



Human Rights Watch submission to the Committee on Economic, Social and Cultural Rights in advance of its 60th pre-sessional review of The Russian Federation

We write in advance of your upcoming pre-sessional review of the Russian Federation's compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR). This submission relates to Articles 2, 7, 11, 12, 13, and 15 of the ICESCR. We highlight obstacles to education for children with disabilities; military use of schools and attacks on schools by Russia-backed forces in Eastern Ukraine; the discriminatory 2013 Anti-LGBT "Propaganda Law" and the rise in attacks on LGBT people; palliative care and access to pain medications for the terminally-ill; punitive house-burning in Chechnya; and violations of migrant workers' rights in preparation for the Sochi 2014 Winter Olympics. We hope to see the Committee take up these issues as part of its examination of the Russian government's implementation of the ICESCR.

For deeper analysis of these issues, please see the following Human Rights Watch reports at:

[Studying Under Fire: Attacks on Schools, Military Use of Schools During the Armed Conflict in Eastern Ukraine](#) (February 2016)

[Left Out?: Obstacles to Education for People with Disabilities in Russia](#) (September 2015)

[License to Harm: Violence and Harassment against LGBT People and Activists in Russia](#) (December 2014)

[Race to the Bottom: Exploitation of Migrant Workers Ahead of Russia's 2014 Winter Olympic Games in Sochi](#) (February 2013)

["What Your Children Do Will Touch Upon You": Punitive House-Burning in Chechnya](#) (July 2009)

For additional information about our work on Russia, please see Human Rights Watch's Russia page at:

<https://www.hrw.org/europe/central-asia/russia>

Obstacles to Education for Children with Disabilities (Articles 13, 15)

Russian law guarantees everyone the right to an education.¹ Both regional and city-level governments are required to create the conditions for a quality education without discrimination towards persons with disabilities, including through inclusive education.² The Russian law “On the Social Protection of the Disabled” guarantees persons with disabilities access to free preschool, school-level, professional, and higher education, and also guarantees accessible infrastructure and information to people with disabilities.³ In January 2016, amendments to this law banned disability-based discrimination in all sectors of life.⁴

Inclusive education is recognized by the UN High Commissioner for Human Rights as the most appropriate means for governments to guarantee universality and nondiscrimination in the right to education. It is also guaranteed in the Convention on the Rights of People with Disabilities (CRPD), which Russia has ratified. Inclusive education ensures that people with and without disabilities study in classrooms together on an equal basis, without barriers, and that people with disabilities have adequate support in their learning to achieve their full potential. Inclusive education is essential for full participation of people with disabilities in the community, and also for countering their isolation and segregation.⁵

Human Rights Watch found that children with disabilities in Russia face severe obstacles in accessing quality education. Our 2015 report, *Left Out?: Obstacles to Education for People with Disabilities in Russia* is based on over 200 interviews with children and adults with disabilities, their families, and children’s and disability rights activists, as well as visits to 10 state institutions where children with disabilities live. We documented many barriers that prevent children with disabilities from studying in mainstream schools, including lack of ramps or lifts to help children enter and move within buildings, lack of accommodations for people with sensory disabilities, such as large-print textbooks for students with low vision, and a lack of teachers and other school personnel with training to provide for the diverse learning needs of students, including those with

¹ Federal law “On Education in the Russian Federation [Об образовании в Российской Федерации],” No. 273-F3, December 29, 2013, art. 5, para. 1.

² Ibid., art. 5, para. 5.1.

³ Federal law “On the Social Protection of the Disabled [О социальной защите инвалидов в Российской Федерации],” No. 181-F3, November 24, 1995, with amendments, art. 14, 15, 19.

⁴ Federal Law “On the Social Protection of the Disabled,” art. 3.1.

