# FSC Centralized National Risk Assessment

## Country: Russia

Analysis of sources of information and evidence for Controlled Wood Category 2 (Wood harvested in violation of traditional and human rights)

<table>
<thead>
<tr>
<th>Sources of information</th>
<th>Evidence</th>
<th>Scale of risk assessment</th>
<th>Risk indication</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Context</strong> (the following are indicators that help to contextualize the information from other sources)</td>
<td></td>
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<tr>
<td>• Searching for data on: level of corruption, governance, lawlessness, fragility of the State, freedom of journalism, freedom of speech, peace, human rights, armed or violent conflicts by or in the country, etc.</td>
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<tr>
<td>In 2013 (latest available year) RF has low scores for all six indicators. The lowest scores are between 16.75 (Control of Corruption) and 18.96 (Voice and Accountability). The highest scores are 37.32 (Regulatory Quality) and 43.06 (Government Effectiveness) on the percentile rank among all countries for all six dimensions (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes). Since 2003 the scores for Voice and Accountability, Regulatory Quality and Control of Corruption have substantially decreased. The score for Political Stability and Absence of Violence/Terrorism has substantially increased and the scores for Government Effectiveness and Rule of Law have slightly increased.</td>
<td></td>
<td>Country</td>
<td></td>
</tr>
<tr>
<td>RF does not feature on this list.</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

1 A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.
<table>
<thead>
<tr>
<th>Committee to Protect Journalists: Impunity Index</th>
<th><a href="http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php#index">http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php#index</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>CPJ’s Impunity Index calculates the number of unsolved journalist murders as a percentage of each country’s population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index. <a href="http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php">http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php</a></td>
<td>Russia features on this list and is ranked 10th with 0.098 unsolved journalist murder per million inhabitants. “Despite a mild improvement in its Index ranking and a key conviction, impunity still afflicts the media landscape in Russia, where no perpetrators in 14 murders over the Index period have been put behind bars.”</td>
</tr>
<tr>
<td>RF scores med-low on the State fragility map 2011.</td>
<td></td>
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<tr>
<td>“Russian authorities continued the crackdown on civil society and government critics that began in 2012. Enforcement of the “foreign agents” law led to an unprecedented, nationwide inspection campaign of hundreds of nongovernmental organizations (NGOs). Dozens of groups are fighting the prosecutors in courts, refusing to register as “foreign agents.” Parliament adopted laws restricting LGBT rights and freedom of expression and infringing on the right to privacy. Abuses in the North Caucasus continue.”</td>
<td></td>
</tr>
<tr>
<td>“Civil Society A 2012 law requires NGOs receiving foreign funding and conducting broadly defined “political activity” to register as “foreign agents,” effectively demonizing them as foreign spies. Authorities define as “political” such work as urging reforms, raising awareness, and assisting victims of abuse. From March to May 2013, authorities subjected hundreds of NGOs to invasive inspections to intimidate groups and pressure them to register as “foreign agents.”</td>
<td></td>
</tr>
</tbody>
</table>
At time of writing, the authorities filed administrative lawsuits against at least nine inspected organizations and five administrative cases against leaders of these groups for refusing to register. Two groups were forced to close as a result; at least three chose to wind up operations to avoid further repressive legal actions. The Prosecutor’s Office ordered dozens of other groups to register or warned they might need to do so. Many organizations also faced sanctions for alleged violations of fire safety, tax and labor regulations, and sanitary norms."

Comment FSC Russia on this source: “These developments (regarding threats to CSOs) have not affected conservation NGOs so far, including those dealing with the forest sector. Most of regional conservation NGOs were visited by the authorities in charge, but no one was announce a foreign agent. Greenpeace Russia and WWF Russia (central Moscow office) were even not approached.”

“Arrests and Harassment of Human Rights Defenders, Government Opponents, and Other Critics

The authorities continue to prosecute people who participated in a large demonstration at Moscow’s Bolotnaya Square on the eve of Putin’s May 2012 inauguration, based on disproportionate “mass rioting” charges and alleged acts of violence against police. At time of writing, two people were sentenced to two-and-a-half and four-and-a-half years respectively in prison, and one was sentenced to indefinite compulsory psychiatric treatment. A further 24 were charged, of whom 14 were held in pretrial detention, some ten of them for more than a year. Twelve of the twenty-four were on trial.

In July, a court sentenced anti-corruption blogger and opposition leader Alexei Navalny to five years in prison on politically tainted embezzlement charges and released him pending appeal. On October 16, an appeals court suspended the sentence.”

Comment FSC Russia on this source: “Formally he was sentenced for corruption in the forestry sector.”

“There are two members of the punk group Pussy Riot, convited on August 17, 2012, for their 

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Geschäftsführer | Director: Dr. Hans-Joachim Droste · Handelsregister | Commercial register: Bonn HRB12589
for a 40-second stunt in Moscow’s largest cathedral, were repeatedly denied parole and continued to serve their two-year prison sentences. In September one of them, Nadezhda Tolokonnikova, went on a hunger strike protesting alleged inhuman work conditions, sleep deprivation, and threats by prison staff. She renewed her hunger strike in October to emphasize the threats against her. Russian authorities held Tolokonnikova incommunicado for over 26 days during her transfer to a prison facility in Krasnoyarsk.

In July, a court in Nizhny Novgorod rejected a petition by the Prosecutor’s Office to ban the book International Tribunal for Chechnya as "extremist." The book calls for the creation of an international tribunal to investigate alleged war crimes and crimes against humanity committed during two wars in Chechnya. In October, an appeals court upheld this decision.

In September, Russian authorities arrested 30 activists with the environmental organization Greenpeace for staging a protest in the Pechora Sea. Investigative authorities charged them with piracy, then reclassified the charge to hooliganism. At time of writing, 29 of the 30 had been granted bail and released.

In November, Mikhail Savva, an NGO leader on trial in Krasnodar for allegedly mismanaging a government grant, stated in court that authorities were planning to press treason charges against him in an effort to intimidate him. Savva said the authorities referenced the fact that he had received foreign grants for years and met with US embassy officials, among other things."

“North Caucasus

The Islamist insurgency in the North Caucasus republics continued in 2013, particularly in Dagestan. According to Caucasian Knot, an independent online media portal, in the first nine months of 2013, 375 people were killed in the North Caucasus region, including 68 civilians, and 343 people were wounded, including 112 civilians. Approximately 64 percent of the killings and 71 percent of the injuries reported by Caucasian Knot occurred in Dagestan.

According to the Memorial Human Rights Center, one of Russia's most prominent independent rights groups, from January to June 2013, eight people...
suffered abduction-style detentions by government agencies in Dagestan, with five still unaccounted for at time of writing. Ramazan Abdulatipov, Dagestan’s new leader, abandoned the “soft power” counterinsurgency policies of his predecessor, including a commission for return of insurgents to peaceful life and promoting dialogue with Salafi Muslims. In 2013, persecution by law enforcement officials of Salafis increased. Unprosecuted abuses, including torture, abductions, and attacks against suspected insurgents and their families served to alienate Salafi communities. To combat “extremists,” the authorities condoned the rise of people’s militias, which have driven some Salafis to flee their homes.

In July, unidentified assailants shot dead Akhmednabi Akhmednabiev, an independent journalist and critic of abuses by law enforcement and security agencies. The official investigation, ongoing at time of writing, acknowledged that he was killed because of his journalism. Prior to the murder, Akhmednabiev reported to the authorities death threats he received, but they did not take adequate steps to investigate. Akhmednabiev is the second journalist covering counterinsurgency issues murdered in less than two years in Dagestan. The 2011 killing of Khadzhimurad Kamalov remains unresolved.

“Cooperation with the European Court of Human Rights
At time of writing, the European Court of Human Rights (ECtHR) had issued over 200 judgments holding Russia responsible for grave human rights violations in Chechnya. At least three pertain to violations that law enforcement officials perpetrated under Kadyrov’s de facto control.

While Russia continues to pay the required monetary compensation to victims, it fails to meaningfully implement the core of the judgments by not conducting effective investigations, and failing to hold perpetrators accountable. In October, when the ECtHR ruled on the case of Abdulkhanov and Others v. Russia, for the first time in a case concerning the armed conflict in Chechnya, the Russian government acknowledged that there had been a violation of the right to life.

In July 2013, the ECtHR ruled that Russia violated the European Convention
on Human Rights during the trial and sentencing, on tax evasion and fraud charges, of former Yukos oil company owner Mikhail Khodorkovsky in 2005 and awarded US$13,500 damages to the jailed businessman.” (..)

**“Migrant's Rights**

In July 2013, Moscow police launched a discriminatory campaign against irregular migrants, detaining people based on their non-Slavic appearance with the stated aim of identifying alleged violations of migration and employment regulations. Several thousand were allegedly taken into custody. Some were released and others were expelled. Several hundred were put in a makeshift tent camp and held in inhumane conditions. The campaign to detain and deport irregular migrants spread to other regions of Russia with high concentration of labor migrants, including Sochi.” (..)

| **US AID:** [www.usaid.gov](http://www.usaid.gov) |
| **Search on website for [country] + 'human rights' 'conflicts' 'conflict timber'** |
| **For Africa and Asia also use:** [http://pdf.usaid.gov/pdf_docs/pnact462.pdf](http://pdf.usaid.gov/pdf_docs/pnact462.pdf) |
| **Russia scores 4.4 on US AID's 2012 CSO Sustainability Index with 1.0 being the lowest possible score and 7.0 the highest possible score.** |
| **No evidence found for 'conflict timber' on usaid.gov website.** |

| **Global Witness:** [www.globalwitness.org](http://www.globalwitness.org) |
| **Search on website for [country] + 'human rights' 'conflicts' 'conflict timber'** |
| **No relevant context information on Russia.** |

| **WWF** |
| **http://www.wwf.ru/resources/publ/book/eng/776** |
| **Illegal logging in the Russian Far East: global demand and taiga destruction.** |
| “Illegal logging of valuable temperate hardwoods has reached crisis proportions in the Russian Far East. Comparative analysis conducted by WWF Russia shows that from the period 2004-2011 the volume of Mongolian oak (the most valuable hardwood species) logged for export to China exceeded authorized logging volumes by 2-4 times. Much of this illegal logging takes place in the habitats of the Amur tiger and leads to their degradation.” |

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The following sources are already reviewed by FSC Russia and included in its CWRA. Below only a few highlights.

http://www.wwf.ru/about/what_we_do/forests/curbing-illegal-logging/eng

**Illegal Logging in Russia**

"The problem of illegal logging and illegal timber trade is one of the most pressing social, ecological and economic problem facing the world forest sector. Russia is no exception.

According to official data of the Federal Forestry Agency, in 2011 1.2-1.8 million cubic meters of timber were harvested illegally in Russia, 21,000 offences were uncovered. In 2010 illegal logging totaled in 1.3 million cubic meters and in 2009 about 1.5 million cubic meters.

According to this data, illegal logging accounts for about 1% of the total annual timber harvest and corresponds to the best international practices of countries with strong law enforcement in the forest sector.

Official data differ from independent assessments. According to assessments made by WWF Russia (2006) and the World Bank (2011), up to 20% of timber harvested in the Russian Federation (or about 35-40 million cubic meters) is of illegal origin. The total volume of timber harvested in the Russian Federation in 2011 was 197 million cubic meters.

The assessment by WWF Russia is based on the balance method, which compares the allowed harvesting and factual consumption. The assessment by the World Bank is based on interviews with forest sector experts. The total cost of economic damage to the budget of the Russian Federation originating from illegal wood trade is estimated to be 13 billion to 30 billion rubles per year.

The considerable difference between official data and assessments made by NGOs is partly attributed to the lack of an official definition of illegal logging and the incompleteness of research methods. Official assessments use satellite data on clear felling outside allocated felling areas and unauthorized
large-scale clear felling. At the same time, illegal small scale logging is not detectable from space but is of great danger for biodiversity and forest ecology. Illegal loggers remove selected trees, groups of trees, and parts of stems of the most valuable and rare species. Such fellings are unidentifiable on satellite imagery and are practically never included in official assessments. Yet such type of illegal logging is the mostly widespread one.

