

	United Nations	E/C.12/RUS/5	
	Economic and Social Council		Distr.: General 25 January 2010 English Original: Russian

Substantive session of 2011

**Implementation of the International Covenant
on Economic, Social and Cultural Rights**

**Fifth periodic reports submitted by States parties in
accordance with articles 16 and 17 of the Covenant**

Russian Federation*

[3 June 2008]

Contents

	<i>Paragraphs</i>	<i>Page</i>
Information concerning specific articles of the Covenant	1–416	3
Article 1	1–13	3
Article 2	22	5
Article 3	23–41	6
Article 6	2–7	28
Article 7	73–120	12
Article 8	121–134	18
Article 9	135–168	20
Article 10	169–203	23
Article 11	204–278	27
Article 12	279–361	35
Articles 13 and 14	362–376	45
Article 15	377–416	47

Fifth periodic report of the Russian Federation on measures adopted and progress made in achieving the observance of the rights recognized in the International Covenant on Economic, Social and Cultural Rights

Information concerning specific articles of the Covenant

Article 1

1. The federal concept of the State structure in the Russian Federation is grounded in a balance of the interests of equal constituent entities, having regard for their ethnic individuality and their geographical and other characteristics. The right to self-determination within the Russian Federation is given substance through various ethnic autonomous areas and autonomous ethnic cultural organizations.
2. Of the 89 equal constituent entities of the Russian Federation, 21 republics, 1 autonomous province and 4 autonomous areas are virtual nation-States.
3. The combination of the principles of self-determination and federalism proclaimed in the Constitution of the Russian Federation is enshrined in the Federal Act of 4 June 1999 on the principles and procedure governing the apportionment of jurisdiction and authority between the State authorities of the Russian Federation and their counterparts in the constituent entities of the Federation. The Act guarantees the equality of the constituent entities of the Federation in the apportionment of jurisdiction and authority, declares encroachment on the rights and interests of the constituent entities inadmissible and ensures the alignment of the interests of the Federation and its constituent entities. Together with other legislation adopted pursuant to it, the Act has largely done away with earlier doubts about the effective coordination of activities between the Federation and its constituent entities.
4. The Russian Federation is one of the world's most multi-ethnic countries. According to the national census conducted in 2002, there are 145,166,000 inhabitants and 160 peoples in the Russian Federation, professing Christianity, Islam, Buddhism, Judaism and other religions and beliefs.
5. In order to ensure the meaningful ethnocultural development of the peoples of the Russian Federation and resolve issues relating to inter-ethnic cooperation and partnership with religious organizations, the Ministry of Regional Development of the Russian Federation was established in September 2004 and given responsibility for policy on ethnic issues. The Ministry is empowered to devise national policy and to draft laws and regulations relating to the socio-economic development of the constituent entities of the Russian Federation, federal-ethnic relations and protection of the rights of ethnic minorities and the native habitats and traditional lifestyles of small indigenous minorities and ethnic communities.
6. The Russian Federation has adopted numerous laws and regulations in the area of inter-ethnic relations. The basic document in this regard is the Strategic Plan on State Nationalities Policy. The Federal Act on autonomous ethnic cultural organizations and the Federal Act on voluntary associations provide for the protection of the culture of national minorities, the adoption of a set of measures on social policy and the safeguarding of the languages and the press of the various nationalities.
7. In recent years, the Russian Federation has made considerable progress towards

resolving the problem of the interaction of State bodies and institutions of civil society working to defend the interests and rights of national minorities. A network of institutions of civil society has been set up which includes 18 autonomous cultural organizations at federal level, more than 175 religious organizations, 371 autonomous cultural organizations at regional level and 367 voluntary associations at national level (associations, ethnic cultural centres, communities). In all, more than 147,000 different civil associations, including religious organizations, are registered in the Russian Federation.

8. Federal Act No. 146 of 30 November 2005 amended article 7 of Federal Act No. 74 on ethnic cultural autonomy of 17 June 1996 regarding the establishment of an advisory council on questions of ethnic cultural autonomy. In pursuance of that Act, Government Decree No. 527 of 17 April 2006 was adopted, in accordance with which an advisory council on questions of ethnic cultural autonomy was set up within the Ministry of Regional Development. Order No. 72 of 13 June 2006 on the advisory council on questions of ethnic cultural autonomy of the Ministry of Regional Development approved the regulations and statutes of the advisory council, of which the heads of all 18 autonomous cultural organizations at national level are members.

Concerning paragraphs 11 and 39 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

9. Russian State policy attaches particular importance to introducing and developing ethnically targeted legislation providing legal protection in accordance with the principles of international and Russian law for the most vulnerable ethnic cultural communities. Since the adoption of the Constitution of the Russian Federation, Russian legislation has officially termed such ethnically vulnerable groups “ethnic minorities” (article 71 (c) and article 72, paragraph 1 (b), of the Constitution), “small indigenous peoples” (article 69 of the Constitution or, as in the Federal Small Indigenous Peoples of the Russian Federation (Guarantees of Rights) Act No. 82 of 30 April 1999, “small peoples”) and “small ethnic communities” (article 72, paragraph 1 (l), of the Constitution).

10. The Constitution of the Russian Federation draws a clear distinction between these sets of peoples: whereas it links the regulation and protection of the rights of “ethnic minorities” with the regulation and protection of human and civil rights and freedoms, the rule of law, law and order and the question of nationality as a whole, it links the rights of “small indigenous peoples” and “small ethnic communities” with rights to land and other natural resources, which are seen as the bedrock of the life and activities of peoples living in a given territory, and with the protection of their traditional habitat and way of life. Russian legislation guarantees small indigenous peoples a wide range of rights over the use of their lands, control of their productive use in their traditional habitat and maintenance of their traditional activities and way of life.

11. In the Russian Federation, past experience of cooperation between industrial concerns and small indigenous minorities is being analysed and compensatory and other measures are being strengthened at the federal level in the form of appropriate regulations and legislation. In order to develop a strategy for interaction between representatives of small indigenous minorities and industrial concerns operating on the territory where those minorities live, it was decided to establish a working group on the subject within the Russian Ministry of Regional Development consisting of representatives of the federal and regional government bodies, community organizations of small indigenous minorities and business enterprises. Work is now being done on the introduction of a method for assessing the harm caused to such minorities by industrial development of the territories where they pursue a traditional livelihood.

12. The Ministry of Regional Development is preparing regulatory documentation on the establishment of Territories of Traditional Natural Resource Use (TTNU) of the small indigenous minorities of the North. In accordance with Federal Act No. 49 of 7 May 2001 on the territories of traditional natural resource use by the small indigenous minorities of

the North, Siberia and the Russian Far East, such territories are one type of specially protected natural territory. The law serves as a framework, and its implementation will require the development of Government regulations creating a mechanism for the establishment and functioning of such territories. A draft text on a model TTNU of such minorities in Bikin (Primorsky Territory) has been prepared.

13. At the present time, the Government is preparing a number of strategic objectives with regard to protection of the rights of small indigenous minorities:

- Enhancement of the regulatory framework for the rights of the small indigenous minorities of the North, including: development and approval of a framework policy for the sustainable development of the small indigenous minorities of the North, Siberia and the Russian Far East; development of a strategy for interaction between representatives of the small indigenous minorities of the North and industrial concerns operating on the territory where those minorities live; and drafting and approval of model regulations on federal territories of traditional natural resource use for small indigenous minorities
- Substantial reinforcement of measures to support the traditional culture and languages of small indigenous minorities

These strategic objectives are included in the package of priority measures for the observance in the Russian Federation of the Second International Decade of the World's Indigenous People.

Article 2

Concerning paragraphs 12 and 40 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

14. The Russian Constitution guarantees equality of human and civil rights and freedoms regardless of sex, race, ethnic background, language, origin, wealth, official status, place of residence, attitude to religion, beliefs, membership of voluntary associations or other circumstances. Any restraint upon human rights on social, racial, ethnic, linguistic or religious grounds is prohibited. The Constitution provides that everyone has the right to health care and medical assistance and to education. Free medical assistance for citizens in State and municipal health-care facilities is funded from budget resources, insurance premiums and other receipts. Pursuant to articles 41 and 43 of the Constitution, preschool and basic general education and secondary vocational training in public and municipal educational establishments and institutions are accessible to all and free of charge.

15. The following legal provisions regulate the issuance and exchange of passports of Russian citizens and the registration of place of stay and place of residence within the country: Government Decree No. 713 of 17 July 1995 on the adoption of regulations for the registration of Russian citizens and their removal from the register of their place of stay or place of residence within the boundaries of the Russian Federation and the list of officials responsible for registration, and Government Decree No. 828 of 8 July 1997 on the adoption of regulations governing the passport of citizens of the Russian Federation, model form and description of the passport of citizens of the Russian Federation.

16. Pursuant to orders issued by the Ministry of Internal Affairs and the Federal Migration Service, Administrative Decree No. 1105 of 28 December 2006 was approved on the adoption of administrative regulations for the provision by the Federal Migration Service of public services for the issuance and exchange of passports and for the exercise of the State function of registration of passports certifying the identity of Russian citizens within the territory of the Russian Federation, and Administrative Decree No. 208 of 20 September 2007 on the adoption of administrative regulations for the provision by the Federal Migration Service of public services for the registration of Russian citizens at their place of residence on the territory of the Russian Federation, which define regulations for the issuance and exchange of passports and the registration of all categories of citizens at their

place of stay and place of residence throughout the territory of the Russian Federation. These normative acts are in force for all groups of citizens, including Roma, if they have Russian nationality.

Concerning paragraphs 13 and 41 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

17. According to data from the Federal Migration Service for Krasnodar Krai, there are currently 4,877 Meskhetian Turks living there, who, together with those who have arrived from other regions, are mainly settled in the regions of Krymsk, Abinsk, Belorechensk, Apsheronk and Kushevsk. In all, 347 persons of Meskhetian ethnic origin are registered in Krasnodar Krai who do not have Russian citizenship; Krasnodar Krai is the place of residence of 2,888 Meskhetian Turks with Russian citizenship; 241 Meskhetian Turks with Russian citizenship are registered as having their current address there.

18. In accordance with the requirements of the Federal Act on the legal status of foreign nationals in the Russian Federation, Meskhetian Turks who do not have Russian citizenship must obtain migration cards and must begin the Russian naturalization process. However, only 744 persons have complied with this requirement.

19. From 2004 to 2007, Russian citizenship was granted to 392 Meskhetian Turks. Over the same period, the Administration of the Federal Migration Service for Krasnodar Krai determined the presence of 304 persons with Russian citizenship in the above category.

20. One way of resolving the problem of Meskhetian Turks who refuse to comply with the requirements of the Federal Act on the legal status of foreign nationals in the Russian Federation and the Federal Act on Russian citizenship is for them to leave Russia for their historical homeland in Georgia or for another country.

21. The question of the return to their historical homeland in Georgia of Meskhetian Turks residing on the territory of Krasnodar Krai has not yet been resolved. Since 16 February 2004, the International Organization for Migration, with the approval of the Ministry of Internal Affairs and the Krasnodar Krai administration, has been carrying out a programme of the State Department of the United States of America to settle Meskhetian Turks in that country. According to United States data, more than 11,400 Meskhetian Turks have applied to take part in the programme. Applicants are interviewed by officials of the United States immigration service; the number of applicants refused entry is negligible. More than 6,000 persons have already been allowed to enter the United States. A total of 11,315 Meskhetian Turks have left to take permanent residence in the United States, including 327 in 2007. The government authorities of Krasnodar Krai and the local authorities have assisted departing Meskhetian Turks with the administrative paperwork for the sale of their house property.

22. On 12 July 2007, the Parliament of the Republic of Georgia passed a law on the repatriation of Meskhetian Turks to Georgia. The law stipulates that applications from Meskhetian Turks wishing to return to their historical homeland will be accepted until 1 January 2009.

Article 3

23. The Constitution of the Russian Federation sets out the principle of equality, by which it means that women and men enjoy a full range of rights to enable them to make their contribution to the country's political, economic, social and cultural development and benefit from its results.

24. Questions regarding the protection of the equal rights of men and women are broadly reflected in Russian labour, family, civil, criminal, criminal procedural and administrative legislation.

Concerning paragraphs 14 and 42 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

25. The Russian Federation attaches particular importance to the active participation of women in the life of society, the advancement of women and the creation of favourable conditions for the attainment of equality between men and women.

26. The national mechanism for the advancement of women and gender equality currently includes both legislative and executive bodies. The Committee on Women, the Family and Youth is active in the State Duma, and the Social Commission for Ensuring Equal Rights and Equal Opportunities for Men and Women in the Russian Federation is attached to the Office of the Chairman of the Federation Council.

27. At the federal level, the Interdepartmental Commission on Equality between Men and Women in the Russian Federation was set up in June 2006. The Commission, which comprises representatives of federal ministries, constituent entities of the Russian Federation and social and scientific organizations, coordinates work on improving Russian legislation relating to the attainment of equal rights and opportunities; conducts scrutiny of laws and other rules and regulations relating to issues having a material impact on the attainment of social, economic, political or cultural equality between men and women; and contributes to the mainstreaming of gender in the activities of government bodies at every level.

28. With a view to coordinating the activities of federal bodies with those of civil society organizations, the Russian Federation has set up the Coordinating Council on Gender Problems, which is tasked with working out agreed approaches to resolving current issues relating to the status of women.

29. In September 2006, the Interdepartmental Commission on Equality between Men and Women in the Russian Federation approved the National Strategy on Equal Rights and Equal Opportunities for Men and Women in the Russian Federation (Gender Strategy of the Russian Federation), which is aimed at achieving real equality by mainstreaming gender in State administration, law-making and the education system.

30. The integrated approach to resolving the problem of the status of women can also be seen in the work of the interdepartmental commissions set up by republic governments, governors and heads of regional administrations in 44 constituent entities of the Russian Federation.

31. The problem of promoting women to managerial posts in State bodies and to decision-making positions in general takes on particular significance in the light of the administrative and management reforms initiated in 2004.

32. In the current Government of the Russian Federation, two federal ministries are held by women: the Ministry of Health and Social Development and the Ministry of Economic Development. A number of women are serving as deputy federal ministers and State secretaries. At the level of regional government bodies, the representation of women in such posts is substantially higher. Women constitute the majority of State employees at the federal and regional levels.

33. The number of women in elected posts in federal legislative bodies remains insignificant. Women are, however, represented in all parliamentary parties.

34. In spite of the underrepresentation of women in politics at the federal level, efforts made to improve the level of women's participation in government structures have resulted in a significant increase in the number of women in law-making bodies in constituent entities of the Russian Federation. Out of 83 such entities, only 5 have no women representatives: Magadan, Novosibirsk, Perm, Tyumen and Chelyabinsk.

35. Article 8 of the federal Political Parties Act states that one of the basic principles

governing the activities of political parties is to provide men and women of all ethnic groups who are nationals of the Russian Federation with equal opportunities to be represented in the parties' governing bodies, on their lists of candidates for elected office and in other elected positions in State and local government bodies.

36. Amendments to electoral legislation are intended to promote women's participation in the activities of political parties and extend their representation in the parties' governing bodies, on their lists of candidates for elected office and in other elected positions in State and local government bodies.

37. Russian legislation provides for equality for women in the field of labour relations by granting them the same rights and opportunities as men in receiving occupational training, remuneration and promotion at work. There are currently 58 million women aged between 15 and 72, as against 52.3 million men. Of these, 60.6 per cent of women and 70.9 per cent of men are economically active.

38. Despite the encouraging trends in the development of the economy as a whole, the most "female" fields of activity remain those in the State sector: health, social welfare, education, culture and art, where wage levels are still relatively low. Women's average monthly wage is 64 per cent of men's.

39. The Government of the Russian Federation has set itself the goal of raising the pay of teachers, doctors, cultural workers, scientists and others by at least one and a half times over three years. The authorities of the constituent entities of the Russian Federation also have the power to fast-track pay rises in the State sector. Such measures should contribute to the gradual equalization of pay in sectors using predominantly female labour, such as education, health, culture and social protection.

40. The Russian Federation devotes considerable attention to the problems of female employment. Special measures are being developed to facilitate job placement, vocational guidance and retraining for unemployed women. In view of the fact that women take longer to find work than men do, particular attention is devoted to increasing their motivation in seeking work, teaching them job-seeking skills and encouraging them to change careers, retrain and fulfil their professional potential. Efforts are also made to provide psychological help in dealing with the negative emotions that can arise as a result of prolonged unemployment or sudden loss of employment.

