four years the labour market had grown steadily, and unemployment had been at an insignificant level, between 4.6 and 5.3 million persons. In September 2008, the number of unemployed persons rose abruptly. Unemployment peaked in February 2009, when more than 7 million persons were out of work (9.4 per cent of the economically active population). The situation began to improve in autumn 2009. By the end of 2010, overall unemployment stood at 5.1 million persons (6.8 per cent of the economically active population), including 1.5 million persons who were registered with the State employment service (2.0 per cent of the economically active population). These results were achieved thanks to timely anti-recessionary measures taken by the Government which were designed to stimulate the real economy and thus to save jobs.

67. All told, approximately 115.6 billion roubles were spent in 2009 on job support measures, including 77.5 billion roubles for employment assistance and 38.1 billion roubles on regional programmes to implement additional initiatives to reduce pressure on regional labour markets. In the context of anti-recessionary measures taken in 2009, more than 2.8 million persons took part in public work projects. Nearly 1.7 million temporary jobs were created for persons at risk of dismissal. More than 216,000 persons at risk of dismissal took advanced vocational training or retraining courses or improved their qualifications. More than 127,000 persons seeking to start their own business received material support from the employment service. In 2010, 88.7 billion roubles in subsidies were allocated for job-saving measures to give effect to the terms of reference of the Employment Act, and 36.3 billion roubles for regional programmes to reduce pressure on the labour market in the constituent entities of the Russian Federation.

68. Steps have been taken to ensure a more efficient use of these resources, achieve a more precise and targeted planning and organization of public works, improve the quality and effectiveness of programmes for advanced vocational and on-site training and offer more possibilities for people to start their own business. Action to prevent unemployment from rising has become more responsive. The situation of the enterprises in the regions is permanently monitored. The procedure for the redistribution of resources within regional programmes has been improved, making it possible to use financial resources more

effectively and not be left with an unspent balance when regional labour markets remain under pressure.

69. The package of economic and social measures to stimulate national production made it possible to reduce the number of persons on part-time employment nearly four-fold, from 1 million in February 2009 to 270,000 in October 2010. Wage arrears declined by a factor of 3.5, from 8 billion roubles on average in February–June 2009 to 2.3 billion roubles at the end of 2010. In the first quarter of 2009, an average of 300,000 persons were hired per month, and there were 42,000 departures related to downsizing. In October 2010, 502,000 persons were hired, and there were 14,500 departures due to downsizing. Employer requests for employees made to the employment service grew from 875,000 persons in the first quarter of 2009 to 1,167,000 persons in October 2010, a 33 per cent increase.

70. All the constituent entities of the Russian Federation, including those with populations of small indigenous minorities of the North and the North Caucasus federal area, participate in implementing the regional programmes. No special employment programmes are currently envisaged for members of the small indigenous minorities of the North in connection with particularities of their living conditions or ethnic traditions. However, such persons can take part in the job or retraining initiatives of their constituent entity. On the whole, requests from members of this population group concern the fishing industry, forestry and reindeer breeding. The regional employment service offices are prepared to help them find other employment or learn a new profession if they so desire.

71. Measures are also contemplated to reduce the pressure on the labour markets of the constituent entities of the Russian Federation that make up the North Caucasus federal area. As of the end of 2010, unemployment in the North Caucasus republics was between 2 and 7 percentage points lower than at the beginning of 2009. In 2010, the Government of the Russian Federation approved a strategy for the socio-economic development of Siberia (until 2020), the Far East and the Baikal region (until 2025) and the North Caucasus federal area (until 2025) which contains programmes of action for improving the employment situation of the population, including that of small indigenous minorities. A plan of action has been elaborated to implement the strategy in the medium term.

Reply to questions posed in part III, paragraph 13, of the list of issues

72. In accordance with article 21 of the Federal Act on the social protection of persons with disabilities, a job quota mechanism for these persons is regulated by the legislation of the constituent entities, which have the right to establish a quota for businesses with more than 100 employees for the hiring of persons with disabilities as a percentage of average staff size (but no less than 2 per cent and no more than 4 per cent) and also to define the procedure and conditions of measures to be applied to violators. Under the quota system, employers hire persons with disabilities on their own initiative or on the instructions of the employment services. The main aim of the job quota is to create conditions for the effective employment of persons with disabilities.

73. However, as experience in the constituent entities shows, the job quota mechanism has not produced the desired effect, because it does not contain incentives for employers and serves as a labour reserve. A proposal to address the problem by lowering the minimum number of employees of enterprises for which the quota applies would pose an additional financial burden on small businesses, which is not always feasible, given the way they function. Moreover, in a period of economic crisis, such a measure would place an additional financial load on the employer.

74. Moreover, job quotas restrict the possibilities for employers to hire other categories of persons experiencing difficulties in finding work, such as single parents, parents with large numbers of school-age children or with disabled children, or persons between 18 and

20 years of age who have completed initial or higher vocational training and are looking for their first job. The elaboration and implementation of an incentive mechanism to encourage employers to create jobs for persons with disabilities and the allocation of resources to employers to compensate losses associated with hiring such persons, for example expenditure for salaries and for the purchase and delivery of workplace equipment, might have a significant positive impact on the employment of persons in this category.

75. This mechanism of incentives for employers meets the requirements of a market economy to a considerable degree and is more effective for many small businesses. The mechanism, which creates jobs for persons with disabilities and compensates employers for losses arising from hiring them, has been set up and put into effect in a number of constituent entities (Voronezh Province, Saint Petersburg).

Services provided to persons with disabilities by the employment offices

| | 2007 | 2008 | 2009 | 2009 as % of 2008 |
|--|---------|---------|---------|----------------------|
| Number of persons with disabilities applying for assistance in finding suitable employment | 256 167 | 256 190 | 306 478 | 119.6 |
| Number of persons with disabilities who found work (paid employment) | 87 854 | 87 299 | 84 651 | 97.0 |
| Number of persons with disabilities registered as unemployed in the course of the year | 221 016 | 223 561 | 270 458 | 121.0 |
| Number of unemployed persons with disabilities who were sent to take vocational training in the course of the year | 9 369 | 10 388 | 12 372 | 119.1 |
| Number of persons with disabilities who completed vocational training in the course of the year | 8 449 | 9 428 | 10 138 | 107.5 |
| Including: | | | | |
| Vocational training | 2 417 | 2 716 | 3 104 | 114.3 |
| Vocational retraining | 4 398 | 4 963 | 5 484 | 110.5 |
| Advanced vocational training | 1 614 | 1 747 | 1 550 | 88.7 |
| Number of unemployed persons with disabilities at the end of the year | 133 743 | 130 446 | 151 900 | 116.4 |

76. The Russian Federation provides support for national associations of persons with disabilities. In 2009, subsidies were allocated from the federal budget to increase production capacity, create jobs and modernize the facilities of these associations. As a result, about 1,500 jobs were created for such persons. In 2011, initiatives will be taken in the constituent entities to promote the hiring of persons with disabilities as part of additional measures to reduce pressure on the labour market.

Article 7 – Right to just and favourable conditions of work

Reply to questions posed in part III, paragraph 14, of the list of issues

77. As of the end of 2009, the average monthly wage in the various sectors of the economy stood at 20,789 roubles. The average monthly wage for men was 23,946 roubles (15 per cent higher than the average) and 15,639 for women (25 per cent lower than the average). Women's average monthly wage is 65.3 per cent that of men's, a ratio that is gradually improving: in 2005 it stood at 60.7 per cent and in 2007 at 63.1 per cent. This trend can be observed in both the public and the private sector of the economy, where the

difference between wage levels is insignificant (wages in the private sector are approximately 10 per cent lower than in the public sector). No cases have been recorded of complaints referred to the courts in connection with violations of the right to equal remuneration of women and men, because labour legislation prohibits gender discrimination at the workplace.

Reply to questions posed in part III, paragraph 15, of the list of issues

78. In 2005, the goal was set of raising the pay of teachers, doctors, cultural workers, scientists and other sectors covered by the budget by at least 50 per cent in the course of three years. The goal was met: by 2008, the average wage of employees in the social and cultural sectors had doubled. Wages in these sectors increased from 68 per cent of average wages in 2005 to 77 per cent in 2009.

Reply to questions posed in part III, paragraph 16, of the list of issues

79. The State labour inspectorate deals with questions concerning compliance with labour legislation and the protection of employees. When inspections bring violations to light, decisions are taken on whether to refer a case to the procuratorial authorities and then to the courts. Court proceedings are open to the public and do not infringe the rights of the employer or the employee. The amount of compensation (including for moral harm) awarded by the courts to victims of discrimination is on a strictly individual basis and is a function of the harm suffered by the employee. Practice has shown that these measures are effective, and discriminatory actions by employers against employees are on the decline.

Reply to questions posed in part III, paragraph 17, of the list of issues

80. Current legislation provides citizens and foreign nationals residing in the territory of the Russian Federation with a number of possibilities for asserting their rights. In overcoming the effects of the international financial and economic crisis, the Russian Federation is giving particular attention to monitoring compliance with the labour rights of migrants. On 14 November 2008, the Procurator-General issued Instruction No. 229/7 on the organization of procuratorial monitoring in connection with measures taken by the Government to ensure the recovery of the financial and other sectors of the economy. Pursuant to the Instruction, procurators must monitor on a quarterly basis compliance with the right of Russian and foreign workers to timely payment of wages and implementation by labour oversight bodies of their obligation to protect the rights of persons who have been dismissed due to the closing down of a business, downsizing or redundancies.

81. After the completion of monitoring, the procurators undertake a number of measures aimed at restoring the violated rights of citizens, for example: contesting legal acts issued in violation of the law; making recommendations to officials to remove violations of the law, investigating whether persons guilty of violations should incur disciplinary, administrative or criminal liability; and referring cases to the courts for legal action. In 2009, the Procurator-General, in cooperation with the procurators of 14 constituent entities and transport procurators, and with the participation of the regional employment services, the Federal Labour and Employment Service and internal affairs agencies, monitored compliance with labour and migration legislation by employers who use foreign workers, in the course of which particular attention was given to questions such as:

- Compliance with migration and labour legislation by employers and oversight bodies
- Implementation by the regional divisions of the State employment service and the offices of the Federal Labour and Employment Service of their obligation to help foreign workers find employment

- Introduction of quotas for foreign workers
- Imposition of administrative sanctions on legal entities, officials and foreign workers
- Organization of initial inquiries and investigations with a view to conducting police operations

82. The monitoring resulted in the detection of 1,246 violations, in response to which the procurators lodged 98 complaints for unlawful legal actions, made 331 recommendations, instituted 447 proceedings for administrative offences and issued 47 warnings to officials concerning violations of the law. Eighteen complaints for the recovery of unpaid wages and severance pay were referred to the courts. In the same period, the courts considered 69 cases of criminal acts committed under article 322-1 of the Criminal Code (Organization of illegal migration) and 1 case under article 143, paragraph 2 (Violation of occupational safety regulations). According to court statistics, in the first six months of 2010 119 persons were convicted of committing offences under article 143 (52 persons under paragraph 1, and 67 persons under paragraph 2) and 186 persons under article 322-1 (172 persons under paragraph 1, and 14 persons under paragraph 2) of the Criminal Code. The immigration authorities of the regional offices of the State employment service are giving special attention to cases of failure to pay wages to foreign workers. In all, from 2009 to the end of 2010, 117 cases came to light of failure to pay wages to 2,393 foreign nationals, including:

- 17 cases involving 209 persons in the Central Federal Area
- 8 cases involving 22 cases in the Northwest Federal Area
- 2 cases involving 2 persons in the Southern Federal Area
- 18 cases involving 645 persons in the Volga Federal Area
- 24 cases involving 692 persons in the Ural Federal Area
- 21 cases involving 289 persons in the Siberian Federal Area
- 27 cases involving 534 persons in the Far East Federal Area

83. As of the end of 2010, 97 cases involving 2,165 persons were settled, and wages were paid in full or the case was discontinued for lack of evidence that a crime had been committed. Nineteen cases involving 227 persons are under consideration by the district procurator's office and the State labour inspectorate. In one case involving one person, wages were paid in part.