The unavailability of reliable official information on the volume of illegal logging complicates the efficient combating this illegal activity. Information transparency and open discussion of this problem would induce regional government authorities to collect reliable information and to facilitate the efficient combating illegal timber trade. (..)

Illegal logging is widespread in the export-oriented forest regions of the Russian Federation, especially along the border with China and, in particular, in the Irkutsk Region and the Primorye Territories. According to NGOs assessments, up to 50 % of timber harvested in these regions may be of illegal or “doubtful” origin. Please see more details in the “Russia-China Collaboration” section.”


Keep it legal!; Country Guide. Practical guide for verifying timber origin legality, Russia.

“Illegal logging is a serious problem in the Russian Federation. There is no single reliable figure to describe its scale, but comparison of data from various sources of information and experts’ estimations suggests that 10 to 35 % of all timber logged in Russian is illegal, while in certain regions up to 50 % of timber is illegal or suspicious.

Constant changes in the legal basis and the forest management structure continue to affect the effectiveness and sustainability of forest resources use. Since 2007, when the new Forest Code was put into force, corruption in the forest sector, especially regarding auctions for rights to rent forest lands, has been growing. The same goes for illegal logging and illegal timber trade. One of the reasons for this corruption is inadequate legal means to punish offenders, since the new Forest Code does not define what constitutes illegal logging, nor does it even define what constitutes a ‘forest’.”
<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/">http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/</a></td>
<td>Does contain older data than above.</td>
</tr>
</tbody>
</table>

**Transparency International Corruption Perceptions Index**

Russia scores 28 points on the Corruption Perceptions Index 2013 on a scale from 0 (highly corrupt) to 100 (very clean). Russia ranks 127 out of 177 with rank nr. 1 being the most clean country.

**Chattam House Illegal Logging Indicators Country Report Card**
[http://www.illegal-logging.info](http://www.illegal-logging.info)

"Of the five countries assessed, Japan has the highest proportion of high-risk imports (estimated at 10%), chiefly because of large volumes of trade with China, Russia, and Malaysia — all of which have problems with illegally sourced wood."


"In September 2013, federal authorities executed search warrants of two of the offices of Lumber Liquidators, the largest specialty flooring company in the United States. The company was suspected of importing illegally logged hardwood from far eastern Russia, in contravention of U.S. law."


"In addition, logging of Russia’s boreal forests — much of it illegal — is taking a toll on Siberian tiger habitat."

**"Illegal logging in the Russian Far East and its impact on tigers**

Illegal logging is a huge problem in forests around the world, with a 2012 World Bank report pegging the losses in assets and revenue due to illegal logging at $10 billion annually.

According to the forest-monitoring site, Global Forest Watch, Russia lost more than 36.5 million hectares of forest between 2001 and 2013, representing about four percent of the country’s forested area. Estimates by NGOs operating in Russia and Japan found illegal logging was responsible for between 10 and 80 percent of timber harvests, depending on the district."
<p>| Comment from FSC Russia to this source: “These losses were mainly due to extensive officially unaccounted forest fires. So, this is mainly poor governance in the forest sector.” |
| <a href="http://www.illegal-logging.info/content/corporate-criminals-and-need-strong-protectons-against-illegal-logging">http://www.illegal-logging.info/content/corporate-criminals-and-need-strong-protectons-against-illegal-logging</a> |
| “Corporate Criminals and the Need for Strong Protections Against Illegal Logging” |
| On an otherwise ordinary Thursday this fall, officers from U.S. Immigration and Customs Enforcement (ICE) raided the corporate headquarters of Lumber Liquidators, the top-selling flooring retailer in America, in Toano, Virginia. Along with agents from U.S. Fish and Wildlife Service and the Justice Department, ICE agents were investigating whether the company had imported illegally logged wood products from eastern Russia, the home of the critically endangered Siberian Tiger. |
| While federal officials have yet to publicly release information on the raid, a new report from the Environmental Investigation Agency (EIA) shows how rampant illegal logging in Russia is threatening the last Siberian tigers that remain in the wild and why the U.S. must hold companies who import illegally harvested wood accountable. |
| The report, “Liquidating the Forests: Hardwood Flooring, Organized Crime, and the World's Last Siberian Tigers,” provides a sobering account of how Lumber Liquidators has allegedly been purchasing, through a Chinese supplier, millions of square feet of illegally logged hardwoods originating in the Russian Far East. Such illegal logging is devastating the region's diverse old-growth forests of oak, ash, and other species; hardwood forests that provide habitat for the world's 450 last remaining Siberian tigers. EIA estimates that as much as 80 percent of all timber exported annually from these critically significant Russian forests is illegally logged and traded, facilitated by corrupt or at least ineffective government officials and trafficked with forged documents.” |
| <a href="http://www.illegal-logging.info/content/china-and-russia-discuss-cross-border-">http://www.illegal-logging.info/content/china-and-russia-discuss-cross-border-</a> |</p>
<table>
<thead>
<tr>
<th>Timber-trade-and-timber-legality</th>
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<tbody>
<tr>
<td>“Government officials, business leaders and members of civil society from China and Russia met at a workshop in February to discuss timber legality and the cross-border trade between China and the Russian Far East. The workshop, ‘Promoting legal and sustainable China–Russia timber trade’, was held on 20 and 21 February [2014] in Suifenhe City, the largest overland trading post between China and the Russian Far East.”</td>
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Amnesty International Annual Report: The state of the world’s human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights

<table>
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<tbody>
<tr>
<td>Russian Federation</td>
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<tr>
<td>[Summary] Increasing peaceful political protest was met with repression. New laws restricting the rights to freedom of expression, assembly and association were introduced. Human rights defenders, journalists and lawyers continued to face harassment, while investigations into violent attacks were ineffective. Torture and other ill-treatment remained widespread, and were seldom effectively prosecuted. Trials did not meet international standards of fairness, and the number of apparently politically motivated decisions grew. Insecurity and volatility in the North Caucasus persisted, and security operations launched in response were marred by systematic human rights violations with near-total impunity for the perpetrators.</td>
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<tr>
<th>Background</th>
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<td>Vladimir Putin’s return as President, following widely criticized elections, led to a surge in popular protest and demands for greater civil and political freedoms, particularly around his inauguration in May. The result was increased restrictions. Protests were frequently banned and disrupted. New laws were adopted, often without public consultation and in the face of widespread criticism, which introduced harsh administrative and criminal penalties that could be used to target legitimate protest and political and civil society activities, and to restrict foreign funding for civic activism.” (..)</td>
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<table>
<thead>
<tr>
<th>Human rights defenders</th>
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<tr>
<td>Reports of harassment of human rights defenders continued. In the North Caucasus and elsewhere, activists, journalists and lawyers representing victims of human rights violations continued to face</td>
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<tr>
<th>North Caucasus</th>
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<tbody>
<tr>
<td>Country</td>
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</table>
physical threats, including from law enforcement officials. Investigations into many past attacks, including the killing of Natalia Estemirova, made no ostensible progress. New legislation introduced further administrative hurdles and a legal obligation for NGOs to register as “organizations performing the functions of foreign agents” (language evocative of espionage) if they received foreign funding and engaged in broadly defined “political activities”. Failure to comply with these provisions might lead to heavy fines, and imprisonment for NGO leaders. Public officials routinely sought to blacken the reputation of individual human rights defenders and specific NGOs, as well as the work of human rights NGOs in general." (..)

**Justice system**

“The need for judicial reform was widely acknowledged, including by senior officials. However, no effective steps were taken towards ensuring the independence of the judiciary. Reports of unfair trials were numerous and widespread. A range of court decisions, including those concerning extremism and economic and drug-related crimes, were affected by political considerations, and a growing number of convictions appeared politically motivated, including those of the Pussy Riot members (see above). Allegations were frequently made of collusion between judges, prosecutors, investigators and other law enforcement officials resulting in unfair criminal convictions or disproportionate administrative penalties. Lawyers across the country complained of procedural violations undermining their clients’ right to a fair trial. These included denial of access to clients, detention of individuals as criminal suspects without promptly informing their lawyers and families, appointment of state-paid lawyers as defence counsel who are known to raise no objections about procedural violations and the use of ill-treatment.” (..)

**North Caucasus**

“The region remained highly volatile. Human rights violations in the context of security operations remained widespread.”


### Reporters without Borders: Press Freedom Index


Russia ranks nr. 148 out of 179 with a score of 43.42. The 2013 World Press Freedom Index, which puts it next to Palestine (rank 146) and Iraq (rank 150). [http://en.rsf.org/report-russia,131.html](http://en.rsf.org/report-russia,131.html)

The website categorizes the press freedom in Russia to be in a “difficult situation”.

### Fund for Peace - Failed States Index of Highest Alert - the Failed States Index is an annual ranking, first published in 2005, of 177 nations based on their levels of stability and capacity.


In 2014 the FFP changed the name of the Failed State Index to the Fragile State Index:


Russia is ranked 80 out of 178 countries on the Failed States Index. (nr 1 being the most failed state). With this score Russia ranks in between the categories ‘Warning’ and ‘Stable’ but closer to ‘Warning’.

### The Global Peace Index. Published by the Institute for Economics & Peace. This index is the world’s leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It’s made up of 23 indicators, ranging from a nation’s level of military expenditure to its relations with neighboring countries and the level of respect for human rights.

Source: The Guardian:


The state of peace in Russia in the 2014 Global Peace Index is categorized ‘Very low’ with Russia ranking 152 out of 162 countries.

### Additional sources of information (These sources were partly found by Googling the terms ‘[country]’, ‘timber’, ‘conflict’, ‘illegal logging’)

<table>
<thead>
<tr>
<th>Source</th>
<th>Evidence</th>
<th>Scale of risk assessment</th>
<th>Risk indication</th>
</tr>
</thead>
</table>

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“This report details the extent and nature of illegal logging in the Russian Far East (RFE), and tracks illegally harvested valuable hardwoods across the border into China, through factories and warehouses, to its ultimate destinations in showrooms around the world.” (..)

“Across the region, well-organized timber mafias bribe and intimidate chronically under-funded regional authorities to establish systematic control over harvesting, processing, trade and export of hardwood logs and lumber in frontier areas of Russia’s “Wild East”.”

PROFOR

http://www.profor.info/sites/profor.info/files/ForestGovernanceDiagnostics-Russia-English.pdf

“There are no precise data to assess the implications and prevalence of illegal logging; however, international and Russian experts estimate the volumes of and, hence, the losses to illegal forest resource utilisation to be comparable with legal harvests, and even above them, in some countries. Illegal logging distorts the market, impairs investment flows to the forest sector, leads to bankruptcy of legally operating forest enterprises and impoverishment of people, living in forest communities and working at forest logging and wood processing enterprises, and also gives rise to social conflicts. Available estimates of illegal logging are primarily based on information from various environmental organisations, including international ones. Official data from respective public authorities show that in recent years, the share of illegal logging does not exceed 1 - 3 % in the total wood harvest, in most of the Russian regions. Judging by results of ENA FLEG studies, the shares of illegal logging vary by region from 10% to 20 %. [2]

From national CW RA (FSC-CWRA-015-RU + Komi ENG fin):

Info on illegal logging

“1.1. Evidence of enforcement of logging related laws in the district is present. National level; Unspecified risk

1.1a. The structures controlling illegal harvesting are in place.”

“The state forest guard (total staff 20 tsnd. persons; established by the subjects of the Russian Federation except in Moscow region where it is established by Rosleskhoz) is poorly staffed and does not enjoy all required authorities due to the lack of budgetary funding, a number of outstanding issues regarding legislation and organization. There are no systemic measures to address illegal logging including current systems for identification of illegal logging and..."
punishment of the offenders.”

