



# General Assembly

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## Human Rights Council

### Forty-fifth session

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Agenda item 5

### Human rights bodies and mechanisms

## Written statement\* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

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\* Issued as received, in the language(s) of submission only.

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## **Candidacy of the Russian Federation for election to the United Nations Human Rights Council for 2021-2023**

The Russian Federation (“Russia”) is running for election to the United Nations (UN) Human Rights Council for the 2021-2023 term. Its candidacy should be rejected because Russia does not meet the membership criteria set out in UN General Assembly (GA) Resolution 60/251.

Though one often hears the argument that it is normal for the United Nations to include all manner of countries on its Human Rights Council (HRC), even those who commit gross and systematic human rights abuses, the truth is that the presence of abusers on the Council undermines the Council’s legitimacy and contradicts its own charter.

According to UNGA Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering “the candidates’ contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto.” The resolution further provides that consideration ought to be given to whether the candidate can meet membership obligations (a) “to uphold the highest standards in the promotion and protection of human rights” and (b) to “fully cooperate with the Council.”

As detailed below, Russia is not qualified for membership in the Human Rights Council according to the above criteria.

### **Claims Versus Facts**

Russia’s campaign pledge to the UNHRC<sup>1</sup> includes the following claims:

1. Claim: Russia commits to countering “attempts to use human rights protection as an instrument of political pressure and interference in the internal affairs of States, including with a view to their destabilizing and the replacement of legitimate governments.”

Facts: Russia itself systematically interferes in the internal affairs of other countries, waging global disinformation campaigns against Western democracies, including one deployed now during the Coronavirus pandemic.<sup>2</sup> Russia disseminates fake news and contradictory reports, in six different languages, while orchestrating thousands of social media accounts to spread fake conspiracy theories. Russia seeks to undermine the very ability to distinguish between truth and fiction, as an attack on the democratic system.<sup>3</sup>

2. Claim: Russia seeks to “ensure protection of human rights and freedoms on the basis of the rules of international law and strict compliance by States with their international human rights obligations.”

Facts: Russia tramples international law by invading Ukraine, swallowing the Autonomous Republic of Crimea, Ukraine (Crimea), and bombing civilians, hospitals and schools in the Syrian Arab Republic (Syria) on a systematic basis, as the New York Times documented in great detail.<sup>4</sup> A report from the UN Commission of Inquiry on

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<sup>1</sup> Letter dated 13 March 2020 from the Permanent Representative of the Russian Federation to the United Nations, UN Doc. A/75/71 (March 18, 2020).

<sup>2</sup> Robin Emmott, Russia deploying Coronavirus disinformation to sow panic in West, EU document says, Reuters (March 18, 2020), <https://www.reuters.com/article/us-health-coronavirus-disinformation/russia-deploying-coronavirus-disinformation-to-sow-panic-in-west-eu-document-says-idUSKBN21518F>.

<sup>3</sup> William J. Broad, Putin’s Long War Against American Science, New York Times (April 13, 2020), <https://www.nytimes.com/2020/04/13/science/putin-russia-disinformation-health-coronavirus.html>.

<sup>4</sup> Christian Triebert, Evan Hill, Malachy Browne, Whitney Hurst, Dmitriy Khavin and Masha Froliak, How Times Reporters Proved Russia Bombed Syrian Hospitals, New York Times (October 13, 2019), <https://www.nytimes.com/2019/10/13/reader-center/russia-syria-hospitals-investigation.html?action=click&module=RelatedLinks&pgtype=Article>.

Syria explicitly accused Russia of direct involvement in war crimes for the “indiscriminate” bombing of civilian areas that killed 43 people and injured at least 109.<sup>5</sup>

3. Claim: Russia commits to involving “civil society institutions in addressing international issues.”

Facts: Freedom House reports that in 2019 the government deemed 74 domestic groups and 19 foreign non-governmental organizations as “foreign agents” and “undesirable organizations, giving authorities a range of sanctions to stifle their activity.<sup>6</sup>

4. Claim: Russia opposes “religious and ethnic intolerance.”

Facts: Last year in the city of Surgut, authorities subjected seven Jehovah’s Witnesses—a religious group banned by the government in 2017—to torture including electric shocks, suffocation, and beatings.<sup>7</sup>

5. Claim: Russia says it pays “considerable attention” to “interaction with the UN Human Rights Council’s system of Special Procedures.”