Reply to questions posed in part III, paragraph 18, of the list of issues

84. Regulations introduced in labour legislation and other legal acts containing norms of labour law also cover foreign nationals, stateless persons, organizations created or administered by foreign nationals or stateless persons with their participation, international organizations and foreign legal entities, if not otherwise provided by an international agreement to which the Russian Federation is a party (article 11 of the Labour Code). In addition, the conditions for the employment of foreign nationals, the employment of foreign nationals present in the Russian Federation with a status not requiring a visa and the particularities of the employment of highly qualified foreign nationals and of foreign nationals working for legal entities are regulated by Federal Act No. 115 of 25 July 2002 on the legal status of foreign nationals in the Russian Federation (arts. 12–13.3).

85. Relations based on civil law contracts are regulated by civil law. In accordance with article 2 of the Civil Code, rules established by civil law are applied with regard to the participation of foreign nationals, stateless persons and foreign legal entities unless otherwise provided by federal law. Federal Act No. 47 of 24 April 1995 ratified an

agreement on cooperation in the area of labour migration and the social protection of migrant workers, signed on 15 April 1994. The agreement regulates the main aspects of cooperation between the States parties in the area of employment and social protection of persons and members of their family who are permanently residing in the territory of one of the States parties and work in enterprises, administrations and organizations under all forms of ownership in the territory of another State party in conformity with the labour legislation of the State party. A number of intergovernmental agreements have also been concluded to protect the rights of migrant workers. The Agreement between the Government of the Russian Federation and the Government of the Republic of Uzbekistan of 4 July 2007 on the employment and protection of the rights of migrant workers in the Republic of Uzbekistan who are citizens of the Russian Federation and migrant workers in the Russian Federation who are citizens of the Republic of Uzbekistan was ratified by Federal Act No. 129 of 28 June 2009. The Agreement between the Government of the Russian Federation and the Government of the Republic of Kyrgyzstan of 28 March 1996 on the employment and social protection of migrant workers was ratified by Federal Act No. 139 of 14 November 1997.

Reply to questions posed in part III, paragraph 19, of the list of issues

86. Russian law does not define the concept of sexual harassment. On 8 January 1996, Government Decision No. 6 on the framework plan to improve the status of women in the Russian Federation was adopted, in which the problem of violence against women, including sexual harassment at the workplace, is recognized as one of the most important particularities of the status of women and has given rise to serious concern.

87. Provisions aimed at preventing and suppressing sexual harassment at the workplace are contained in a number of departmental regulations. For example, Ministry of Internal Affairs Order No. 138 of 24 December 2008 approved a code of professional ethics for the staff of its agencies, pursuant to which sexual harassment or coercion to intimate relations, especially when reflected in aggressive, humiliating behaviour that is degrading for women or men and accompanied by physical violence, emotional pressure, blackmail or threats, is a serious violation of professional ethics and norms governing informal relations between employees.

88. Sexual harassment is a complex concept and is not defined as a separate offence. A chapter of the special section of the Criminal Code, on questions concerning the protection of sexual inviolability and the sexual freedom of the individual, contains provisions establishing criminal liability for rape (Criminal Code, art. 131), violent acts of a sexual nature (Criminal Code, art. 132) and coercion to acts of a sexual nature (Criminal Code, art. 133).

89. In 2009, 313 persons were convicted under article 132, paragraph 1, of the Criminal Code (and 495 persons in conjunction with other offences), and 230 persons in the first six months of 2010; 858 persons were convicted under article 132, paragraph 2 (and 1,204 persons in conjunction with other offences), in 2009, and 480 persons in the first six months of 2010; 678 persons were convicted under article 132, paragraph 3 (and 362 persons in conjunction with other offences), and 52 persons in the first six months of 2010; no one was convicted in 2009 under article 132, paragraph 4, and 8 persons in the first six months of 2010; and 16 persons were convicted of coercion of acts of a sexual nature under article 133 of the Criminal Code (and 14 in conjunction with other offences) in 2009, and 2 persons in the first six months of 2010.

Article 8 – Trade union rights

Reply to questions posed in part III, paragraph 20, of the list of issues

90. The main reason for failure to implement recommendation 49 of the Committee's previous concluding observations is the disagreement on the question between the Government, the national trade union associations and the national employer associations in the framework of the work of the Russian tripartite commission on the regulation of labour relations. Efforts to bring the three positions closer together are continuing.

Reply to questions posed in part III, paragraph 21, of the list of issues

91. The Labour Code contains an extensive list of guarantees for the protection of the rights of trade union leaders. The conditions for release from work of members of trade unions are defined in collective agreements or accords. In recent years, there have not been any cases in which employers discriminated against trade unions or their representatives.

Article 9 – Right to social security

Reply to questions posed in part III, paragraph 22, of the list of issues

92. In accordance with the law, all citizens of the Russian Federation have the right to a pension, including persons working in the informal sector of the economy. Information on legislative and other measures taken to address the problems of the current system of social security is contained in the reply to the questions posed in paragraph 23.

Reply to questions posed in part III, paragraph 23, of the list of issues

93. The fixed basic amount of the insurance component of an old-age retirement pension is adjusted yearly for inflation and the revenue increase of the Russian Federation's Pension Fund; it currently stands at 61 per cent of the minimum subsistence level of a pensioner. Social pensions, State pensions and other social payments are also increased annually by an amount determined on the basis of the corresponding size of social pensions. The further development of the pension system in the Russian Federation on the basis of its insurance principles will be carried out with a view to raising the level of pensions for all categories of pensioners, guaranteeing the financial equilibrium of the pension system for its sustainable long-term operation and achieving the following objectives:

- Ensuring, as from 2010, a minimum level of material protection for pensioners that is not lower than the minimum subsistence level of a pensioner, and raising the average old-age retirement pension by 2016–2020 to a level not lower than 2.5 to 3 times the minimum subsistence level of a pensioner
- Creating conditions for increasing old-age retirement pensions to an individual income replacement rate (which was the basis for calculating insurance contributions in real terms) of no less than 40 per cent

Concrete measures taken in 2010 to achieve this goal include:

- As of 1 January 2010, the monetary valuation of pension rights acquired before 1 January 2002 was raised by 10 per cent and additionally by 1 per cent for each year worked before 1 January 1991.
- A supplementary pension payment was introduced for cases in which social assistance measures do not ensure a minimum subsistence level in the constituent entities of the Russian Federation.

- The transition was completed from a tax-based to an insurance-based principle for the formation of pension system revenue through the abolition of the unified social tax and the introduction of insurance contributions for compulsory pension insurance on the basis of a single rate for all organizations and employers, regardless of the economic sector.
- A minimum insurance contribution payable over 30 years was introduced, thereby guaranteeing a retirement pension not lower than the minimum subsistence level of a pensioner.
- The transition was completed of the base component of the retirement pension to a compulsory pension insurance system funded by contributions, and a single principle for adjusting the entire pension sum was established on the basis of the revenue growth of the Pension Fund of the Russian Federation per pensioner, but not more than the growth of the average monthly wage.
- The insurance contribution rate was set at 26 per cent, based on the amount of funding needed for retirement pensions, including funding of the basic pension component from this source.
- A transition period was introduced during which compensation is provided for the insurance contribution component from the federal budget for insured persons in the high-tech and agricultural sectors who have special and preferential tax regimes.
- In 2010 a ceiling for insurance entitlement for accrued insurance contributions was set at 415,000 roubles (approximately 135 per cent of the average monthly wage). The ceiling is adjusted monthly to increases in the average monthly wage. For 2011, the adjusted ceiling for insurance entitlement is 463,000 roubles.

In addition, measures were taken to reinforce the cumulative component of the pension system by:

- Enlarging the list of safe objects for the investment of pension accruals and the placement of pension resources
- Creating and developing a system in which the State and employers co-finance voluntary pension accruals of individuals
- Regulating by law the procedure for financing the payments of the cumulative component of the retirement pension
- Regulating by law early pension coverage as a function of working conditions

94. In accordance with Federal Act No. 27 of 1 April 1996 on individual (personalized) accounting in the compulsory pension insurance scheme, provision is made for a single accounting system for data on insured persons (individual personalized account). When an insured person moves from one constituent entity of the Russian Federation to another, the account is maintained.

95. The problem of the low level of pensions for citizens of the Russian Federation who left their place of permanent residence in the territory of the Chechen Republic has to do with the absence of records confirming their income, which are used to calculate pension entitlements. To address the question of the increase in the level of pensions of citizens living in the Chechen Republic whose income records were lost for reasons beyond their control, it was decided to introduce supplementary fixed monthly payments for that category of citizens as from 1 January 2006. In order to give effect to this decision, the President of the Russian Federation signed a Decree on the establishment of supplementary monthly payments to certain categories of citizens living in the territory of the Chechen Republic. As from 1 January 2006, the Decree introduced supplementary monthly

payments to persons permanently residing in the territory of the Chechen Republic whose income records had been lost in 1994–1995 and in 1999–2000. This decision has helped improve the material situation of this category of citizens.

Article 10 – Right to marry and found a family, protection of the family, mothers and children

Reply to questions posed in part III, paragraph 24, of the list of issues

96. The legal basis for protecting children against domestic violence has been strengthened in the Family Code. Particular attention is given to the fact that the education of a child must exclude negligent, cruel, brutal or degrading treatment, abuse or exploitation. Cruel treatment of a child, physical or psychological violence, violations of a child's sexual integrity, beatings, torture, failure to assist a sick child, putting a child in danger and a number of other actions are grounds for withdrawal of parental rights. Where there is a direct threat to a child's life or health, provision is made for immediate removal of the child from parental custody by the guardianship authorities. The law requires that anyone in contact with children in daily life must report any child in a crisis situation to the guardianship authorities without delay. The receipt of such a report is the basis for conducting an inspection and taking concrete measures to protect and restore the violated rights of the child. Children may themselves request the guardianship authorities to protect their rights, and upon reaching the age of 14 years, they may submit such a request to the courts. Chapter 20 of the Criminal Code (general part, section VII) covers criminal acts committed against the family and underage children. It includes seven offences: inciting a child to the commission of a crime (art. 150); inciting a child to commit antisocial actions (art. 151); substitution of a child (art. 153); illegal adoption (art. 154); disclosure of confidential information about an adoption (art. 155); failure to fulfil child-rearing obligations (art. 156); and wilful evasion of the payment of maintenance for children or disabled parents (art. 157). In addition, provisions on liability for the use of violence are contained in the Criminal Code in the chapters on criminal acts against life, health, freedom, honour, dignity and sexual integrity and sexual freedom of the individual. These provisions apply equally to protection against domestic violence. The most widespread acts of domestic violence are beatings (article 116 of the Criminal Code), torture (art. 117) and the infliction of various degrees of harm to health (arts. 111, 112 and 115). The Criminal Code also establishes liability for the commission of socially dangerous acts in the form of violent actions, including in the family: homicide (art. 105); infanticide committed by the mother (art. 106); manslaughter (art. 107); threat of murder or severe harm to health (art. 119); abuse (art. 130); and other criminal acts, depending on the circumstances of the offence.