**National level; Unspecified risk**

**Federal Sources:**
Federal Forestry Agency (Rosleskhoz) (http://www.rosleshoz.gov.ru) including forest use aerial and satellite imagery (http://www.rosleshoz.gov.ru/activity/audits);
Ministry of Home Affairs of RF (http://wetrn.mvd.ru);
Greenpeace Russia Forest Forum (http://www.forestforum.ru);
First Web Portal of Timber Industry (http://www.wood.ru/ru/lonews.html);
WWF studies aimed to identify the causes and scale of illegal harvesting in certain Russian regions (http://www.wwf.ru/about/what_we_do/forests/illegal/).

“Keep it legal!”

Information concerning cuttings with violations of protected areas regimes:
Non-commercial Partnership "The Transparent World" (maps.transparentworld.ru/PA_monitor.html);
Greenpeace Russia (www.greenpeace.org/russia/ru/campaigns/90170).


**Regional Sources:**
Information from regional forest authorities, authorities of environmental protection and nature management of the subjects of the Russian Federation:
Regional information websites
Websites of regional non-government environmental organizations

“1.1b. Control bodies for Illegal logging are working effectively.”

“The governmental authorities recognize that the effectiveness of control and supervision at the regional level is low: The number of identified forest crimes is insufficient, the response to the violations identified is poor (see www.rosleshoz.gov.ru/activity/illegal. The special plans for fight against illegal logging do not show effective implementation.”

**National level; Unspecified risk**
### Sources

The same as in 1.1.a above

**1.2a.** The proof of existence of reliable and effective system of forest lease and issuing harvesting permits as well as other documents which can confirm the legality of harvest and sale of timber in the region in question is presented. “All forests are state or municipal property, so it is the government that grants forest use permits to logging companies. The legal status of some forest area categories is not certain, and harvesting there is illegal. The Forest Code (2006) does not contain provisions with regard to forest management in the areas which are municipal property³. There is an evidence of low level of forest management in such forests. The mass media cover the problem of corruption relating to forest lease auctions and placement of government orders for forest protection, guard and reproduction. Commercial harvest of quality wood, i.e. in fact, illegal harvest, is often performed under the guise of sanitation or care cuts, especially in protected forests, SPNA and OZU. Effective control systems for recording harvested volumes and tracing the sources of origin are absent.”

*National level; Unspecified risk*

**Sources**

The same as in 1.1.a above

**1.2b.** There is no proof of timber coming from radionuclide contaminated districts where commercial timber harvest is prohibited.”

“Forest areas in some subjects of RF are located in the zone covered by Chernobyl radioactive trace (1986), East-Ural Radioactive Trace (PO Mayak, 1948-1967), and affected by nuclear weapon testing at the Semipalatinsk test site (1949-1962). According to regulatory documents (http://www.rcfh.ru/sfera/radiologicheskij/normativnye/), certain level of contamination is present.”

### Country

| Regions: |
| Altai Krai, Republic of Altai, Bryansk Oblast, Kaluga Oblast, Kurgan |

---

² The main documents giving the right to harvest certain volume of wood are the lease agreement for the forest plot, or forest stand sales contract, or contract for forest guard, protection and regeneration (outside leased areas). Since 2009, for each leased area, the company is to develop a forest development project. The wood is harvested on lease areas on the basis of annual forest declarations specifying the locations and volumes of wood harvest.

³ List of subjects of RF having defense and security forests and urban forests see Annex 1.
radionuclide contamination is a barrier for harvest, and the wood may pose threat to the health of loggers and buyers of wood. Currently, we may not be sure that radionuclide-contaminated wood is prevented from entering supply chains.”

Regional level; Unspecified risk: Subjects of RF as per Annex 2; the rest – low risk.

Sources
The same as in 1.1a above, as well as:
Russian Centre for Forest Protection /Radiation Monitoring of Forests (http://www.rcfh.ru/sfera/radiologicheskij/)
Regulatory documents for radiation monitoring (http://www.rcfh.ru/sfera/radiologicheskij/normativnye/)
Sanitary Rules SP 2.6.1.759-99. Acceptable levels of caesium-137 and strontium 90 in the forest products industry
Reshetov V.V., Smyslov A.A., Kharlamov M.G. Map showing various components of nuclear fuel cycle and radioactive contamination areas in Russia. M: Nevskgeologia, Plekhanov SPGI, 1996

“Annex 2 (normative). List of the subjects of the Russian Federation with forest areas which suffered severely from Chernobyl radioactive trace (1986) and East-Ural Radioactive Trace (PO Mayak, 1948-1967) and nuclear weapon testing at the Semipalatinsk nuclear test site (1949-1962) (controlled wood indicator 1.2a)”

“The reasons for heavy nuclear pollution in Russia are the accidents at Mayak...
production association, Chernobyl NPS and nuclear weapon testing at the Semipalatinsk test site. In 1949-1956, 1957 and 1967, about 23.5 thousand sq km of the area of Ural region suffered from radioactive contamination. 119 thsd hectares of land were withdrawn from use. The Chernobyl NPS accident which occurred April 26, 1986, led to the contamination of an area of more than 56 thsd sq km which is now the part of the Russian Federation including approximately 2mln hectares of cropland and 1mln hectares of forestland. The population of Altai Krai and Republic of Altai was exposed to radiation as a result of nuclear weapon testing at the Semipalatinsk test site in 1949-1962.

According to the federal target program titled “Overcoming the consequences of radiation accidents for the period until 2010” approved by the Order of the Government of the Russian Federation, No. 637 of August 29, 2001 (as amended by Order of the Government of RF No. 793 of 22.12.2006 and No. 865 of 12.12.2007), the regions which suffered most from the aftereffects of radiation catastrophes and accidents were Bryansk, Kaluga, Kurgan, Orel, Sverdlovsk, Tula, Chelyabinsk Oblasts, Republic of Altai and Altai Krai. The radionuclide-contaminated areas are areas where soil contains more than 1 Ci/km² of caesium-137 or 0,15 Ci/km² of strontium-90. Commercial timber harvest is prohibited if Cs137 content in soil is 15-40 Ci/km²; and Sr90 – above 3 Ci/km². If the level of radionuclide contamination exceeds 40 Ci/km², logging is only performed as part of preventive and rehabilitation operations aimed to preserve biological and enhance fire-resistance of forests (Order of Rosleskhoz No. 81 of 16.03.09 “Methodological recommendations for regulation of forestry operations in radionuclide-contaminated forests”).

Based on the above FTP and the report of A.S. Kotov (director of TsZL Of Kaluga Region, the subsidiary of FGU Roslesozaschita) “Results of the second study of radiation absorption in soils in 2008 in the radionuclide-contaminated forests in the subjects of the Russian Federation” (http://www.rcfh.ru/sfera/radiologicheskii/publikacii/doklad/), the subject of RF characterized as unspecified risk for radionuclide contamination are:

1. Altai Krai
2. Republic of Altai
3. Bryansk Oblast
4. Kaluga Oblast
5. Kurgan Oblast
6. Sverdlovsk Oblast
<table>
<thead>
<tr>
<th>Country</th>
<th>Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tula Oblast</td>
<td>7. There is little or no evidence or reporting of illegal harvesting in the district of origin.</td>
</tr>
<tr>
<td>Chelyabinsk Oblast</td>
<td>“Rosleskhoz of Russia recognizes that the problem is acute. According to Rosleskhoz, the volume of illegally harvested wood in Russia in 2009 is from 15-20mln m³ (V.N. Maslyakov, presentation at the World Forest Congress, Prime-Tass: [<a href="http://www.prime-tass.ru/news/0/%7BC824EC66-92DB-4EF5-8127-3663D86862%7D.ujf">http://www.prime-tass.ru/news/0/%7BC824EC66-92DB-4EF5-8127-3663D86862%7D.ujf</a>] to 25-30mln m³ (A.I. Savinov, Rossiyskaya Gazeta: [<a href="http://www.rg.ru/2009/09/29/les.html">http://www.rg.ru/2009/09/29/les.html</a>]), i.e. 9-19% of the total volume of harvest. According to Rosleskhoz statistics as of 01.11.2011, ground checks identified just 27.1 thsd cases of illegal logging in the country (1.3mln m³ of illegally harvested timber were recovered [<a href="http://www.rosleshoz.gov.ru/media/appearance/57/Maslyakov_V.N._Sankt-Peterburg.pdf">www.rosleshoz.gov.ru/media/appearance/57/Maslyakov_V.N._Sankt-Peterburg.pdf</a>]). Independent expert assessments provide higher figures. Thus, Greenpeace Russia estimates the volume of harvested timber of unknown origin in Russia in 2009 (taking into account unauthorized cutting and harvesting timber in excess of the permitted volume) as 40mln m³. The most probable estimate of the volume of timber harvested illegally or with gross violations of the legislation in force (sanitation cuttings in healthy forests, removal of best trees under the pretext of forest stand care, cuttings in violation of SPNA or OZU management regime) is 90mln m³ ([<a href="http://www.forestforum.ru/info/lh-tomsk.pdf">http://www.forestforum.ru/info/lh-tomsk.pdf</a>]). In certain subjects of RF (for example, Nenets, Chukotka and Yamal-Nenets Autonomous Okrugs, Magadan Oblast, republics of Tyva and Kalmykia, Kamchatskiy Krai), commercial harvest of wood is very small, and, consequently, there is no illegal harvest on industrial scale.”</td>
</tr>
<tr>
<td>National level; Unspecified risk</td>
<td>“1.4. There is a low perception of corruption with relation to granting harvesting permits and other related areas of law enforcement.”</td>
</tr>
</tbody>
</table>

Sources

The same as in 1.1a above
1.4a. There is a low perception of corruption with relation to granting harvesting permits and other related areas of law enforcement.”

“According to the 2011 data, the corruption perception index made by Transparency International was very low (2.4).

D.A. Medvedev identified the corruption problem as one of the top problems in RF. The National Anti-Corruption Program is under development, the relevant structures are being created to fight the corruption. In 2007, Sergey Ivanov, the vice-premier of the government said that the forest industry is one of the most corrupted industries in Russia, especially in the area of cross-border trade in round wood.

According to the Investment Climate Surveys in different countries performed by the World Bank (www.worldbank.org), in Russia, forest industry is the second after food industry in terms of statements regarding the importance of bribery. According to indicators of public management quality of the World Bank, Russia has a low rating regarding, for example, corruption control, compliance with law, effectiveness of the government.”

### National level; Unspecified risk

### Country

### Federal Sources:
- Anti-Corruption Research and Initiative Center "Transparency International Russia" (http://www.transparency.org.ru/proj_index.asp);
- Russian Public Opinion Research Center (http://wciom.ru/novosti/press-vypuski/press-vypuski/single/10707.html);
- Anti-Corruption Committee (com-cor.ru/node/864);
- FSC National Office, FSC National Initiative (www.fsc.ru);
- Website of Timber Industry of Russia (www.timberindustry.ru/?tag=korrupciya);
- First Web Portal of Timber Industry (www.wood.ru/ru/lonews.html);
- Ministry of Home Affairs of the Russian Federation (www.mvd.ru);
- Greenpeace Russia Forest Forum (www.forestforum.ru);
- World Bank, indicators of public management quality
“1.4b. There are serious conflicts with relation to granting harvesting permits and other related areas of law enforcement identified during interviews with stakeholders."

“There are serious conflicts with relation to granting harvesting permits and other related law enforcement areas identified during interviews with stakeholders which may indicate to the potential signs of corruption and violation of the law. There are multiple examples of such conflicts between timber producers, on the one part, and non-governmental organizations and/or groups of indigenous peoples and/or local population."

**National level; Unspecified risk**

**Sources**
The same as in 1.1a above, as well as:

**Regional Sources:**
Regional information websites
Websites of regional non-government environmental organizations

**Conclusion on country context:**
Russia scores medium to low on all indicators reviewed in this section on the country context, such as in relation to peace, governance and absence of corruption with remarkably low scores for (citizens) freedom, press freedom, corruption and State of Peace.

Serious human rights issues are reported mainly in relation to civil society, arrests and harassments of human rights defenders and other critics and LGBTs. Specific risks appear in the North Caucasus, a region remaining highly volatile. According to FSC Russia all this does not automatically apply to the forest sector.