⁵ Human Rights Watch, *Left Out?: Obstacles to Education for People with Disabilities in Russia*, September 2015, <https://www.hrw.org/report/2015/09/01/left-out/obstacles-education-people-disabilities-russia>, p. 3.

developmental disabilities.⁶ Additionally, infrastructure barriers and limited accessible transportation prevented some children from being able to leave their homes and reach school.⁷

Russian law allows children with disabilities the choice to either study in a mainstream school, a specialized school for children with disabilities, or at home, through distance learning programs or visits from teachers. We found however that children with disabilities often attend specialized schools because mainstream schools do not have the reasonable accommodations that children need, so this decision is not the result of a meaningful choice.⁸

Human Rights Watch found that some school administrators refuse to admit children with disabilities based on assumptions that they are unable to learn, are unsafe around other children, or engage in disruptive behavior.⁹ Many children with disabilities remain segregated in specialized schools, schools often located far from children's homes and that may offer limited academic programs. Other children with disabilities stay isolated in their homes, with visits from teachers a few times a week and limited interaction with peers.¹⁰

Parents also told Human Rights Watch that officials evaluating their children's disability frequently recommended a specialized school. Although these recommendations are not legally binding, parents often did not receive sufficient information on the rights to inclusive education and sometimes understood the recommendations of school officials to be compulsory.¹¹

The tens of thousands of children with disabilities living in state orphanages often receive poor quality or little education, and many receive no education at all. In 2013-2014, Human Rights Watch researchers visited 10 state orphanages for children with disabilities and found that many children suffered serious abuse and neglect by the institution staff. Because children have not received quality education, people with disabilities frequently struggle to enroll in universities or gain meaningful professional skills necessary to secure employment once they reach adulthood.¹²

Human Rights Watch recommends the Committee ask the government of Russia:

- What has been done to implement the new federal curricular standards that went into effect in 2016 and how are officials measuring the impact on children with disabilities?

⁶ Ibid., p. 2.

⁷ "Russia: Children With Disabilities Face Discrimination," Human Rights Watch news release, September 1, 2015, <https://www.hrw.org/news/2015/09/01/russia-children-disabilities-face-discrimination>.

⁸ Human Rights Watch, *Left Out?: Obstacles to Education for People with Disabilities in Russia*, p. 3.

⁹ Ibid., p. 28.

¹⁰ Ibid., p. 3.

¹¹ Ibid.

¹² Ibid., p. 3.

Human Rights Watch asks the Committee to call upon the government of Russia to:

- Guarantee access to education for all children with disabilities, including children with intellectual disabilities and children living in state institutions.
- Ensure that programs to develop inclusive education achieve maximum inclusion in mainstream schools and avoid exclusion, including the segregation of children with disabilities in separate classrooms. While some children may require particular individual or small group coursework, these classes should maximize children's academic and social development and not serve to isolate them. Children should be maximally included in the school environment together with other students.
- Enforce children's right to a quality education and inclusion in the community including by working with municipal authorities and other authorities to ensure that children are not restricted to distance learning or home study due to obstacles in their apartment buildings or other housing (such as a lack of elevators or ramps), a lack of transportation to and from local schools, or other barriers. These obstacles should not be used as justification to determine that it is impossible for a child to study in a mainstream school.
- Ensure that core teacher training for all current and student teachers includes inclusive education and practical skills for teaching children with disabilities.
- Continue and expand initiatives to educate children with disabilities and parents about children's right to education, including to inclusive education. This should include detailed information about the scope of the authority of the Psychological-Medical-Pedagogical Commission (PMPK, in Russian, ПМПК) which evaluates children with disabilities and makes recommendations for the child's education, including that the conclusions of the PMPK are recommendations and not binding and that parents and children have the option of appealing the PMPK results to a regional PMPK and to court.
- Children with disabilities and their parents should have meaningful choices regarding their educational path. School and local government officials should facilitate opportunities for children with disabilities enrolled in specialized schools and studying at home to interact with their peers without disabilities, including in local schools and preschools.

Attacks on Education (Article 13)

Attacks on schools place children at risk of injury or death and affect the ability of students to receive an education. Attacks on schools, teachers, and students can cause children to drop out or attend school less often, force schools to limit their hours, and destroy school buildings and materials. Furthermore, in environments of violence and fear, the quality of children's education is severely diminished.