97. Federal Act No. 215 of 27 July 2009 on amendments to the Criminal Code amended a number of articles with a view to increasing criminal liability for offences which violate the sexual freedom and integrity of minors, as well as for offences against public health and public morals when committed against minors. It amended article 156 of the Criminal Code (Failure to fulfil child-rearing obligations) by increasing the liability of parents or other persons with parental authority, as well as teachers and other personnel at educational, health-care or other facilities, for the offence of failure to fulfil their child-rearing obligations or for improperly fulfilling those obligations, committed through actions or inactions which are cruel in nature and in their consequences, or actions which grossly violate the basic obligations of persons responsible for a child's education and which consist in the use of prohibited methods (in the legal and ethical sense) of education and treatment, including any form of psychological, physical and sexual violence against children.

98. An analysis of statistical data shows an increase in the past six years of 78.3 per cent in the number of crimes detected under article 156 of the Criminal Code, from 3,680 in 2003 to 6,562 in 2009. In the first six months of 2010, the number of crimes detected which had been committed against minors by parents or persons acting in their stead stood at 4,003, or 12.8 per cent less than for the same period in 2009. An analysis of information on persons recognized to have been victims of crimes in conjunction with violent acts reveals an increase of 3.9 per cent (from 13,942 in 2008 to 14,481 in 2009) in the number of married women who were victims of spousal violence, and 15.6 per cent in the number of minors who were victims of crimes committed by their parents (from 3,471 in 2008 to 4,012 in 2009). In the first six months of 2010, 2,325 minors and 6,835 women were found to have been victims of these offences, or 3.4 per cent and 16.8 less than in the same period in 2009, respectively.

99. Official judicial statistics do not have a separate category for violent crimes committed in the family. It is not possible to reflect or furnish statistical data on court cases involving domestic violence. Provisions in the following federal acts focus on preventing and averting domestic violence: the Act on basic guarantees for the rights of children; the Act on social services in the Russian Federation; and the Act on the basis of the system for the prevention of child neglect and juvenile delinquency. Interdisciplinary social assistance centres for families and children located in the social protection offices of the constituent entities of the Russian Federation and the local authorities provide a range of services, including assistance to the victims of violence and ill-treatment and persons in a crisis situation. As of the beginning of 2010, there were 3,235 such facilities, including 778 integrated social service centres for families and children, 793 social rehabilitation centres for juveniles, 519 family and child social assistance centres, 350 shelters for children and adolescents, 330 social service centres, 283 rehabilitation centres for children with special needs, 15 centres for assisting children deprived of parental care, 16 educational and psychological support centres for the population and 3 telephone helpline centres for psychological assistance. The system of social service centres for families and children assists victims of violence and ill-treatment in the areas of social welfare, medical, psychological, educational and legal services, social integration and rehabilitation. As of the beginning of 2010, the social protection offices of the Russian Federation had 21 crisis centres and 133 crisis units for women which function as subdivisions within the offices of the social service centres, as well as 27 shelters for women with underage children. A total of 433 confidential telephone hotlines were set up to prevent domestic violence and provide emergency psychological assistance at the social service centres for families and children.

100. In 2008, a Fund for children in difficult situations was established which co-finances more than 100 programmes in 50 constituent entities of the Russian Federation and has three priorities:

- Preventing family break-ups and the social orphanhood of children, restoring a family environment conducive to raising children, and making family arrangements for orphans and children deprived of parental care
- Providing support for families with disabled children to ensure the maximum possible development of such children in a family environment, and promoting their socialization, preparation for independent life and integration in society
- Working towards the social rehabilitation of children in conflict with the law (who have committed criminal acts) and preventing child neglect, homelessness and juvenile delinquency, including repeat offences

In 2010, a competitive selection process was conducted for initiatives in the constituent entities under the following programmes of the Fund: “Right of the Child to a Family”, “I can live independently”, “Watch your Step” and “Let’s Protect Children from Violence”.

The constituent entities will receive grants from the Fund to implement these programmes. The Fund also provides financial assistance for the projects of municipal bodies, administrations and organizations, including non-commercial bodies carrying out socially significant projects in helping children and/or families with children in difficult situations.

Reply to questions posed in part III, paragraph 25, of the list of issues

101. Article 22 of the Constitution provides for the right of persons (citizens) to individual freedom. To ensure the constitutional rights and freedoms of persons (citizens) and implement the international obligations entered into by the Russian Federation, domestic criminal legislation contains a special provision (article 127.1 of the Criminal Code) establishing liability for trafficking in persons. The offence is reflected in acts such as purchase or sale of human beings or their recruitment, transport, transfer, concealment or reception for the purpose of their exploitation; the commission of any of these acts constitutes a formal element of a crime.

102. An essential subjective aspect of article 127.1 is specific intent: the exploitation of a person. If the exploitation consisted in enticing a person to engage in prostitution (article 240 of the Criminal Code) or in organizing prostitution activities (article 241 of the Criminal Code), it is also qualified as an offence under the relevant article of the Criminal Code. Exploitation is taken to mean making use of a person to engage in prostitution or other forms of sexual exploitation, slave labour or servitude. According to judicial statistics for the first half of 2010, two persons were convicted under article 241, paragraph 3, of the Criminal Code (Organizing prostitution activities with a person known to be under 14 years of age); one was sentenced to deprivation of liberty, and the other received a suspended sentence. When such an act involves elements of the offence of trafficking in persons set out in article 127.1, paragraphs 2 and 3, of the Criminal Code, it significantly increases the danger it represents to society.

103. One form of trafficking in persons is trafficking in children, including newborns. Trafficking involving a person known to be a minor entails liability under article 127.1, paragraph 2 (b), of the Criminal Code and is punishable by deprivation of liberty for up to 10 years. According to court statistics, in 2007 19 cases were instituted under article 127.1 involving 34 persons; 27 persons were convicted, of whom 21 were sentenced to deprivation of liberty, 6 received a suspended sentence, and 7 were acquitted. In 2008, 48 persons were convicted of crimes under article 127.1, and 8 were acquitted. Three persons were convicted under article 127.1, paragraph 1, in 2009 and 3 persons in the first six months of 2010. In 2009, 21 persons were convicted under article 127.1, paragraph 2, of trafficking in persons involving: two or more persons; a person known to be a minor; the exploitation by a person of his official position; the transfer of the victim outside the borders of the Russian Federation or the illegal holding of the victim outside the borders; the use of forged documents, as well as the removal, concealment or destruction of the identification papers of the victim; the use of force or threat of force; the removal of organs or tissues from the victim; a person known by the perpetrator to be in a helpless state or who is materially or otherwise dependent on the perpetrator; or a woman known by the perpetrator to be pregnant. There were no convictions under article 127.1, paragraph 2, in the first six months of 2010.

104. In 2009, three persons were convicted under article 127.1, paragraph 3, of the Criminal Code of actions covered in paragraphs 1 and 2 which result through negligence in the death of or serious harm to the health of the victim, have other serious consequences due to their being committed in a manner that endangers the life or health of many persons, or are perpetrated by an organized group. There were no convictions for the above-mentioned offences in the first six months of 2010. In 2009, three persons were convicted under article 127.2, paragraph 1, of using slave labour in the exercise of powers pertaining

to the right of ownership when a person, for reasons beyond his control, is unable to refuse to perform the work or service; no one was convicted of that offence in the first six months of 2010. Seven persons were convicted in 2009, and one in the first six months of 2010, under article 127.2, paragraph 2, of using slave labour in connection with two or more persons or involving persons known to be minors, exploiting an official position, using blackmail, violence or threat of violence, or removing, concealing or destroying the identification papers of the victim. No one was convicted in 2009 or in the first six months of 2010 under article 127.2, paragraph 3, of actions under paragraphs 1 and 2 which result through negligence in the death of or serious harm to the health of the victim, have other serious consequences or are perpetrated by an organized group.

105. Forty-two persons were convicted and 3 persons in the first six months of 2010 of abduction under article 126, paragraph 1, of the Criminal Code; 316 persons in 2009 and 44 persons in the first six months of 2010 were convicted under article 126, paragraph 2, of abduction committed by a group of persons by prior conspiracy, with the use or threat of violence endangering life or health, with the use of a weapon or other objects as a weapon, with regard to a pregnant woman or a person known to be a minor, in connection with 2 or more persons or for financial gain; 24 persons in 2009 and 19 persons in the first six months of 2010 were convicted under article 126, paragraph 3, of abduction involving actions committed by an organized group of persons which resulted in death through negligence of the victim or had other serious consequences; 97 persons in 2009 and 49 persons in the first six months of 2010 were convicted under article 127, paragraph 1, of unlawful deprivation of liberty; 246 persons in 2009 and 55 persons in the first six months of 2010 were convicted under article 127, paragraph 2, of unlawful deprivation of liberty committed by a group of persons by prior conspiracy, with the use of violence endangering life or health, with the use of a weapon or other object as a weapon, with regard to a minor, with regard to a woman known to be pregnant, or involving 2 or more persons; and 10 persons in 2009 and 3 persons in the first six months of 2010 were convicted under article 127, paragraph 3, of actions punishable under paragraphs 1 and 2 which are committed by an organized group or result in death of the victim through negligence or have other serious consequences.

106. When trafficking in persons is considered strictly in accordance with the wording of article 127.1 of the Criminal Code, which establishes direct liability for such acts, the total number of offences in Russia is not significant and amounts to only a few dozen annually. However, if it is taken to be a multifaceted social and legal phenomenon covering a wide variety of criminal acts, then the criminological picture changes significantly: seen from that perspective, trafficking in persons includes criminal acts associated with the forced removal of human organs or tissue for transplants, the use of slave labour, enticing a person to engage in prostitution or to organize prostitution activities, illegal circulation of pornographic material, including depictions of minors, and the organization of illegal migration.

107. The authorities are taking measures to prevent and prosecute perpetrators and to assist and rehabilitate victims of trafficking. In 2005, a Federal Act was introduced on the State protection of victims, witnesses and other participants in criminal proceedings; it is applied for the protection of victims of crimes, including trafficking in persons. In order to ensure their protection, the Government of the Russian Federation has approved a State Programme 2009–2013 for the protection of victims, witnesses and other participants in criminal proceedings which envisages a set of measures for rehabilitating and assisting victims. As a party to the Convention on the Rights of the Child, the Russian Federation has undertaken to ensure protection against the sale of children, child prostitution and child pornography, as set out in articles 1, 11, 21, 32, 33, 34, 35 and 36 of the Convention, and to implement the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or interfere with the child's education or

to be harmful to the child's health or physical, mental, spiritual, moral or social development. The State Duma is considering bills on amendments to the Criminal Code so as to stiffen penalties for crimes committed against the sexual inviolability of minors (No. 136215-5) and amendments to the Criminal Code in order to combat the preparation and circulation of pornographic material (No. 36231-5).