No specific information found on a relation between these human rights issues and the forestry but it can be concluded that the issues regarding corruption and the juridical system are part of the root causes of the illegal logging. The low level of personal freedom, press freedom and opportunities for NGOs/civil society as transparency is low and organizing civil society power for change is difficult.

Although the CNRA Category 1 is not available, the evidence leads to the plausible conclusion that illegal logging is a major issue in Russia with an especially high risk in Russian Far East, although the governance structure is high risk in the whole country.

**Country Indicator 2.1.** The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.

**Guidance**
- Is the country covered by a UN security ban on exporting timber?
- Is the country covered by any other international ban on timber export?
Are there individuals or entities involved in the forest sector that are facing UN sanctions?

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From national CW RA (FSC-CWRA-015-RU + Komi ENG fin)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| "2.1. There is no UN Security Council ban on timber exports from Russia."

"There is no UN Security Council ban on timber exports from Russia: United Nations Organization."

National level; Low risk

Sources

Guidance
- Is the country a source of conflict timber? If so, is it at the country level or only an issue in specific regions? If so – which regions?
- Is the conflict timber related to specific entities? If so, which entities or types of entities?


Conflict Timber is defined by US AID as:
- conflict financed or sustained through the harvest and sale of timber (Type 1).
- conflict emerging as a result of competition over timber or other forest resources (Type 2)
Also check overlap with indicator 2.3

No evidence found for 'conflict timber' on usaid.gov website.
<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
<th>Country</th>
<th>Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="http://www.globalwitness.org/campaigns/environment/forests">www.globalwitness.org/campaigns/environment/forests</a></td>
<td>No information on conflict timber related to Russia found.</td>
<td>Country</td>
<td>Low risk</td>
</tr>
</tbody>
</table>

**Testing a forest governance diagnostic tool in Russia**

03.21.2012 17:22

The quality of governance often determines whether forest resources are used efficiently, sustainably and equitably and whether countries achieve forest-related development goals. In that respect, a systematic approach to identifying areas of forest governance weakness, devising and implementing responses, and monitoring results is key to successful forest outcomes.

"Over the last two years, PROFOR, the FAO and other partners interested in forest governance issues have worked to build a common framework for diagnosis, monitoring and assessment of the state of forest governance in various countries. Stakeholders in Uganda, Burkina Faso and Kenya have used this broad approach to identify priority reform areas. Now the Russian Federation is working on a similar initiative funded by DFID and implemented by the World Bank in four regions."

"The first three workshops on assessing Russian forest governance gathered a broad range of stakeholders including regional forest authorities, forest research institutes, conservation NGOs, Indigenous Peoples, forest industry unions and associations and top companies. The workshops took place on February 28-29, 2012, in Khabarovsk, on March 15-16 in Krasnoyarsk, and March 20-21 in Arkhangelsk. The fourth one, in Voronezh, is due on March 27-28. The PROFOR tool was tested in these different regional settings by way of a discussion and a consensus-based assessment derived from responses to a forest governance questionnaire. Valuable feedback on the merits and shortcomings of the questionnaire applied to the Russian context was drawn..."
from those discussions (..).²

(..) "A synthesis/wrap-up seminar will be held in Moscow in late April, with a session slotted for the next meeting of APEC scheduled for May.

"Update 10/16/2012: Recommendations from the Arkhangelsk and Voronezh workshops were added to this page. In addition, a working paper summarizing the findings from this exercise was published in English and in Russian. It is available for download on this page [see next source below; W. Richert]."

http://www.profor.info/notes/results-are-assessing-forest-governance-russia

"The Results Are In: Assessing Forest Governance in Russia
10.15.2012 15:37
The results of a diagnostic exercise, which took place in four pilot regions of Russia in early 2012 with funding from the United Kingdom government, are now available online, both in English and Russian, complete with artfully-presented data and analysis. Based on this initial exercise, Russia’s aggregated forest governance score would be 65%-- a passing grade according to the report's authors: "Taking into account the most challenging recent years of forest reforms in the Russian Federation, this result may be deemed fairly good."

"Besides identifying key forest governance issues in the four regions (Voronezh and Arkhangelsk Oblasts, Krasnoyarsk and Khabarovsk Krays), the workshop participants made recommendations on how to improve the diagnostic tool and adapt the FAO-PROFOR Framework for further use both at the federal and regional levels."

"The working paper (PDF in English / Russian) presents information about the tools, efforts and results of the Forest Governance Diagnostics Project in Russia implemented by a team of consultants to the World Bank. The document is intended to inform civil society, parties to forest relations and other stakeholder groups about the strengths of forest governance in the Russian Federation and issues calling for priority attention and improvement. Next steps will be coordinated and refined under the second phase of the ENPI FLEG program."

The background note (PDF in English / Russian) on forests and forest
<table>
<thead>
<tr>
<th>Source</th>
<th>Details</th>
<th>Country</th>
<th>Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governance is full of interesting data about Russia’s forests which represent a quarter of the world’s intact forests and store close to 50 billion tons of carbon.</td>
<td><a href="http://www.profor.info/sites/profor.info/files/ForestGovernanceDiagnostics-Russia-English.pdf">http://www.profor.info/sites/profor.info/files/ForestGovernanceDiagnostics-Russia-English.pdf</a> The working paper does not include information on conflict timber.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The background note does not include information on conflict timber.</td>
<td><a href="http://www.profor.info/sites/profor.info/files/Background-ForestGovernance-Russia-English.pdf">http://www.profor.info/sites/profor.info/files/Background-ForestGovernance-Russia-English.pdf</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amnesty International Annual Report: The state of the world’s human rights - information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights</td>
<td>No references to conflict timber related to Russia found in the 2011 nor the 2013 Annual Report.</td>
<td>Low risk</td>
<td></td>
</tr>
<tr>
<td>World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 213 economies (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption</td>
<td>In 2013 (latest available year) the Russian Federation scores on the indicator Political Stability and Absence of Violence place 22.27 on the percentile rank among all countries (ranges from 0 (lowest) to 100 (highest) rank) with higher values corresponding to better outcomes.</td>
<td>Specified risk for political instability and violence</td>
<td></td>
</tr>
<tr>
<td>Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'</td>
<td>No references to conflict timber related to Russia found.</td>
<td>Low risk</td>
<td></td>
</tr>
</tbody>
</table>

"Using timber to finance conflicts – and associated illegal logging – has been observed around the world, including Afghanistan, Burma, Cambodia, Indonesia, Liberia, Vietnam, Nepal, and the Philippines. On the El Salvador-Honduras border, the illegal timber trade is worsened by old territorial disputes."

No references to Russia found in this analysis of conflict timber/illegal timber.

<table>
<thead>
<tr>
<th>From national CW RA (FSC-CWRA-015-RU + Komi ENG fin)</th>
<th>Country</th>
<th>Low risk</th>
</tr>
</thead>
</table>
| "2.2. The area of Russia is not designated as a source of conflict timber (e.g. USAID Type 1 conflict timber)"
"Russia is not designated as a source of conflict wood at the international level."

National level; Low risk

Sources
Global Witness (http://www.globalwitness.org library);
US Agency for International Development (http://pdf.usaid.gov/pdf_docs/PNACT462.pdf);

Conclusion on indicator 2.1:
There is no UN Security Council ban on timber exports from the Russian Federation. Russia is not covered by any other international ban on timber export. There are no individuals or entities involved in the forest sector in Russia that are facing UN sanctions. Although illegal logging occurs in the Russian Federation no evidence is found that the country is a source of conflict timber.

The following low risk thresholds apply:
(1) The area under assessment is not a source of conflict timber⁵; AND
(2) The country is not covered by a UN security ban on exporting timber; AND

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⁵ According to Global Witness, this is "wood the trade in which leads to an armed conflict and threatens national or regional security."

⁶ "Conflict timber" limited to include "timber that has been traded at some point in the chain of custody by armed groups, be they rebel factions or regular soldiers, or by a civilian administration involved in armed conflict or its representatives, either to perpetuate conflict or take advantage of conflict situations for personal gain - conflict timber is not necessarily illegal (see FSC-PRO-60-002a).
(3) The country is not covered by any other international ban on timber export; AND
(4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND
(5) Other available evidence does not challenge ‘low risk’ designation.

Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.

**Guidance**
- Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1)
- Are rights like freedom of association and collective bargaining upheld?
- Is there evidence confirming absence of compulsory and/or forced labour?
- Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender?
- Is there evidence confirming absence of child labour?
- Is the country signatory to the relevant ILO Conventions?
- Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above?
- Are any violations of labour rights limited to specific sectors?

**general sources from FSC-PRO-60-002a V1-0 EN**

**information found and specific sources**

**scale of risk assessment**

**risk indication**

<table>
<thead>
<tr>
<th>Status of ratification of fundamental ILO conventions:</th>
<th>The Russian Federation has ratified all eight fundamental labour conventions of the ILO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>or use: ILO Core Conventions Database:</td>
<td>Low risk</td>
</tr>
<tr>
<td><a href="http://www.ilo.org/ilolex/english/docs/declworld.htm">http://www.ilo.org/ilolex/english/docs/declworld.htm</a></td>
<td></td>
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<tr>
<td>C29 Forced Labour Convention, 1930</td>
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<tr>
<td>C87 Freedom of Association and Protection of the Right</td>
<td></td>
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<tr>
<td>to Organise Convention, 1948</td>
<td></td>
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<tr>
<td>C98 Right to Organise and Collective Bargaining</td>
<td></td>
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<tr>
<td>Convention, 1949</td>
<td></td>
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<tr>
<td>C100 Equal Remuneration Convention, 1951</td>
<td></td>
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<tr>
<td>C105 Abolition of Forced Labour Convention, 1957</td>
<td></td>
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<tr>
<td>C111 Discrimination (Employment and Occupation)</td>
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<td>Convention, 1958</td>
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<tr>
<td>C138 Minimum Age Convention, 1973</td>
<td></td>
</tr>
<tr>
<td>C182 Worst Forms of Child Labour Convention, 1999</td>
<td></td>
</tr>
</tbody>
</table>

Ratification as such should be checked under Category 1. In Cat. 2 we take that outcome into consideration. Refer to it.
ILO Declaration on Fundamental Principles and Rights at Work. Country reports.

Source of several reports. Search for 'racial discrimination', 'child labour', 'forced labour', 'gender equality', 'freedom of association'


"Working in Russia": a step towards decent work for migrant workers
"According to the 2011 ILO Global Report on Discrimination, migrant workers encounter discrimination on a daily basis. While many of them are already at risk of all kinds of abuse, they also became the first victims of the financial and economic crisis, the report says. ILO Online reports from the Russian Federation which has been the biggest receiving, sending and transit country for migrant workers in Eastern Europe and Central Asia since the early 1990s.

Article | 16 May 2011

MOSCOW (ILO Online) – Tursunoi Alimardonova’s mobile phone rang at midnight. The number was unknown to her. Tursunoi picked up the phone.

A man was almost crying: “Twelve people from Uzbekistan, Tajikistan and Azerbaijan! They took their passports, they threaten to kill them! Please help!”

While working for the Trade Union of Migrant Workers, Tursunoi got used to this kind of emergency call. Very soon she found out what had happened: a group of migrants trusted false promises of a woman recruiter and came to Dagestan in the south of Russia.

Upon arrival their documents were taken away from them and they had to work on a farm under slave-like conditions. They lived under constant threat to be reported to the authorities and did not receive any money for their work.

By a miracle one of them managed to send an SMS to a relative… the man who had called Tursunoi.

She immediately alerted the Russian Ministry of the Interior and the consulates of the three countries of origin. As a result, all migrants were rescued and the illegal recruiter was arrested.”
### ILO Child Labour Country Dashboard:


This page gives an overview of comments adopted by the CEACR to the Russian Federation. Below are the most recent observations and/or direct requests.


