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**STATEMENT BY  
THE DELEGATION OF THE RUSSIAN FEDERATION AT THE  
2010 OSCE REVIEW CONFERENCE**

Warsaw, 5 October 2010

**Working session 5: Rule of law II, including: exchange of views on  
abolition of capital punishment; prevention of torture; protection of  
human rights and fighting terrorism**

Mr. Chairperson,

The Russian Federation remains true to the commitments it assumed on joining the Council of Europe. In November of last year the Constitutional Court of Russia handed down a ruling on the extension of the moratorium on capital punishment pending the ratification by our country of Protocol 6 on the Abolition of Capital Punishment to the European Convention on the Protection of Human Rights and Fundamental Freedoms and the inclusion in that connection of appropriate amendments in Russian legislation.

As regards Russia's participation in the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the criminal legislation of the Russian Federation provides, in cases involving the use of torture, for the punishment of an even broader range of persons than is contemplated in the Convention, up to imprisonment for a period of as much as ten years. Responsibility is established for compelling a suspect, an accused person, a victim or a witness to give testimony, or an expert or specialist to express opinions, through the use of threats, blackmail or other illegal actions on the part of the investigator or the person conducting the inquiry as well on the part of any other person with the knowledge or tacit consent of the investigator or the person conducting the inquiry. The legislation currently in force contains no provisions that would permit the use of torture for any reason.

We do not deny that, as in any country, we still face problems in this area. What is important, however, is that work is systematically being carried out to improve the monitoring of the treatment of detained persons and of their confinement in places of imprisonment, and that measures are being taken to punish those guilty of exceeding their authority in this area. The harm caused to a citizen as a result of illegal criminal prosecution is fully compensated by the State from the treasury of the Russian Federation, the constituent entity of the Russian Federation or the municipality.

As an example of our openness in this area and our willingness to engage in a constructive dialogue, I should like to cite our active co-operation with the European

Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. For example, since 1998 the Committee has made 20 visits to Russia, which is to say approximately eight times more frequently than to other countries. What is more, the Committee has been granted access to any place where persons deprived of freedom are being held, with the right to move about freely within them and to speak privately with the prisoners.

On the order of the President of Russia, at the present time work is being completed on the drafting of a Concept for the development of the penal correction system in the Russian Federation until the year 2020. The completion of this work will make it possible to improve substantially the state of affairs in this area by limiting the use of repressive measures in the form of confinement under guard and by expanding the use of forms of punishment that do not involve the deprivation of freedom.

In our pursuit of counter-terrorist measures we take the position that it is necessary to ensure the inevitability of punishment for the commission of terrorist acts coupled with the meticulous observance of human rights and fundamental freedoms. The basic regulatory legal instrument in this area is the federal Law on Countering Terrorism adopted in 2006.

Russia is a party to a significant number of international treaties, including the 2005 Convention of the Council of Europe on the Prevention of Terrorism and the Protocol on the Introduction of Amendments to the European Convention on the Suppression of Terrorism. For the purpose of bringing the existing legislation into conformity with the aforementioned Convention, the Criminal Code has been supplemented by a provision calling for responsibility for public calls for the commission of terrorist activities or the public justification of terrorism, and also by provisions calling for the confiscation of property obtained through the commission of a crime.

One of the factors involved in the protection of human rights is the social rehabilitation of victims of terrorism. The procedures for the provision of psychological, medical and occupational rehabilitation care, legal assistance, help in finding work and obtaining a place to live are set out in a relevant ruling by the Government of Russia, with these services to be provided using federal budget funds. In addition to all of this, the State makes compensation payments to physical and legal persons who have been injured or suffered losses as a result of a terrorist act. The compensation for moral damage caused as a result of a terrorist act is paid for by the persons who committed that act.

We should like to note that in the OSCE format the anti-terrorist agenda has great potential for multilateral co-operation. In that context, we welcome the decisions first put forward by the Russian and Kazakh Governments to convene on 14 and 15 October of this year, under the aegis of the Kazakh Chairmanship of the OSCE, an expert conference in Astana on the prevention of terrorism under the heading "Successful Strategies, Effective Policies and Best Practices to Prevent Terrorism", a meeting that should become a key counter-terrorist event for this year and also the next stage in the promotion within the pan-European context of the Russian international initiative with which you are all familiar and which calls for a counter-terrorist partnership on the part of the State, business and civil society.

Thank you for your attention.