108. The President of the Russian Federation has introduced a bill on amendments to the Labour Code and article 22.1 of the Federal Act on the State registration of legal entities and private businessmen, which would prohibit child labour and the employment of persons who have or had a criminal record or who are or were subject to criminal prosecution (except for rehabilitated persons) for crimes committed against the sexual inviolability of minors. The bill is designed to supplement article 351.1 of the Labour Code, pursuant to which persons who have or had a criminal record or who are or were subject to criminal prosecution (except for persons whose prosecution has been discontinued for reasons of rehabilitation) for crimes committed against the sexual inviolability of minors, homicide, the intentional infliction of serious harm to health or torture involving underage children or minors, as well as for enticement of minors to commit a crime or the preparation and circulation of material or objects with pornographic images of minors, may not be employed in the upbringing, education or development of minors, the organization of their leisure and health activities, health or medical care, social protection or social security, or sports, cultural or artistic activities in which minors participate.

109. The bill would also introduce amendments to the Federal Act on the State registration of legal entities and private entrepreneurs which would prohibit the registration of these persons as private entrepreneurs and their participation in certain forms of business activities in the above-mentioned areas. The following social protection bodies active in addressing the social and physical rehabilitation of victims of trafficking and their subsequent integration in society play an important role in combating trafficking and minimizing its effects: the bodies and offices of the Ministry of Health and Social Development, the employment services, the guardianship authorities, home-visiting services, the social services administration, psychological assistance offices and telephone hotlines. The priority objectives are to prevent family break-ups and homelessness and neglect of children and promote the social support, reintegration and rehabilitation of victims. Reference should also be made to cooperation with non-governmental organizations. In the framework of efforts to deal with the problem, the law enforcement authorities recognize the need for a comprehensive approach at both domestic and international level, including through a harmonization of national legislation. To that end, in 2008 the Interparliamentary Assembly of the CIS Member States, with the participation of the Procurator-General of the Russian Federation, elaborated and adopted two Model Acts on combating trafficking in persons and assisting victims, as well as recommendations on the unification and harmonization of the relevant legislation of the CIS Member States, separate sections of which are devoted to the activities of the law enforcement authorities and other State bodies and public institutions in addressing sexual exploitation. The Model Acts were prepared on the basis of an international response to the phenomenon and cover the entire spectrum of measures for preventing, identifying, solving and suppressing crimes, punishing perpetrators and assisting victims.

110. In addition to special legislative measures to combat trafficking in persons and assist victims, the Model Acts call for States to adopt the relevant norms of criminal, administrative and civil procedural legislation, legislation on the licensing of various kinds of activities, legislation in the area of education and social protection of the population and legislation in the sphere of information and telecommunications. The Russian Federation is a State party to a number of international agreements on combating trafficking. It is actively implementing its domestic legislation in conformity with the fundamental United Nations conventions in the area. Particular attention in this regard is being given to the

establishment of practical mechanisms. For example, in recent years a number of organized criminal groups were identified which were engaged in the recruitment of Russian citizens to provide sexual services in the countries of Western Europe, the Near and Middle East, Africa, Asia and North America. The National Central Bureau for Interpol within the Ministry of Internal Affairs is exchanging information, via Interpol channels, between Russian and foreign law enforcement bodies on trafficking in women and children for sexual and economic exploitation. In the first 11 months of 2010, 192 documents on trafficking in persons for the purpose of economic exploitation and 427 on trafficking for the purpose of sexual exploitation were exchanged with the law enforcement bodies of the Interpol Member States. In addition, as part of the Waistcoat Project elaborated by the Secretary General of Interpol, the Russian law enforcement authorities are collecting, analysing and processing information on international criminal groups engaged in trafficking in women and children for sexual exploitation. The Interpol General Secretariat also receives information on women who have gone abroad and have lost contact with relatives. As to the use of the possibilities offered by Europol to combat these forms of crime, the Russian law enforcement authorities have been exchanging information, analyses, reference documents and other material with their European counterparts under the Agreement of 6 November 2003 on cooperation between the European Police Office and the Russian Federation.

Article 11 – Right to an adequate standard of living

Reply to questions posed in part III, paragraph 27, of the list of issues

Measures to ensure an adequate standard of living

111. The growth in the monetary income of the population continues to be a priority of social policy. In 2008–2010, as in the previous period, real income increased: by 2.3 per cent in 2008, 2.1 per cent in 2009 and an estimated 4.4 per cent in 2010. The ratio of average per capita income to the subsistence minimum was 3.25 in 2008, 3.27 in 2009 and an estimated 3.29 in 2010. The proportion of the population with income less than the subsistence minimum stood at 13.4 per cent in 2008, 13.2 per cent in 2009 and an estimated 12.5 per cent in 2010. As part of the demographic policy framework for the period until 2025 signed by the President on 9 October 2007, decisions were taken on four occasions to increase monthly childcare allowance for children up to the age of one and a half years and to introduce several new forms of social assistance for families with children (benefits for children in preschool educational institutions).

112. Special attention has been given to introducing a additional measure of State support for families and children in the form of maternal (family) capital of 250,000 roubles for the birth of the second child and each child thereafter (the equivalent of approximately three years' salary of a young woman). The maternal (family) capital is adjusted annually to allow for increases in the consumer price index. The money can be used to improve living conditions, provide children with additional education or increase a mother's pension. At the current time, about 2.5 million persons have a State certificate for maternal (family) capital. Following the international financial and economic crisis of autumn 2008, the Government decided that in 2009–2010 the priority focus of activity would be on meeting in full the State's social obligations towards the population, promoting social stability and ensuring comprehensive social protection, despite reduced financial possibilities.

113. Citizens who enjoy social protection received maximum support. Adjusted increases for social benefits and allowances exceeded the inflation rate (13 per cent as against 8.8 per cent inflation in 2009, and 10 per cent as against 8.4 per cent inflation in 2010). Pensions and unemployment allowances were raised significantly. It was decided that part of the resources for maternal (family) capital (12,000 roubles) would be used for a lump sum

payment for current consumption. As from 1 January 2010, direct restrictions on the ceiling for pregnancy, childbirth and monthly childcare allowances were abolished. The ceiling for these allowances, as well as for temporary disability benefits, was raised considerably. As from 1 January 2010, the pension rights which citizens acquired before 1 January 2002 were revaluated; the old-age retirement pension was increased by an average of 1,100 roubles. Also as from 1 January 2010, supplementary social payments were introduced for pensions which are lower than the regional subsistence minimum. More than 4.8 million persons receive supplementary pension benefits, including 2.4 million at federal level. The highest supplementary social payment for pensions is for beneficiaries of a loss-of-breadwinner pension and for social pensions under State pension provision.

114. Today, no pensioners in the Russian Federation receive financial benefits lower than the subsistence minimum. In January-October 2010, the average pension was nearly 1.5 times higher than in the same period in 2009. The increase in pensions in real terms (i.e. adjusted for inflation) stood at 38 per cent. In October 2010, average pensions amounted to 36.6 per cent of the average wage, as against 28.8 per cent in 2009. In 2009, the minimum wage rose from 2,300 to 4,330 roubles, from 55 per cent to 75 per cent of the subsistence level of the active working population. In 2010, it did not increase for reasons associated with the difficult financial situation of many enterprises during the financial and economic crisis. The goal of increasing the wages of public-sector employees by a factor of 1.5 was attained. In 2009, the conversion to new salary conditions for federal public-sector employees was completed, including through an increase of the wage fund by 30 per cent compared to 2008.

Measures to reduce the rate of inflation

115. Following the decline in consumer demand in 2009, consumer inflation slowed to 8.8 per cent, compared to 13.3 per cent in 2008. In the first half of 2010, inflation continued to weaken, falling to 4.4 per cent, or 1.7 times less than in the first half of 2009. In the second half of 2010, inflation picked up again because of a significant acceleration in the increase in the price of food. The main reason for the growth in consumer prices was the supply shock of agricultural products due to drought, the loss of one third of the harvest in Russia and the increase on the world market of the cost of grain and foodstuffs. In the other segments of the consumer market (goods other than foodstuffs, and commercial services), inflation in 2010 remains low, approximately the same as in the same period in the previous year, when consumer demand declined significantly. According to the estimates of the Ministry of Economic Development, inflation in the second half of 2010 stood at 3.9–4.0 per cent, which is three times higher than in 2009. After a period of decline from the middle of 2008 to August 2010, prices for agricultural products from the new harvest increased monthly, although prices for grain stabilized in October 2010. For the moment, the rise in consumer prices is less than the increase in prices for agricultural and fish products because of limitations on demand. According to estimates of the Ministry of Economic Development, the rise in agricultural prices will have an inflationary effect until the middle of 2011.

116. To control inflation in food prices, the Government is taking measures to curb the rise in prices for grain and other agricultural products, increase the supply and address emerging imbalances on the market for certain products, including by boosting imports. The anti-monopolistic control over regional markets was strengthened. In order to curb the rise in the price of grain, an export ban was in force from 15 August until the end of 2010, and special railway rates were introduced for its transport. These measures had some effect, and price increases for bread and bakery products were relatively moderate: 6.1 per cent from the beginning of the year until November 2010, although the price of grain from the new harvest increased since the beginning of the year by 50 per cent, and prices for manufacturers of flour by 30 per cent. It was decided to postpone by six months, until 1

June 2011, the imposition of import customs duties on buckwheat, cabbage and potatoes in the territory of the Customs Union, of which Belarus and Kazakhstan are members in addition to the Russian Federation. The introduction of temporary lower customs duties on imports of sugar is under consideration, as well as other measures to stimulate imports on difficult commodities markets.

117. In 2010, the Government also provided assistance to agricultural producers (supplementary subsidies for agricultural products by means of a federal budget credit) in regions hit by drought. In order to curb the growth of expenditure, the Government is taking measures to contain the increase of prices and regulated rates for products and services of public utilities through a reform of these branches and the use of new pricing mechanisms. For the public, the rise in rates in the near term will remain more moderate than for other consumer categories. On the market for electricity and electric power, the increase in regulated rates for the electricity supply and distribution network for all consumer categories, except for the public and in non-price areas, will be held within parameters ensuring minimal return on invested capital in order to avoid a price explosion for electricity due to the shift to a remuneration of fresh capacity under capacity supply agreements and the utilization of a method for determining electricity prices that is based on returns on invested capital.

118. Electricity rates for the population will increase by 10 per cent yearly in the years 2010–2013, which is less than increases in other consumer categories. This reduces the burden for disadvantaged citizens, because during the economic crisis, real earnings declined, and the increase in the cost of housing and communal services has had a considerable impact on the poorest sectors of the population. It is planned to limit increases in wholesale rates for gas to an average annual rate of no more than 15 per cent. The increase in regulated gas rates for the population will also be more strictly controlled: in 2011 rates will increase by 17.1 per cent compared to 26.6 per cent in 2010. Increases in regulated rates for heating are limited to 12–14 per cent, which ensures that the rise in the service rates of housing and communal services organizations does not exceed their growth parameters for 2010. The limited rate increases in keeping with the gradual rise in earnings will promote greater demand for goods and will support economic growth.

119. To prepare the transition to a regime with an inflation target, the Bank of Russia has broadened the floating corridor for the bicurrency basket within which it intervenes on the domestic currency market.

On income differentials in the population

120. Basic indicators of differentials in living standards in the population include the assets ratio (ratio between the income of the wealthiest 10 per cent of the population and the income of the poorest 10 per cent of the population) and the Gini coefficient (macroeconomic indicator of the degree of inequality in the distribution of monetary income between different population groups).