Facts: Russia has denied entry to UN human rights experts on enforced disappearances, arbitrary detention, freedom of expression, and freedom of religion, who were seeking to visit in order to issue reports.<sup>8</sup> However, Russia did give \$50,000 to fund the work of a discredited UN expert who described Russia as a victim of human rights violations, in the form of sanctions imposed by Western democracies.<sup>9</sup>

## Human rights record of the Russian Federation

- Limited ability of citizens to elect their representatives
- Repressive laws designed to suppress opposition and dissent
- Restrictions on media freedom
- Restrictions on freedoms of expression and assembly
- Occupation of Ukraine and related violations
- Prosecution of individuals supporting Ukraine government or criticizing Russian policies in Ukraine
- Politically motivated denial of due process to anti-Putin defendants
- Discrimination against racial, ethnic, religious and sexual minorities
- Government prosecution of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons
- Torture
- Overcrowded and substandard prison conditions
- Executive branch pressures on the judiciary
- Human trafficking
- Discrimination against people with disabilities

<sup>5</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, UN Doc. A/HRC/43/57 (January 28, 2020).

<sup>6</sup> Freedom in the World 2020: Russia, Freedom House (2020), <https://freedomhouse.org/country/russia/freedom-world/2020>.

<sup>7</sup> ‘Electric Shocks, Suffocation’: Jehovah’s Witnesses Say Russian Police Tortured Church Members, Radio Free Europe (February 20, 2019), <https://www.rferl.org/a/jehovah-s-wintesses-say-russian-police-tortured-the-church-members/29780911.html>.

<sup>8</sup> Special Procedures Country Visits (last viewed May 26, 2020), <https://spinternet.ohchr.org/ViewCountryvisits.aspx?visitType=pending&lang=en>.

<sup>9</sup> Russia gave \$50,000 to UN expert who wrote report calling Russia a victim, UN Watch (September 14, 2017), <https://unwatch.org/russia-gave-50000-un-expert-wrote-report-calling-russia-victim/>.

- Limited workers' rights
- Harassment of civil society

Russia commits aggression and human rights violations throughout the world, including in Syria—where it is accused of war crimes, Crimea which it has illegally annexed and Georgia—where it committed ethnic cleansing in 2008 and illegally occupies Abkhazia, Georgia and South Ossetia, Georgia.

Due to the international isolation that followed the occupation of Crimea, the Russian government sought to consolidate public opinion with notions of patriotism and traditional values. This led to a crack-down on dissent which continues today.<sup>10</sup>

The government retains strict control over media outlets<sup>11</sup> and dissemination of information in other forms. It routinely targets journalists for arrest and prosecution. For example, in July 2020, Russia arrested veteran journalist Ivan Safronov on treason charges after he reported about sensitive topics like the sale of Russian fighter jets to Egypt.<sup>12</sup> Also in July, a Russian court convicted journalist Svetlana Prokopyeva on bogus terrorism charges over a 2019 radio broadcast about a suicide bombing.<sup>13</sup> Dozens of journalists peacefully protesting in solidarity were then subjected to fines and detention.<sup>14</sup>

Russia's judiciary lacks independence from the executive branch and career advancement is effectively tied to compliance with government preferences.<sup>15</sup> Corruption in Russia is rampant and, according to the Panama Papers, it reaches to the highest levels, including president Vladimir Putin and other senior figures.<sup>16</sup>

Russia has a long history of assassinating dissidents. In August 2019, a Russian agent shot dead a 40-year-old Chechen with Georgian citizenship in Berlin.<sup>17</sup> In March 2018, Russian agents attempted to poison former Russian spy Sergei Skripal in the United Kingdom of Great Britain and Northern Ireland.<sup>18</sup> In February 2015, opposition leader Boris Nemtsov was shot dead. Nemtsov was reportedly working on publishing a detailed report on the involvement of Russian soldiers in East Ukraine.<sup>19</sup>