**Observation (CEACR) - adopted 2013, published 103rd ILC session (2014)**

**Forced Labour Convention, 1930 (No. 29) - Russian Federation**

"Articles 1(1), 2(1) and 25 of the Convention. Trafficking in persons. 1. Strengthening the legal framework. The Committee previously noted that section 127.1 of the Penal Code prohibits trafficking in persons. It also noted the Government’s indication in its 2008 report that a draft text of the Law on combating trafficking in persons had been finalized and submitted to the State Duma of the Russian Federation.

The Committee notes the Government’s statement that work is ongoing to improve the national legislation in this regard. Although there is no special instrument at present to govern matters relating to combating human trafficking and defending the rights of victims, administrative and criminal legislation defines as crimes both the individual elements and the specific acts involved in human trafficking. While noting the Government’s indication regarding the existing legislative framework, the Committee observes that due to the complexity of the problem, the adoption of comprehensive legislation to address trafficking in persons would positively contribute to efforts to combat the phenomenon. In this regard, the Committee refers to its comments made under the Worst Forms of Child Labour Convention, 1999 (No. 182), where it noted that the draft Law on combating trafficking in persons aimed to establish appropriate measures to ensure the legal protection and social reintegration for victims, and that the Conference Committee on the Application of Standards, at the 98th Session (June 2009) of the International Labour Conference, had
called on the Government to take the necessary measures to ensure its adoption. The Committee therefore expresses the firm hope that the Government will pursue its efforts to strengthen the legal framework to combat trafficking in persons, including through the adoption of the draft Law on combating trafficking in persons. It requests the Government to provide information on the status of this draft law, in its next report.

2. Law enforcement. In its previous comments, the Committee noted the communication from the International Trade Union Confederation (ITUC), according to which thousands of persons were trafficked from the Russian Federation to other countries, and internal trafficking within the Russian Federation also took place. Women were generally forced to work as prostitutes while men were trafficked into agricultural or construction work. It also noted that the Committee on the Elimination of Discrimination against Women (CEDAW) expressed concern at the high prevalence of trafficking in the Russian Federation, and that the country is a source, transit and destination country for trafficking in persons (CEDAW/C/USR/CO/7, 10 August 2010, paragraph 26). The Committee further noted the Government’s statement that more than 25,000 cases of trafficking were identified between 2004 and 2008, in addition to over 15,000 perpetrators, and that the Government had taken operational and preventive measures to combat this phenomenon.

The Committee takes due note of the information provided concerning the Government’s efforts to combat trafficking as well as its statement that it is committed to addressing the economic and socio-political foundations of this phenomenon. The Government indicates that trafficking is largely carried out by organized groups and criminal gangs, at both the national and international levels. As a result of the porous borders within the Commonwealth of Independent States (CIS), most cases of human trafficking within this area take place through legal border crossings, and only a small number of these cases can be stopped and prevented at the border by border controls. Therefore cooperation among the entire CIS is needed, and a Programme of Cooperation of members of the CIS on human trafficking for 2011–13 was adopted to facilitate this cooperation. Work on a programme for the period 2014–18 is under way. The Government engages in international cooperation with foreign law enforcements agencies and Interpol to combat trafficking in persons, as well as coordinating and exchanging of information through liaison officers at
embassies. The Government also indicates that it has produced and distributed a booklet on the dangers of trafficking, but that it is necessary for authorities to conduct more vigorous information campaigns to raise public awareness about the phenomenon of trafficking, especially among at-risk groups.

With regard to the number of offences registered under section 127.1 of the Penal Code, the Government indicates that 103 offences were recorded in 2010, 50 offences in 2011, 70 offences in 2012 and five offences for the first four months of 2013. The Committee notes with concern that the 228 offences recorded over this three-year period is substantially lower than the 25,000 cases that had been recorded between 2004–08, as indicated in the Government’s 2012 report. The Committee therefore urges the Government to strengthen its efforts to identify, prevent, suppress and combat trafficking in persons, and to continue to provide information on the measures taken. In this regard, the Committee requests the Government to pursue its international cooperation efforts to this end, and to take measures to further strengthen the capacity of law enforcement officials to combat trafficking in persons. It also requests the Government to continue to provide information on the application in practice of section 127.1 of the Penal Code, particularly the number of investigations, prosecutions and convictions. Noting an absence of information on this point, it also requests the Government to provide information on the specific penalties applied to persons convicted under this provision.

3. Protection and reintegration of victims. The Committee previously noted that the CEDAW, in its concluding observations of 10 August 2010, urged the Government to take measures to ensure that victims of trafficking are adequately protected and assisted, as well as to undertake efforts for their recovery and social integration (CEDAW/C/USR/CO/7, paragraph 27). The Committee notes the Government’s indication that a network of social services has been established in the country for the protection of victims, and that victims of trafficking who cooperate with law enforcement agencies enjoy legally established guarantees. The Programme of Cooperation of members of the CIS on human trafficking for 2011–13 also contains international cooperation measures to assist victims of human trafficking and for coordination with non-governmental organizations in this regard. In 2012, 92 persons were recognized as victims and, in the first four months of 2013, five such persons were identified. The Committee requests the Government to
<table>
<thead>
<tr>
<th>Country</th>
<th>Specified risk on forced labour (compulsory work) of prisoners without free informed consent</th>
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</thead>
<tbody>
<tr>
<td>Forced Labour Convention, 1930 (No. 29) - Russian Federation</td>
<td></td>
</tr>
</tbody>
</table>

*Article 2(2)(c) of the Convention. Prison labour.* In its earlier comments, the Committee noted that section 103 of the Code on the Execution of Penal Sentences provides that convicted persons are under an obligation to perform labour, such labour being exacted from them by the administration of penitentiary institutions at enterprises of such institutions, at state enterprises, or at enterprises of other forms of ownership. The Committee also noted that pursuant to section 21 of Act No. 5473-I (21 July 1993) on the institutions and bodies for the execution of penal sentences involving deprivation of freedom, compulsory labour may be exacted from convicted prisoners at enterprises of any organizational or legal form, even if such enterprises do not belong to the system of the execution of penal sentences and are located outside of penitentiary institutions. In the latter case, compulsory labour will be exacted on the basis of a contract concluded between the administration of penitentiary institutions and the enterprises concerned. Regarding the conditions of work of convicted prisoners, the Committee noted that, under sections 103–105 of the Code on the Execution of Penal Sentences, their hours of work and rest periods, occupational safety and health, as well as remuneration (leaving room for deductions and attachments) are governed by the general labour legislation. In this regard, the Committee observed that while prisoners’ conditions of work may therefore be considered as approximating those of a free labour relationship, the legislation does not require the free, informed and formal consent of prisoners to work for private enterprises.

Noting an absence of information on this point in the Government’s report, the Committee recalls that Article 2(2)(c) of the Convention strictly prohibits that prisoners are hired to, or placed at, the disposal of private enterprises. The work of prisoners for private companies is only compatible with the Convention.
where it does not involve compulsory labour, which requires the formal, freely
given and informed consent of the persons concerned, as well as further
 guarantees and safeguards covering the essential elements of a labour
relationship, such as wages and social security. *Therefore, noting that the
legislation permits work to be carried out by prisoners for private enterprises,
the Committee once again requests the Government to indicate if, at present,
prisoners perform work for private companies in practice. If so, the Committee
requests the Government to take the necessary measures to ensure that this
work is only permitted with the voluntary consent of the prisoners concerned,
such consent being formal, informed and free from the menace of any penalty,
including the loss of rights or privileges. The Committee requests the
Government to provide, in its next report, information on the measures taken or
envisioned in this regard.*


**Direct Request (CEACR) - adopted 2012, published 102nd ILC session**

(2013)

**Freedom of Association and Protection of the Right to Organise**

**Convention, 1948 (No. 87) - Russian Federation**

“*Article 3 of the Convention. Minimum services. The Committee recalls that it
had previously requested the Government to amend section 412 of the Labour
Code, so as to ensure that any disagreement concerning minimum services in
organizations responsible for safety, health and life of people and vital interests
of society, where minimum services must be ensured during a strike, is settled
not by the executive body but by an independent body having the confidence
of all parties to the dispute. The Committee notes that in its 2011 report, the
Government indicates that a body of executive power of the Russian
Federation is entitled to define minimum services, but its decision may be
appealed by the parties to the collective labour dispute to the court. The
Committee requests the Government to indicate the average duration of the
dispute resolution procedure before the relevant bodies of the executive power
and the courts, in case of an appeal, in relation to minimum services.*”

Observation (CEACR) - adopted 2012, published 102nd ILC session (2013)
Right to Organise and Collective Bargaining Convention, 1949 (No. 98) -
Russian Federation

"The Committee recalls that it had previously requested the Government to provide its observations on the comments made by the International Trade Union Confederation (ITUC), the Russian Labour Confederation (KTR) and the Seafarers’ Union of Russia (RPSM) alleging numerous violations of trade union rights in practice, including acts of anti-union discrimination and interference by employers in trade union internal affairs, as well as ineffective mechanisms of protection against such violations. The Committee notes that similar allegations have been submitted by these organizations in 2011. The Committee notes that an ILO mission visited the country in October 2011, in order to discuss a complaint pending before the Committee on Freedom of Association with all interested parties. The Committee also notes the Government’s report submitted in 2011.

The Committee further notes the comments made by the ITUC in a communication dated 31 July 2012 alleging new violations of the Convention in practice and referring in particular, to cases of anti-union discrimination, interference by employers in trade union internal affairs and refusal to bargain collectively. It requests the Government to provide its observations thereon.

Articles 1–3 of the Convention. The Committee had previously noted relevant provisions of the Labour Code, Criminal Code and Code of Administrative Offences providing for sanctions which could be imposed on employers found guilty of anti-union discrimination, as well as sanctions imposed for acts of interference by workers’ or employers’ organizations or their agents in each other’s affairs, particularly in the establishing, functioning and administration of the organizations. Referring, however, to the allegations of ineffective mechanisms of protection against acts of anti-union discrimination and interference by employers in trade union internal affairs submitted by the ITUC, the Committee requested the Government to provide information on the application of these legislative provisions in practice and to indicate the number of complaints of anti-union discrimination and acts of interference submitted, investigated and prosecuted within the last two years, as well as on the number of persons punished and the concrete sanctions imposed. The

Country: [Country Specified]

Specified risk on violation of the right to organize and collective bargaining
Committee notes that in its 2011 report, the Government once again reiterated the information it had previously provided describing the relevant applicable legislative provisions and once again stressed that the legislation contains appropriate penalties for offences concerning non-compliance with the labour legislation. The Government further indicates that there have been no recent court rulings dealing with complaints lodged by trade unions alleging anti-union discrimination.

The Committee notes, in this respect, the information contained in the report of the abovementioned mission. It notes, in particular, that according to the KTR despite the fact that the law provides for the prohibition of discrimination, protection, especially against acts of anti-union discrimination, is virtually non-existent in practice and that the bodies whose roles should be to protect trade union rights are not effective. The KTR representatives explained that the system of protection of labour rights involved three bodies: the Prosecutor’s Office, courts and the labour inspectorate. The Prosecutor Office’s mandate is to deal with the supervision of the application of the legislation and allegations of violations of human rights. However, according to the KTR, it often refuses to deal with the alleged violations of trade union rights considering that such violations fall outside its sphere of competence and should rather be brought to the attention of labour inspectors. Yet, the KTR informs that the labour inspectorate’s position was that trade union rights are outside the scope of the labour law; thus, it was not competent to deal with the alleged violations of trade union rights. The trade unions were therefore referred to courts. According to the KTR, in the case of anti-union discrimination, this became particularly difficult as such cases were very difficult to prove; even if discrimination is established by the court, the Prosecutor’s Office does not pursue the cases against employers, who refuse to reinstate or compensate a worker who had been subjected to anti-union discrimination; while the legislation provides for administrative and criminal responsibility, in practice, violations of trade union rights are not punished. The KTR representatives explained that administrative responsibility can only be engaged within two months after the lodging of a complaint; in such case, an investigation is carried out but it usually takes over two months. According to the KTR there are no cases where an employer or an official has been found criminally responsible for violating trade union rights.