Income disparities and level of poverty in the population for 2005–2009

| | 2005 | 2006 | 2007 | 2008 | 2009 |
|------------------|-------|-------|-------|-------|-------|
| Assets ratio | 15.2 | 16.0 | 16.8 | 16.8 | 16.7 |
| Gini coefficient | 0.406 | 0.416 | 0.422 | 0.422 | 0.422 |
| Poverty level, % | 17.7 | 15.2 | 13.3 | 13.4 | 13.1 |

On overcoming the wide gap in incomes

121. Although the proportion of the population that is poor is declining and the earnings of low-income citizens are approaching the poverty line, extreme income disparities persist. The main reason for this is that wages vary greatly between the various regions of Russia, the world's largest country, and thus there are enormous natural and climatic differences between the north and the south, and the west and the east. Revenue disparities are due primarily to wage disparities, which exceed revenue disparities by a factor of 1.7. Regional wage disparities are related above all to considerable variations in the cost of living due to regional differences in economic and transport capacities. The highest wages are in the northern regions of the country, where the main petroleum and gas deposits are located and where, owing to difficult natural and climatic factors and the special nature of the transport system, the cost of living is significantly higher than in southern regions. The low wages in many southern regions are related to a large extent to particularities of the economy. In those regions, agriculture, light and fishing industry and small-scale production units predominate, and wages are lower than in regions with petroleum and gas industries, metallurgy and other branches of the economy in which salaries are high. In order to reduce regional disparities, the Government and the regional authorities are implementing additional measures to support the wages of poor categories of the population. Efforts to that end will continue, including through a phased increase in minimum social guarantees, account being taken of the financial possibilities of the State and the regions.

Reply to questions posed in part III, paragraph 28, of the list of issues

122. According to the classification used by the United Nations, Russia is in the category of countries with a high human development potential, and forms of extreme poverty are not widespread. However, certain manifestations associated with extreme poverty persist. Much has been done to significantly reduce the size of the poor population. From 2000 to 2009, the percentage of the population with income below the absolute poverty line declined by a factor of nearly 2.2, from 29 per cent to 13.3 per cent (from 41.6 to 18.7 million persons). The percentage of households with disposable resources below the extreme poverty line (US\$ 2.15 per day) dropped tenfold, from 8.3 per cent of the population in 2000 to 0.9 per cent of the population in 2009. Extreme poverty is observed only among population groups that lead a socially unacceptable style of life.

123. The most important guideline for elaborating and giving effect to a national strategy for poverty reduction and ensuring a steady improvement in the well-being of Russian citizens is the United Nations Millennium Declaration. The Russian Federation is consistently implementing all the goals of the Millennium Declaration aimed at development and the reduction and eradication of poverty and plans to achieve them by 2015. The current situation with regard to poverty is better than before the crisis in the first half of 2008. In the first half of 2010, there were 1.6 million (1.1 per cent) fewer persons with income less than the subsistence minimum than in the first half of 2008. The growth in wages, pensions and other social benefits, the introduction of supplementary federal and regional payments and the increase in social support measures for families and children have made it possible to reduce the number of persons receiving social assistance and to focus attention on helping the most disadvantaged part of the population. Steps taken at federal level to improve the standard of living have been supplemented by the constituent entities of the Russian Federation, which can increase the level of social benefits for needy citizens, introduce their own mechanisms for targeted social assistance from existing financial resources and make provision for measures to help citizens pay for housing and communal services.

124. In autumn 2010, an experiment was launched in 17 regions to introduce a system of social contracts, i.e. social reintegration agreements based on the mutual obligations of

beneficiaries of targeted social assistance and local social assistance bodies. The local authorities of the constituent entities have prepared the necessary normative legal foundation and have been providing assistance to disadvantaged citizens. The average lump sum payment is between 20,000 and 30,000 roubles. Payments are mainly used to start individual household plots and to organize employment activities. The average length of the contracts is from three to six months. It is planned to introduce a system of social contracts throughout the Russian Federation as from 2012.

Reply to questions posed in part III, paragraph 29, of the list of issues

125. Questions concerning social rehabilitation, medical care and employment of persons without a fixed place of residence, the type of employment and means of subsistence are regulated by existing federal and regional legislation. The social protection bodies and the offices of the Ministries of Internal Affairs, Health and Employment are taking measures within the scope of their competence to prevent vagrancy and promote the social rehabilitation of the persons concerned. In 2009, the national standardization body (Federal Agency for Technical Regulation and Metrology) approved a national standard for quality control of social services for persons without a fixed place of residence.

126. In the constituent entities of the Russian Federation, normative legal acts were adopted regulating questions associated with the social reintegration of persons without a fixed place of residence or employment, their recruitment, job quotas, and their housing and medical care. Work is under way to elaborate national standards for the provision of social services in State social protection establishments for persons without a fixed place of residence or employment and for regulating bodies responsible for monitoring the quality of social services and ensuring effective social support for these persons, and model provisions have been approved on social service establishments for them. Regulations have been adopted for providing these persons with primary health care, as well as regulations and procedures for offering temporary shelter in specialized State social service institutions, which is either free of charge or borne in full or in part by the person concerned.

127. The social reintegration system currently in effect in State social service institutions for persons without a fixed place of residence envisages a phased resolution of problems facing homeless citizens, including medical examinations and check-ups, temporary residence (for six months to one year), charitable and humanitarian assistance, temporary registration at the place of residence, issuance of identification papers, temporary or permanent employment and establishment of entitlement to disability or old-age benefits. Efforts are being made to improve norms relating to social services in order to ameliorate the State assistance mechanism and ensure an effective social reintegration and rehabilitation of persons without a fixed residence or employment.

Reply to questions posed in part III, paragraph 31, of the list of issues

128. All in all, the Russian Federation system of State support for internally displaced persons from the Chechen Republic is quite effective, and considerable positive experience has been gathered with that category of persons. Housing, social facilities and institutions have been restored with resources from the federal budget as part of the federal programme for the socio-economic development of the Chechen Republic in 2008–2011. Starting in 2003, payments have been made from the federal budget on the basis of Government Decision No. 404 of 4 July 2003 on regulations concerning compensatory payments for loss of housing and property for Russian citizens who suffered as a result of the settlement of the crisis in the Chechen Republic and were permanent residents in the territory.

129. The situation of persons forced to leave their previous place of permanent residence is regulated by Act No. 4530-1 of 19 February 1993 on forcibly displaced persons. Citizens recognized in accordance with this act as forcibly displaced persons (including those who

have left the territory of the Chechen Republic) are provided with housing under the federal housing programme. Citizens who suffered as a result of the settlement of the crisis in the Chechen Republic and have chosen another place of residence in the Russian Federation receive compensation payments under Government Decision No. 510 of 30 April 1997 on regulations concerning compensatory payment for loss of housing and/or property of Russian citizens who suffered as a result of the settlement of the crisis in the Chechen Republic and have left the Chechen Republic permanently.

130. Citizens who suffered as a result of the Ossetian-Ingushetian conflict in October-November 1992 and have the status of forcibly displaced persons receive State support in accordance with Government Decision No. 274 of 6 March 1998 on State assistance to Russian citizens dispossessed of housing as a result of the Ossetian-Ingushetian conflict in October-November 1992. In addition, Government Decision No. 1087 of 24 December 2009 approved the federal programme for the socio-economic development of the Republic of Ingushetia for 2010–2016, in the framework of which it is planned to address the question of housing for forcibly displaced persons, including persons who suffered as a result of the resolution of the crisis in the Chechen Republic or the Ossetian-Ingushetian conflict and plan to continue residing in the Republic of Ingushetia.

131. The problem of housing internally displaced persons and forcibly displaced persons in the Russian Federation has not lost its urgency, although at present it is not as severe as it was several years ago; basically the goal is to complete the implementation of measures planned and to meet commitments made.

Article 12 – Right to the highest attainable standard of physical and mental health

Reply to questions posed in part III, paragraph 32, of the list of issues

State policy in the area of medical care for the small indigenous minorities of the North and the Far East

132. Government Order No. 132 of 4 February 2009 approved a policy framework for the sustainable development of the small indigenous minorities of the North, Siberia and the Far East. The aim of the policy is to create conditions in the Russian Federation for the sustainable development of the small indigenous minorities of the North by strengthening their socio-economic potential while preserving their native habitat, traditional way of life and cultural values. One of the objectives is to improve the demographic indicators of these minorities by reducing infant mortality and raising life expectancy to the Russian average.

133. To meet the goals set for the small indigenous minorities of the North, it is planned:

- To take measures to improve the environmental situation in areas of their traditional habitat and traditional economic activities
- To carry out a programme to improve their health
- To take steps to reduce maternal and infant mortality and to improve their reproductive health
- To take regular preventive measures for early detection of situations detrimental to their state of health and of socially significant illnesses
- To strengthen the material and technical basis of establishments with a medical and therapeutic profile, including obstetric units, in their native habitat and traditional economic activities

- To develop mobile forms of medical assistance and improve access to emergency medical assistance in areas of their traditional habitat and traditional economic activities
- To set up a network of telemedical counselling offices in regional and local hospitals and a network of remote telemedical units to gather basic information on the state of health of patients
- To take measures to reduce the number of users of alcohol and regulate the sale and consumption of alcoholic beverages in areas of the native habitat and traditional economic activities of these peoples, and introduce preventive programmes in schools aimed at discouraging the use of alcohol and tobacco by children and adolescents
- To support and promote physical exercise and sports
- To elaborate indicators on their state of health and epidemiological situation in areas of their native habitat and traditional economic activities and monitor whether they are consistent with the national average

134. In 2008–2010, a package of priority measures was put into effect for preparing and conducting the Second International Decade of the World's Indigenous People (approved by Government Order No. 1639 of 19 November 2007). The following initiatives were elaborated and began to be implemented:

- Measures to combat alcoholism and drug addiction among small indigenous minorities, including the establishment of rehabilitation centres
- Measures to set up a network of telemedical offices based in regional hospitals and polyclinics which make it possible to obtain counselling from clinical centres
- Measures to monitor the medical, demographic and epidemiological situation in areas with large concentrations of small indigenous minorities

On the state of medical services for the population in Khabarovsk Territory

135. Measures to organize the provision of medical care and medicines for the small indigenous minorities in Khabarovsk Territory are taken pursuant to Khabarovsk Territory Government Decision No. 69 of 4 March 2009 on basic guidelines for the development of the small indigenous minorities of the North, Siberia and the Far East in Khabarovsk Territory in 2009–2011.

136. In recent years, a stabilization of overall morbidity in the population of the north and in similar areas has been observed. However, in a number of areas (in Komsomolsk-na-Amur, and in Okhotsk and Ayan-Maisk administrative districts) morbidity indicators are higher than the average for Khabarovsk Territory. Specialist teams with ultrasound, endoscopic and electrocardiographic and other equipment are sent out from State health-care establishments to conduct medical examinations in the northern parts of the territory, thus bringing specialized medical assistance closer to the population.

137. Orphans and children deprived of parental care receive annual check-ups in hospitals in these areas. The results of the examinations are used to set up individualized programmes of prophylactic measures and to determine whether further examinations and therapy are needed. All told, in 2006–2010 check-ups were conducted on more than 54,000 persons throughout the northern districts of Khabarovsk Territory. Immunization measures have reduced morbidity in the northern territories. Morbidity rates for hepatitis B declined by a factor of 1.2 and for German measles by a factor of 7. Following measures taken under the national health project, municipal health-care establishments in the northern territories have a better supply of medical equipment and specialized vehicles. The inhabitants have better

access to medical assistance, including outside the boundaries of Khabarovsk Territory. In 2010, 87 persons were referred to specialized medical centres at national level for treatment.