41. Family legislation in the Russian Federation is also based on the principle of full gender equality. In particular, article 1 of the Family Code provides that family relations are to be regulated in accordance with the principles of the voluntary nature of marital union between men and women, equality of rights of spouses in the family and the resolution of domestic questions by mutual consent.

Article 6

42. In 2002, a new Labour Code was adopted which is designed to achieve a balance between workers' and employers' interests, to increase workforce mobility and gradually to squeeze out "informal" working practices and replace them with widespread registered employment, thereby bringing greater equilibrium to the labour market and minimizing unemployment. The Code envisages a greater role for contractual agreements in labour relations, initially on the basis of strengthened collaboration between trade unions and employers. The role of individual labour contracts has been strengthened considerably, with greater scope for the use of fixed-term individual contracts, simplification of the procedure used by employers to cancel them (while maintaining the required level of protection for workers' rights and interests), and a widening of the range of considerations governed directly by contracts. The Government has reserved the right to consolidate and give expression to guarantees of labour rights for mandatory application throughout the national territory. At the level of collective bargaining, sectoral, regional, occupational and other types of organizations have been established, thus genuinely enhancing the level of

workers' labour guarantees. Individual contractual arrangements have become the main means of establishing working conditions and remuneration with direct worker involvement; of defining the nature and content of duties, any special circumstances conditioning their fulfilment, and worker capabilities; and of widening the scope for applying the various types of incentives.

43. An act to amend and supplement the Labour Code of the Russian Federation was signed in 2006. The following amendments and additions were made: the list of cases was defined in which fixed-term labour contracts are concluded and cases in which they may be concluded (i.e. only by mutual agreement); and the list was extended of persons for whom no trial period is set upon hiring. This category includes women with children up to the age of one and a half. An article was added which describes in detail the regulations governing the termination of a labour contract. It stipulates that work outside normal working hours comprises overtime work and work in conditions of an irregular workday. It is again possible to compel a person to work overtime in emergency situations without consent. The new wording of the article is not at variance with International Labour Organization (ILO) Convention No. 29 concerning Forced or Compulsory Labour. In addition to the prohibition on the payment of wages in the form of alcoholic beverages, narcotic drugs, poisonous, harmful or other toxic substances, weapons, ammunition and other objects, it is now forbidden to pay wages in the form of debt obligations, receipts, vouchers or coupons, and the term "minimum occupational wage" was introduced: base pay, wages or salary for each occupational group may not be less than the minimum wage. If a fixed-term labour contract expires during a woman's pregnancy, the employer must, at her request, extend the labour contract until the end of pregnancy, and not until the start of her eligibility for maternity leave. A constitutional provision provides that everyone is entitled to defend their labour rights and freedoms by all means in conformity with the law. The system of core remedies for the protection of labour rights was amended to add judicial protection. Amendments were introduced to permit inspection and oversight of compliance with labour legislation not only for enterprises but also for employers who are natural persons.

Concerning paragraphs 15 and 43 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

44. Freedom of labour is enshrined in article 37 of the Constitution. Everyone has the right to freely use their labour capabilities and to choose the type of activity and profession. Forced labour is prohibited. Everyone has the right to protection against unemployment.

45. Pursuant to the preamble to the Act on the employment of the population in the Russian Federation, the Act defines the legal, economic and organizational basis of State employment assistance policy, including guarantees regarding the realization of the constitutional rights of citizens to work and social protection from unemployment. This constitutes a guarantee against discrimination in the securing of employment for unemployed citizens.

46. Government policy in the area of employment assistance is directed at ensuring equal opportunity for all citizens irrespective of sex, ethnic origin, age, social status, political convictions and relation to religion in the realization of the right to work or not to work and the free choice of employment.

47. For its part, article 1 of the Employment Act provides that citizens have the exclusive right to use their capabilities for productive, creative work. Forced labour in any form is prohibited, unless otherwise specified by law.

48. Article 9 of the Employment Act ensures the right of Russian citizens, including women, to free consultation, free information and services for vocational guidance. Unemployed citizens are guaranteed the right to free services in the area of psychological assistance, occupational training, retraining and further training under the direction of the employment services.

49. Article 12 of the Employment Act guarantees Russian citizens, including women, freedom of choice of type of activity, profession (speciality), form and nature of work; free assistance in the selection of appropriate work and in job placement with the help of the employment services; and the implementation of measures for an active employment policy, including free services for vocational guidance and psychological assistance, training, retraining and further training organized by the employment services.

50. Beginning in January 2007, a steady trend was observed towards a decline in unemployment throughout the Russian Federation and in virtually all its constituent entities. However, the local labour market continues to be strained in a number of constituent entities. The employment situation is difficult in the republics of the northern Caucasus and Central Asia, where there is a labour surplus and where the level of registered unemployed persons is significantly higher than the national average. As of 1 September 2007, 4,264,000 persons were unemployed in the Russian Federation.

51. The main factors influencing the decline in unemployment were the creation of a significant number of jobs in the context of national initiatives conducted in 2007 in the health care, education, construction and agriculture sectors. Jobs were also created in related branches.

52. In accordance with the project for a plan of action for the labour market for 2007–2010, one of the most important Government objectives is helping with the placement of unemployed citizens who are unable to compete on the job market and are having difficulty finding work, in particular women raising children or caring for disabled persons, and women who want to return to work after an interruption associated with the birth and upbringing of children.

53. Regional employment programmes being conducted in each constituent entity of the Russian Federation devote considerable attention to women's employment. In addition, special programmes are being devised to improve the lot of unemployed women; they include a range of measures focusing on job placement, career guidance and retraining.

54. According to official data, on 1 September 2007 young people between 15 and 29 years of age accounted for 26.2 per cent of Russia's working population, as against 23.1 per cent in 2005. Young people work in virtually all sectors of the economy, but they are most interested in wholesale and resale trade, food services, finance, credit and insurance, business management, construction and industry.

55. Young people between 15 and 29 years of age account for 45.8 per cent of the overall total of unemployed persons. The large number of unemployed young people reflects the significant difficulties which this category of persons has in finding jobs. In recent years, increased competition from older persons has been noted on the labour market, which shows the tendency of employers to hire highly qualified persons with occupational experience. At the same time, a decline has also been noted in unemployment among young people. Whereas in the 1990s the unemployment rate among young people between 20 and 24 years of age increased steadily, starting in 2000 it began to drop, from 17.5 per cent (when the overall unemployment rate in Russia stood at 12.1 per cent) to 13.1 per cent in 2007.

56. On average, 35 per cent of unemployed young people aged 15 to 29 years turn to the employment services for help in finding jobs. The percentage of persons in this category who seek assistance in finding work in the commercial sector is even lower: 3 to 6 per cent on average. The relatively low percentage of young people who seek job assistance from employment services compared to older generations testifies to the fact that most young job-seekers prefer to rely on friends, relatives and acquaintances, to contact potential employers directly and to make use of the mass media and the Internet.

57. Providing assistance to young job seekers is one of the key objectives of the Government, in particular through basic education and vocational training schools and

employment services which offer guidance so that young people can make an informed career choice and receive occupational training that is in line with the needs of the labour market. Measures being carried out at federal and regional level aim above all to develop an occupational guidance and job placement infrastructure for young people, to improve the legal framework needed to ensure the effective employment of young citizens, to provide advisory and methodological support for structures targeting young people in the constituent entities of the Russian Federation and to encourage the creative aspirations of youths who want to go into business.

58. Steps being taken by the State employment services of the constituent entities of the Russian Federation to help unemployed youths compete on the labour market focus on two main areas: preventive measures, including occupational guidance and initiatives to inform young people about the situation on the labour market; and support for young job seekers, including through occupational training, the proper choice of employment and assistance for self-employment and business initiatives.

59. Finding jobs for the unemployed and providing the economy with skilled human resources call for a more efficient labour market, which presupposes both greater labour market flexibility and the protection of labour rights and guarantees.

60. Government policy on regulating the labour market focuses on modernizing labour and employment legislation, establishing a system for monitoring the situation on the job market, ensuring a balance between occupational training and workforce demand, promoting human resources, optimizing the recruitment of foreign labour, using economic stimuli and improving the quality of jobs.

61. In order to assist people in finding jobs, and in keeping with relevant legislation, the employment services in the constituent entities of the Russian Federation conduct special programmes to inform unemployed citizens about the situation on the labour market and provide psychological support and occupational guidance; offer vocational training, retraining and further training in professions (specialties) consistent with labour market demand; organize fixed-term employment and onsite training in enterprises and provide material support for the participants; and assist unemployed citizens in moving to another area for employment purposes.

Concerning paragraphs 16 and 44 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

62. From January to September 2007, 187,700 persons with disabilities applied to the State employment services in search of work, or 4 per cent of all citizens who did so. In 2006, 83,400 persons with disabilities found work with the help of the employment services, or 34.4 per cent of all job seekers in that category. As of early October 2007, 67,400 persons with disabilities found work with the help of the employment services, or 36 per cent of job seekers in that category.

63. As of early October 2007, 131,300 unemployed citizens with a disability were registered with the employment services (7.5 per cent of the total figure for registered unemployed persons).

64. In 2006, the employment services sent 7,500 persons with disabilities for vocational training, or 3 per cent of all persons in this category who had applied for assistance in finding work.

65. From January to October 2007, the employment services sent 7,800 unemployed persons with disabilities for vocational training, or 4.2 per cent of all persons in this category who had applied for job placement assistance.

66. The organization of fixed-term employment for persons with disabilities aims to broaden the use of flexible forms of employment and to create conditions for providing unemployed citizens with targeted income support.

67. The recruitment of persons with disabilities in fixed-term employment helps reduce strains on the labour market, keeps unemployed citizens motivated and ensures temporary employment and material support while they search for a permanent job.

68. The employment services provide persons with disabilities with a range of informational, advisory and vocational services to support their self-employment. As of early October 2007, 4,000 unemployed persons in this category received assistance in becoming self-employed, or 2.1 per cent of all persons in this category who had applied for job placement assistance.

69. In conformity with article 21 of Federal Act No. 181 of 24 November 2005 on social protection for the disabled in the Russian Federation (in the version Federal Act No. 122 of 22 August 2004), the legislation of the constituent entities of the Russian Federation establishes a quota for the hiring of persons with disabilities of no less than 2 and no more than 4 per cent of staff in enterprises with more than 100 employees.

70. Public associations of disabled persons and organizations established by them, including business partnerships and companies whose chartered (pooled) capital consists of the contribution of a public association of disabled persons, are exempt from the quota requirement.

71. Pursuant to article 5.42 of the Code on Administrative Infractions, an employer's refusal to hire a person with a disability under the quota is punishable by an administrative fine of between 20 and 30 times the minimum wage.

72. The elaboration and implementation of a system of incentives to encourage employers to create jobs for persons with disabilities can have a significant impact on the employment situation of persons in this category. Incentives include compensation for employers for losses arising from the employment of disabled persons, for example expenses for wages and the installation of the necessary appliances at the workplace. This incentive mechanism meets the requirements of a market economy to a large extent and is particularly effective in small enterprises.

Article 7

73. Article 2 of the Labour Code of the Russian Federation sets out the main principles for the legal regulation of labour relations and other relations that are directly linked with them, such as the prohibition of forced labour and labour discrimination, and equal opportunities for workers to be promoted, without any discrimination, taking account of their productivity, qualifications and length of service in their speciality, and also their professional preparation and further training.

74. Article 3 of the Labour Code establishes equal opportunities for all workers to exercise their labour rights. No one may be restricted in his or her labour rights or freedoms or receive any advantages, irrespective of sex, race, skin colour, ethnicity, language, origin, property, family or social status, occupation, age, place of residence, attitude to religion, political beliefs, membership of voluntary organizations or other circumstances unrelated to the skills of employees.

75. Persons who consider that they have been subjected to discrimination in the area of employment are entitled to apply to the courts for the restoration of their violated rights, repair of material damages and compensation for moral damages.

Concerning paragraphs 17 and 45 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

76. Employment legislation, including guarantees for the protection of workers' rights, also applies to foreign nationals and stateless persons unless otherwise stipulated by federal laws or international agreements.

77. In conformity with article 18, paragraph 3, of Federal Act No. 115 of 25 July 2002 on the legal status of aliens in the Russian Federation, State employment services in the constituent entities issue decisions on the recruitment and use of foreign workers and, pursuant to article 13, paragraph 9, receive from employers or contractors of such persons notification of said recruitment.

78. In accordance with the new wording of the Act, the time period for the issuance of a work permit has been shortened to 10 working days for foreign workers who reside legally in the Russian Federation and do not require a visa, and a list of required documents has been established. Employers who recruit such foreign workers do not need to obtain a permit.

79. Secondary and informal employment continues at a relatively high level. In 2007, it is estimated that 2.6 million persons had a second job. In 2006 and 2007, medium-size and large enterprises officially recruited 1.8 million persons. According to statistical data, employment in the informal sector is the sole source of income for some 12.9 million persons.

Concerning paragraphs 18 and 46 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

80. One of the main priorities of State policy in the area of remuneration of labour is to establish and guarantee minimum wages. In accordance with article 37 of the Constitution, everyone has the right to remuneration for labour without any discrimination whatsoever and not lower than the statutory minimum wage.

81. To give effect to these provisions of the Constitution, article 130 of the Labour Code sets the statutory minimum wage by means of State guarantees for the payment of the labour of employees.

82. Article 132 of the Labour Code prohibits all discrimination in establishing and changing the conditions for remuneration for labour. The salary of each worker depends on his or her qualifications, the difficulty of the work performed and the quantity and quality of labour expended, and it is not limited to a maximum amount.

83. In accordance with article 134 of the Labour Code, increases in real wages include adjustments to allow for increases in consumer prices for goods and services.

84. Federal Act No. 54 of 20 April 2007 on amendments to the federal minimum wage act and other legislative acts, the minimum wage is set at 2,300 roubles for the Russian Federation as a whole.

85. In order to take regional factors into account, article 133.1 of the Labour Code allows the constituent entities of the Russian Federation to conclude regional agreements setting minimum wages in the region concerned. The minimum wages in a constituent entity are set bearing in mind social and economic conditions and the minimum subsistence level of the working population in the region.

86. Pursuant to the President's message to the Federal Assembly on budgetary matters, between 2008 and 2010 measures continue to be implemented for a gradual increase of the minimum wage to bring it into line with the minimum subsistence level of the working population. It is planned to achieve this goal by 2011, or sooner if the economy develops favourably.

87. On the basis of a general agreement between the national trade union associations, the national associations of employers and the Government, for 2008–2010 it is planned to analyse the socio-economic impact of the increase of the minimum monthly wage to 2,300 roubles on 1 September 2007 and the practice of setting the minimum wage in the constituent entities of the Russian Federation.

88. The parties to the agreement held consultations in April 2008 with a view to increasing

the minimum wage to the subsistence level of the working population on 1 December 2008.

89. The social partners have agreed that an increase in the minimum wage should take place in a manner that does not have an adverse impact on the economy of the Russian Federation or its constituent entities.

90. In view of the above, the increase in the minimum wage and the speed at which the latter is brought into line with the minimum subsistence level of the working population should be backed by a monitoring of the impact of the latest legislative amendments and an economic analysis of budget options at all levels.

91. In 2006–2008, proposals were drafted for improving the system of remuneration of staff at federal budget-funded agencies. At the conclusion of the work, the Government adopted Decree No. 605 of 22 September 2007 on the introduction of new systems for the remuneration of the staff of federally budgeted agencies and of the civilian personnel of military units, whose pay is based on the unified wage scale for the remuneration of the staff of federal government bodies.

92. This Decree adopted regulations on the establishment of remuneration systems for the staff members of federally budgeted agencies and the civilian personnel of military units, and government bodies were entrusted with the preparation and implementation of the requisite legal foundations for introducing new remuneration systems at this level.

93. The new remuneration systems are established at institutional level (collective agreements, accords, local legal provisions) in conformity with federal legislation, other normative acts and the above-mentioned regulations.

94. Under the new systems, salaries are set by the head of the institution on the basis of the training and qualifications needed to perform given professional activities and also bearing in mind the complexity and volume of the work. Account is taken of government guarantees for the remuneration of labour, base salaries for qualified occupational groups and the opinion of the relevant trade union organization.