The Committee further notes that representatives of the State Labour...
Inspectorate (Rostrud), competent to deal with violations of labour legislation, including alleged cases of discrimination, in general, and anti-union discrimination, in particular, confirmed that it is extremely difficult to prove cases of discrimination in court. They added that trade unions therefore most often file complaints with Rostrud; however, employers, having sufficient means and resources to appeal the decisions of labour inspectors in court do not hesitate to do so. They confirmed that, in practice, if a complaint is lodged with the court, the labour inspection cannot intervene. With regard to the application of penalties, Rostrud officials considered that, in general, the fines are very small, to the point that some enterprises preferred to pay fines than to comply with the labour legislation.

The Committee notes the concluding remarks of the mission, which considered that further action is needed to strengthen the protection against violations of freedom of association both in law, and in practice, and that better knowledge of available procedures and further clarification of the practices would help both the social partners and the different state bodies to navigate in a context where responsibilities are not always clear. This applies in particular to the relationship between Rostrud, the Prosecutor’s Office and the courts. The Committee notes that a proposal for addressing, among others, the abovementioned matters has been drafted by two trade union centres in the country – the KTR and the Federation of Independent Trade Unions of Russia (FNPR) – and that the Government and employers’ representatives agreed that it should be examined in the framework of the Russian Tripartite Commission (RTK). The proposal refers to the need to draft specific legislative provisions with a view to render protection against violations of trade union rights, in general, and anti-union discrimination, in particular, more effective, and suggests to create a body with a specific mandate to examine cases of violations of trade union rights, including anti-union discrimination (such a mandate can also be undertaken by an existing body). The proposal also calls for training of relevant bodies and courts on freedom of association. The Committee requests the Government to provide information on the action taken to consider and make progress on the KTR–FNPR proposal, including the plans for ensuring the application of Articles 1 to 3 of the Convention in practice. In this respect, the Committee reminds the Government that it can avail itself of the technical cooperation of the Office if it so wishes.
Article 4. Parties to collective bargaining. The Committee had previously requested the Government to amend section 31 of the Labour Code so as to ensure that it is clear that it is only in the event where there are no trade unions at the workplace that an authorization to bargain collectively can be conferred to other representative bodies. The Committee regrets that no information has been provided by the Government. It is therefore bound to reiterate its previous request."


“Article 1(a) of the Convention. Sanctions involving compulsory labour as a punishment for expressing political or ideological views. The Committee previously noted the adoption of a law on 24 July 2007, to amend certain legal acts with a view to increasing liability for "extremist activities", which include acts based on racial, national or religious hatred or enmity. It noted, in particular, that under sections 280, 282.1 and 282.2 of the Penal Code, the following acts are punishable with sanctions of the privation of liberty (which involves compulsory labour): public appeal to perform extremist activities (as defined in section 1 of the Law on combating extremist activity); establishment of an extremist group or organization; and participation in such a group or organization prohibited by a court decision. In this regard, the Committee noted that the Human Rights Committee (HRC) noted that there had been numerous reports that laws on extremism are being used to target organizations and individuals critical of the Government. The HRC also expressed regret that the definition of "extremist activity" in the Law on combating extremist activity remains vague, allowing for arbitrariness in its application and that the 2006 amendment to this law has made certain forms of defamation of public officials an act of extremism (24 November 2009, CCPR/C/RUS/CO/6, paragraph 25). Moreover, the Committee on Economic, Social and Cultural Rights had urged the Government to review sections 280, 282.1 and 282.2 of the Penal Code, under which a number of acts are punishable with sanctions of imprisonment together with compulsory labour (1 June 2011, E/C.12/RUS/CO/5, paragraph 13). However, the Committee noted that the Plenum of the Supreme Court
adopted Decision No. 11 (28 June 2011) on judicial practice in criminal cases involving offences of an extremist nature in order to provide guidance to ensure uniformity in the judicial procedure related to cases brought under these sections. This Decision states that courts should, in examining such offences, consider both the protection of the public interest and the protections contained in the Constitution relating to freedom of conscience, of thought, of expression, and the right to seek, receive, transmit, produce and disseminate information by any lawful means, as well as the right to assemble peacefully without arms. Moreover, the Decision states that the criticism of political organizations, ideological and religious associations, political, ideological or religious beliefs; or national or religious practices in and of itself should not be regarded as an act aimed at inciting hatred and enmity. It requested information on the impact of this Decision on cases related to extremism.

The Committee notes with regret an absence of information in the Government’s report on the impact, if any, of Decision No. 11 of the Plenum of the Supreme Court of 2011. However, it notes the Government’s statement that if the concept of “extremist activity” was defined in an enunciative manner, it would be impossible to apply the concept effectively to the limitless number of actual legal situations that could occur. It indicates that in the work of the department that combats extremism, priority is given to the prevention of crimes of an extremist character, and to detecting and stopping the most dangerous violent manifestations of extremism, not to applying legislation on extremism to people who express certain political views or views opposed to the existing political, social and economic system. Some 656 offences of an extremist character were recorded in 2010, 622 such offences in 2011 and 741 offences in 2012. The Government states that the spread of this type of activity in the country is evident from the rise in the annual number of offences recorded. The majority of those found guilty of an offence under sections 280, 282.1 and 282.2 of the Penal Code were not given custodial sentences. Of the 32 convictions handed down under section 280 (public appeals for a forcible change of the constitutional system) two persons were sentenced to imprisonment (involving compulsory labour), and two were ordered to undergo corrective labour. Of the 37 persons convicted under section 282.2 (organizing an activity of an extremist community), nine were sentenced to imprisonment. The Government provides examples of groups considered as extremist groups,
and states that this includes 20 dangerous anarchist and nationalist radical groups, as well as leaders and activists of radical organizations. A list of banned organizations includes 19 terrorist organizations and 31 extremist ones. While noting the examples provided in the Government's report, the Committee notes the absence of comprehensive information on these banned organizations, or relevant court cases concerning these organizations which would allow the Committee to assess the scope and extent of the application of these provisions in practice.

With regard to the Government’s indications concerning the definition of the term extremist activities, the Committee wishes to emphasize that if legislative restrictions are formulated in such broad and general terms that they may lead to penalties involving compulsory labour as a punishment for the peaceful expression of views or of opposition to the established political, social or economic system, such penalties are not in conformity with the Convention. While the Convention does not prohibit punishment by penalties involving compulsory labour of persons who use violence, incite to violence or engage in preparatory acts aimed at violence, the Committee must emphasize that the protection conferred by the Convention is not limited to activities expressing or manifesting opinions diverging from established principles. Even if certain activities aim to bring about fundamental changes in state institutions, such activities are protected by the Convention, as long as they do not resort to or call for violent means to these ends. The Committee would also like to point out that even if legislation responds to a legitimate need, it can nevertheless become a means of political coercion and a means of punishing the peaceful exercise of civil rights and liberties, such as the freedom of expression and association. The Committee accordingly requests the Government to take measures to ensure that no sentence entailing compulsory labour can be imposed on persons who, without using or advocating violence, express certain political views or opposition to the established political, social or economic system. In this regard, the Committee requests the Government to continue to provide, in its next report, information on the application of the laws concerning "extremism" in practice, including information on any prosecutions, convictions and sentences pursuant to sections 280, 282.1 and 282.2 of the Penal Code and the Law on combating extremist activity. It requests the Government to provide copies of relevant court cases in this regard, as well as a copy of the list of banned organizations, for which persons’ participation may
be penalized with sentences of imprisonment involving compulsory labour."


Observation (CEACR) - adopted 2012, published 102nd ILC session (2013)

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Russian Federation

"Application of Standards (International Labour Conference, 99th Session, June 2010). The Committee recalls the discussion that took place in the Conference Committee on the Application of Standards in June 2010. In its conclusions, the Conference Committee raised concerns regarding Resolution No. 162 of 25 February 2000, which excludes women from being employed in 456 occupations and 38 branches of industry, and section 253 of the Labour Code, which provides that the employment of women in hazardous work and work in harmful or dangerous conditions shall be limited. The Conference Committee urged the Government to take steps to revise section 253 of the Labour Code and Resolution No. 162 to ensure that any limitations on the work that can be undertaken by women are not based on stereotyped perceptions regarding their capacity and role in society and are strictly limited to measures to protect maternity, and asked the Government to take measures to address the legal and practical barriers to women's access to the broadest possible range of sectors and industries, as well as at all levels of responsibility. It also urged the Government to take measures, through tripartite consultation, to ensure non-discrimination and promote equality of opportunity and treatment in employment and occupation for all groups protected under the Convention, including ethnic minorities. It specified that such measures should include strengthening the legal framework, including ensuring that the legal framework addresses direct and indirect discrimination, the burden of proof, provides for effective remedies, and that there are mechanisms to promote, analyse and monitor equality of opportunity and treatment." (..)

Additional information provided by FSC Russia: The above mentioned Resolution 162 includes the forestry sector: http://www.lawmix.ru/zkrf/35837/

XX. Timber harvesting operations

- Timber harvesting operations
- Timber harvesting operations
<table>
<thead>
<tr>
<th>Code</th>
<th>Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>280.</td>
<td>Loading and unloading of roundwood (except for cuts of pulpwood, mining timber and fuelwood up to 2 m long)</td>
</tr>
<tr>
<td>281.</td>
<td>Piling of roundwood (except for cuts of pulpwood, mining timber and fuelwood up to 2 m long)</td>
</tr>
<tr>
<td></td>
<td>Works according to job specifications:</td>
</tr>
<tr>
<td>282.</td>
<td>Lumberjacks</td>
</tr>
<tr>
<td>283.</td>
<td>Lumberjacks employed in cutting of whole trees and bucking and piling of longwood, chopping, harvesting and processing of resinous stumpwood as well as wood harvesting when made manually</td>
</tr>
<tr>
<td>284.</td>
<td>Timber loaders and dumpers employed in establishing of operational and seasonal stocks of logs and trees, loading of trees, logs and roundwood (except for cuts of pulpwood, mining timber and fuelwood up to 2 m long) on mobile forestry machinery and their unloading when made manually</td>
</tr>
<tr>
<td>285.</td>
<td>Chokermen</td>
</tr>
<tr>
<td></td>
<td>Timber rafting</td>
</tr>
<tr>
<td></td>
<td>Works according to job specifications:</td>
</tr>
<tr>
<td>286.</td>
<td>Timber rafter</td>
</tr>
<tr>
<td>287.</td>
<td>Rigger employed in loading and unloading of floating implements</td>
</tr>
<tr>
<td>288.</td>
<td>Timber raft formers</td>
</tr>
</tbody>
</table>

*Articles 2 and 5. Gender equality and special measures of protection. The Committee welcomes the Government's indication that, as a result of the consultations among the Ministry of Health and Social Development and the social partners, it was decided that Resolution No. 162 would be amended. It also notes that the Government repeats that employers may assign to women work that is included in the list, provided the employer creates safe working conditions, which are certified as safe by the competent state authorities. The Government also indicates that 456 occupations and 38 branches of industry constitute only 2 per cent of all types of economic activities; therefore, according to the Government, the list cannot be considered discriminatory. The Government adds that work is under way to introduce a system of occupational risk management, with the cooperation of the social partners, at each workplace. The Committee again reminds the Government that protective measures applicable to women’s employment, which are based on stereotypes regarding women’s professional abilities and role in society, violate the principle of equality of opportunity and treatment between men and women in*
employment and occupation. Provisions regarding the protection of persons working under hazardous or difficult conditions should be aimed at protecting the health and safety of both men and women at work, while taking account of gender differences with regard to specific risks to their health (General Survey on fundamental Conventions, 2012, paragraph 840). It also recalls that the Conference Committee asked the Government to ensure that the planned review of the system of health and safety protection addressed the needs of both men and women, and would not lead to measures hindering women’s participation in the labour market. The Committee asks the Government to ensure that Resolution No. 162 of 2000 is amended without further delay, as well as section 253 of the Labour Code, and that any measures limiting women’s employment are strictly limited to maternity protection. Please provide specific information on the progress made in this regard, including with respect to the consultations with workers’ and employers’ organizations and the results of such consultations.”