138. Steps are being taken to make medical counselling available in areas with large concentrations of small indigenous minorities of the North. Medical examinations are conducted annually by travelling teams of physicians from the preventive medical establishments of the territory. In 2009, in medical check-ups for the working population, these specialists examined 1,827 persons in the northern administrative districts of Khabarovsk Territory (Ayan-Maisk, Nanai, Okhotsk, Verkhny Bureinsk, Ulchsk, Sovetsk-Gavansk and Tugur-Chumikansk municipal districts). In 2010, 136,082 persons were entitled to additional medicine paid for from the budget of the territory. In accordance with Khabarovsk Territory Act No. 233 of 29 December 2004 on categories of citizens entitled to free medicine paid for from the Khabarovsk Territory budget, 12,923 persons who are members of small indigenous minorities are entitled to such benefits.

139. In 2010, 171.6 million roubles were earmarked for medicine in the Khabarovsk Territory budget. In order to ensure access to medicine for the population, 96 pharmaceutical outlets of the State Pharmacy Enterprise provide medicine at reduced cost to certain categories of citizens. It has been decided to issue medical prescriptions, valid for two or three months, at a reduced rate to persons who live in remote rural districts and, during the muddy and the winter seasons, to persons who live in the northern territories in order to ensure an uninterrupted supply of medicine. Every health-care management body has a hotline for questions concerning the issuance of prescriptions at reduced rate and the filling of prescriptions at the pharmaceutical outlets of Khabarovsk Territory.

On the situation in the health-care services in Nanai municipal district

140. In the past three years, the health-care system in Nanai municipal district has undergone major changes with regard to both structure and staff. Work is under way on optimizing activities at medical establishments and the effective use of budgetary resources, and measures have been taken to restructure the network of facilities. Community hospitals in the villages of Mayak, Naikhin and Dzhonka were converted into outpatient facilities with an office for a general practitioner, round-the-clock emergency medical units and day clinics. Inefficient obstetric wards were closed in the villages of Malmyzh and Dzhari, the network of inpatient clinics was reduced, and a staffing table for medical personnel was introduced in keeping with the regulations. Medical assistance for the inhabitants of the district is provided by one municipal facility with the status of legal entity – the Troitsk Central District Hospital, which has a network of inpatient clinics (with therapeutic, paediatric, infectious disease, surgical and obstetric wards) and a polyclinic in the village of Troitsk; seven outpatient clinics (in Mayak, Sinda, Naikhin, Dubovy Mys, Lidoga, Dzhonka and Innokentevka); six obstetric units (in Verkhny Nergen, Slavyanka, Verkhnyaya Manoma, Nizhnyaya Manoma, Dada and Arsenevo); and four round-the-clock emergency medical units (in Troitsk, Mayak, Dzhonka and Naikhin). Remote rural settlements (Arsenevo and Verkhny Nergen) are serviced by car. This system makes it possible to provide medical assistance to all inhabitants of the district, including in remote rural villages.

141. In 2005, a solution was found to the problem of specialist service at local level through the training of 11 physicians and 12 nurses in off-site courses for general medical practice. Since 2007, general practitioners can see patients at outpatient clinics and polyclinics of central district hospitals once they have been licensed. The fitting out of outpatient and obstetric units with ECG and ultrasound diagnostic and laboratory equipment has been very useful to medical staff for arriving at an initial diagnosis. In rural

areas with no specialists, the most practical way of providing full medical assistance is through general practitioners.

142. In accordance with the regulations, a network of round-the-clock inpatient clinics has been set up; they are located in the central district hospital in Troitsk, which has the necessary diagnostic equipment and specialists. Access to inpatient assistance is ensured through an increase in the number of hospital beds. This has made it possible to reduce mortality from myocardial infarction, acute impairment of cerebral circulation and neglected cases of surgical pathology and to maintain the downward trend in overall morbidity in the district. Over the past five years, demographic indicators have been improving: the birth rate increased by 18 per cent (from 259 newborns in 2005 to 305 in 2009), and mortality declined by 30 per cent (from 394 persons in 2005 to 304 in 2009).

143. Technology is being introduced in the district to substitute for inpatient treatment. Compared to 2009, the number of patient-days in the outpatient facilities of polyclinics rose in 2010 by 12.7 per cent, and stationary treatment at home by 2.4 per cent. The number of outpatient visits for preventive reasons increased. Full medical check-ups are provided for the working population and orphans. This all makes it possible to detect illnesses at an early stage. A system of maternity certificates is in operation, through which more than 5 million roubles in additional funds have been paid to medical facilities for the development of their material base and the remuneration of medical staff. In order to bring qualified help closer to the inhabitants of remote villages, mobile medical examinations of children and adults are carried out with the participation of specialists from territorial medical facilities (the perinatal centre, the territorial paediatric clinic, territorial hospital clinic No. 1 and the Institute of Maternity and Childhood). A fluorographic examination of persons in remote villages is conducted by the territorial tuberculosis dispensary. Special attention is given to the question of training qualified specialists for Nanai district. There are 205 members of the district's medical staff, including 38 physicians and 167 middle-level medical personnel. Staffing levels for physicians, not counting persons holding two posts, stands at 62.8 per cent, and 89 per cent when such persons are counted. Staffing levels for middle-level medical personnel, not counting persons holding two posts, stands at 84.5 per cent, and 90.4 per cent when such persons are counted. Full staffing of physicians is provided for local service. Thanks to the implementation of a special territorial programme for preparing specialists with high-level training to work in rural areas, in the last three years two dentists, one paediatrician and one therapist have come to the district. An ultrasound diagnostic specialist is receiving initial training, and an obstetrician/gynaecologist has arrived. Consequently, there is now less need for specialists. A set of measures is being taken to develop the health-care system and to enhance the provision of primary health care in rural areas.

144. In the past three years, a number of initiatives have been taken to improve the material basis. The building which houses the medical division of the central district hospital has been overhauled, and operating repairs are being carried out at the outpatient clinics in Mayak and Naikhin. For 2011, it is planned to overhaul the obstetric and gynaecological ward of the Troitsk municipal health-care centre and the building which houses the outpatient clinic in Naikhin and to carry out operating repairs at all the other medical facilities.

Reply to questions posed in part III, paragraph 34, of the list of issues

On ensuring that the cost of medicines is refunded to patients

145. In accordance with existing legislation, medicine is made available free of charge to all citizens in hospitals and emergency medical centres. Outpatient facilities provide medicine free of charge only if it is directly needed for treatment in the polyclinic.

However, pursuant to the Federal Act on State social assistance, disabled persons, veterans of the Second World War and certain other categories of citizens are entitled to State social assistance in the form of a range of services, including free medicine from the list of pharmaceutical products available with a prescription from a physician or paramedic, when they receive free medical assistance.

146. This form of social assistance is currently provided to nearly 16.7 million persons. Most of them (nearly 12 million persons) requested financial compensation instead of free medicine, and more than 4.7 million persons chose free medicine. Medicine is also made available free of charge to diabetics, tuberculosis patients, persons with HIV/AIDS and viral hepatitis, persons with malignant growths of lymphoid, haematogenous and related tissue, haemophilia, cystic fibrosis, pituitary dwarfism, Gaucher's disease and multiple sclerosis, and persons who have had organ and tissue transplants.

On access to health care for the most disadvantaged and marginalized sections of the population

147. In accordance with the Constitution of the Russian Federation, every citizen is entitled to health care and medical assistance. All citizens of the Russian Federation, whether working or not, as well as foreign nationals residing permanently or temporarily in the Russian Federation, stateless persons and refugees, are entitled to compulsory medical insurance. Free medical assistance under the territorial compulsory medical insurance programmes and the basic programme of compulsory medical insurance is paid for from the compulsory medical insurance fund. There are no restrictions on access to services for the most disadvantaged and marginalized sections of the population. All told, 138 specialized centres throughout the constituent entities of the Russian Federation provide services to persons without a fixed place of residence or employment. Medical staff working in these facilities provide primary health-care service and, where necessary, send citizens in need of more specialized treatment to a medical centre (between 90,000 and 95,000 referrals annually).

On speeding up the renovation and modernization of hospitals

148. In 2006, a priority national health-care project was launched in the context of which special measures are being taken, with funding from the federal budget, to renovate and modernize hospitals. In 2010, a regional programme for the modernization of the health-care system was elaborated and approved for each constituent entity of the Russian Federation. The programmes envisage further initiatives to renovate and modernize hospitals. Work is being funded by regional bodies and through allocations at federal level.

Reply to questions posed in part III, paragraph 35, of the list of issues

On ensuring access to high-cost and complex medical care

149. In 2008–2010, the number of persons receiving high-tech medical care increased by a factor of 1.5. Today 70 per cent of persons in need of such care receive it, as against 32 per cent in 2007. The list of high-tech medical care comprises 134 different types and 20 different fields; such care is available at federal and regional medical centres. It includes new forms of medical assistance which draw on the latest technological innovations. The list does not include types of medical care which are already widespread and thus can be provided in the framework of specialized assistance. Russian clinics provide virtually all forms of medical care to the adult population that is available abroad.

150. As the donation of organs is not sufficiently developed in the Russian Federation, operations involving the transplantation of cadaver organs to children are not performed. Children in need of the transplant of a major living organ go abroad for treatment. The cost

of such operations is paid for from the federal budget. In addition, a patient who needs a new medical technique that is not registered in Russia may be sent abroad. Steps are currently being taken to improve domestic legislation on the transplantation of donor organs, which will broaden the possibilities of health-care centres for transplanting organs and tissue, account being taken of the standard of equipment and the presence of qualified personnel.

On access to rare medicines

151. As from 2008, citizens suffering from haemophilia, cystic fibrosis, pituitary dwarfism, Gaucher's disease, malignant growths of lymphoid, haematogenous and related tissue or multiple sclerosis or who have had organ and/or tissue transplants receive medication free of charge. Medication for treatment of these illnesses is paid for from the federal budget. The amount of funding for these purposes is decided on the basis of information from the constituent entities on the number of persons suffering from these illnesses. If the number of persons in a given category increases or if additional medication is needed, treatment is paid for from the budgets of the constituent entities. At regional level, medication, including for a whole range of rare illnesses, is provided in accordance with the Government Decision on State support for the development of the pharmaceutical industry and the improvement of the supply of medicine and medical products for the population and health-care facilities. The decision establishes a list of population groups and categories of illnesses for which prescription medicine and medical products are made available free of charge or at half price for outpatient treatment. It is also planned to provide children with disabilities with all necessary medical products free of charge until the age of 18, to be paid for from the budgets of the constituent entities.

152. The State is purchasing medicine for the treatment of tuberculosis, HIV/AIDS, viral hepatitis and cancer as part of the priority national health project and the federal programme on preventing and combating socially significant diseases (2007–2011). To improve access to modern medical preparations for patients with rare illnesses, the Federal Act on the circulation of pharmaceutical products has significantly simplified the procedure for the importation and use of unregistered drugs of vital importance for patients in certain cases.

Reply to questions posed in part III, paragraph 36, of the list of issues

153. In 2009, more than 380,000 users of intravenous drugs were registered in the Russian Federation. The Federal Act on narcotic drugs and psychotropic substances prohibits replacement therapy. Methadone and buprenorphine, which are recommended by WHO/UNODC/UNAIDS officials for such treatment, are not used in the Russian Federation.