95. In connection with the goal set by the President of the Russian Federation of increasing staff wages in federal budget-funded institutions by 14 per cent as from 1 February 2008, the Ministry of Finance has prepared estimates of the requirements for additional budgetary appropriations for such remuneration in 2008–2010.

96. Arrears in wages owed to employees of enterprises based on various forms of ownership have declined steadily. As of 1 December 2007, according to information from enterprises, total arrears on wages owed for all observed forms of economic activity amounted to 3,461 million roubles, a decline of 486 million roubles, or 12.3 per cent, compared to 1 November. With a view to protecting the labour rights of employees of enterprises with wage arrears, between January and November 2007 more than 53,700 labour inspections were conducted throughout the Russian Federation to monitor compliance with wage legislation, in the course of which 102,500 violations were detected.

97. Article 137 of the Labour Code stipulates that the withholding of wages of employees is permitted only in cases provided for in the Code and other federal legislation. Article 138 specifies that the total sum of wages withheld at the time of the payment of salaries may not exceed 20 per cent of the amount owed to the employee, and 50 per cent in cases specified in federal legislation.

98. Articles 136 and 140 of the Labour Code provide that wages are to be paid no less often than bimonthly, on the day set by the internal work regulations, the collective agreement or the labour contract. As a rule, wages are paid to the employee at the place of work or are transferred to a bank account indicated by the employee in conditions defined by the collective agreement or the labour contract. When payday falls on a weekend or a holiday, wages are paid the previous day.

99. When paying wages, the employer is required to inform each employee in writing of

the constituent parts of the wages paid for a given period, the amounts deducted, with reasons, and the total amount of payment due.

100. When a labour contract is terminated, all sums owed to the employee by the employer are paid on the day of the employee's dismissal.

Concerning paragraphs 19 and 47 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

101. In recent years, there has been a decline in the number of fatal industrial accidents in the Russian Federation. As in the past, the highest numbers of accidents occur in the mining, manufacturing and construction sectors. In 2007, a decline was observed not only in the overall number of industrial accidents but also in the number of accidents with more than one victim, serious accidents and fatal accidents.

102. A number of measures are being implemented on an ongoing basis to improve government supervision and oversight of compliance with labour protection legislation in order to maintain this declining trend. In addition to organizational initiatives and the development of a methodological approach, the further improvement and consolidation of material and technical resources of the State Labour Inspectorate in the constituent entities of the Russian Federation is one of the prime objectives in the area of improving the effectiveness of inspection and oversight mechanisms.

103. Reference should also be made to the positive role played by amendments to the Code on Administrative Infractions introducing higher fines for employers who violate labour protection legislation.

104. The Federal Act on compulsory social insurance against industrial accidents and occupational diseases offers safe protection for the interests of persons injured at work. The Act's introduction and application have made it possible to eliminate almost entirely the problems relating to compensation payments.

105. In accordance with article 8 of the Act, insurance is provided in the form of assistance for temporary occupational incapacity determined in connection with an insurable event and paid from the funds of the compulsory social insurance scheme for industrial accidents and occupational diseases; in the form of insurance payments: a one-time insurance payment to the insured person or to persons entitled to receive such payment in the event of the insured person's death, and monthly insurance payments to the insured person or to persons entitled to receive such payments in the event of the insured person's death; and in the form of the payment of additional expenses associated with medical, social and occupational rehabilitation of the insured person if the insured event has direct consequences.

106. Since 2000 the Ministry of Insurance Protection and Social Development and the National Social Insurance Fund have jointly organized training in labour protection for the various categories of insured persons. Every year more than 250 training organizations teach some 200,000 persons. These activities are funded annually from the budget of the Social Insurance Fund.

107. During the period from 2003 to 2007, 30 intersectoral labour protection regulations were approved, as were the documents to be used for investigating and recording industrial accidents; a government decree endorsed regulations concerning procedures for notification, investigation, recording and reporting of occupational diseases (toxicosis); and regulations were also approved on the provision of special clothing, footwear and other means of personal protection for workers and on sectoral rules on their free issue. Some 1,000 intersectoral and 700 sectoral regulatory instruments govern occupational health and safety, and more than 250 regulatory instruments cover the minimum conditions of occupational health and safety.

108. The Federal Labour Inspectorate of the federal labour and employment

services and other government bodies supervise and monitor compliance with labour protection regulations within their areas of competence.

109. The legislative methods employed in Russia with regard to dangerous, heavy and harmful types of work range from an overall ban on the performance of such work by women and minors, to sectoral or occupational restrictions on work involving specific substances or reagents, and specific restrictions applicable only to pregnant and breastfeeding women.

Concerning paragraphs 20 and 48 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

110. Labour legislation has established a system of guarantees which protect employees from discrimination. The guarantees, which concern regulations on hiring and firing, the work-rest schedule, and occupational safety and health protection for women, are set out in chapter 41 of the Labour Code on special features of the regulation of the labour of women and persons with family obligations. The termination of a labour contract by the employer is not permitted in the case of pregnant women, except when the enterprise is being closed down. The termination of a labour contract in the case of women with children aged less than 3 years, single mothers who are raising a child aged up to the age of 14 or a disabled child up to the age of 18 years and other persons who are raising the aforementioned children without a mother is permitted on the employer's initiative only in situations that are specifically established by law. Pregnant women, subject to medical findings and at their request, are entitled to maternity leave, the length of which depends on the difficulty of the birth and the number of newborns. In addition to breaks for rest and nourishment, working women with children up to the age of a year and a half are entitled to additional breaks to feed their child or children. Women are also entitled to take leave upon request, without loss of employment, to care for children up to the age of 3.

111. Article 3 of the Labour Code, on prohibition of discrimination at the workplace, is fully consistent with the provisions of ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and Convention No. 122 concerning Employment Policy. Thus, labour legislation in force prohibits gender discrimination, and it also prohibits requiring an employee to perform work not specified in the labour contract.

112. Russian legislation does not contain any reference to sexual harassment at the workplace. However, chapter 18 of the Criminal Code defines crimes of violation of sexual inviolability and personal sexual freedom, including the coercion of acts of a sexual nature through the use of the material or other dependence of the victim.

113. Protection of the dignity of employees is one of the basic principles of legal regulations governing labour relations (article 2 of the Labour Code) and is the legal foundation for the elaboration and implementation of measures to combat gender discrimination at the workplace. Local legal provisions, in particular the internal regulations and rules of conduct of the employees of an enterprise, may reflect the principle of the prohibition of gender discrimination at the workplace, including through the adoption of restrictive rules of conduct of employees and employers.

114. Pursuant to article 135 of the Labour Code, heads of non-State enterprises, taking into account the opinion of the employees' representative body, define wage scales and corresponding duties, which are reflected in local regulations. Thus, wages may not be set arbitrarily and must be consistent with the enterprise's remuneration system. In this connection, a female employee whose pay is less than that of other employees performing similar work is entitled to demand, including in a court of law, that she be paid the difference.

115. In conformity with article 64 of the Labour Code, it is prohibited to refuse to hire women for reasons associated with pregnancy or children. Such refusal may be

appealed against in court.

Concerning paragraphs 23 and 51 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

116. The legal basis for countering trafficking in persons in the Russian Federation comprises the Constitution, which enshrines the basic human rights and freedoms guaranteed by the Universal Declaration of Human Rights, a number of international agreements entered into by the Russian Federation and other national legislation, principally criminal legislation and laws relating to criminal procedure.

117. In April 2004, the Russian Federation ratified the United Nations Convention against Transnational Organized Crime of 15 November 2000, together with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

118. In order to prosecute persons engaging in trafficking in persons and to protect the rights of the victims, and with a view to meeting the obligations assumed by the Russian Federation, article 127 (Trafficking in persons) was added to the Criminal Code with the adoption of Federal Act No. 162 of 8 December 2003 on amendments and additions to the Criminal Code of the Russian Federation. Under this article, the purchase or sale of human beings or their recruitment, transport, transfer, concealment or reception for the purpose of their exploitation is punishable. The purchase or sale of human beings for the purpose of their exploitation is a necessary condition of criminal liability. Exploitation means the use of persons to engage in prostitution or other forms of sexual exploitation, slave labour or services, servitude or the removal of organs or tissues.

119. With a view to improving protection for the victims of trafficking in persons, the Federal Act on State protection for victims, witnesses and other parties to criminal proceedings was adopted on 20 August 2004; it came into force on 1 January 2005. The Act establishes a system of measures to provide State protection for victims, witnesses and other parties to criminal proceedings, including security and social welfare measures for people affected by criminal proceedings involving, inter alia, trafficking in persons. Under the Act, State protection measures may be extended, before criminal proceedings commence, to persons reporting an offence, witnesses or victims or to other persons assisting in the prevention or exposure of an offence. Immediate family, relations and close friends exposed to unlawful violence in order to influence those involved in criminal proceedings who are themselves under State protection are also eligible for State protection under the Code of Criminal Procedure.

120. Between 2004 and 2006, eight individuals were convicted under article 127 of the Criminal Code for trafficking in persons. Of that number, six were found guilty of committing the offence under the aggravating circumstances set out in paragraph 2 of the article.

Article 8

Concerning paragraphs 21 and 49 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

121. The Russian Federation is a party to ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize and Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively. The Russian Government submitted periodic reports on its application of these Conventions to the ILO in 2006.

122. Guarantees pertaining to the right to form trade unions are contained in article 30 of the Constitution, which states that:

“Everyone shall have the right to association, including the right to create trade unions in order to protect their own interests. Freedom for the activities of public associations shall be guaranteed.”

The implementation of this right is ensured by Federal Act No. 82 of 19 May 1995 on public associations and Federal Act No. 10 of 12 January 1996 on trade unions (rights and guarantees of operation).

123. Article 29 of the Labour Code, on worker representatives, article 30, on the representation of the interests of workers in local trade union organizations, article 31, on other worker representatives, article 52, on the right of workers to participate in the management of the enterprise, and article 53, on the basic forms of worker participation in the management of the enterprise, also regulate trade union activities.

124. Foreign citizens and stateless persons living within the borders of the Russian Federation may be members of Russian trade unions, except in the cases prescribed by federal law and by Russia’s international agreements.

125. Under existing legislation, no restrictions are placed on the right of certain categories of workers to join or establish a trade union; this holds even for government employees, including military personnel and the staff of the Ministry of Internal Affairs. Thus, in practice, employees of government bodies at all levels join the Union of Employees of Government Institutions and Public Services. Those working as civilians in the armed forces have formed a Federation of Unions of the Russian Armed Forces.

126. On 21 December 2007, the tenth General Agreement was signed between the All-Russian Associations of Trade Unions, the All-Russian Associations of Employers and the Government for the period 2008–2010. The General Agreement sets out the overall direction for development of social and labour relations and related economic relations for the coming three-year period. Unlike past periods, the new Agreement was signed without any disagreement, which reflects the high level of trust among the parties and testifies to a new quality of social partnership.

127. In accordance with article 2, paragraph 5, of the Federal Act on trade unions (rights and guarantees of operation), trade unions have the right to form their own associations on a sectoral, territorial or other basis that incorporates a specific occupational identity – All-Russian, interregional or territorial associations of trade union organizations. Trade unions and their associations have the right to collaborate with the trade unions of other countries, join international trade unions and other associations and organizations and conclude agreements with them.

128. Pursuant to article 37 of the Constitution, employees have the right to strike as a way of resolving collective labour disputes. Chapter 16 of Federal Act No. 79 of 27 July 2004 on civil service in the Russian Federation provides for the consideration of individual labour disputes involving civil servants. Under the Federal Act on the status of military personnel, such persons are prohibited from participating in strikes or in any other suspension of their military duties used as a means to settle matters relating to their military service.

129. In 2007, the number of collective labour disputes registered compared to 2006 fell from 18 to 9, of which 7 were resolved. A total of 7,200 persons participated. In 2007, the number of strikes compared to 2006 decreased from eight to seven. A total of 2,900 persons participated in the strikes.

130. Under Presidential Decree No. 45 of 24 January 1992, the Russian Tripartite Committee on the regulation of social and labour relations was created at federal level. The activities of the Committee are conducted in accordance with Federal Act No. 92 of 1 May 1999 on the Russian Tripartite Committee on the regulation of social and labour relations. The main aims of the Committee are to regulate social and labour relations and to reconcile the socio-economic interests of the parties concerned (art. 3, para. 1).

131. In accordance with article 1, paragraph 1, of the Act, the Committee comprises representatives of the All-Russian trade union associations, the All-Russian associations of employers and the Russian Government, which represent the three sides in the Committee. The Committee takes decisions by open ballot. Each side takes a decision independently based on a majority vote of the Committee members present at the meeting. A Committee decision is deemed to be adopted if each of the three sides votes in its favour.

132. The Labour Code has been amended to strengthen the role of the social partners, including the influence of trade unions on decisions adopted by the government authorities. Article 35.1 of the Labour Code is designed to increase the degree of involvement of the Russian Tripartite Committee — the basic institution of social partnership — in the formulation and implementation of government labour policy, and it gives concrete form to a mechanism requiring that the opinion of the social partners be taken into account when adopting normative acts and social programmes at federal, regional and municipal level.

133. By taking into account the opinion of the trade union organizations and the associations of employers, it is possible to ensure the adoption of normative acts which reflect to a maximum degree the agreed interests of the representatives of employees, employers and government bodies.

134. The practice of the Committee shows that allowance for the opinion of the social partners and the consensual work of the Government, the All-Russian trade union associations and the All-Russian associations of employers leads to positive results and is conducive to more stable relations in society.

Article 9

Concerning paragraphs 22 and 50 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

135. Compulsory social insurance in the Russian Federation is the State system of legal, economic and organizational measures designed to offset or minimize the effects of a change in the material and/or social situation of working citizens and, in cases provided for by law, that of other categories of citizens as a result of unemployment, occupational or other injury or illness, disability, pregnancy and childbirth, or loss of breadwinner, as well as in connection with old age, the need for medical assistance or treatment in a sanatorium and the occurrence of other social insurance risks defined by legislation and subject to compulsory social insurance.

136. In accordance with generally recognized principles and the rules of international law, Federal Act No. 165 on the principles of compulsory social insurance, adopted on 16 July 1999, governs relations under the compulsory social insurance system, defines the legal status of eligible persons, the basis of entitlement to rights, regulations on their implementation, and the obligations and responsibilities of eligible persons, and it establishes the foundation for government regulation of the compulsory social insurance system.

137. Pursuant to Act No. 165, persons insured are citizens of the Russian Federation, foreign nationals and stateless persons working under a labour contract, self-employed persons and other categories of citizens who are eligible in conformity with federal laws on the specific forms of compulsory social insurance.

138. Compulsory social insurance includes an old-age retirement pension, an occupational disability pension, a survivor's pension, a social pension, temporary disability benefits, occupational injury and illness benefits and a maternity allowance. Access to insurance coverage, amounts, and regulations governing insurance coverage adjustments are established in conformity with federal laws on the specific forms of compulsory social insurance.

139. The basic component of retirement, disability and survivors' pensions is paid for with funds from the unified social tax; social pensions for occupational disability and State pensions for military service personnel, civil servants and other categories of persons are paid for by federal budget appropriations.

140. A typical retirement pension is composed of the following parts: a basic component, made up of a fixed sum; an insurance component, which varies, depending on the work of the particular person, as reflected in his or her individual account in the form of a notional pension capital, i.e. the sum of acquired civil pension rights resulting from the payment of insurance contributions throughout the person's working life, adjusted for inflation; and a cumulative component, which is paid out within the limits of the sums reflected in a special part of the insured person's account.

141. The base amount of retirement pensions is funded from the unified social tax (contribution) paid into the federal budget, and the insurance and cumulative components are paid from the budget of the Russian Pension Fund. The cumulative component is funded through pension accruals reflected in a special part of the insured person's account.

142. For citizens who for any reason are not entitled to a retirement pension, a social pension has been established under the terms and conditions set out in Federal Act No. 166 of 15 December 2001 on the provision of pensions in the Russian Federation.

143. The social pension provides material support, funded from the federal budget, for citizens who are not eligible for an old age, occupational disability or survivors' pension.