Our February 2016 report, *Studying Under Fire: Attacks on Schools, Military Use of Schools during the Armed Conflict in Eastern Ukraine* documented that Russia-backed militants as well as Ukrainian government forces have carried out indiscriminate or deliberate attacks on schools using heavy artillery, mortar, and unguided rockets in eastern Ukraine.¹³ Both have used schools for military purposes, deploying forces in and near schools, and turning schools into legitimate military targets. When military forces occupied schools, they frequently broke or burned school furniture, including classroom doors, chairs, and desks. The resulting destruction in government-controlled areas and territories controlled by Russia-backed militants has forced many children out of school, and many schools have either stopped operating or are operating under overcrowded and difficult conditions.¹⁴

On June 3, 2015, the day after classes ended, heavy artillery fire from the direction of rebel-held territory began striking School Number 3 in government-controlled Krasnohorivka. The school's principal reported the building was hit 12 times and there were at least seven additional hits on the school grounds. Although there was a military checkpoint around 700 meters from the school, it appears that the rebels' target was the school. Local residents confirmed to Human Rights Watch that there was no military in the school that day or at any point earlier.

Krasnohorivka's School Number 5 sustained a direct hit on the night of January 7, 2015. Three of the school's teachers told Human Rights Watch there was no military in the school before or during the attack but that some days before the attack, there were rumors that military personnel were going to be based in the school.¹⁵

Human Rights Watch encourages Russia to endorse the [Safe Schools Declaration](#), an international commitment to protect education in armed conflict.¹⁶ The Declaration includes a pledge to use the [Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict](#), which draw on existing good practice and aim to provide guidance that safeguards students, teachers, and schools in war.¹⁷

¹³ Human Rights Watch, *Studying Under Fire: Attacks on Schools, Military Use of Schools during the Armed Conflict in Eastern Ukraine*, February 2016, <https://www.hrw.org/report/2016/02/11/studying-under-fire/attacks-schools-military-use-schools-during-armed-conflict>, p. 5.

¹⁴ "Ukraine: Attacks, Military Use of Schools," Human Rights Watch news release, February 11, 2016, <https://www.hrw.org/news/2016/02/11/ukraine-attacks-military-use-schools>.

¹⁵ Human Rights Watch, *Studying Under Fire: Attacks on Schools, Military Use of Schools during the Armed Conflict in Eastern Ukraine*, p. 36.

¹⁶ Safe Schools Declaration, May 28, 2015, <https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikl...> (accessed October 19, 2016).

¹⁷ Global Coalition to Protect Education from Attack (GCPEA), *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*, March 18, 2014, http://www.protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed October 19, 2016).

Human Rights Watch asks the Committee to call upon the government of Russia to:

- Support the protection and continuation of education in armed conflict by endorsing the Safe Schools Declaration.
- Publicly and privately press the de facto authorities of the Donetsk People's Republic (DNR) and the Luhansk People's Republic (LNR) to immediately cease all attacks against schools that do not constitute military objectives and to order commanders not to use school buildings or school property for camps, barracks, military deployments, or weapons, ammunition, and supply depots where it would unnecessarily place civilians at risk or deprive children of their right to education.

Rise in Attacks on LGBT People and Anti-LGBT 2013 “Propaganda Law” (Article 2, 12, 15)

In June 2013, Russia passed the discriminatory Anti-LGBT “propaganda” law, Federal Law No. 135-FZ “aimed at protecting children from information promoting the denial of traditional values.”¹⁸ This law bans the distribution of information about lesbian, gay, bisexual, and transgender (LGBT) relationships to children, effectively legalizing discrimination based on sexual orientation. Under the law, people and organizations found responsible for “promotion of nontraditional sexual relationships among minors” face a range of fines.¹⁹

This law violates the rights to freedom of expression, to privacy, to equality and non-discrimination, as well as individuals’ right to access to vital information on their health and sexuality.²⁰ The right to sexual health is an integral part of the right to health, enshrined in article 12 of the ICESCR which affirms “the freedom to make free and responsible decisions and choices, free of violence, coercion and discrimination, over matters concerning one’s body and sexual and reproductive health,” including unhindered access to non-biased information.²¹

Human Rights Watch interviewed LGBT people and activists in 16 cities across Russia for our 2014 report *License to Harm: Violence and Harassment against LGBT People and Activists in Russia*.

¹⁸ Federal Law of June 29, 2013 No. 135-FZ, “On Amendments to Article 5 of the Federal Law ‘On Protecting Children from Information Harmful to their Health and Development,’” <http://www.rg.ru/2013/06/30/deti-site-dok.html> (accessed December 15, 2014).