LGBT persons are continuously and systematically persecuted by the authorities, and experience societal persecution. In June 2020, more than 30 people were arrested in Moscow for protesting in support of LGBT rights.<sup>20</sup> In February 2019, the Russian authorities threatened Chechnyan LGBT leader Igor Kochetkov after he announced that he had received credible reports of a new round of LGBT roundups by authorities in the Chechen Republic,

<sup>10</sup> Matthew Luxmoore, A Sweeping Clampdown In Russia Has Putin Critics Warning of New Repressions, Radio Free Europe (July 10, 2020), <https://www.rferl.org/a/russia-sweeping-clampdown-putin-critics-warning-repressions/30719838.html>.

<sup>11</sup> Freedom in the World 2020: Russia, supra note 6.

<sup>12</sup> Rachel Denber, Another Journalist Arrested in Russia, Human Rights Watch (HRW) (July 7, 2020), <https://www.hrw.org/news/2020/07/07/another-journalist-arrested-russia>.

<sup>13</sup> Damelya Aitkhozhina, Russian Journalist Sentenced on Bogus Terrorism Charges, HRW (July 6, 2020), <https://www.hrw.org/news/2020/07/06/russian-journalist-sentenced-bogus-terrorism-charges>.

<sup>14</sup> Russia: Dozens of Journalists Detained for Peaceful Protests, HRW (July 10, 2020), <https://www.hrw.org/news/2020/07/10/russia-dozens-journalists-detained-peaceful-protests>.

<sup>15</sup> Freedom in the World 2020: Russia, supra note 6.

<sup>16</sup> Julian Hans, Panama Papers; The secrets of dirty money, *Sueddeutsche Zeitung* (April 15, 2016), <https://panamapapers.sueddeutsche.de/articles/57161f07a1bb8d3c3495bc36/>; Luke Harding, How to hide a billion dollars, *The Guardian* (April 3, 2016), <https://www.theguardian.com/news/2016/apr/03/panama-papers-money-hidden-offshore>.

<sup>17</sup> Georgian's death in Berlin was a Russian-ordered assassination, prosecutors believe, *Deutsche Welle* (June 18, 2020), <https://www.dw.com/en/georgians-death-in-berlin-was-a-russian-ordered-assassination-prosecutors-believe/a-53860911>.

<sup>18</sup> Flora Carr, Ex-Spy Sergei Skripal is Just the Latest Russian Dissident to Meet Tragedy on British Soil, *Time* (March 6, 2018), <https://time.com/5187333/sergei-skripal-russian-assassinations-uk/>.

<sup>19</sup> Sarah Rainsford, Boris Nemtsov killing: Grief, fear and anger one year on, *BBC* (February 27, 2016), <http://www.bbc.com/news/world-europe-35675221>.

<sup>20</sup> Police detains over 30 protesting LGBT activists in Moscow – monitoring group, *Reuters* (June 27, 2020), <https://www.reuters.com/article/russia-lgbt-arrests/police-detains-over-30-protesting-lgbt-activists-in-moscow-monitoring-group-idUSL8N2E40DB>.

Russia.<sup>21</sup> In July 2019, LGBT activist Yelena Grigoryeva was stabbed to death in St. Petersburg after being listed on a website encouraging people to “hunt” LGBT activists.<sup>22</sup>

### **UN Voting Record**

Negative: Russia voted against resolutions in the General Assembly that spoke out for human rights victims in the Islamic Republic of Iran, Cuba, Myanmar and Syria. Russia backed human rights abusers through a resolution denying the right to sanction such governments. At the Human Rights Council, Russia voted against resolutions in support of human rights victims in Belarus.

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<sup>21</sup> Russia: New Wave of Anti-LGBT persecution, HRW (February 15, 2019), <https://www.hrw.org/news/2019/02/15/russia-new-wave-anti-lgbt-persecution>.

<sup>22</sup> Tim Fitzsimons, Russian LGBTQ activist killed after being listed on gay-hunting website, NBC (July 23, 2019), <https://www.nbcnews.com/feature/nbc-out/russian-lgbtq-activist-killed-after-being-listed-saw-inspired-site-n1032841>.