144. Federal Act 255 of 29 December 2006 on the provision of benefits for temporary occupational disability and for pregnancy and childbirth to citizens who are covered by compulsory social insurance defines the conditions and terms for the payment of such benefits. The Act does not extend to matters concerning assistance for temporary occupational disability associated with an industrial accident or occupational illness, except for certain provisions relating to application deadlines for benefits, terms and conditions of payment, and several other matters.

145. Under the compulsory insurance scheme, citizens are entitled to coverage for temporary occupational disability and for pregnancy and childbirth. Citizens of the Russian Federation as well as foreign nationals permanently or temporarily residing in the country and stateless persons have a right to be insured.

146. In accordance with Federal Act No. 183 of 21 July 2007 on the budget of the Russian Social Insurance Fund for 2008 and for the planning period 2009 and 2010, maximum benefits for temporary occupational disability (except in cases of industrial accident or occupational illness) for an entire calendar month may not exceed 17,250 roubles.

147. Maternity benefits are paid to insured women in a lump sum for the entire period of maternity leave, namely 70 calendar days prior to childbirth (84 calendar days for a multiple pregnancy) and 70 calendar days after childbirth (86 days for a difficult birth and 110 days for a multiple birth).

148. For the adoption of a child or children up to the age of three months, maternity benefits are paid from the day of the child's adoption and continue for a period of 70 calendar days after the child's birthday (and for 110 calendar days when more than one child is adopted).

149. Insured women are paid maternity benefits amounting to 100 per cent of average wages.

150. Total benefits for maternity leave may not exceed the maximum amount of maternity benefits set by the Federal Act on the budget of the Social Insurance Fund in the latest fiscal year. If the insured person works for more than one employer, maternity

benefits may not exceed the maximum benefits set at any of the places of work.

151. Pursuant to Act No. 183, the maximum maternity benefits for a complete calendar month may not exceed 23,400 roubles.

152. During the period under discussion, the right to maternity leave was extended to women who were dismissed in connection with the termination by an individual of a private enterprise activity, termination of the powers of private notary or termination of the status of lawyer, as well as termination of the activity of other individuals whose professional occupation is subject to State registration and/or licensing under federal law, in the course of the 12 months prior to the day on which the women were duly informed of their dismissal (Federal Act No. 206 of 5 December 2006 on amendments to a number of legislative acts with regard to State support for citizens with children). Thus, social insurance and the payment of maternity benefits have been extended to women employed in small businesses.

153. The right to a one-time payment over and above pregnancy and family benefits is granted to women who have registered at a hospital in the early stages of pregnancy (up to the twelfth week). The right to a one-time payment in respect of a child's birth is granted to one of the parents or to a substitute. In the event of the birth of two or more children the benefit is payable for each child. During the reporting period, the amount of benefits increased a number of times and in 2007 stood at 8,000 roubles.

154. A reform of monthly child benefits took effect on 1 January 2007 (Federal Act No. 207 of 5 December 2006 on amendments to a number of legislative acts with regard to State support for citizens with children). A major change was made to the approach to setting the amount of benefits for citizens covered by compulsory social insurance: instead of setting a fixed sum, benefits were henceforth calculated as a percentage of wages. Unemployed citizens (out of work, studying or performing military service) became eligible for benefits. The amount of benefits is determined as a function of the order of birth of the children and the number of children being cared for.

155. Monthly childcare support is paid until the child reaches the age of one and a half years. Benefits for citizens covered by compulsory social insurance and for military personnel amount to 40 per cent of wages or average service pay, but no more than 6,000 roubles monthly. Minimum benefits have been set at 1,500 roubles for the care of the first child and 3,000 roubles for each additional child.

156. For citizens not covered by compulsory social insurance, benefits are also set at 1,500 roubles for the care of the first child and 3,000 roubles for each additional child.

157. Benefits for the care of two or more children are cumulative. Total benefits paid, calculated on the basis of average wages (income, military pay), may not exceed 100 per cent of such wages, but may not be less than total minimum benefits.

158. As of the end of 2007, 2,739,600 persons received monthly benefits for childcare; of that total, 1,189,400 were not covered by compulsory social insurance. Average benefits for insured citizens at the end of 2007 stood at 2,369 roubles monthly for the first child and 3,371 roubles monthly for each additional child. (In 2006, benefits stood at 700 roubles monthly regardless of the number of children.) Financial resources for the payment of benefits allocated from the Social Insurance Fund and the federal budget in connection with the reform of support in 2007 stood at 59.6 billion roubles, thereby exceeding such spending in 2006 almost sevenfold. As a result, there has been a significant decline in poverty among families with children under one and a half years of age.

159. On 1 January 2007, the payment of lump-sum benefits was introduced for children placed in foster care (Federal Act No. 207 of 5 December 2006 on amendments to a number of legislative acts with regard to State support for citizens with children). When two or more children are placed in foster care, benefits are paid for each child. Lump-sum payments for the placement of a child in foster care amount to 8,000 roubles.

160. On 1 January 2008, lump-sum benefits amounting to 14,000 roubles were introduced for the pregnant spouses of conscripted military personnel (Federal Act No. 233 of 25 October 2007 on amendments to a number of legislative acts with regard to State support for citizens with children).

161. Also on 1 January 2008, monthly allowances were introduced for the children of conscripted military personnel (Federal Act No. 233 of 25 October 2007 on amendments to a number of legislative acts with regard to State support for citizens with children). Allowances for children of conscripted military personnel are paid irrespective of whether such persons are also eligible for other types of State support for citizens with children. Monthly benefits for children of conscripted military personnel amount to 6,000 roubles for each child.

162. Monthly child allowances are paid to needy families for each child up to the age of 16 (for pupils in general education institutions until the completion of their schooling, but only until the age of 18).

163. The improving economic situation and the targeted payment of child allowances from the federal budget between 2001 and 2004 has made it possible to completely resolve the problem of arrears in the payment of allowances, which at the beginning of 2001 stood at 20.6 billion roubles.

164. Since 2005, the amount and conditions for the granting of a monthly child allowance have been set by normative acts in the constituent entities of the Russian Federation. The obligation to pay higher benefits to single mothers, families in which the father has been conscripted to perform military service and children whose father has not made alimony payments has been maintained. Thus, the child allowance system has grown increasingly varied at regional level.

165. Monthly child allowances are funded from the budgets of the constituent entities, which also receive subsidies from the federal budget for this purpose (4.54 billion roubles in 2007, or 18 per cent of child allowance spending of the regions).

166. In view of the low level of material support in a large part of the regions for families with children, the constituent entities have gradually raised monthly child allowances.

167. In regions and localities in which regional wage coefficients are applied in accordance with established procedure, these coefficients are used to set the amount of all statutory benefits, maximum maternity benefits and minimum and maximum monthly benefits for childcare. Thus, benefits are adjusted to take into account natural and climatic disparities at regional level.

168. In order to maintain real purchasing power, as of 1 January 2008 allowances will be adjusted annually on the basis of the inflation forecast for the following fiscal year.

Article 10

169. Russia gives high priority to increasing the role and strengthening the importance and social functions of the family. To that end, in April 2007 the President of the Russian Federation, in his message to the Federal Assembly, declared 2008 the Year of the Family. A special committee established to organize the Year of the Family prepared a number of events, including seminars and conferences, inter alia, on the situation of children.

Concerning paragraphs 24 and 52 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

170. The provisions of the Criminal Code relating to the protection of women and children from any form of violence have been reviewed. A separate chapter of the Code

establishes criminal liability for offences against sexual inviolability and sexual freedom of the person. Harsher penalties have been imposed for premeditated offences directed at a person's life, health or sexual inviolability, regardless of the location of such an offence or the existence or absence of kinship between the offender and the victim. Penalties have also been increased for murder, in particular the murder of persons known to be in a helpless state, the seriously ill, the elderly, minors or persons suffering from psychological or other disorders.

171. Causing a person to commit suicide, deliberately injuring a person's health, assault and battery, cruel treatment or the infliction of physical or mental suffering have been made criminal offences. For the first time, "cruel treatment" is understood as a specific way of causing the victim both physical and mental suffering.

172. Provision is made for sentences of varying lengths for offences against sexual inviolability and sexual freedom of the person, rape and other sexual acts.

173. A person who commits offences against the family and minors — inducing minors to commit criminal offences, engage in antisocial behaviour, indulge in the systematic use of alcoholic drinks or narcotic substances or engage in prostitution, vagrancy or begging — is also criminally liable.

174. A procedure was established for transmitting information on persons who apply to social service institutions dealing with the family and children. The statistics are then processed to provide a breakdown of information, by sex, on the number of persons who report criminal violence of a sexual nature.

175. The agencies of the Ministry of Internal Affairs use all available means to improve the situation of problem families, in particularly critical cases applying administrative or criminal procedures. In accordance with the Ministry's rules and regulations, the police devote particular attention to preventive work aimed at averting family violence.

176. There are 3,421 institutions in the social protection system providing social services for the family and children, and the number is constantly rising. These institutions operate in all the constituent entities of the Russian Federation. Particular increases have been seen in such units as local centres providing social assistance for the family and children. These are multidisciplinary institutions providing a range of different social services.

177. In addition, there are 23 crisis centres for women and 2 for men in the Russian Federation, managed by social protection agencies. There are also 117 crisis units within social service institutions and 22 hostels for women with minor children. In crisis centres, women and girls who find themselves in difficult situations or have been subjected to violence are provided with free psychological, legal, medical and educational services and given access to welfare facilities. Crisis facilities are also being set up to help girls and young women subjected to sexual violence and exploitation.

178. Victims of violence may receive assistance not only in State institutions but also in institutions founded by women's NGOs. Women's social organizations have, to date, set up 50 crisis centres for women, working closely with the authorities of the constituent entities of the Russian Federation and local authorities.

179. In a number of entities of the Russian Federation, advocacy groups and civil society organizations are active in protecting women from violence in all its forms and manifestations, and local legislation is being drawn up on the prevention of violence against women and children. More than 485 telephone hotlines have been set up, where people can get urgent psychological help and support, as well as advice from qualified counsellors, lawyers and other specialists.

Concerning paragraphs 26 and 54 of the observations and recommendations of the

Committee on the fourth periodic report of the Russian Federation

180. Children's issues are a key area of social policy in the Russian Federation. The Russian authorities are constantly reviewing the protection of children's rights. Government bodies at federal level and at the level of the constituent entities are using all available means to reduce the number of orphans and children left without parental care and to improve the situation of such children.

181. Work is continuing with a view to improving legislative and methodological action to protect the rights and legal interests of these children. Federal Act No. 258 of 29 December 2006 was adopted on amendments to a number of legislative acts of the Russian Federation in connection with further delineation of jurisdiction, which provides for the transfer as from 1 January 2008 of jurisdiction for the organization of guardianship and custody from the local authorities to the government bodies of the constituent entities of the Russian Federation. The Act will help the future regulation at regional level of questions relating to the organization of work on the prevention of child abandonment, the identification, registration and placement of such children and the establishment of effective systems to assist children and families in difficulty.

182. In order to provide methodological assistance to the government bodies of the constituent entities in implementing the jurisdiction conferred upon them by the Russian Ministry of Education and Science, in June 2007 recommendations were sent to the heads of these government bodies on ways of improving the organization and implementation of guardianship and custody activities for minors. The recommendations contributed to a considerable degree to promoting the efforts being made by these government bodies to prepare rules and regulations on questions concerning these matters.

183. The federal authorities regularly conduct national and interregional initiatives in order to provide systematic methodological assistance to the government bodies of the constituent entities in devising and implementing measures for the protection of the rights of these children and to coordinate their activities.

184. Work is currently under way on preparing amendments to the draft federal act on guardianship and custody and to the draft federal act on amendments to a number of legislative acts in connection with the adoption of the federal act on guardianship and custody, which were introduced by delegates to the State Duma and approved in first reading on 7 November 2007.

185. The adoption of the federal act on guardianship and custody and the federal act on amendments to a number of legislative acts in connection with the adoption of the federal act on guardianship and custody, as amended, will make it possible to establish the legal basis for the implementation, by the bodies concerned, of preventive measures not only for children who are no longer in parental custody but also for children who are living in problem families, the goal being to prevent the loss of parental custody, to create a system of professional services to assist guardianship and custody authorities in performing their work, and to set up a unified procedure for the protection of the rights and interests of children on the basis of planning for this activity, and thus to reduce the number of children who have been removed from their family and are being raised in institutions.

186. In 2007, the Ministry of Education and Science elaborated and submitted to the Government a draft federal act on amendments to the Federal Act on social assistance to orphans and children lacking parental support (additional guarantees) and article 57 of the Housing Code, on the improvement of mechanisms and conditions of measures to provide orphans with social assistance. The draft is included in the plan for the Government's legislative drafting activities for 2008.

187. Government Decree No. 172 of 21 March 2007 approved the Federal Programme entitled "Children of Russia 2007–2010", one of whose subprogrammes entails

the implementation of measures to elaborate and introduce modern techniques for the prevention of child abandonment, the placement of children in family care, the optimization of the work of the State databank on such children, the promotion of their placement in foster homes and the improvement of their living conditions, instruction and training in educational institutions. Total funding of these initiatives amounts to 4,410,600,000 roubles, including 1,625,000,000 roubles from the federal budget.

188. To assist the government bodies of the constituent entities in caring for children in placement arrangements, in 2007, 500 million roubles in subsidies are to be allotted to the budgets of the constituent entities from the Federal Fund for the Cofinancing of Social Expenditure for the above-mentioned initiatives.

189. Federal Act No. 238 of 19 December 2006 on the federal budget for 2007 and Federal Act No. 198 of 24 July 2007 on the federal budget for 2008 and the 2009–2010 planning period envisage the following items of expenditure in the federal budget to address problems of demographic development in the Russian Federation with regard to assistance in placing children in families of Russian citizens:

- Subsidies from the Federal Compensation Fund for the budgets of the constituent entities for the payment of one-time benefits for all forms of placement in foster care of children left without parental care (2007: 677,000,000 roubles; 2008: 1,063,400,000 roubles; 2009: 1,124,100,000 roubles; 2010: 1,164,800,000 roubles)
- Subsidies from the Federal Fund for the Cofinancing of Social Expenditure for partial reimbursement from the budgets of the constituent entities of expenditure for the establishment of minimum allowances of not less than 4,000 roubles monthly for the raising of children left without parental care in the family of a tutor or guardian or in a foster home, and of not less than 2,500 roubles monthly for the payment of the work of the foster parent (total annual financing: 6,174 billion roubles)

190. Pursuant to Federal Act No. 256 of 29 December 2006 on additional measures of State support for families with children, citizens who adopt a second, third and following child are entitled to additional measures of State support in the form of a multiple child allowance, in conformity with the established procedure.

191. The legislation of the constituent entities provides for a variety of support measures for surrogate families. Legislation in the constituent entities has set basic monthly payments for the care of children at no less than 4,000 roubles for families of tutors and guardians and for foster homes and at 2,500 roubles for foster parents.

192. All told, in 2006 and 2007, 106,420 children were placed in Russian families, of whom 102,120 were adopted or were placed in families of tutors or guardians or in foster families, and 4,300 were placed in other forms of family care envisaged under regional legislation.

193. An analysis of statistical data for 2006 and 2007 shows that the number of children placed in Russian families (including for adoption) continues to grow and that the number of children adopted by foreign nationals continues to decline. Compared to 2004, the number of children adopted by Russian citizens grew by 10 per cent (from 7,000 to 7,740), whereas the number of children adopted by foreign nationals fell by almost 30 per cent (from 9,400 to 6,700).

194. An increase in the number of foster families and the number of children placed in them continues to be observed. In 2007, 8,550 children were placed in foster families. Between 2000 and 2007, the number of foster families increased nearly sixfold, from 1,900 to 11,300, and the number of children placed in them rose 4.75 times, from 4,400 to 20,900.

195. Pursuant to article 123 of the Family Code, the constituent entities are actively developing regional forms of child placement. Legislation in more than 30 regions provides for foster care as a form of family placement of children. As of late 2006/early 2007, 5,393 children had been placed with 3,747 foster families. In many regions a practice has

developed of placing children in foster care groups with the support of specialized facilities for minors in need of social rehabilitation.

196. An increasing number of constituent entities have gradually been taking steps to create a system of services for the selection, preparation and comprehensive support of foster families, including with the help of educational, social protection and other institutions.

197. Resources are made available to institutions which work to integrate and rehabilitate children in a socially dangerous situation and seek to ensure conditions for the creative development, treatment and temporary employment of children in difficulty.