¹⁹ Human Rights Watch, *License to Harm: Violence and Harassment against LGBT People and Activists in Russia*, p. 14.

²⁰ Dittrich, Boris (Human Rights Watch), “Who Speaks for Russia’s Children?,” *Huffington Post*, January 27, 2014, <https://www.hrw.org/news/2014/01/27/who-speaks-russias-children>.

²¹ International Covenant on Economic, Social and Cultural Rights (ICESCR), General Comment No. 22 (2016) on the Right to sexual and reproductive health, E/C.12/GC/22, May 1, 2016, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGC%2f22&Lang=en (accessed December 15, 2016).

LGBT people in Russia face stigma, harassment, and violence in their everyday lives. LGBT victims of violence and groups reported to Human Rights Watch that these problems intensified in 2013.²² State-controlled media also played a role in fostering anti-LGBT sentiments in the country.²³ The authorities do not collect data on anti-LGBT violence.

Although Russia does have hate crime laws, Russian authorities consistently fail to investigate or prosecute these cases as hate crimes, and with very few exceptions, there is widespread impunity for homophobic crimes.²⁴ Of the 78 victims of homophobic violence or aggressive harassment Human Rights Watch interviewed, 44 said that they reported the assaults or harassment to the police. Of these 44 cases, only 3 led to a prosecution.²⁵

Human Rights Watch asks the Committee to call upon the government of Russia to:

- Repeal provisions of Law No. 135-FZ of June 29, 2013 (the “gay propaganda” law) banning distribution of information about LGBT relationships to children.
- Introduce legislation to protect the rights of all LGBT people, including children, such as legislation to explicitly proscribe discrimination against them in public services and to make sexual orientation and gender identity a protected category against discrimination in relevant provisions of Russia’s laws.
- Immediately issue a public statement condemning the use of hate speech in regard to LGBT people and issues related to their lifestyle and health.
- Publicly acknowledge the scope and gravity of the problem of violence and harassment against LGBT people in Russia, and commit to taking steps to end these abuses.
- Investigate promptly and impartially all allegations of homophobic and transphobic violence—violence against those whose assigned gender they were declared to have upon birth does not conform to the gender that they are most comfortable with expressing or would express given a choice—and prosecute perpetrators to the fullest extent of the law.

Palliative Care and Access to Pain Medications for the Terminally-Ill (Article 12)

Russian authorities have refused necessary opioid pain medications for the terminally ill suffering from HIV and cancer and taken steps to prosecute doctors who attempt to give these drugs to their patients. For example, the authorities brought charges of illegal drug trafficking against a Russian doctor, Alevtina Khorinyak, who prescribed tramadol, a pain reliever, for a terminally ill man

²² Human Rights Watch, *License to Harm: Violence and Harassment against LGBT People and Activists in Russia*, December 2014, <https://www.hrw.org/report/2014/12/15/license-harm/violence-and-harassment-against-lgbt-people-and-activists-russia>, p. 26.

²³ Human Rights Watch, *License to Harm: Violence and Harassment against LGBT People and Activists in Russia*, p. 24.

²⁴ “Paying a High Price for Promoting LGBT Rights: Activist Attacked in Dagestan, Police Refuse to Investigate,” Human Rights Watch news release, December 5, 2016, <https://www.hrw.org/news/2016/12/05/paying-high-price-promoting-lgbt-rights>.

²⁵ “Russia: Impunity for Anti-LGBT Violence,” Human Rights Watch news release, December 15, 2014, <https://www.hrw.org/news/2014/12/15/russia-impunity-anti-lgbt-violence>.

suffering from cancer, who took the medication prior to his death. In May 2013, the Oktyabrski District Court in Krasnoyarsk Krai convicted Dr. Khorinyak and Ms. Tabarintseva, a friend who brought the filled prescription to him, and fined them 15,000 rubles (US\$470) each. In September 2013, an appeals court overturned the verdict on a procedural violation, and sent the case for a retrial. After another year of court hearings and testimony, the two women were finally acquitted of all charges on October 21, 2014. According to Dr. Khorinyak, several other doctors faced similar criminal prosecutions but most were fined and not given custodial sentences, so they did not appeal their guilty verdicts.²⁶ The Russian authorities who charge doctors with drug trafficking for providing legitimate pain relief to patients are not only violating the rights of people in need of high-quality palliative care to control their physical and psychological distress,²⁷ but also targeting the very doctors who relieve patients' suffering and fulfill their right to health.