“Articles 2 and 3. Equality of opportunity and treatment of men and women. The Committee notes the Government’s indication that in March 2010, the rate of economically active women (between 15 and 72 years of age) was 56.7 per cent, compared to 66.4 per cent for men. The Committee notes from the statistical information provided by the Government under the Equal Remuneration Convention, 1951 (No. 100), that women constituted 81.2 per cent in education, 79.7 per cent in health care and social services, and 77.6 per cent in hotel and restaurant services in 2009, and observes that the labour market remains highly gender segregated. The Committee asks the Government to take measures to promote equal opportunities of men and women in employment and occupation, including information on the specific steps taken to ensure that men and women have equal access to employment in the broadest possible range of sectors and industries, as well as at all levels of responsibility. Please continue to provide updated detailed statistical information on the distribution of men and women in the different sectors and industries, as well as levels of responsibility.

Sexual harassment. The Committee recalls the absence of specific legal provisions on sexual harassment in the workplace. It notes the Government’s indication that sexual harassment is covered by section 133 of the Criminal Code. Country Specified risk on discrimination of women

Country Specified risk on sexual harassment
| Code, which provides that it is a criminal offence to force a person to perform acts of a sexual nature, including sexual intercourse, sodomy, lesbianism, or other acts of a sexual nature using blackmail, threats of destroying, damaging or taking away property, or by exploiting the victim's financial or any other form of dependence. The Committee recalls that addressing sexual harassment only through criminal proceedings is normally not sufficient, due to the sensitivity of the issue, the higher burden of proof, and the fact that criminal law does not cover the full range of behaviour that constitutes sexual harassment in employment and occupation. Given the gravity and serious repercussions of sexual harassment, as a serious manifestation of sex discrimination and a violation of human rights, it is important to take effective measures to prevent and prohibit sexual harassment at work, both quid pro quo and hostile environment sexual harassment (General Survey, 2012, paragraphs 789 and 792). The Committee asks the Government to take steps to include in legislation a clear definition and prohibition of both quid pro quo and hostile work environment sexual harassment in employment and occupation. It also asks the Government to indicate any measures taken in practice to prevent and address sexual harassment, and to raise awareness of employers, workers and their representatives regarding sexual harassment. | }
measures as well as effective enforcement of the legislation. It reiterates its request to the Government to provide information with regard to equal opportunities and treatment in employment and occupation of indigenous peoples.”

(10)


Observation (CEACR) - adopted 2013, published 103rd ILC session (2014)
Minimum Age Convention, 1973 (No. 138) - Russian Federation
In this observation the Committee notes that the illegal employment of minors are frequent occurrences in the informal economy. No references are made that this risk might occur in the forestry or agricultural sector.


Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)
Worst Forms of Child Labour Convention, 1999 (No. 182) - Russian Federation
*Article 5 of the Convention. Monitoring mechanisms. Labour inspection.*

Following its previous comments, the Committee notes the statistical data provided by the Government on the inspections carried out in monitoring the compliance of labour law relating to the employment of young persons under 18 years of age. According to this data, 2,717 inspections were carried out in 2012, and 2,479 violations were detected relating to persons under 18, while 498 such inspections were carried out in the first quarter of 2013, and 288 such violations were detected during the first quarter of 2013. Of the total number of violations detected, 1,493 violations in 2012 and 136 violations in the first quarter of 2013 relate to the safety and health of workers under 18 years. The Committee notes the Government’s information that in 2012, a total of 21 workplace accidents affecting workers under 18 were reported, of which 12 had serious, and six had fatal, consequences. Consequently, labour inspectors issued over 1,101 notices in 2012 and overall fines amounting to 1,247,000 Russian rubles (RUB) were imposed, while in the first quarter of 2013, 60 notices were issued and fines of RUB128,000 were imposed. The Committee
requests the Government to continue providing information on the number and nature of violations detected by the labour inspectorate involving children under 18 years engaged in hazardous work."

| Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: [Link](http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx) | No additional information found. | - | - |
| ILO Helpdesk for Business on International Labour Standards: [Link](http://www.ilo.org/empent/areas/business-helpdesk/lang--en/index.htm) | No additional information found. | - | - |
| Global March Against Child Labour: [Link](http://www.globalmarch.org/) | [Link](http://www.globalmarch.org/content/76-countries-rank-high-child-labour-violations) **76 Countries Rank High In Child Labour Violations**  
“A large number of 76 countries have been classified as ‘extremely risky’ in terms of child labour complicity for global companies on the Child Labour Index 2012 as per the recent annual study on human rights violations conducted by UK-based risk analysis firm Maplecroft. This represents an increase in global use of child labour from last year with 68 countries categorised as extremely risky. The Child Labour Index, developed by Maplecroft evaluates the extent of country-level child labour practices and the performance of governments in preventing child labour and ensuring the accountability of perpetrators. By doing so, the Index enables companies to identify risks of children being employed within their supply chains in violation of the standards of minimum age of employment. The Index also analyses the risk of involvement of children in work, the conditions of which could have a negative impact on the health, safety and overall wellbeing of child labourers.”

“The Child labour Index 2012 evaluated the frequency and severity of reported child labour incidents in 197 countries. Maplecroft attributes the increase in global child labour to the economic downturn and the worsening global human security situation that has increased the number of internally displaced children and refugees who are most vulnerable to economic and labour exploitation. Understandably, the countries topping the Index as worst performers are conflict torn and authoritarian states – Myanmar (1), North Korea (2), Somalia (3), Sudan (4), DR Congo (5), Zimbabwe (6), Afghanistan (7), Burundi (8), Pakistan (9) and Ethiopia (10). Challenging economic conditions in many | Country | Specified risk on child labour |
Forest Stewardship Council

countries due to the financial crisis continuing from 2008, and the consequent reduced donor money for education, etc. have also contributed to more children trapped in work to support their families." (..)

"The Child Labour Index 2012 also ranks large and emerging economies as being extremely risky. Philippines, Viet Nam, Indonesia, Mexico and BRIC countries, i.e., Brazil, Russia, India and China pose extreme child labour risks to supply chains of companies. As per Maplecroft, the risks that these economies pose to companies are distinct as they form critical links within the multinational supply chains. These economies provide a source for a range of materials/goods that companies use in the supply chains of their products, many of which are tainted with child labour violations. Gold and rubber from Philippines, footwear and oil from Indonesia, coffee and tobacco from Mexico, sugarcane from Brazil and cotton, embroidered textiles, gems from India – these are just some examples from the long list of goods produced in these countries using child labour."  

See also below at ‘Child Labour Index 2014’ by Maplecroft.

(Use the link to ‘Key documents’ on the left hand side. Go to ‘observations’ and search for country.) (Refer to CW Cat. 1) | Country  
Or:  
Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations | Low risk  
Latest report: 8 March 2009 (CEDAW/C/RUS/7)  
(14. The policy of the Russian Federation, as a social State, is aimed at creating conditions that provide for a dignified life and for the free development of the human being. In accordance with the Constitution, the labour and the health of people is safeguarded in the Russian Federation, a guaranteed minimum wage is set. State support for families, motherhood, fatherhood, and childhood as well as for disabled and elderly citizens is provided, the system of social services is being refined, and State pensions as well as benefits and other guarantees of social protection are established. Citizens of the Russian Federation are guaranteed the right to work, a free choice of profession or type of occupation, unemployment protection, relaxation, and social welfare, which includes receiving benefits and pensions, protecting health and safe working|
conditions, education, professional training, retraining, and advanced training. The equality of men and women in work situations has been reinforced in the Labour Code of the Russian Federation, including equality of rights and opportunities, professional advancement, equal pay for equal work, equal conditions in work of equal importance, and equal approaches to evaluating the quality of work regardless of the gender of the worker.” (...) 

“15. For the purpose of ensuring the all-around progress of women and of overcoming discrimination in the Russian Federation during the entire period under consideration, a broad package of measures has been implemented which have been emphasized in programmes of social and economic development for the Russian Federation and in the National Action Plan for improving the status of women and for promoting their role in society (for 2001-2005). Particular attention in the aforementioned plan has been paid to measures for improving the position of women on the labour market, improving the working conditions and labour protection for women, protecting their health, developing systems of social welfare for families, women, and children, providing assistance to women who have suffered rape, and for strengthening family relationships. The National Action Plan has played a positive role in providing employment to women, reducing unemployment among them, and strengthening the system of social support for motherhood, childhood, and families. In the majority of the entities of the Russian Federation regional plans of action for improving the position of women are also being implemented.” (..) 

“Article 4 28. The legislation of the Russian Federation does not contain any provisions whatsoever that discriminate on the basis of gender. However, the practical achievement of equality is a long-term question, which depends both on the activity of the women’s movement as well as on the political will to support the achievement of real equality.” (..) 

“Article 11 70. In accordance with the Constitution of the Russian Federation, citizens of Russia are guaranteed the right to work as the inalienable right of all persons, the right to a free choice of profession or type of activity, the right to protection from unemployment, the right to relaxation, the right to social welfare including
benefits and pensions, the right to health care and workplace safety, and the right to education, professional training, retraining, as well as advanced training.

Equality of rights and opportunities for men and women in their working relationships has been strengthened in the Labour Code of the Russian Federation (2001), including equality of opportunity without discrimination in promotions at work on the basis of productivity, qualifications, and seniority in the specialty. Women enjoy the same rights as men to participate in the organization and the work of professional associations.

In the labour rights of citizens to a prompt and complete payment of a fair wage in the Russian Federation, there is no distinction with regard to gender. The wages of workers depend on their qualifications, the difficulty of the work being carried out, the quantity and quality of the work being carried out, and they are not limited to a maximum amount. All discrimination in setting or changing the amounts of wages and other conditions of work is prohibited.

Federal law stipulates a minimum wage, which may not be lower than the subsistence wage. Federal law in June 2007 set the minimum wage beginning January 2009 at 4,330 rubles.

71. For the purpose of preventing discrimination against women, the Labour Code of the Russian Federation provides for the dissemination of norms of labour law to organizations and enterprises of the private sector, including obligations to observe the law-based labour rights of women. Women who work in the private sector as hired workers and individual women entrepreneurs, upon condition of the voluntary payment of insurance premiums into the mandatory social insurance fund, have the right to receive benefits for temporary disability, pregnancy and birth, one-time benefits paid to women who are registered in medical institutions during early stages of their pregnancy, benefits for adopting a child, one-time benefits for the birth of a child, and monthly benefits for a child until he or she reaches the age of one and a half years. The payment of benefits in such a case is taken entirely from the Fund with respect to the amount and the procedure as established by the normative legal acts regarding benefits for State social insurance."

(....)

"79. For the purpose of safeguarding the health of women, including their reproductive function, a special article 253 of the Labour Code (2001) has
established restrictions on women’s work. In contrast to the prior law, the current labour law does not forbid the use of women’s labour in heavy labour or in jobs having toxic conditions, but rather it simply limits their employment in the aforementioned jobs until such time as safe working conditions have been created for them. Including the aforementioned norm in the labour Law has greatly promoted generally recognized principles and norms of international law and of the Constitution, and it provides women with a free choice in their type of activity. At the present time, there is a list of heavy-labour jobs and jobs with toxic or dangerous working conditions, for which it is prohibited to employ women, as confirmed by a Resolution of the Government of the Russian Federation in 2000. In the aforementioned list, such jobs are named according to the branch of the economy, industry, and type of work (for example, “food-production industry”, “agriculture”, “printing industry”, “mining”). The list includes underground jobs in the mining industry and in the construction of underground facilities, as well as several jobs in agriculture. In addition, it indicates not only jobs that are prohibited to women, but it also stipulates an exception for jobs which they are permitted to take. However, in cases where safe working conditions are created in jobs (professions, positions) that are included in the list and this is confirmed by the results of a workplace certificate and by the positive conclusions of State expert studies of the conditions of work and employment through the State public health and epidemiology centre of an entity of the Russian Federation, the employer is permitted to make use of the labour of women in these jobs.”