198. In order to devise new techniques and forms for the prevention of child neglect and juvenile delinquency, trial projects are being conducted with family and child social welfare institutions on the following topics: the early identification of children in need of social protection by the State; the comprehensive rehabilitation of minors of various age groups; work with minors from broken families; and the creation of contemporary models of surrogate families and juvenile justice.

199. In accordance with Government Decree No. 525 of 18 August 2005, funds are being transferred from the federal budget to finance activities relating to the sending, from one constituent entity to another and from one member State of the CIS to another, of minors who have left their family or care facility without permission.

200. One of the results of the implementation of measures to promote family forms of child placement has been the decline in the number of institutions for these children. In 2006, the number of orphanages and boarding schools for such children dropped by comparison with 2005 by 26, from 1,564 to 1,538, or 2 per cent.

201. The list of criteria for assessing the effectiveness of the activities of the government bodies of the constituent entities, adopted by Presidential Decree No. 825 of 28 June 2007, includes the criterion of family placement of children left without parental care.

202. In 2007 the Procurator-General of the Russian Federation organized and conducted inspections of implementation by the State and local authorities and law enforcement agencies of legislation to combat child neglect and juvenile delinquency and to enforce legislation regulating questions regarding the identification and placement of children left without parental care. When violations are detected in the course of an inspection, the procurator takes action to address them and to restore the rights and legal interests of children. The Government is informed of the results of the inspections, and reports are submitted to the Ministry of Internal Affairs and to the heads of the Federal Oversight Service for health care and social development and the Federal Oversight Service for education and science.

203. Awareness-raising work conducted on the creation and broadcast of television films on the prevention of child neglect and juvenile delinquency has an important role to play. Television themes and films contribute to alerting public opinion to the need to support the goals and objectives of the child neglect and juvenile delinquency prevention network.

Article 11

Concerning paragraphs 25 and 53 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

204. The Russian Federation is carrying out economic and social reforms aimed primarily at raising the standard of living and improving the quality of life of Russian citizens.

205. The basis for improving the well-being of the population is an increase in the

gross domestic product and the volume of goods and services produced by the basic sectors of the economy, investment in the economy, budgetary expenditure at all levels on social needs, measures to improve fiscal policy and a socio-economic development that addresses regional disparities.

206. Income growth of the population in the period 2000–2007 outpaced increases in the cost of living, resulting in an average annual rise in real income of 11 per cent. As of 2007, real income of the population was 2.3 times higher, real wages 3 times higher and average real pensions 2.4 times higher than in 1999.

207. Income purchasing power in this period increased. The multiple between average income and the minimum subsistence level increased from 1.83 in 1999 to 2.9.

208. The number of persons with income lower than the minimum subsistence level has dropped by half (from 42.3 million persons in 1999 to 21.6 million persons in 2006), and their percentage of the overall population fell from 28.4 per cent to 15.3 per cent. In the first six months of 2007, the number of poor persons stood at 22.3 million, or 15.8 per cent of the overall population.

209. Despite positive developments in the standard of living, income growth in virtually all basic categories of the population and an increase in minimum wage guarantees, it has not been possible to reduce income disparities. In 2007, the multiple between the income of the wealthiest and poorest 10 per cent of the population stood at 15.6, as against 13.9 in 2000.

210. The positive dynamic in standard of living criteria has been ensured to a large extent by giving greater attention to problems of the payment of wages and pensions and conducting specific initiatives to increase wages, pensions and social support benefits for specific population groups.

211. In the period 2000–2007, the minimum wage rose significantly, from 132 roubles in 2000 to 2,300 roubles today, an increase of a multiple of 17.4. Whereas in 2000 the statutory minimum wage amounted to about 8 per cent of the minimum subsistence level for a worker, today it has increased to 55 per cent of the minimum subsistence level for able-bodied citizens (for more on this, see information under articles 7 and 9).

212. Between January and November 2007, total population income was 18,331 billion roubles, an increase of 21.7 per cent over the same period in 2006.

213. One of the most important developments has been the increase in the standard of living of the population and the promotion of human capital, which is seen as a factor of further economic growth.

214. The Medium-Term Programme of socio-economic development has a special chapter on promoting human capital and improving quality of life which envisages measures to create conditions for income growth and poverty reduction, increase the effectiveness of government measures to assist the needy through a targeted approach to social support, and improve the Russian pension system.

215. In 2005, national priority projects were launched in the areas of health care, education, housing and the development of the agricultural sector. Efforts made in this context support action taken under the above-mentioned Programme to promote human capital and increase the standard of living.

216. In the period 2000–2007, major progress was made on social legislation. Action was taken on the reform of social benefits, allowances and payments so as to ensure that resources go to households most in need. Pursuant to Federal Act No. 122 of 22 August 2004, on 1 January 2005 social assistance measures were introduced to ensure equal access of categories of recipients to social services, the possibility for a given recipient to select those services of which he or she is most in need, and the full and regular funding of benefits for recipients.

217. Federal and regional registers have been set up for persons eligible for State support; this makes it possible to keep a careful record of recipients and the amount of assistance received.

218. When they convert benefits in kind into monetary compensation, the constituent entities of the Russian Federation and municipal authorities must introduce effective legal mechanisms to ensure a continuation and, if possible, an increase in the level of social protection for citizens, bearing in mind their legal and material situation and other circumstances.

219. The methodology has been improved for determining the minimum subsistence level in Russia as a criterion of poverty. Federal Act No. 44 of 31 March 2006 on the basket of consumer goods in the Russian Federation established a new index on the basis of which the minimum subsistence level is calculated. Compared to earlier, the new basket raises the amounts for food consumption, basic goods and transport and other services.

220. Steps continue to be taken to implement improvements in pension benefits. This will help increase the size of pensions, develop accumulative pension principles and incentives for voluntary payments into pension schemes and promote systems based on non-State and occupational pensions.

221. Work will continue in 2008–2010 on reforming the compulsory social insurance system, in the course of which priorities will be set and legislative and other normative legal acts will be elaborated.

222. Measures are to be taken for the further development of the system of State support for citizens in need of social protection and the strengthening of targeted social assistance made available to the constituent entities and municipal bodies. Priority is given to providing support for families below the poverty line.

223. Measures taken in this regard, together with other initiatives of a social nature, will help fulfil the primary objective of gradually raising the standard of living and improving the quality of life of the population, reducing poverty, ensuring decent living conditions and promoting a social welfare state.

224. Based on the implementation of these measures, it is planned to lower the poverty rate to no more than 11 per cent by 2010, which means reducing the number of persons with income below the minimum subsistence level to 15 million.

Concerning paragraphs 28, 38 and 56 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

225. In July 2003, the procuratorial authorities began a permanent monitoring of implementation of Government Decree No. 404 of 4 July 2003 on regulations concerning compensatory payment 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. As of 1 December 2007, 16.4 billion roubles in compensation had been paid to 46,919 citizens.

226. Since the beginning of the monitoring work, the procuratorial authorities of the Chechen Republic have taken action in 750 individual cases to address and overcome the effects of violations committed in connection with the payment of compensation. Officials have received 303 reports and 27 allegations of illegal action by heads of the regional administration; 15 warnings were issued for infringements of the law, and 48 claims were submitted to the courts concerning a total of 17.6 million roubles. Of these, 34 claims were granted for a total of 12.5 million roubles.

227. The procuratorial authorities and the Ministry of Internal Affairs of the Chechen Republic have instituted 788 criminal proceedings for violations of regulations

concerning the payment of compensation. In all, 267 persons were found guilty in 242 of the 243 criminal cases referred to the courts.

228. Of the total number of criminal cases, 88 concerned officials (staff of the Chechen Republic State Committee for the payment of compensation, staff of the Grozny technical inventory office, heads and staff of the agricultural administration, and officials of the department for the repression of economic crimes of the Ministry of Internal Affairs of the Chechen Republic). Currently, 25 cases are before the courts.

229. All told, offences in this category resulted in 127.5 million roubles in material damages. Of that sum, compensation totalling 12 million roubles was paid in the course of preliminary investigations. Damages averted amounted to 158.4 million roubles.

230. The procurator of the Chechen Republic makes regular use of the mass media to inform the public about work carried out by the law enforcement authorities to ensure that compensatory payments are made in a legal manner and to combat and prohibit abuse in this area.

Concerning paragraphs 29 and 57 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

231. Under Russian legislation, a breach of the rules governing relations between service personnel is a criminal offence. The penalties provided under the Criminal Code are fairly severe. Thus, the offence of breaching the rules governing relations between service personnel at equivalent rank (art. 335) through the use of humiliating or degrading treatment or harassment of the victim or involving violence may incur the punishment of detention in a military disciplinary unit for a period of up to 2 years or deprivation of liberty for a period of up to 3 years; the same acts committed in respect of two or more persons, or by a group of persons, with the use of weapons or involving the infliction of moderate harm to health, are punishable by deprivation of liberty for a period of up to 5 years; if the said acts involve serious consequences, a punishment of deprivation of liberty for up to 10 years may be imposed.

232. Efforts to uphold the law and military discipline in the Russian armed forces are undertaken under comprehensive annual plans prepared by the Ministry of Defence for maintaining legality, improving troop performance and ensuring the safety of military service in the Russian armed forces, as well as plans for cooperation between the Ministry of Defence and the Central Military Procurator's Office in upholding the law and military discipline in the Russian armed forces.

233. In 2006 and the first half of 2007, problems relating to the maintenance of legality (including delinquency among officers) and military discipline were discussed at the Second All Army Meeting of Combat Arm Officers of the Russian Armed Forces, at a meeting of the Central Administrative Board of the Ministry of Defence, at a training event for the leadership of the Russian armed forces, at a review of the work of the central military administrative bodies, at military councils of various branches of the Russian armed forces, military (navy and air force) commands and combat arms of the Russian armed forces, and at meetings and training events for various categories of officials of military administrative bodies.

234. Efforts are planned and under way to revise the regulatory and legal framework in respect of the organization and implementation of measures to strengthen legality and military discipline and prevent infringements of the law in the Russian armed forces.

235. The leadership of the Russian armed forces has taken the appropriate organizational measures to ensure the phased transition of a number of military units and formations to recruitment on a contractual basis. In addition, on 1 January 2008 the question of shortening the duration of compulsory military service to 12 months was

resolved at the legislative level, a measure that is likely to help strengthen military discipline and maintenance of the law.

236. In June 2007, methodological recommendations were elaborated and transmitted to the armed forces for the organization of training activities connected with the phased reduction in 2007 and 2008 of the duration of compulsory military service to 12 months. The recommendations enumerate techniques to be employed by officers for maintaining the moral and psychological health of personnel, especially during anticipated periods of increased tension within military units.

237. The Ministry of Defence, jointly with other departments, is implementing a range of measures to prevent non-regulation relations between service personnel (so-called "hazing" (*dedovshchina*)).

238. On 21 June 2005, the Minister of Defence and the Human Rights Commissioner of the Russian Federation signed a Memorandum of Cooperation to ensure State protection of citizens' rights and freedoms.

239. Close, constructive cooperation has been put in place between the Ministry of Defence and the Social Forum of the Russian Federation.

240. The proactive work of the Social Council under the Ministry of Defence is regulated by Order No. 490 of the Minister of Defence on the establishment of a Social Council under the Ministry of Defence. A visiting session of the Social Council devoted to these issues was held in the North Caucasus military district on 18 and 19 June 2007.

241. In January 2007, on instructions from the Minister of Defence, "parenting" committees were established within military units and military commissariats of the constituent entities of the Russian Federation to assist commanders in strengthening military discipline and legality, to prevent offences by military personnel, to promote the cohesiveness of groups of personnel and to ensure safe conditions of military service.

242. Constructive efforts are under way within military procuratorial bodies to combat violent crime and hazing in the armed forces. To this end, an Interdepartmental Working Group on Combating Non-Regulation Conduct, Assaults and Other Violent Crimes was established and is up and running (with regular in situ missions to work with the armed forces). Similar working groups have also been set up at military district level. In 2006, their work came under review, and specific practical assistance was provided to the military administrative bodies of several corps and military (navy and air force) commands to prevent violent breaches in the sphere of interpersonal relations between service personnel.

243. In order to guarantee military personnel the right of prompt access to justice, each military unit and sub-unit is provided with information on the location and telephone numbers of the military procurator's office, military judges, the high command and government departments. Numbers of helplines operated by military procurators' offices are also listed in the media. As of January 2008, the armed forces have stands at military bases which provide information on State mechanisms for the protection of human rights in the Russian Federation and about the Social Council under the Ministry of Defence.

244. Military procurators' offices work closely with voluntary organizations representing the interests of the parents of military personnel. Officers of military procurators' offices hold meetings with service personnel and members of their families in the common room of the Coordinating Council of the Union of the Committees of Soldiers' Mothers of Russia in Moscow.

245. The Chief Military Procurator's Office has set up cooperative arrangements with the Human Rights Commissioner of the Russian Federation and the Human Rights Commissioners of the constituent entities of the Russian Federation whereby information is exchanged on the extent to which the rule of law is being observed in military units and

joint measures are carried out to check that the rights and freedoms of military personnel are respected.

246. Legal education courses and preventive activities are organized jointly by the Ministry of Defence, the Chief Military Procurator's Office and the Military Division of the Supreme Court of the Russian Federation for the benefit of military formations and units with a poor record on upholding the law and military discipline, and for final-year students (officer cadets) of military academies of the Ministry of Defence. Courses are also organized on raising the legal culture, on obtaining legal advice, on identifying needs and requirements, and on safeguarding the constitutional rights and freedoms of military personnel and members of their families. Instruction is provided on complying with the stipulations of domestic legislation while holding a military command and on supervising military personnel sentenced to punishment not involving deprivation of liberty. Similar joint activities are regularly held, in pursuance of the relevant plans, at district and garrison level.

247. Federal Act No. 199 on the conduct of proceedings relating to serious misconduct involving the disciplinary detention of military personnel and on the execution of disciplinary detention entered into force on 1 January 2007. This gave commanding officers significantly more options in upholding military regulations in the units and sub-units under their command.

248. The authorities constantly seek new ways of raising levels of legal understanding among military and civilian personnel of the armed forces of the Russian Federation and of ensuring that military and civilian personnel, former members of the armed forces and members of their families can enjoy their rights and lawful interests.

249. As a result of the various measures taken by military procurators' offices in association with the high command of the armed forces, the number of offences relating to breaches of service regulations and assault dropped by 3.9 per cent and 8.9 per cent, respectively, in 2006. In 2007, the number of recorded offences involving a breach of regulations, including non-regulation relations, fell by 28.1 per cent and assault by 41.7 per cent.

250. In the overwhelming majority of cases, criminal offences in this category were investigated by a pretrial investigative unit and considered by the courts within the time frames established by law.

251. Questions concerning the housing of persons performing compulsory military service are covered in the general service regulations of the Russian armed forces.

252. Government Decree No. 96 of 29 December 2007 introduced amendments to regulations concerning daily food rations for military personnel performing compulsory military service. As from 1 January 2008, the daily food ration was increased by 185 kilocalories and now stands at 4,374 kilocalories.

253. The following measures have been taken to improve the quality of medical care for military conscripts:

- Federal Act No. 122 of 22 August 2004 amended article 16 of Federal Act No. 76 of 27 May 1998 on the status of military personnel with regard to access to medical assistance for military conscripts in the event of there being no medical facilities where they are performing their military service and also in other urgent cases
- Federal Act No. 199 of 31 December 2005 introduced a new article 5.1 into Federal Act No. 53 of 28 March 1998 on military obligations and military service establishing the requirement and principal areas of medical examinations and check-ups in connection with the performance of military duty

Concerning paragraphs 30 and 58 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

254. The Administration of the Federal Migration Service of the Chechen Republic, together with the government bodies of the Chechen Republic and the Republic of Ingushetia, has carried out a great deal of work on the return of internally displaced persons to Chechnya. Between 1999 and 1 November 2007, 250,000 persons were either returned to and established at their habitual place of residence, were placed in temporary housing areas or were returned to areas where they make up a large proportion of the population. Of this total, 80,000 persons are provided with heating, food and basic necessities.

255. According to data from the records of the Federal Migration Service for the Republic of Ingushetia, as of 18 December 2007, 3,763 persons were living in Ingushetia in areas with large numbers of internally displaced persons from the Chechen Republic. In 2007, 2,143 persons in this category returned to their habitual residence in the Chechen Republic.