Countries are obligated not to put policies into effect or undertake actions that arbitrarily interfere with providing palliative care because it is an essential part of healthcare. This obligation requires countries to ensure that their drug control regulations do not unnecessarily, and therefore arbitrarily, impede the availability and accessibility of essential palliative care medications such as opioids.²⁸

Russian laws around morphine are far more restrictive than required under the international drug control conventions or recommended by the World Health Organization (WHO) and International Narcotics Control Board. Multiple people must sign off on every prescription for these medicines; a patient can only receive a limited supply per prescription; and very few pharmacies stock the medications. According to the WHO, morphine is absolutely necessary for the treatment of cancer pain and should be available to any patient with a medical need for it. Problems obtaining pain medicines appear to have played an important role in several suicides by people suffering from terminal illnesses that took place in Moscow in spring 2014, which were documented by the international media and dismissed by Moscow's deputy mayor Leonid Pechatnikov as a result of an "aggravation of psychiatric disorders."²⁹

In March 2015, the Russian media watchdog, *Roskomnadzor*, recommended that media coverage of the suicides be edited to exclude the details and any analysis of what could have prompted

²⁶ Cooper, Tanya (Human Rights Watch), "In Russia, relieving pain can lead to drug trafficking charges for doctors," *Policy Review*, October 27, 2014, <https://www.hrw.org/news/2014/10/27/russia-relieving-pain-can-lead-drug-trafficking-charges-doctors>.

²⁷ "Russia: Annul Guilty Verdict Against Alefina Khorinyak and Lidia Tabarintseva," Human Rights Watch news release, June 28, 2013, <https://www.hrw.org/news/2013/06/28/russia-annul-guilty-verdict-against-alefina-khorinyak-and-lidia-tabarintseva>.

²⁸ "Russia: Drop Charges for Aiding Dying Patient," Human Rights Watch news release, November 11, 2013, <https://www.hrw.org/news/2013/11/11/russia-drop-charges-aiding-dying-patient>.

²⁹ Lohman, Diederik (Human Rights Watch), "Dying for Dignity: Why Russia's Cancer Patients Are Killing Themselves," *International Business Times*, April 7, 2014, <https://www.hrw.org/news/2014/04/07/dying-dignity-why-russias-cancer-patients-are-killing-themselves>.

these desperate acts such as the statement of a wife about her husband's serious illness, ostensibly out of concern that articles containing such information could promote suicide.

People afflicted with cancer in Russia have a right to live without the indignity of treatable pain and other physical or psychological symptoms. The government should fulfill its obligation to allow the highest attainable standard of health by ensuring it offers high quality palliative care services to people who need them.

Human Rights Watch recommends the Committee ask the government of Russia:

- How is the Russian government addressing the provision of palliative care drugs for patients who are terminally ill?
- What are state-led provisions for end-of-life care either at home or in medical facilities for terminally ill patients?
- What steps are the Russian authorities taking to ensure that doctors can provide appropriate palliative care, including opioid medications, to their patients and to prevent arbitrary and punitive prosecutions of doctors on drug trafficking charges for providing this care?

Human Rights Watch asks the Committee to call upon the government of Russia to:

- Ensure that drug control regulations do not impede the availability and accessibility of essential palliative care medications such as opioids.
- Provide comprehensive palliative care services to patients nearing the end of life by offering both physical and psychological services.

Punitive House-Burning (Article 11, Section 1)

Chechen authorities have used home burnings and other collective punishment practices against families of alleged insurgents in Chechnya, violating families' right to adequate standard of living by destroying their homes.