Reply to questions posed in part III, paragraph 37, of the list of issues

154. Government Decision No. 681 of 30 June 1998 approved a register of narcotic drugs, psychotropic substances and their precursors which are subject to control in the Russian Federation. Methadone is included in list I, which contains narcotic drugs whose circulation is prohibited in accordance with domestic law and international agreements to which the Russian Federation is a party. Buprenorphine is in list II, which enumerates narcotic drugs whose circulation in the Russian Federation is restricted and for which methods of control have been established in accordance with domestic law and international agreements to which the Russian Federation is a party. Article 31, paragraph 1, of Federal Act No. 3 of 8 January 1998 on narcotic drugs and psychotropic substances specifies that narcotic drugs and psychotropic substances in lists II and III may be used for medical purposes. However, article 31, paragraph 6, of Federal Act No. 3 stipulates that the

treatment of drug addicts with the narcotic drugs and psychotropic substances set out in list II of the register is prohibited.

155. Thus, domestic legislation does not make provision for the use of replacement therapy for the treatment of drug addicts; this is not at variance with the Russian Federation's treaty obligations. The view in the Russian Federation is that replacement therapy programmes do not have a therapeutic effect on the drug addict and do not address problems of HIV-infection. Programmes to reduce the harm to users caused by intravenous drugs, which were carried out by the Global Fund in 2004–2009 in 10 constituent entities of the Russian Federation (Republics of Buryatia and Tatarstan, Krasnoyarsk Territory, Vologda, Nizhny Novgorod, Orenburg, Pskov, Tver and Tomsk Provinces, and the city of Saint Petersburg), amounted to nothing more than a distribution and exchange of clean syringes and needles and instruction on the safe use of narcotic drugs, and were promoted as an effective way of combating the spread of HIV among intravenous drug users. The programmes resulted in the level of HIV/AIDS and viral hepatitis morbidity in these regions increasing by a factor of three and more, compared to constituent entities which did not have these programmes. Consequently, for the time being, Russia is not planning any programmes aimed at minimizing risk through an exchange of syringes among intravenous drug users.

156. The Russian Federation has an overarching policy for the treatment of HIV/AIDS, viral hepatitis and tuberculosis. A holistic approach to combating drug addiction has been introduced. As part of the programme to promote a healthy lifestyle (which is the most important aspect of prevention), health-care centres for adults have been opened and equipped, and it is planned to create similar centres for children.

Reply to questions posed in part III, paragraph 38, of the list of issues

157. The most important goal of the demographic programme adopted in 2007 is to strengthen the reproductive health of the population, improve the state of health of women, children and adolescents and reduce the level of maternal and infant mortality by a factor of no less than two in the course of 10 to 15 years. Obstetric and gynaecological care is ensured through the development of a multidisciplinary network of medical centres. Systematic work is under way to reduce the number of abortions and complications that result from artificial termination of pregnancy. The list of medical indicators for an artificial termination of pregnancy has been reviewed, and more than 70 illnesses which in the past were contraindications for the continuation of pregnancy have been removed. A suggested standard text for informed consent to an artificial termination of pregnancy up to the twelfth week was approved. Posts of social workers and psychologists were created to counsel women. Psychological and legal counselling includes measures to discourage abortions, make women aware of the need to continue the pregnancy until full term and to have further support during pregnancy, provide women and girls with psychological and legal assistance and promote positive stereotypes about healthy lifestyles.

158. Health-care centres interacting with establishments for social protection, education, employment of young people and associations are working on the logistics of promoting the reproductive health of the population and preventing abortions, particularly among adolescents and persons in risk groups. The initiative has resulted in a steady decline in the number of abortions. The number of women of childbearing age who use modern contraceptive devices stood at 9.02 million (23.7 per cent) in 2009, of whom 11.0 per cent use an intrauterine device and 12.7 per cent use hormonal contraception. Over the past five years, the number of women who use hormonal means of contraception has grown by 13.5 per cent (from 3.7 to 4.2 million persons). To improve the quality and accessibility of medical care for women, regulations on obstetric and gynaecological care have been elaborated, and standards are being updated. A new standard for regular medical check-ups

for infants in the first year of life has been introduced so that illnesses can be detected at an earlier stage and medical, therapeutic, and rehabilitative measures can be taken.

159. As part of the priority national health project, a programme entitled “Maternity Certificate” is under way, a network of modern perinatal centres is being set up, and questions are being addressed in connection with strengthening the material and technical basis of obstetric centres and raising the salaries of medical staff. Programmes to maintain and promote maternal and infant health and to improve the quality and accessibility of medical care in State and municipal health-care institutions for women during pregnancy and after childbirth have had the following results:

- The maternal mortality rate declined by 13.4 per cent over the period 2005–2009
- The infant mortality rate declined by 26.4 per cent (from 11.0 per thousand live births in 2005 to 8.1 in 2009); in the first 10 months of 2010, it stood at 7.5 per thousand live births
- The proportion of normal births increased by 11.3 per cent (from 33.7 per cent in 2005 to 37.5 per cent in 2009)

The constituent entities of the Russian Federation have launched their own programmes to reduce the level of infant mortality, protect children’s health and promote the reproductive health of the population. Paediatric centres have been built, overhauled or renovated, modern equipment has been purchased, and specialists have taken training courses and upgraded their qualifications.

Articles 13 and 14 – Right to education

Reply to questions posed in part III, paragraph 39, of the list of issues

160. As of 1 October 2010, 34,833 children aged 7 to 18 were not attending school, or 0.2 per cent of the total number of children and adolescents in that age group (16.9 million persons), compared to 38,191 as of 1 October 2009 and 40,852 as of 1 October 2008, or 0.2 per cent of the total for both periods. One of the most important aims of State education policy is to ensure the right to education of children with special needs or disabilities. Questions concerning the educational conditions of this category of pupils are addressed in the Russian Federation’s long-term plan for social and economic development in the Russian Federation until 2020, which was approved by the Government in November 2008, and are reflected in the priorities of Government action for the period until 2012, as well as a number of instructions issued by the President. Russian legislation (in particular, the Federal Education Act and the Federal Act on the social protection of persons with disabilities) guarantees equal rights to education for pupils with special needs or disabilities. The fullest possible implementation of the right to education for these categories of pupils is an important factor in their successful rehabilitation and socialization. The main aim of the modernization of the Russian educational system is to create an environment that ensures access to quality education for all children with special needs, taking into account their physical and mental development.

161. The psychological, medical and pedagogical commissions, whose activities are regulated by Ministry of Education and Science Instruction No. 95 of 24 March 2009, play an important role in addressing questions relating to a timely identification and subsequent education, training, social adaptation and integration of children with special needs. The main functions of these commissions consist in identifying children with development problems and/or behavioural disorders, conducting a full examination of such children and elaborating recommendations for providing them with psychological, medical and pedagogical assistance and organizing their instruction and education. Approximately 1,400 such commissions are now in operation at regional and municipal levels throughout the

Russian Federation. A wide-ranging network of educational facilities for such children includes specially equipped preschools and schools.

162. Ensuring that children with special needs are taught together with healthy children in preschool, general education and other mainstream establishments is a priority for the educational system. In the 2009/10 school year, more than 96,300 children with special needs attended regular classes in State and municipal general education establishments, and more than 132,200 attended special classes. A total of 1,790 special educational establishments were in operation with an enrolment of 209,300 children with physical or mental development problems and/or behavioural disorders (children with visual, hearing or locomotive impairment or severe speech disorders, mentally retarded children and others). The particular nature of education for children with special needs was reflected in the model procedure, used by educational bodies and establishments since 2006, for the introduction of normative per capita financing for implementation of State guarantees of the rights of citizens to free and universally accessible general education. Under this procedure, classes for these children in mainstream schools is financed in accordance with regulations established for the corresponding special facilities.

163. The principle of protecting the right to education of persons with special needs or disabilities is reaffirmed in full in the normative acts adopted by the Ministry of Education and Science governing the procedure for conducting final examinations for graduates of general education institutions and entrance examinations for admission to higher and secondary specialized schools. These provisions ensure the right of such persons to choose the form of these final examinations and entrance examinations and call for the establishment of special conditions for taking the examinations which make allowance for the particular disabilities of these persons. In accordance with the Presidential Instruction, a new initiative has been included in the priority national education project to promote distance learning for children with disabilities in order to broaden access to education for children who need schooling at home. One billion roubles were allocated for the initiative from the federal budget upon its launching in 2009, and 2.5 billion roubles in annual funding will be made available in 2010–2012. The initiative aims to create conditions for home learning for children with disabilities and to set up a distance learning centre in each region for such persons; to train teachers in this area of work; to supply the place of residence of children with disabilities with special computers, telecommunication and educational equipment and programmes for distance learning; and to provide Internet access.

164. More than 4,000 children with disabilities currently benefit from distance learning at home. When the national education project is completed in three years, it is expected that most children with disabilities who need to take part in distance learning at home (about 30,000 children, according to data from the regions) will be able to do so. A system to arrange for distance learning for this category of children will be set up in the regions. Education in mainstream schools is regarded as a priority goal for children with special needs or disabilities. Particular attention in that regard is being given to creating a barrier-free environment in every school so that children with disabilities have unhindered access to the school building and premises. To implement the conditions set out in article 15 of the Federal Act on the social protection of persons with disabilities in the Russian Federation, new schools must be built and existing ones renovated and overhauled. This policy is reflected in recommendations on creating the conditions for providing schooling to children with special needs or disabilities in the constituent entities; the recommendations were elaborated by the Ministry of Education and Science and were forwarded to the heads of the executive authorities of the constituent entities in April 2008.

Reply to questions posed in part III, paragraph 40, of the list of issues

165. Under Russian law, all children, including children of migrants legally residing in Russia, have equal access to education. The educational system does not envisage special programmes for such children. Upon completion of secondary school, children of migrants receive the same certificates as children of Russian citizens: a secondary school diploma, and in exceptional cases an attestation (for grown-up children with little or no command of Russian). After completing school, children of migrants usually continue their education: they take vocational training, just like other graduates of Russian schools.

Questions posed concerning part III, paragraph 41, of the list of issues

166. The continuity of educational policy for supporting native languages has been reaffirmed in the draft framework plan for the federal programme for the promotion of the Russian language, 2011–2015, which was submitted to the Government of the Russian Federation for approval in December 2010. A draft Government decision is currently being elaborated to approve the programme prepared on the basis of the plan. The main objectives of the programme are to support the role of the Russian language, to create the conditions for its use as a key to ensuring the sovereignty of the Russian Federation, and to implement a one-language policy in all the constituent entities of the Russian Federation. Measures envisaged to ensure the effective use of native languages include: the publication of textbooks and teaching manuals on Russian language and literature for schools in which the classroom language is not Russian; preparation of grammar books, dictionaries and handbooks containing the rules of modern literary Russian in its use as the State language of the Russian Federation; and further training and retraining for teaching native languages in educational institutions.

Questions posed concerning part III, paragraph 42, of the list of issues

167. The implementation of State measures to promote the social development of villages has led to a recovery in the construction of housing and infrastructure in rural areas and an improvement in the quality of educational and medical services. More than 85,000 children in rural localities have started classes in new schools with modern equipment. Under the priority national education programme, in 2006–2008 rural schools received more than 9,800 school buses, more than 33,000 obtained Internet access and 2,600 were provided with specialized computer programme packages. Government Order No. 2136 of 30 November 2010 approved the framework plan for the sustainable development of rural areas in the Russian Federation until 2020, the aim of which is to pinpoint key problems in the development of rural areas and to elaborate essential socio-economic, legal and administrative measures which enable rural areas to move to a qualitatively new level of development that ensures a comprehensive balanced resolution of their economic, social and environmental problems while maintaining their natural resource, historical and cultural potential.