256. In addition, 4,270 displaced persons from the Chechen Republic who are living on the territory of the Republic of Ingushetia have applied for permanent residence. The local government authorities place families of displaced persons who have submitted an application on a list for obtaining better housing.

257. The investigation by the procuratorial authorities of the Russian Federation of accusations of forced closure of temporary housing areas for internally displaced persons without alternatives being offered did not bring to light any such cases.

258. However, it has been ascertained that the migration service has illegally removed internally displaced persons from the register; in this connection, on 14 December 2007, the procurator of the Republic of Ingushetia recommended that the Department of the Russian Federal Migration Service in Ingushetia should put an end to those violations of the law and should punish the guilty officials.

259. According to official data supplied by the local branches of the Russian Federal Migration Service, as of January 2008, 9,570 forcibly displaced persons who had left the Chechen Republic — including 5,500 living in the Republic of Ingushetia — had been registered in the territory of the Russian Federation.

260. An important objective of social policy is to provide housing for forcibly displaced persons. Housing assistance to forcibly displaced persons is made available in the framework of a subprogramme under the federal housing programme for 2002–2010, on the fulfilment of national requirements for the provision of housing for categories of citizens set by federal legislation, which is coordinated by the Russian Ministry of Regional Development.

261. In 2007, 1,287 State housing certificates were issued for this purpose; this is still insufficient for solving the housing problems of forcibly displaced persons, including those living in the Republic of Ingushetia.

262. In the light of this situation, in 2007 the relevant federal government bodies discussed ways of solving the problem within the framework of implementing the instruction of the President of the Russian Federation on the development of a single mechanism to provide housing for citizens who have lost their homes as a result of the crisis in the Chechen Republic, as well as forcibly displaced persons coming from republics of the former Soviet Union. On the basis of work conducted by the Ministry of Regional Development together with the Russian Federal Migration Service, the necessary draft regulations and the relevant technical and economic feasibility study were prepared.

263. In the near future, proposals will be considered by the Government Commission for Budget Planning for the forthcoming fiscal year and planning period. The results of the consideration will be used to determine the level of financing and the time limits for allocating funds.

264. In developing a unified mechanism to provide housing for citizens who lost

their homes as a result of the crisis in the Chechen Republic and for forcibly displaced persons coming from republics of the former Soviet Union, account has been taken of forcibly displaced persons and internally displaced persons from the Chechen Republic who intend to continue residing in the Republic of Ingushetia.

265. The adoption of a positive decision will make it possible to speed up considerably the solution of the problem of settling forcibly displaced persons, including those residing in the territory of the Republic of Ingushetia.

266. There are 3,780 internally displaced persons in the Republic of Ingushetia (mainly ethnic Ingush who intend to settle there). They have been placed in 23 locations in which they are present in large numbers and which have been leased with funds from the federal budget. With regard to this category of citizens, the Russian Federal Migration Service provides for all food and lodging in accordance with Government Decree No. 163 of 3 March 2001.

267. Pursuant to this Decree, citizens living in temporary housing areas receive 25 roubles per day for food from federal budget funding, and those placed in the private sector receive 6 roubles per day as a food subsidy. Persons returning to their previous place of residence in the Chechen Republic receive assistance for travel and the transport of their baggage.

268. As the situation in the Chechen Republic stabilizes, the process of returning internally displaced persons to their places of permanent residence is gathering pace.

269. In the framework of the implementation of Presidential Instruction No. 1277 of 11 July 2001, the Federal Migration Service and other government bodies have laid the groundwork for the return of internally displaced persons to the Chechen Republic. Measures were taken in cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR).

270. This work was virtually completed in 2007. Together with the Government of the Chechen Republic, the Federal Migration Service has provided assistance to the overwhelming majority of citizens in this category for voluntary return to their previous places of residence in the Chechen Republic (more than 300,000 persons, including more than 6,000 in 2007).

271. In addition, as part of the implementation of Presidential Instruction No. 810 of 17 May 2004 on the creation of conditions for the return of Russian citizens who were forced to leave their places of permanent residence in the Chechen Republic and are living in Georgia, the Federal Migration Service, together with the Ministry of Internal Affairs and in conjunction with UNHCR in Georgia and relevant government bodies, has been introducing and gradually implementing initiatives to encourage the voluntary return of Russian citizens to the Chechen Republic. The return of 324 persons has been organized and carried out. The results of this work have been reported on in a positive light in the media, and public and political reaction has been positive.

272. In order to settle returning inhabitants in the Chechen Republic, the federal budget financed the refurbishment of 32 dormitories, which serve as temporary housing. All dormitories are equipped with gas and electricity, transported water and heating systems.

273. Internally displaced persons have access to the services of health-care institutions. Their children attend general education school. Measures are taken to organize recreational activities for children.

274. With a view to improving conditions for their educational and cultural development and organizing leisure activities for children, computer classes, sports halls, library rooms, psychological rehabilitation centres and sewing workshops for children have been set up in a number of temporary housing areas in cooperation with humanitarian

organizations.

275. As of November 2007, responsibility for funding the buildings and premises of the temporary housing areas and areas with large concentrations of internally displaced persons was transferred to the Government of the Chechen Republic. Internally displaced persons were removed from the registry of the Russian Federal Migration Service.

276. Today the leadership of the Chechen Republic is working to resolve problems of housing infrastructure development by proposing alternative housing for internally displaced persons living in temporary housing areas.

277. In the context of implementing the special federal programme to restore the economy and the social infrastructure of the Chechen Republic, federal budget allocations are being used to refurbish housing, social facilities, institutions, organizations, etc.

278. All government bodies, courts and law enforcement agencies in the Chechen Republic are fully operational. Municipalities have functioning health-care centres, social facilities, general education schools, three higher institutions of learning and non-governmental organizations.

Article 12

279. Bearing in mind the goals set by the President of the Russian Federation in the area of health care and a higher life expectancy, research by scientific and educational institutions has focused on the realization of a priority national health-care project. Special attention in that regard has been given to the development of primary medical care units, first aid, disease prevention, including vaccinations, effective medical examinations and greater access to technology-intensive medical assistance.

280. Basic and applied research in scientific institutions and medical schools is conducted in accordance with the Basic Policy Principles for the promotion of science and technology for the period until 2010 and the future perspective in the framework of the Priority Goals for the promotion of science, technology and techniques and critical technologies for the Russian Federation, approved by the President of the Russian Federation on 21 May 2006. The focus is on living systems, ecology and rational management of natural resources, new materials and chemical technology, and 20 critical technologies, which envisage elaborating questions for which the need to find answers is dictated by public health priorities in the context of contemporary socio-economic conditions: gene diagnostics and gene therapy, membrane technology, bioengineering, immunocorrection technology, life-support and human-safety systems, etc. In addition, research has been stepped up on questions relating to biosecurity, cell technology, genomics, proteomics, biotechnology and diseases which pose a serious public health threat, such as cardiovascular disease and cancer. Decisions on the focus of scientific research have also taken into account the most important regional problems associated with environmental, hygienic, demographic and other factors influencing the formation and spread of diseases at the regional level.

281. As a result of research in the area of health care, comprehensive data has been obtained on morbidity levels and structure, organizational and health-care measures have been validated and introduced to improve preventive work, and new technologies have been developed for prevention and diagnostics and for treatment and rehabilitation of patients.

282. As part of this research, a scientific assessment has been carried out of approaches to elaborating standards for the provision of medical assistance in hospitals for occupational illnesses and for the supply of material and technical equipment to services concerned with blood transfusion, blood quality and blood components. Methodological recommendations on the drafting and introduction of standards contain scientifically validated principles for standard-setting which have made it possible to define the scope

and quality indicators of medical care for the population.

283. Standardized techniques have been developed for studying infant and maternal mortality, the health of children with adrenogenital syndrome and galactosemia in institutions specialized in genetic and endocrinal illnesses, and the state of health of young persons subject to military registration and conscription.

284. This research has led to the elaboration of manuals on primary and secondary prevention of cerebrovascular disease which are aimed at raising public awareness of health-care issues, teaching people to adapt to life after a stroke and improving quality of life, as well as the production of booklets for primary health-care personnel to encourage healthy lifestyles.

285. A priority national health-care project is being implemented, the main focus of which is on developing primary health-care assistance, promoting preventive medicine and ensuring access to technology-intensive medical care.

286. The most important results of this initiative with regard to developing primary health care are:

- The sector received considerable State investment in the development of the human resources potential of health care (almost every third doctor in primary care has taken further training)
- Physicians at the primary health-care level have benefited from significant financial incentives (salaries of neighbourhood physicians have increased 2.7 times on average, those of specialists in outpatient polyclinics 2.1 times, those of medical personnel in obstetric services 1.9 times and those of young medical personnel 1.7 times)
- Possibilities were enhanced for strengthening the health-care workforce at the primary level (the dual post coefficient in outpatient polyclinics declined from 1.6 in 2005 to 1.3 in 2007)
- A consolidation of the material and technical basis for primary health care made it possible to shorten waiting time for examinations in outpatient polyclinics from 10 to 7 days and to reduce waiting time for the arrival of an ambulance from 35 to 25 minutes
- A screening system has developed (more than 13 million working people were screened, of whom 55 per cent were advised to have further examinations and treatment and 23 per cent to change their attitude towards their health)
- The "Birth Certificate" Programme covered more than 92 per cent of newborns, which resulted in a strengthening of the material and technical basis of maternity clinics and consultations for women, an improvement in the provision of medicines for women at the outpatient stage and an increase in salaries for doctors and nurses

287. The mortality rate fell by 9.8 per cent over a two-year period, a trend which has also been observed among persons of working age (including for controllable causes and cardiovascular disease) and for infants (by 14.6 per cent).

288. The birth rate is rising. In 2007, 9.9 per cent more children were born than in 2005.

289. The immunization rate is very high (95–98 per cent of the population); this has led to a significant decrease in morbidity for many illnesses.

290. A decline of 18 per cent has been observed in the figures for the beginning of occupational disability and of 2 per cent in the number of cases of temporary occupational disability.

291. Life expectancy at birth increased from 66.3 years in 2000 to 66.6 years in 2006: from 65.7 years to 67.3 years for the urban population; from 64.3 years to 64.7 years for the rural population; from 59 years to 60.4 years for men and from 72.3 years to 73.2 years for women.

Concerning paragraphs 31 and 59 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

292. As part of the implementation of the priority national health-care project in the area of ensuring the supply of the constituent entities of the Russian Federation with diagnostic equipment, ambulances and medical products, in 2006–2007 approximately 43,000 diagnostic units and more than 13,000 ambulances were delivered to medical institutions in the constituent entities. More than 10,000 preventive treatment facilities were supplied, including about 1,000 paediatric centres.

293. Immunological and antiretroviral preparations, tests for diagnosing HIV infections and viral hepatitis B and C, medicines to treat viral hepatitis B and C and expendable materials for neonatal screening were purchased in large quantities and delivered to the constituent entities.

294. Primary-care physicians and general practitioners are trained at State education centres. In accordance with existing legislation, a number of social welfare measures, particularly with regard to medical care, are provided to the Russian Federation's small indigenous minorities. For example, pursuant to article 8, paragraph 9, of Federal Act No. 82 of 30 April 1999 on guarantees of the rights of the small indigenous minorities of the Russian Federation, all such minorities receive free medical care, including a compulsory annual check-up at State and municipal health-care facilities under the programme of State guarantees concerning the provision of free medical care to citizens of the Russian Federation.

295. The focus of State policy for the North is to improve the demographic situation and to reduce mortality rates, particularly among children and persons of working age, by establishing a system of medical services able to treat all population groups by means of preclinical diagnosis and methods of correcting and preventing pathological conditions.

296. In order for all these measures to succeed, it will be necessary to have adequate scientific backup, to continue research on the epidemiology of communicable and non-communicable diseases among the indigenous population of the North, to study the effectiveness of the existing health-care system, to design and introduce new arrangements for the delivery of medical care and to seek new ways and means of protecting and rehabilitating the environment.

297. Significant support for residents of the northern regions of the country and for the indigenous national groupings with regard to quality and accessibility of medical care is provided under the priority national health-care project, under which measures are being taken to protect public health by:

- Developing the preventive side of medical care (preventive examinations, check-ups, vaccinations)
- Providing better resources and equipment for front-line health care, ambulance services and maternity services
- Resolving personnel issues and increasing financial incentives for medical workers in the provision of quality medical care
- Ensuring that medical care uses the latest technology

298. For the northern territories, where the demographic situation is unfavourable, it is extremely important to include in the priority national health-care project measures to reduce mortality from preventable causes, diseases causing high mortality among the population and occupational diseases.

299. The goal of the priority national health-care project is to lay the foundations and create the conditions for enhancing front-line health care and making it more efficient, taking into account the social infrastructure existing in the regions, the settlement pattern

and other characteristics.

300. In this connection, the Ministry of Health and Social Development issued Instruction No. 584 of 4 August 2006 on district-based arrangements for the organization of medical services for the population. The Instruction covers the Far North districts and comparable localities, mountainous, desert and arid districts and others with extreme climatic conditions and long periods of seasonal isolation, as well as sparsely populated localities, and takes into account their characteristics.

Concerning paragraphs 32 and 60 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

301. Section IV of the Framework Act on health care for the population establishes the right of citizens to receive medical and social assistance and provides for the possibility of judicial and non-judicial protection. In accordance with article 30 of the Framework Act, patients who seek and receive medical assistance are entitled to dignified and humane treatment by medical and service personnel, examinations, treatment and care in conditions in keeping with hygiene requirements, and confidentiality about their request for medical assistance, their state of health, their diagnosis and other information obtained in the course of examination and treatment.

302. Section XII of the Framework Act contains provisions concerning responsibility for causing harm to a person's health. In particular, article 66 provides that in cases of harm caused to a person's health, the guilty parties must pay the victim compensation, the amount of which is determined in accordance with the law.

303. In addition to the Framework Act, other legislation also contains provisions concerning harm caused in the area of health care. For example, article 45 of the Federal Act on pharmaceutical products stipulates that if, in cases defined under the Act, harm is caused to a person's health as a result of the administering of a pharmaceutical product, the manufacturer which commercialized the pharmaceutical product is required to pay damages to the victim. If the harm to a person's health is caused by the administering of a pharmaceutical product that is unfit for use because of violations of regulations governing the wholesale trade of pharmaceutical products or the activities of pharmaceutical institutions, the enterprise responsible for the wholesale trade of the pharmaceutical product or the pharmaceutical institution through whose fault the pharmaceutical product was marketed or released must pay compensation for the harm caused.

304. Pursuant to the Act on medical insurance for citizens of the Russian Federation, Russian citizens have the right to institute proceedings against health-care institutions and private physicians working under the compulsory medical insurance scheme, including for the purpose of obtaining monetary damages for the harm for which the institutions or physicians are to blame, regardless of whether it is provided for in a medical insurance agreement.

305. With regard to the question of professional ethics, it should be pointed out that article 5 of the Framework Act specifies that federal government bodies are empowered, inter alia, to establish regulations governing the creation and activity of committees and commissions on questions of ethics in the area of health-care protection.

306. Professional medical and pharmaceutical associations take part in elaborating norms of medical ethics and in resolving questions relating to violations of these norms; the associations are made up of members of medical and pharmaceutical staff and are established on a voluntary basis in order to protect the rights of medical and pharmaceutical personnel, develop medical and pharmaceutical practices, assist research work and resolve other problems relating to the professional activity of medical and pharmaceutical personnel (article 62 of the Framework Act).

Concerning paragraphs 33 and 61 of the observations and recommendations of the

Committee on the fourth periodic report of the Russian Federation

307. Health care in prisons in the Russian Federation forms part of the State health-care system and is ensured in conformity with the law.

308. Improved tuberculosis control in the prison system and a successful introduction in recent years of modern methods of tuberculosis control have led to a significant improvement of the epidemiological situation in prisons.

309. In the framework of projects of the International Bank for Reconstruction and Development and a grant from the Global Fund to Fight AIDS, Tuberculosis and Malaria, in 2006–2007 the Russian Fund for health care in prisons spent more than 820 million roubles to supply equipment for bacteriological clinical laboratories, expendable materials, x-ray and photofluorographic techniques, motorized transport and alternative products for the treatment of patients with multiple drug resistance. Leading experts of the Russian institute of pulmonary tuberculosis research, the Ministry of Health and Social Development and the World Health Organization (WHO) conducted a tutorial with 300 Russian prison specialists on contemporary approaches to tuberculosis treatment.