The punitive home burnings detailed in Human Rights Watch's 2009 report generally were carried out at night, with law enforcement personnel—often masked—arriving in several cars, breaking into the yard and forcing the residents out of their house. The attackers would prevent residents from approaching their home, treating them roughly and in some cases holding them at gunpoint. The assailants would then torch the houses methodically and unhurriedly and stay for up to an hour watching the fire spread, to make sure the residents or their neighbors did not try to put it out before the house was well ablaze. The victims of house-burnings were generally told in clear terms that complaining to the authorities would lead to further repercussions. Consequently, victims

filed official complaints in only three of the 26 cases of punitive house-burning from June 2008-June 2009 of which Human Rights Watch was aware.³⁰

Although the practice of punitive home burnings appeared to occur less frequently in 2010-2014, there has been a new upsurge in punitive house-burning in the aftermath of a public statement by the head of Chechnya, Ramzan Kadyrov, calling for the demolition of homes of insurgents' family members in response to the insurgents' attack on the Chechnya capital, Grozny, on December 4, 2014.³¹ Six houses belonging to relatives of the militants who were killed in the Grozny attack were subsequently burned down days after the attack.³²

Kadyrov's public announcement that he was ordering the commission of widespread criminal acts, which are serious violations of international law and cannot be justified under any circumstances, demanded an immediate and effective response from the Kremlin. On December 18, 2014, President Putin issued a mild rebuke saying that no one, including the head of Chechnya, has the right to impose extra-judicial punishment.³³ However, the Russian government took no action to rein in the Chechen authorities, carry out an effective investigation into specific cases brought to their attention by rights groups, or put an end to this lawless practice and human rights organizations continued to document punitive house-burnings by Chechen law enforcement and security agencies throughout 2016. Chechen law enforcement and security agencies also viciously attacked human right activists and journalists who travelled to Chechnya to document cases of punitive house-burnings and other abuses.³⁴

The UN Special Rapporteur on Torture's request to visit Chechnya has been pending since 2000.³⁵ International monitors have had difficulty in accessing the region to assess human rights violations, which local NGOs have been documenting.

³⁰ "Russia: Stop Collective Punishment in Chechnya," Human Rights Watch news release, July 2, 2009, <https://www.hrw.org/news/2009/07/02/russia-stop-collective-punishment-chechnya>; Human Rights Watch, "What Your Children Do Will Touch Upon You": Punitive House-Burning in Chechnya, July 2009, <https://www.hrw.org/report/2009/07/02/what-your-children-do-will-touch-upon-you/punitive-house-burning-chechnya>.

³¹ Caucasian Knot, "Kadyrov demands to expel militants' families from Chechnya and demolish their houses," December 6, 2014, <http://www.eng.kavkaz-uzel.eu/articles/30147/>; Caucasian Knot, "'Memorial' confirmed information of 'Caucasian Knot' about burnt-down houses of relatives of militants killed in attack on Grozny," December 9, 2014, <http://www.eng.kavkaz-uzel.eu/articles/30180/>.

³² Caucasian Knot, "Kadyrov demands to expel militants' families from Chechnya and demolish their houses," December 6, 2014, <http://www.eng.kavkaz-uzel.eu/articles/30147/>.

³³ "How they destroy houses in Chechnya" [Как разрушают дома в Чечне], *Kavkazskii Uzel*, December 24, 2014, <http://www.kavkaz-uzel.ru/articles/253822/> (accessed August 3, 2016). Also see, Burning Down the House in Chechnya, Human Rights Watch dispatch, December 10, 2014, <https://www.hrw.org/news/2014/12/10/dispatches-burning-down-house-chechnya>.

³⁴ Human Rights Watch, "Like Walking a Minefield", August 2016, <https://www.hrw.org/report/2016/08/30/walking-minefield/vicious-crackdown-critics-russias-chechen-republic>

³⁵ OHCHR, "Country Visits", <http://www.ohchr.org/EN/Issues/Torture/SRTorture/Pages/Visits.aspx>

Human Rights Watch recommends the Committee ask the government of Russia:

- What steps have been taken to investigate, prosecute and prevent house-burnings, including through implementation of relevant legal rulings, including rulings of the ECtHR? In recent years, have formal complaints been lodged in Chechnya about house-burnings?
- Will international monitors (including the UN Special Rapporteur on Torture) be permitted to access Chechnya to document this form of collective punishment?

Human Rights Watch asks the Committee to call upon the government of Russia to:

- Ensure that punitive home burnings are promptly and thoroughly investigated, perpetrators are brought to justice, and compensation provided to victims.
- Take concrete measures to protect families in Chechnya from home burnings (and all extra-judicial punishment) in retaliation for their relatives' alleged affiliation with the insurgency.
- Ensure that targets of house-burnings can lodge complaints without facing additional retribution.
- Allow international monitors access to Chechnya in order to document and publish information on this form of collective punishment.