168. In conformity with the Constitution, measures are to be taken to implement the “Our New School” national educational initiative (approved by Government Order No. 1507 of 7 September 2010) in order to guarantee general access to school, enhance the quality of rural education and ensure the competitiveness of graduates of rural schools when they enter higher and secondary specialized schools. Measures include raising the qualifications of rural educational staff, providing grants to graduates of vocational schools who work in rural schools and creating conditions for introducing field-specific education. To make these measures more effective, the main focus will be on:

- Opening primary schools at regional and municipal level and devising transport solutions for children; using advanced school laboratories; introducing new

educational models and sociocultural structures; and integrating and coordinating schools of different types and levels

- Developing a network of educational institutions, taking demographic factors into account; ensuring pedestrian access for primary school children; and using school buses to bring children to primary and secondary schools within 30 minutes
- Restoring and promoting a network of preschool and small primary school establishments on the basis of the creation of kindergarten-style schools, family-type preschool establishments, classes of short duration in preschool facilities to prepare children for school, mixed-age groups and other preschool forms
- Improving the material and technical supply of rural schools, in particular sports inventory and equipment, completing their computerization and developing distance learning programmes and other modern educational and training techniques, including the use of the Internet
- Restoring and promoting the function of vocational guidance and occupational training for work in the agricultural sphere and other areas of importance for agriculture
- Renovating and building preschool sports complexes and facilities

169. Measures to develop rural schools are also planned in the framework of the federal programme for the social development of the village until 2012 (approved by Government Decision No. 858 of 3 December 2002), the federal programme for the promotion of physical education and sport in the Russian Federation in 2006–2015 (approved by Government Decision No. 7 of 11 January 2006) and a number of other federal and regional programmes.

Article 15 – Cultural rights

Reply to questions posed in part III, paragraph 43, of the list of issues

170. Considerable attention is being given to questions relating to the realization of the right of citizens, including older persons, to participate in and enjoy the benefits of culture. For example, most theatres and museums under federal administration and the administration of the constituent entities have introduced reduced prices for tickets for persons of retirement age. Subsidies are granted to members of creative artists' associations who are on a pension. Every year, the Moscow State Philharmonic Academy sells a portion of its tickets at a reduced rate for disadvantaged population groups, including retired persons. Concerts are held annually which persons on pensions are invited to attend for free. In 2010, elderly persons attended, free of charge, concerts of the Russian National Orchestra under the direction of M.V. Pletnev and concerts to celebrate the twentieth anniversary of the rebirth of the Church of the Great Ascension with the participation of the Bolshoi Theatre.

171. Every year, the repertoire of the Moscow State Philharmonic Academy includes benefit concerts for the Pension Fund and for the Russian public charity fund for war veterans, retired workers and veterans of the armed forces. In 2010, benefit concerts were held with the participation of the M.E. Pyatnitsky State Academic Russian Folk Choir, the I.A. Moiseev State Academic Ensemble of Folk Dance and the N.S. Nadezhdina "Berezka" State Academic Choreographic Dance Ensemble. From 2007 to 2009, as part of the yearly "Songs of Russia" marathon festival, more than 250 concerts were held for the inhabitants of 25 constituent entities. With the participation of renowned artists and professional and amateur folk groups, the concerts of the festival took place not only in major cities, but also in small localities, villages and rural schools. All the events were for a charitable cause.

Other initiatives aimed at developing the artistic potential of senior citizens are being carried out in the framework of the federal programme on the culture of Russia (2006–2011), including:

- A national festival of choirs and ensembles of retired workers and veterans of the Second World War: “When we were young in spirit” and “Victory – eternally young” (Smolensk, Kursk, Novosibirsk)
- Veterans of the stage – veterans of war (Tulsk Province)
- The “Slavic Unity” festival at the Moment of Friendship (Bryansk Province)
- The “Living Crafts” and “Revitalized Metal” festival of traditional culture (Kirov Republic, Voronezh Province)
- The “Russian Masters” national competition of folk arts and crafts (Chuvash Republic, Voronezh Province)
- “Folk Designs” ethnographic festival: “My Village” artistic rural gathering (Moscow Province)

172. Round tables, creative laboratories and workshops on the transmission of Russia’s unique folk crafts and the preservation of folk traditions are held during the course of the festivals and competitions. This stimulates the interest of the younger generation in indigenous spiritual values and encourages young people to become involved with popular artistic culture. For a number of years, the Ministry of Culture has been taking measures to support practitioners in the area of culture and the arts. In 2009 State grants were awarded to eminent personalities in culture and the arts in Russia as part of a programme to support artistic creativity which was carried out in conjunction with 20 associations of artists. In accordance with Presidential Decree No. 1904 of 12 November 1993 on supplementary measures of State support for culture and the arts, 1,000 grants for a total of 36 million roubles were awarded to representatives of culture and the arts throughout the country.

173. Pursuant to Government Order No. 356 of 24 March 2009 and Government Decision No. 746 of 15 September 2009, State support was made available from the federal budget in the form of subsidies for providing material assistance to members of associations of artists who are retired or are living in difficult circumstances. To that end, lump sum payments totalling 6,095,000 roubles were made to 2,500 needy pensioners. Since 2009, 1,905,000 roubles in annual lump sum payments have also been allocated to support older artists who had been awarded honorary distinctions in culture and the arts in the USSR. Folk artists and painters of the USSR who have reached the age of 70 years and are residing in the Russian Federation have received 150,000 roubles in material support.

174. Preserving and promoting the culture of the small indigenous minorities of the North, Siberia and the Far East is an important aspect of cultural policy. In recent years, the cultural potential of the northern territories as a whole has been growing. Funding for culture has risen, the number of museums and the volume of museum funds have increased, and the number of theatres, concert organizations and higher and secondary specialized schools for culture and the arts have grown. Problems persist, however. As of 1 January 2009, theatres in the regions of the North, Siberia and the Far East met only 62 per cent, libraries only 34 per cent, museums only 20 per cent and total spectator seating of cultural organizations only 42 per cent of the minimum norms and standards set under Government Order No. 923 of 13 July 2007. Owing to the remoteness and the difficult access of many localities, there is a particularly severe shortage of cultural facilities in the northern territories. The material and technical servicing of cultural institutions in these territories and the salaries of persons working in the cultural sphere are insufficient. An outflow of creative talent to the major cultural centres of the European part of Russia and to other countries has been observed. In order to address these problems at federal level, strategies

for the socio-economic development of the Far East and the Baikal region and for the development of Siberia until 2020, and a policy framework for the sustainable development of the small indigenous minorities of the North, Siberia and the Far East have been elaborated and approved.

175. These documents give priority to promoting culture in the following areas:

- Preserving the cultural heritage, and developing cultural potential and cultural innovation
- Ensuring that the population of the territories and representatives of various ethnic groups have access to the cultural heritage
- Promoting a dialogue between cultures at regional, interregional and national level
- Strengthening the investment appeal of the culture of the northern territories and its competitiveness at national and international level

It is planned to implement these objectives through a number of measures aimed at preserving and promoting culture, including by building or renovating theatres, educational institutions and libraries, setting up multi-purpose cultural centres, expanding the network of museums, and conducting and supporting socially significant initiatives. In accordance with the federal programme on the economic and social development of the Far East and Transbaikal until 2013, 19,465 million roubles in subsidies have been earmarked to renovate the House of Culture at the ethnocultural centre in the village of Nikolsk in Kamchatka Territory. Instruments to preserve and promote the multi-ethnic culture of Russia include the Culture Award of the Government of the Russian Federation, which in 2007 went to the Transbaikal Perspectives Theatre of National Cultures (Chita). In 2009, the prize-winners were Dashi Namdakov, an artist from the Republic of Buryatia, and Valentin Rasputin, a writer from the Irkutsk regional section of the Union of Russian Writers.

176. Traditionally, support for artistic projects is provided in the framework of a competition for 100 grants from the President of the Russian Federation to assist creative projects of national importance in culture and the arts. In the 2009 competition, more than 15 creative projects were awarded for promoting the culture of the northern territories. These include the creation of a museum on the history of the opening and development of the Norilsk industrial region (Krasnoyarsk Territory) and an exhibit entitled “A visit to the forest Nenets” (Noyabrsk, Yamal-Nenets Autonomous Area). In the context of the federal programme on the culture of Russia (2006–2011), an interdisciplinary project is being carried out on the culture of the Russian North, in which objects of cultural heritage are repaired and restored, and conferences of specialists are held on questions relating to cultural heritage preservation. State assistance is also provided in connection with a programme to organize and conduct international, national and interregional festivals, competitions and exhibits on folk arts and crafts and folklore field activities with a view to promoting the ethnocultural development of small indigenous minorities. These include:

- The Far East Benefit (Khabarovsk) interregional festival of amateur theatres
- The Far East Commonwealth (Blagoveshchensk) international festival of folk art
- The international festival of Jewish culture (Birobidzhan)
- The Wellsprings of Altai and Council (Kurultai) of Storytellers interregional festival of Russian folk art (Republic of Altai)
- The international theoretical and practical conference on the cultural potential of the Baikal region (Ulan-Ude)
- The Tun Paim national holiday (Republic of Khakasia)

- “Days of Turkish Literature and Culture” international forum (Republic of Khakasia) and a number of other events

177. The D.S. Likhachev cultural and natural heritage research institute conducted the following projects with the cooperation of the Russian Ministry of Culture:

- Research on traditional principles for the organization of the cultural landscape of the indigenous peoples of the Arctic (Nenets, Chukchi, Eskimos)
- Conference on ways of preserving the historical and cultural heritage of the Russian North (Arkhangelsk – Pinezhsk administrative district – Kargopol)

178. The Russian institute of cultural studies, a federal research establishment, held an interregional theoretical and practical conference with international participation on the topic “Anti-recessionary cultural policy and sociocultural interaction in Siberia: an interregional dialogue”. In the context of implementation of the priority plan of action for preparing and conducting the Second Decade of Indigenous People, in 2009 an interregional review was held in Chita of the work of the ethnocultural centres of the small indigenous minorities of the North, Siberia and the Far East. Film festivals in which contributions reflect the life of small indigenous minorities help popularize their cultural heritage. These include the “Amur Autumn” seventh open Russian film forum in Blagoveshchensk (September 2009) and the “Spirit of Fire” international festival of films by new directors in Khanty-Mansi (February 2010).

179. The following films were produced in cooperation with the Ministry of Culture of Russia:

- “The National Heritage” (on the way of life, traditions and ceremonies of the Yukagirs and the Evens, two small indigenous minorities of the North)
- “On the Tracks of the Wagon Train” (on the Enisei Nenets, a people of Siberia)
- “Aborigines” (on three indigenous ethnic groups of the Far East: the Koryaks, the Itelmens and the Evenks, who live on the eastern shore of Kamchatka Peninsula)

180. A consolidated State register is maintained of cultural heritage objects (historical and cultural monuments) of the peoples of the Russian Federation, including those of the small indigenous minorities of the North, Siberia and the Far East, with a view to creating a database of such objects.