310. In 2002, Russian prisons had only 15 bacteriological laboratories for diagnosing tuberculosis. By 2007, prisons had been provided with modern equipment for 90 new bacteriological laboratories for this purpose and 518 clinical diagnostic laboratories. An 18-month supply of basic medicines for tuberculosis control was created, and regions with a developed laboratory basis received a complete supply of tier-2 medicine for the treatment of resistant forms of tuberculosis. In prisons, special attention is given to the identification of patients with bacilliform illnesses and to the determination of sensitivity to anti-tuberculosis drugs.

311. In the framework of the subprogramme on urgent measures to tackle tuberculosis in Russia, which is part of the special federal programme for preventing and combating social diseases (2002–2006), work was conducted to bring conditions for the detention of suspects in remand centres and convicted offenders in prisons into line with Russian legislation and to introduce international detention standards. Treatment and prevention facilities in prisons were provided with medical equipment, and new facilities were built and old ones refurbished for the care and outpatient treatment of prisoners who had contracted an active form of tuberculosis. Total financing amounted to 1,904,380,000 roubles. The targeted allocation of funds under the programme has made it possible to improve the treatment provided at tuberculosis clinics and to begin to modernize their diagnostic and therapeutic equipment.

312. For a number of years, joint work has been carried out with the Ministry of Health and Social Development, WHO and relevant international organizations, such as the United States Agency for International Development, Partners in Health, the Norwegian Heart and Lung Patient Organization and the International Federation of the Red Cross and Red Crescent Societies; this has had a positive impact on the epidemiological situation of tuberculosis and HIV/AIDS in Russian prisons.

313. Following the measures taken to ameliorate the funding of health care in prisons, the provision of medicines for patients has improved, and problems associated with the establishment of a new laboratory basis in medical institutions and their supply with modern equipment are being resolved.

314. As a result of the implementation of a number of measures over the past five years, tuberculosis morbidity in prisons has been halved and tuberculosis mortality has declined by a factor of 1.7. The overall figure for inmates with tuberculosis was also cut in half (as of 1 December 2007, 45,252 persons in Russian prisons had tuberculosis).

315. The number of persons with active tuberculosis in prisons remains unchanged; this is due above all to the fact that some persons who have been placed in remand centres for the first time already have the disease.

316. Organizational work to improve cooperation with regional law enforcement bodies and their services for tuberculosis control, the resolution of problems in connection with tuberculosis morbidity and the implementation, in conjunction with international non-governmental, humanitarian and human rights protection organizations, of joint projects in a number of regions to combat the illness have set the stage for a positive trend in the epidemiological situation of tuberculosis in the Russian prison system.

317. In the framework of the tuberculosis subprogramme of the federal programme on the prevention and treatment of diseases that pose a threat to public health (2007–2011), in 2007 spending on tier-2 tuberculosis medicines for the constituent entities of the Russian Federation doubled, to about 180 million roubles.

318. Under the tuberculosis subprogramme, the constituent entities were supplied with equipment for waste processing, x-ray equipment, biochip laboratories and pulsed xenon lamps for air disinfection for a total of some 160 million roubles.

319. In addition, organizational and methodological initiatives are regularly conducted in the constituent entities, including the Chechen Republic and the Far North regions, on ways of optimizing assistance in combating tuberculosis in the population.

320. All told, the epidemiological situation in these constituent entities is problematic but stable. Tuberculosis-related morbidity and mortality in the population remain high, but there is a downward trend, which testifies to the effectiveness of the measures taken.

321. In the Chechen Republic, there are 13 treatment centres with a focus on tuberculosis, of which 3 are TB dispensaries and 5 have a tuberculosis ward with 380 beds.

322. Questions concerning the situation of tuberculosis institutions, measures to strengthen the material and technical basis and increased funding for measures to combat tuberculosis in the framework of regional programmes have been submitted for consideration on two occasions to the Government and Ministry of Health of the Chechen Republic. The Parliament of Chechnya approved Act No. 35 of 1 November 2006 on tuberculosis-related assistance for the population and the prevention of the spread of tuberculosis in the Chechen Republic.

323. The regional programme of urgent measures to combat tuberculosis makes provision for funding total 21.4 million roubles, of which 19.9 million roubles have been allocated.

Concerning paragraphs 34 and 62 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

324. The Russian Federation is carrying out regulatory measures to prevent HIV infection. A number of laws and regulations have been adopted since the beginning of the HIV/AIDS epidemic in the country.

325. Federal Act No. 38 of 30 March 1995 on prevention of the spread of disease caused by the human immunodeficiency virus (HIV) in the Russian Federation recognizes HIV infection as a disease. In accordance with article 3 of the Federal Act, its provisions apply to citizens of the Russian Federation, foreign citizens and stateless persons in the territory of the Russian Federation, including permanent residents, and also to enterprises, institutions and organizations that have been duly registered in the Russian Federation, irrespective of their legal organizational form.

326. In addition, in accordance with article 4 of the Federal Act, one of the State guarantees is the regular provision of information to the population, including through the mass media, on available measures to prevent HIV infection; inclusion in the curricula of educational institutions of questions relating to morals and sex education; social assistance to citizens of the Russian Federation who are infected with HIV and their education,

retraining and employment; and development of international cooperation and the regular exchange of information under international programmes for preventing the spread of HIV infection.

327. The observance of the rights and freedoms of HIV patients is guaranteed under article 5 of the Federal Act. Article 5, paragraph 1, provides that all citizens of the Russian Federation infected with HIV have in its territory all rights and freedoms and are subject to the obligations under the Constitution of the Russian Federation, the legislation of the Russian Federation and the legislation of the constituent entities of the Russian Federation. Article 5, paragraph 2, stipulates that the rights and freedoms of citizens of the Russian Federation may be restricted in connection with their infection with HIV only by federal law.

328. Government decision No. 608 of 9 October 2006 approved the statute of the government commission for the prevention, diagnosis and treatment of disease caused by the human immunodeficiency virus (HIV). The government commission is the body for coordinating measures taken by federal government bodies and government bodies of the constituent entities of the Russian Federation with a view to preventing HIV infection and providing medical and social assistance to persons infected with HIV.

329. Government decision No. 280 of 10 May 2007 approved the federal programme on the prevention and control of social diseases (2007–2011), which includes a subprogramme on HIV infection. Under the subprogramme, methods for preventing the spread of HIV infection and for diagnosing and treating HIV infection and rehabilitating persons with HIV are being improved, modern antiretrovirals are being developed and introduced, and special medical institutions are being built or refurbished and equipped with modern medical technology.

330. The federal budget has earmarked 1,471 million roubles in funding for the subprogramme over the entire period of its implementation; 189 million roubles were made available for that purpose in 2007.

331. In the course of implementation of the measures under the programme, efforts continued to strengthen the material and technical basis of AIDS prevention and control centres. A total of 351 million roubles were earmarked and allocated for the protection of donor blood, medical immunobiological preparations, biological fluids from organs and tissues, and medical manipulations, as well as the improvement of the diagnosis and treatment of the HIV infection. As part of these initiatives, automatic analysers for the separation of the DNA and RNA of the human immunodeficiency virus (carrying out pre-analytical preparation of PCR analysis) and automatic plate washers for equipping laboratories at AIDS prevention and control centres were purchased.

332. As part of the priority national health-care project, in 2007 it was planned to provide outpatient treatment for some 300,000 persons infected with HIV and treatment with antiretrovirals for more than 30,000 persons who had contracted HIV/AIDS.

333. An HIV/AIDS information and prevention plan was elaborated and sent to the educational, youth and health-care authorities of the constituent entities (2005).

334. The priority national health-care project has been under way in the Russian Federation since 2006. It involves a screening of the population in order to identify and treat persons infected with the HIV virus and conduct State-funded measures to prevent HIV infection.

335. As a result of the measures carried out under the project, in 2006 more than 21.5 million persons were tested for HIV infection, and 14,433 HIV-infected persons are currently receiving antiretroviral therapy. Some 4,000 persons living with HIV have received antiretrovirals at the expense of the Global Fund to Fight AIDS, Tuberculosis and Malaria.

336. As of 1 July 2007, 388,871 cases of HIV infection had been registered in the Russian Federation (as of 31 December 2006, 374,411 cases) and 12,439,866 Russian citizens had been examined for HIV infection (as of 31 December 2006, 21,656,763 Russian citizens). During the first six months of 2007, 22,056 new cases of HIV infection were identified (as of 31 December 2006, 38,997 cases); 29,341 new HIV patients who had not previously been treated were accepted for outpatient treatment (as of 31 December 2006, 50,674 patients).

337. During the first six months of 2007, a total of 27,274 HIV patients required treatment, as compared to 20,270 HIV patients in 2006. As of 1 July 2007, 20,801 HIV patients were receiving antiretroviral therapy, as compared to 14,433 patients in 2006.

338. According to the project's monitoring data, as of 1 July 2007, 76.4 per cent of HIV patients were receiving outpatient treatment. Since the beginning of 2007, 29,341 HIV-infected persons were accepted for outpatient treatment.

339. Under the project and the federal programme, measures are being taken to prevent HIV infection, including measures to provide information and instruction to the population, to prevent the spread of HIV infection among the most vulnerable groups and to prevent mother-to-child transmission of HIV. A number of measures are being taken to reduce discrimination against, and encourage tolerance towards, persons living with HIV/AIDS and towards members of their families, and to involve persons living with HIV/AIDS in the maintenance of, and increased commitment to, antiretroviral treatment for HIV/AIDS.

340. The project supports 45 regional projects to prevent HIV infection among vulnerable groups of the population; information campaigns have been conducted in 57 cities in the Russian Federation; a nationwide toll-free HIV/AIDS hotline has been created; 39 instalments of the weekly television programme "AIDS – First aid" have been broadcast; and over 5,000 health professionals and teachers have received instruction in various aspects of HIV infection.

Concerning paragraphs 35 and 63 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

341. Perinatal and infant mortality and the mortality of children up to 4 years of age have been declining steadily. The main trend in the evolution of infant mortality has been the reduction in the proportion of preventable deaths thanks to the modern level of health care.

342. Infant mortality per 1,000 live births has declined by 24 per cent over the past five years (from 13.3 in 2002 to 10.2 in 2006), primarily because of the fall in neonatal and post-neonatal mortality. These figures have been observed against the background of a rise in the birth rate in the country starting in 2000 (from 8.3 per 1,000 of the population in 1999 to 10.4 in 2006). All regions have registered a decline in infant mortality for controllable causes (respiratory diseases, diseases of the digestive tract, and infectious and parasitic illnesses).

343. The main causes of infant mortality in the first year of life are perinatal disorders and congenital birth defects. In recent years, the widespread introduction at obstetric centres of perinatal technologies, neonatal intensive-care units, modern methods for early detection of birth defects and hereditary diseases in foetuses and newborns as well as improvements in specialized medical and convalescent care for children have played a significant role in lowering these figures. A major decision has been taken to open a unit for heart surgery, with a particular focus on prenatal (intrauterine) cardiosurgery.

344. The priority national health-care project begun in 2006 has served as an important mechanism in addressing organizational aspects of maternal and infant health-care protection.

345. A mass screening has been conducted on newborns for adrenogenital

syndrome, galactosemia and cystic fibrosis. Without modern detection and treatment, these serious illnesses, which are genetically transmitted, lead to death at an early age. The screening of newborns is important not only for reducing infant mortality, but also for ensuring the later quality of life of these children through an early start in planned treatment of congenital disease.

346. Audiological screening is to be introduced so that children who are hard of hearing can be provided with effective hearing aids to ensure that they can adapt to a hearing environment.

347. In order to improve the quality of medical assistance for children, a number of measures are being implemented to enhance the material and technical basis of children's health-care facilities and to bring in additional qualified medical personnel.

348. One of the priorities in paediatrics is prevention. Bearing in mind the high level of morbidity among children raised outside the family, an annual check-up has been introduced for orphans and children left without parental care who are in long-term health-care or educational centres, the aim being prevention, early diagnosis of diseases and the implementation of individual rehabilitation programmes.

349. A positive trend has been observed in maternal mortality. According to data from the Russian statistics office, in the past five years maternal mortality per 100,000 live births fell by 30.9 per cent, from 529 to 387 cases. Maternal mortality following abortion declined by a factor of 1.5. This is due in no small part to the broader use of methods ensuring a safe interruption of pregnancy at an early stage. The number of septic complications, the second most important cause of maternal mortality after abortion, has dropped by one third.

350. The decline in maternal mortality is due to a large extent to the drop in the number of abortions, above all of an illegal nature. Thus, from 2002 to 2006, the total number of abortions in the Russian Federation fell by more than 20 per cent, from 1,782,000 to 1,407,000, including a decline by a factor of 1.5 in the number of illegal abortions, from 1,838 to 1,221. The number of illegal abortions among girls between 15 and 19 years of age fell by a factor of nearly two, from 255 in 2002 to 132 in 2006.

351. The attitude of women of childbearing age towards contraceptive methods has been changing. Over the past five years, the number of women who use hormonal contraception has increased by 22.7 percent, to 4 million. Public-awareness campaigns targeting young people and designed to spread knowledge about modern, safe contraceptive methods have played an important role in this regard.

352. In order to make more accessible and improve the quality of specialized medical assistance for women during pregnancy and after childbirth and promote perinatal technologies, the main focus in the provision of health-care services for women and children has been on establishing perinatal centres for more complicated cases of pregnancy and childbirth and perinatal pathologies, where pregnant women, post-partum mothers and newborns receive qualified, technology-intensive medical assistance.

353. This has been approved by Government Order No. 1734 of 4 December 2007 on the planning, construction and equipping in 2008–2010 of federal perinatal centres through federal budget funding, and allocation of subsidies to the budgets of the constituent entities to co-finance the construction and equipping of district, regional and national perinatal centres in 2008–2010.

354. Medical assistance provided by State and municipal obstetric institutions and paediatric polyclinics to pregnant women and post-partum mothers and to infants during their first year of life, as well as additional medicines and equipment for these centres, are paid for under the federal "Birth Certificate" programme.

355. Special targeted programmes serve as an important State mechanism for the

implementation of the health-care strategy for women and children, the reduction of maternal and infant morbidity and mortality and of infant disability, the prevention of orphanhood and the social rehabilitation and integration into society of children in difficulty.

Concerning paragraphs 36 and 64 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

356. The implementation of preventive and rehabilitation measures, including with regard to child neglect, juvenile delinquency and health care for schoolchildren, is an important aspect of the work of the educational authorities and institutions. This work is conducted at interdepartmental level in cooperation with the authorities of the Ministry of Internal Affairs, social protection and health-care authorities, commissions on minors and the protection of minors' rights and bodies responsible for drug trafficking control.

357. An important part of these activities is the organization of work on the prevention of illnesses that pose a threat to public health, such as drug addiction and HIV infection.

358. In order to improve the methodological approach to prevention in the educational sphere, in 2002–2007 funding from the federal programme on combating illicit trafficking in narcotic drugs and their abuse was used to elaborate, publish and send to the regions more than 60 titles of educational and training handbooks, with a total circulation of 1.8 million copies, on issues relating to the prevention of the abuse of drugs and other psychotropic substances. Work on improving the scientific and methodological approach to the prevention of drug addiction and HIV infection is being carried out by the Ministry of Education and Science in the course of preparing the concept, structure and content of State educational standards and model educational curricula for the next generation.

359. Since 2002, with the support of leading institutions of higher learning and further professional training in each federal district, expert training courses have been organized on questions relating to the prevention of drug addiction and to HIV/AIDS among children and young people.

360. As part of interdepartmental cooperation in this regard, the Ministry of Education and Science has prepared a set of instructional guidance documents:

- Together with the Ministry of Internal Affairs and the federal agency for drug trafficking control, a memorandum was drafted and sent to the educational authorities, the regional bodies of the Ministry of Internal Affairs and the drug trafficking control authorities on the organization of cooperation on preventing and combating offences related to illegal drug trafficking in schools
- Together with the Ministry of Health and Social Development, a memorandum was drafted and sent to the educational and law enforcement authorities of the constituent entities on the organization of cooperation on the rehabilitation of juveniles who are drug or psychotropic substance abusers

361. In 2007, at the initiative of the federal agency for drug trafficking control and the Ministry of Education and Science, a national action, entitled "Health and the Safety of our Children", was conducted in order to broaden forms of public participation, including by parents and teachers, in the development of a healthy lifestyle and the prevention of various types of deviant behaviour and the spread of drug addiction among children and young people.