Violations of Workers' Rights (Article 7)

In preparation for the Sochi 2014 Winter Olympics, Russian employers violated migrant workers' rights by refusing to pay them for their labor, failing to create safe working conditions, and refusing to allow time off from work. Migrant workers from Armenia, Kyrgyzstan, Serbia, Tajikistan, Uzbekistan, and Ukraine who built sites and infrastructure for the Olympic Games were cheated and exploited.

Migrant workers, such as carpenters, welders, and steel fitters, at construction sites consistently reported that employers failed to pay full wages and in some cases failed to pay workers at all. A group of workers employed on the Main Media Center, the central hub for journalists covering the Olympics, worked for months without wages, hoping to be paid. In a letter to Human Rights Watch, a subcontractor for the Main Media Center project, whom the workers said hired them, claimed that its workers are paid on time and in full.

Migrant workers on the Central Olympic Stadium site and on the Main Olympic Village site interviewed by Human Rights Watch said that employers withheld the first month's wages. Workers received their first payment only after working for two months, and were told they would get the first month's wages only after the employer decided they had completed the job. If they quit or were fired, they would not recover the first month's wages.

All migrant workers interviewed by Human Rights Watch in Sochi said that they worked long hours with very few days off. Work sites maintained a system of two 12-hour shifts. Workers most often said they worked from 8 a.m. to 8 p.m. or from 8 p.m. to 8 a.m., with a one-hour break for meals and for changing into and out of work gear. They typically worked seven days a week, with just one day off every two weeks, for long stretches. Russian law specifies a 40-hour work week, overtime pay, and at least one day off per week. Although most migrant workers interviewed by Human Rights Watch signed employment contracts, most were not given copies. In some cases, workers were not given contracts at all. In several cases documented by Human Rights Watch, employers retaliated against foreign migrant workers who protested abuses by denouncing them to the authorities, resulting in the workers' expulsion from Russia. Cases like this highlight the vulnerable situation for migrant workers in Russia, particularly those without contracts to document their employment.

For the Winter Olympics construction, accommodations and housing were typically provided to the workers as a component of their compensation. Housing was frequently overcrowded, and the meals were insufficient to sustain workers, given their long hours and demanding work. Human Rights Watch researchers looked at housing provided to the workers and found that in some cases up to 200 workers lived in very cramped conditions in a single-family home. Workers interviewed also described similarly overcrowded conditions in worker barracks.³⁶

These issues have again come into the spotlight as Russia undertakes preparations to host the Fédération Internationale de Football Association (FIFA) World Cup in 2018. Russia did not take sufficient steps to remediate and prevent violations of migrant workers' rights in the period leading up to the Sochi 2014 Olympics. It is crucial that the Russian Federation allow for open access to the FIFA 2018 sites and for a proper assessment of the rights of all laborers to take place. Russia should rigorously ensure laborers' right to work, timely paid wages, and safe housing for the World Cup and future international events that place Russia in the international spotlight.

Human Rights Watch recommends the Committee ask the government of Russia:

- What provisions will Russia undertake to ensure workers receive their due wages and time off weekly for their ongoing labor in preparation for the 2018 FIFA World Cup?
- What steps are being taken to protect workers from reprisals and remediate grievances if and when laborers working at FIFA 2018 sites voice a labor-related grievance?

³⁶ "Russia: Migrant Olympic Workers Cheated, Exploited," Human Rights Watch news release, February 6, 2013, <https://www.hrw.org/news/2013/02/06/russia-migrant-olympic-workers-cheated-exploited>.

Human Rights Watch asks the Committee to call upon the government of Russia to:

- Ensure that workers are paid the appropriate wages and that the amount and payments are agreed upon in writing, and that workers receive a copy of their employment contracts detailing these terms.
- Take steps to hold employers accountable for violations of wage and hour provisions, and unsafe or abusive living or working conditions.
- Cease from harassing workers and allow them to file complaints through an effective grievance mechanism if they are not paid for their labor or if they are not given the legally allotted time for rest from work. Provide safe and appropriate shelter for the number of laborers housed in their residences for any workers working on the FIFA 2018 sites.