Articles 13 and 14

Concerning paragraphs 37 and 65 of the observations and recommendations of the Committee on the fourth periodic report of the Russian Federation

362. Providing education for children and ensuring that they are present and

occupied in a socially useful manner in an educational context is regarded as a very important aspect of efforts to prevent child neglect and juvenile delinquency.

363. Pursuant to the Education Act and the Federal Act on the foundations of the system of prevention of child neglect and juvenile delinquency, steps are being taken to identify and register children who do not attend school or are systematically absent without a valid reason, the goal being to ensure that they benefit from compulsory general education.

364. As of 1 October 2006, 6,835 children between 7 and 15¹ years of age were identified as not receiving education, or 0.05 per cent of the total number of children in that age category (13.5 million persons), compared to 8,718 children, or 0.06 per cent of the total number of children in that age category (14.5 million persons), in 2005, 12,693 children, or 0.08 per cent in that age category (15.8 million persons), in 2004 and 16,229 children, or 0.1 per cent in that age category (16.5 million persons), in 2003.

365. Thus, since 2003 the number of children not receiving education in violation of the law fell by 9,394, and their proportion of the total number of children in that age category declined by 0.05 per cent.

366. Additional measures are being taken to ensure the right to education of various categories of children in difficulty.

367. The educational authorities of the constituent entities ensure the promotion of a diverse network of educational institutions for children with problems of development, behaviour, learning and social integration. The regions have more than 700 schools for children in need of psychological and social assistance, 61 special closed educational facilities and 35 special open educational facilities (for children who have committed offences and antisocial acts and require special teaching conditions and a special educational approach), some 70 cadet academies and boarding schools and more than 1,900 special educational institutions for children of limited learning capacity (and also a network of special classes (groups) for such children in general education and other schools).

368. On 1 September 2007, Federal Act No. 194 of 21 July 2007 on amendments to a number of legislative acts in connection with the introduction of compulsory general education entered into force; it makes all three levels of general education compulsory.

369. In accordance with these amendments, general education is compulsory until the age of 18, as against 15 in the past, provided it is not completed earlier. In 2006 the age at which a minor can be removed from school was raised from 14 to 15 years. The requirement was introduced that the Commission on Minors and the Protection of Minors' Rights must agree to a child's removal from compulsory general education.

370. Within their scope of competence, the Federal Education and Science Supervisory Service and the government authorities of the constituent entities oversee the implementation of Russian legislation in the area of education, including questions of identifying and registering children and families in a socially vulnerable situation, children who are not attending school but do not have a valid reason and the education and social rehabilitation of minors.

371. In order to prevent juvenile delinquency, in 2006 the Federal Education and Science Supervisory Service prepared and sent to the educational authorities of the constituent entities a memorandum on the right of children to education.

372. The Ministry of Education and Science, in conjunction with the Ministry of Interior Affairs, prepared recommendations on cooperation between the educational authorities, schools and bodies of the Ministry of Internal Affairs on the organization of efforts to prevent juvenile delinquency and provided, inter alia, for the implementation of

¹

This category does not include children who are not receiving because of serious illness, since they have a valid reason and their right to education is not being violated.

measures to identify children who are not receiving education, in violation of the law.

373. In conformity with article 14 of Federal Act No. 120, the educational authorities and schools are required to keep a register of children who do not attend school or are systematically absent without a valid reason, to detect such children as well as children in a socially dangerous situation and to take steps to ensure their upbringing and education.

374. Moreover, in accordance with article 9, paragraph 2, of the Act, the educational authorities and institutions are required to cooperate with each other and immediately report children in this category to other educational authorities and institutions within the child neglect and juvenile delinquency prevention network (commissions on minors and the protection of minors' rights, guardian and custody authorities, social protection bodies, health-care agencies and the offices of the Ministry of Interior Affairs).

375. Virtually all regions have introduced the post of school inspector, who performs preventive work; this includes putting children back in school. Efforts to strengthen the focus on preventive action are continuing, and the number of inspectors is growing.

376. In 2008, the Federal Education and Science Supervisory Service plans to increase the number of thematic inspections to verify whether the educational authorities and schools are implementing legislation on the prevention of child neglect and juvenile delinquency.

Article 15

377. The Constitution upholds the right of every citizen to participate in cultural life, to use cultural institutions and to have access to cultural treasures.

378. Federal Act No. 73 on objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation of 25 June 2002 regulates relations with regard to the preservation, use, popularization and State protection of objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation directed at giving effect to the constitutional right of citizens to access to cultural treasures and the constitutional duty of citizens to ensure the preservation of the cultural heritage and safeguard historical and cultural monuments, as well as implementing the right of peoples and other ethnic communities in the Russian Federation to the preservation and development of their cultural and ethnic identity, the protection, restoration and preservation of the historical and cultural habitat, and the protection and preservation of sources of information about the birth and growth of culture.

379. Presidential Order No. 1487 of 30 November 1992 on particularly valuable objects of cultural heritage of the peoples of the Russian Federation was issued in order to preserve and create the necessary conditions for their use.

380. Federal Act No. 184 of 6 October 1999 on general principles for the organization of legislative (representative) and executive agencies of State power in the constituent entities of the Russian Federation and Federal Act No. 131 of 6 October 2003 on general principles for the organization of local government in the Russian Federation limited the powers of the Russian Federation, the constituent entities and the municipal authorities in the area of culture and the arts.

381. Federal Act No. 54 of 26 May 1996 on the Museum Fund of the Russian Federation and on museums in the Russian Federation, which regulates legal relations in the area of the creation, preservation, record-keeping and use of the Russian Museum Fund as well as the establishment and operation of museums as non-commercial institutions of culture, was elaborated on the basis of the Constitution and the Framework Act on culture with the help of international legal norms and international experience in the regulation of this sphere of public life.

382. Some 2,000 Russian museums conserve for current and future generations 80 million priceless objects representing the whole spectrum of the physical world and the history of humanity. The number of annual museum visitors is growing constantly and is currently equivalent to more than half the entire population of Russia.

383. In recent years, Russian museums have successfully conducted a wide variety of social and cultural activities.

384. The Federal Act on the Museum Fund of the Russian Federation and on museums in the Russian Federation was an event not only for Russia but for the entire international museum public, because the Russian Federation was the first country in which legislation considered such questions to be deserving of a separate legislative act.

385. The development of government policy on museums is reflected in the federal programmes entitled “The Culture of Russia (2001–2005)” and “The Culture of Russia (2006–2010)”, the key part of which is the section “Cultural Heritage of Russia”.

386. The Federal Libraries Act No. 78 of 29 December 1994 is the legal basis for the conservation and development of libraries in the Russian Federation.

387. According to expert estimates, the Russian library system comprises approximately 130,000 libraries throughout the national territory, which are operated by ministries, departments and other government and municipal bodies at various levels as well as enterprises, organizations and institutions.

388. The largest library network is run by the Ministry of Education and Science and includes approximately 66,000 school libraries and more than 3,000 libraries in specialized secondary schools and institutions of higher education. The Russian Academy of Sciences has 379 libraries. There are 3,500 scientific and technical libraries in the sphere of industry, transport and communications, 720 libraries in the area of agriculture and 1,500 libraries in the field of medicine and health care. The Russian Ministry of Defence and other security services also have a broad network of libraries.

389. Russia has approximately 49,500 public libraries, of which 47,000 are run by the cultural authorities. Of this total, 264 are regional libraries (including 85 general research libraries, 35 libraries for young people, 74 children’s libraries and 70 libraries for the blind) and 46,800 are municipal libraries (including 36,100 in rural areas). In addition, the cultural authorities have a network of libraries for museums, theatres and school departments, as well as a network of archives, headed by the Russian book archive, which conserves Russia’s printed publications and is responsible for the delivery of a free copy to State libraries.

390. Government Decree No. 329 of 25 March 1999 on State support for the theatrical arts in the Russian Federation and its regulations on the theatre in the Russian Federation recognizes the fundamental role of theatre in development and personal fulfilment in the dramatic arts, the humanization of society and the preservation of the national identity of Russian culture.

391. According to Government statistics, Russia has some 600 permanent State and municipal theatres; their main activities are funded from budgets at all levels. State support enables theatres to continue to be accessible to most of the population, to change their repertoire on a regular basis and to put on periodic performances for theatre audiences in tours and guest appearances.

392. Existing legislation does not restrict the organizational, legal or proprietary form of theatres. In 1991, the right to organize theatrical activities was set out in legislation. Since then, private initiative has been actively developing – from one-time undertakings and agencies for guest appearances to permanent groups with their own repertoire and troupe. As a rough estimate, the number of private theatrical organizations is close to, if not greater than, the number of theatres operated by the State and municipal cultural

authorities.

393. State support for the initiatives of these organizations is made available on the basis of targeted funding (for example from the Federal Programme “The Culture of Russia (2006–2010)”, provided the initiatives are consistent with the goals and objectives of State programmes. Funding is allocated in accordance with procedures set out under existing legislation on the placement of orders for the delivery of goods, the performance of work and the provision of services for State and municipal needs. There is a similar system of State support for philharmonic concerts.

394. Professional training in the area of culture and the arts is conducted pursuant to Act No. 3266-1 on education of 10 July 1992 and Federal Act No. 125 on higher and postgraduate vocational training of 22 August 1996.

395. The network of educational institutions in the area of culture and the arts is the basis for ensuring human resources for the cultural sector. It includes 57 institutions of higher learning (of which 44 are federal), 278 specialized secondary schools (18 federal) and about 6,000 establishments providing supplementary education for children, which are under the jurisdiction of the constituent entities. Over the decades, the culture and arts sector has created a system for the training of professional artists (schools — academies — institutions of higher learning) which today is considered with good reason to be one of the world’s best.

396. Of the 57 institutions of higher learning with a particular professional focus, the greatest number is made up of 14 institutions of higher learning for culture and the arts, which play a special role in the preservation and further development of the cultural and intellectual potential of the Russian people and train professionals for cultural institutions such as libraries, museums, and culture and recreation centres throughout the constituent entities.

397. Twelve conservatoriums, seven institutes of culture and the arts, two choreography schools, seven theatre academies, one art school and two film academies train professionals in the performing arts.

398. According to statistical data, in 2006, 8,117 specialists were employed in institutions of higher vocational education (including 6,976 in federal institutions) and 16,439 in secondary vocational training institutions (1,254 in federal institutions).

399. A total of 8,097 young specialists graduate from institutions of higher learning (including 7,552 from federal institutions) and 13,394 from secondary vocational training institutions (1,371 from federal institutions) every year.

400. Federal Act No. 126 of 22 August 1996 on State support for cinematography in the Russian Federation determines the main thrust of State activity for the conservation and promotion of cinematography and regulations on State support for cinematography.

401. The State archives of the Russian Federation ensure that all citizens have the same right of access to information by providing archival documents in reading rooms, preparing documentary publications and holding free exhibits of archival documents.

402. To ensure the social rights of citizens (to a pension and to benefits), the archives make free transcripts and copies concerning their employment and also their participation in wars and armed conflicts.

403. The Federal Press and Mass Communications Agency, within the scope of its competence, supports mass media initiatives aimed at protecting the right of citizens to participate in cultural life and to use the results of scientific progress and their practical application and at safeguarding the cultural identity of Russia’s ethnic groups and regions. In the area of the electronic media, the Agency received more than 1.8 billion roubles in federal funding for the creation and broadcast of programmes of social relevance between 2004 and 2007. Over the same period, 349 educational and cultural projects for television,

radio and the Internet received backing.

404. With regard to the print media, subsidies are granted for publications for veterans, children and young people and for literary, artistic, cultural and educational publications. In 2007, subsidies were granted for 32 such publications, which came out in the national languages of the peoples of Russia. All told, in 2007 funding in the area of the print media was made available for 22 projects of social importance on the topic “Support for the development of literary, musical, graphic, scientific, technical and other socially useful forms of creative work of the population”, 20 projects on the topic “Development of an inter-ethnic and inter-confessional society and preservation of the identity of the peoples of Russia”, 17 projects on the topic “Preservation and development of the traditional ethnic culture of the Russian Federation”, 11 projects on the topic “Everyday existence, culture and the arts of the indigenous peoples of the Russian North, Siberia and the Far East” and one project on the topic “Information policy in the area of intellectual property”.

405. The right of indigenous peoples in the Russian Federation to preserve and develop their native language, traditions and culture is set out in the Federal Native Languages Act and the Federal Ethnic Cultural Autonomy Act. In particular, Federal Native Languages Act No. 1807-I of 25 October 1991, as amended on 24 July 1998 and 11 December 2002, governs the system of regulations on the use of the languages of the peoples of the Russian Federation in Russian Federation territory.

406. The Act provides for the creation of conditions conducive to the comprehensive and equitable development of native languages, freedom of choice and use of one’s language of communication, so that all the peoples inhabiting the territory of the Russian Federation may realize their ethnic and cultural potential more fully. The Act focuses on protecting the sovereign linguistic rights of the individual irrespective of his or her origin, social or property status, race or ethnicity, sex, education, attitude to religion or place of residence. In 2002, with a view to standardizing the alphabets of the official languages of the Russian Federation, an addition was made to the Act (art. 3, para. 6) establishing that, in the Russian Federation, “the alphabets of the official language of the Russian Federation and the official languages of the republics shall be Cyrillic-based”. A regulation is also being approved in accordance with which “the use of other alphabets for the official language of the Russian Federation and the official languages of the republics may be instituted by federal law”.

407. The Act also provides for the constituent republics of the Russian Federation, on the basis of their sovereignty, to have the freedom to settle issues relating to the protection, development and use of their national languages. Special attention is paid to ensuring the free development of languages in areas with large numbers of small indigenous peoples or ethnic minorities that do not have their own ethnic administrative and territorial units, as well as those living outside such areas.

408. Russian legislation establishes the right of peoples and other ethnic communities to preserve and develop their cultural and ethnic identity and to protect, restore and preserve their traditional cultural and historical habitat.

409. With regard to the priority of this approach, questions of State support for the preservation and development of traditional ethnic cultures in the Russian Federation were brought up for discussion in the State Council of the Russian Federation.

410. The meeting of the State Council on this question took place on 26 December 2006. A working group prepared a report for the State Council containing an analysis of contemporary practice with regard to the preservation and development of traditional ethnic culture in the Russian Federation, the normative legal protection of traditional ethnic culture, a detailed discussion of the problems of such preservation and development and measures for State support in that regard. At the end of the meeting of the State Council, the President of the Russian Federation formulated a list of instructions for the Government.

411. Steps are currently being taken to implement these instructions, which concern the following forms of State support for the development of traditional ethnic culture:

(a) Together with the Russian Academy of Sciences, elaboration of a plan and programme for the preservation of the intangible cultural heritage of the peoples of the Russian Federation;

(b) Elaboration of proposals on improving Russian legislation in order to create conditions for the preservation and development of traditional ethnic culture in the Russian Federation;

(c) Elaboration of proposals for modifying the federal programmes “The Culture of Russia (2006–2010)” and “The Social Development of the Village until 2010” with a view to defining mechanisms for increasing the dimensions of cofinancing, including from the federal budget, developing the material and technical basis of culture clubs and enhancing material incentives for specialists working in them.

412. Russian legislation ensures the independence of the creative activities of institutions of culture and the arts; no one is permitted to interfere in their work.

413. In order to contribute to the free circulation of creative and scientific information, over the past 10 years the Russian Federation has taken steps to computerize the activities of institutions of culture and the arts. Today institutions of culture and the arts under federal jurisdiction and those at other jurisdictional levels located in cities and larger towns have the possibility of appearing on the Internet.

414. To ensure access to information for inhabitants of rural areas, a project on model rural libraries begun in 2001 aims to provide Internet access for all such libraries. The National Electronic Library, which is currently being set up, also serves the free exchange of information.

415. International exchanges in the area of culture and the arts are regularly funded in the framework of “The Culture of Russia” programme and from allocations from the federal budget for institutions of culture.

416. More than 1,500 international conferences, colloquiums and workshops and some 500 international exhibits of collections from museums and contemporary art are held in Russia and abroad every year.