Remark by the consultant: As explained above, this list of heavy-labour jobs includes many jobs in the forestry sector.

Russia’s Olympian Abuses  
*Migrant worker abuses*  
The transformation of Sochi from a small resort town to international Olympic host has been made possible by more than 70,000 workers, including tens of thousands of migrant workers from outside of Russia. Many of these migrant workers face exploitation – with employers failing to pay their wages, confiscating workers’ passports, and forcing them to toil up to 12 hours a day with only one day off each month – all in violation of Russian law.*
<table>
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<tr>
<th>Country</th>
<th>Specified risk on child labour …</th>
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<tr>
<td>China dropped from the 53rd highest risk geography to 20th in the Index, while Russia fell 11 places to 69th. Both are classified as posing an ‘extreme risk.’ Substantial negative changes to the risk profiles of Nepal (14th, 34th in 2013), Guinea (30th, 36th in 2013), and Equatorial Guinea (109th, 114th in 2013) were also noted.</td>
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</tbody>
</table>

"Maplecroft’s ranking of 197 countries includes 83 countries rated ‘extreme risk,’ with Eritrea, Somalia, DR Congo, Myanmar, Sudan, Afghanistan, Pakistan, Zimbabwe, Yemen and Burundi comprising the 10 countries where the problem of child labour is greatest. Although none of these countries have shown significant improvement over the past year, Myanmar has moved from its position of 1st (as the worst performing country worldwide) in all six previous editions of the Child Labour Index, to 3rd in the 2014 Index. This reflects improving government commitments and capacities to combat child labour. However, the situation remains grave. For example, children are recruited as child soldiers by military and rebel groups to perform non-combatant tasks. In addition, children from Myanmar are increasingly vulnerable to unsafe migration and trafficking for labour exploitation, both within the country and cross border."
“The Child Labour Index 2014 evaluates the frequency and severity of reported child labour incidents, as well as the performance of governments in preventing child labour and ensuring the accountability of perpetrators. It has been developed to enable companies to understand and identify risks of children being employed within their supply chains in violation of international standards on minimum age of employment or in occupations that limit or damage their overall development.”

“Global trafficking is an enabler of child labour - with migrant children the most vulnerable group. The problem is particularly prevalent in China and Russia, both of which have been downgraded by the US Department of State from Tier 2 Watch List to Tier 3 in its Trafficking in Persons Report 2013. This is due to the governments’ ongoing failure to comply with minimum standards, or make significant efforts to do so.”

“Trafficking is a critical factor in Russia’s increasing risk profile in the Child Labour Index. Inefficient law enforcement, weak institutional capacity and corruption are important contributing factors. The last 10-12 years have seen significant changes in the nature of child labour in Russia, especially among migrant children who, increasingly, are found working in shops and on construction sites. Children performing work in Russia are also often engaged in the worst forms of child labour, especially in rural areas where agricultural work may involve risks to their health, such as using dangerous machinery and harmful pesticides.” (..)

http://www.verite.org/Commodities/Timber
http://www.verite.org/news/More_than_12_million_are_modern_slaves

More than 12 million are modern slaves, U.S. says
Global Labor Rights News

“A sobering new report from the State Department finds that more than 12 million people worldwide are victims of "trafficking in persons" — trapped in forced labor, bonded labor or forced prostitution. But just 4,166 people were convicted of trafficking last year, the report says.” (..)

“But there's still much work ahead, the report says. The State Department estimates that only 0.4 percent of all modern slavery victims were identified last year. Human trafficking is a multibillion-dollar business — and will probably

<table>
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<tr>
<th>Country</th>
<th>Specified risk on forced labour</th>
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http://www.verite.org/Commodities/Timber
http://www.verite.org/news/More_than_12_million_are_modern_slaves
"Clinton said that for the first time, the State Department will rank the United States using the same standards as it uses for the other countries. The country earned the department's highest ranking, meaning that the government is in full compliance with U.N. anti-trafficking protocol. Countries near the bottom of the list include China, Saudi Arabia, India, Iran and Russia."

http://www.verite.org/SWW/Russia

State of the Working World: Russia

*Forced Labor Legal*

The ILO has reported that a number of points of Russian law contravene ILO conventions on forced labor. Russian law allows for the possibility of prisoners being employed by private entities. While this does not appear to occur in practice and these prisoners are covered by labor legislation, there is no clear mechanism to ensure that such labor is carried out with workers' formal consent. Furthermore, under Russian law, certain acts such as 'extremist activities,' or the 'disclosure of state secrets' are punishable by imprisonment, which may involve compulsory prison labor. Russian law also allows for the possibility of compulsory labor for the expression of political views or ideological opposition to the established political, social or economic system.

*Forced Labor in Practice*

There have been credible reports of forced labor among migrant workers and military personnel. These reports were corroborated by Verité interviews with in-country labor experts. Foreign migrants are often forced to work with little or no pay on behalf of employers who confiscate their passports after bringing them into the country. The ILO estimated in 2006 that one-fifth of illegal immigrants in Russia were victims of forced labor. These workers face extremely long working hours, substandard living conditions, denial of food, denunciation to law enforcement, and violence. Regulations which link workers’ legal status in the country to employment by a single enterprise engender forced labor. Although regulatory changes have been proposed, the absence of strong enforcement mechanisms suggests that the criminal exploitation of...
these workers will continue. While the government has forbidden the illicit use of military personnel as cheap labor, conscripts are often forced to work for commanding officers or are "rented out" to third parties. Such work is typically conducted under poor safety conditions. The problem is particularly acute in North Ossetia-Alania, where soldiers have been forced to work for private employers for years at a time. Experts have argued for ending the compulsory draft, which places conscripts in a dependent position that enables these practices. The Russian government has enacted a number of programs to combat human trafficking in cooperation with the International Organization for Migration (IOM) and other international organizations and law enforcement agencies. These efforts include improved law enforcement and criminal sanctions, increased interagency cooperation, and assistance for victims."

"Discrimination/Equality in Practice
Estimates of the scale of unequal remuneration between men and women vary, but most estimates place women’s average wages at between 60 and 85 percent of men’s wages. Among the reasons for this disparity is that women are concentrated in lower paying sectors and occupy few executive level positions. Although the law states that men and women have equal rights and opportunities, women encounter discrimination in employment. Job advertisements often specify gender and age groups. While government authorities are formulating a mechanism to prohibit the publication of discriminatory hiring advertisements, experts predict that discriminatory hiring practices will persist. A new federal program offering education and job training for women on maternity leave was launched in 2009 and will be in force until 2011. There is persistent governmental and societal discrimination against Roma and migrants from the Caucasus and Central Asia, as well as other ethnic and racial minorities and foreigners. In-country experts reported that age-based discrimination was widespread, as 80 percent of all job vacancies at Russian companies contain age restrictions."

"Conditions of Work in Practice
Russian workers are faced with extremely dangerous working conditions, particularly in construction, agriculture, and food processing. According to government statistics, there were 10.9 fatalities per 100,000 workers in 2008; however, the U.S. Department of State has reported that these statistics
underreport accident and fatality rates by between 70 and 90 percent. In 2006, the government determined that 22.5 percent of the working population was employed under unsatisfactory health and hygiene conditions – up from 18.8 percent in 2001. Russian women face significant workplace discrimination and sexual harassment. Interviewees further reported that awareness and enforcement of sexual harassment laws is extremely low and that lawsuits for workplace sexual harassment are almost nonexistent."

"Foreign Contract Labor"
The abuse of foreign contract labor was found to be an issue of concern in Russia. According to government data there are an estimated 5.4 million migrant workers in Russia, about one third of whom are legally employed. An estimated 80 percent of these workers are from other countries in the Commonwealth of Independent States. According to Human Rights Watch, the most common or pervasive forms of abuse and exploitation of foreign contract laborers are the confiscation of passports; failure to provide workers with employment contracts; under-payment or non-payment of wages; illegal wage deductions; long working hours; substandard living conditions; denial of food; denunciation to law enforcement; and the use or threat of violence by guards, police, or others. Employers or intermediaries reportedly subjected foreign workers to forced labor by confiscating their passports, confining them to worksites, and denying them wages."

"Government Capacity"
Confidential interviews with key labor experts, as well as publicly available information from the Russian Federation’s Ministry of Labor, indicate that the labor inspections and grievance systems in Russia are inadequate due in part to corruption. Field interviews indicate that the Russian Labor Inspectorate is underfunded and cannot afford to send inspectors to all regions of Russia. Government representatives interviewed by Verité reported that funds available for inspections in regions where there is no branch of the labor inspectorate are inadequate. There are a number of gaps and weaknesses in Russia’s grievance mechanisms. Although workers may file complaints through either the Labor Inspectorate, civil courts, or a commission on labor disputes, Verité field research and interviews indicate that workers often do not have the
resources to engage in a legal dispute with their employer. The U.S. Department of State reported that Russian court cases normally tended to be very lengthy and complicated. Field interviews indicate that while court cases often took years to complete and judgments were not adequately enforced, there have been improvements in the enforcement capacity of the Federal Judicial Police Officers’ Service, which is responsible for enforcing court decisions. Confidential interviews with Russian labor experts confirmed that corruption decreases the effectiveness of the inspections and grievance systems. The law enacted a national anti-corruption plan in December of 2008. Legislative changes included more comprehensive disclosure requirements for public servants and increased criminal penalties for corruption. Following the enactment of this law there was a substantial increase in anti-corruption prosecution but it remains to be seen what effect this will have on the inspections and grievance systems."

No evidence for specified risk in relation to the forestry sector found.

| The ITUC Global Rights Index ranks 199 countries against 97 internationally recognised indicators to assess where workers’ rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en | http://www.ituc-csi.org/IMG/pdf/survey_ra_2014_eng_v2.pdf The Russian Federation is rated in category 2: “Repeated violation of rights”. This is the second out of 5 ranks, with rank 1 being the least violation of rights. Description of category 2: “Countries with a rating 2 have slightly weaker collective labour rights than those with the rating 1. Certain rights have come under the repeated attack by governments and/or companies and have undermined the struggle for better working conditions.” | Country | Low risk |

55 of 93
support of the International Labour Organization, the Confederation of Labour of Russia, the Centre for Social and Labour Rights and the Non-Profit Partnership “Lawyers for Labor Rights.”

The book analyses correlation between the international legal regulation of labour relations and Russia’s labour legislation. It contains five chapters focusing on the means of interaction between the international labour standards and the national labour legislation, conformity of Russia’s labour legislation to the international treaties in the world of work, authentic interpretation of these international treaties as well as compliance with the international recommendations and international treaties under which Russia bears no obligations.

The book in detail cites the examples of conformity and non-conformity of Russia’s labour legislation to the international labour standards. Most evident non-conformities were found in respect to the fundamental principles and rights at work fixed in the ILO Declaration on Fundamental Principles and Rights at Work (1998). This concerns such issues as freedom of association and the right to collective bargaining, a ban on the use of forced labour, elimination of child labour and anti-discrimination of labour and employment. Significant non-conformities were registered in the spheres of labour inspection, remuneration of labour, working time and layoff warnings.

ILO Moscow Senior Specialist in Workers’ Activities Sergeyus Glovackas described the guide as a very important book for Russia’s trade union activists and labour lawyers. In particular, he emphasized that “the book sheds light on ILO’s fundamental conventions, their application in Russia and their reflection in Russia’s labour legislation.” Glovackas recalled that Russia ranks second after Ukraine by the number of adoptions of the ILO’s conventions. Most of them were adopted in the Soviet era.” (…)

IndustriALL Global Union

Blatant violation of labour rights at Benteler in Russia; Dec 13, 2012
"Dmitry Khokhlov, an assembly line operator at Benteler, a VW supplier in Kaluga, Russia, and a union activist, was rehired in accordance with a court decision — and then immediately fired again. Benteler HR director said the court’s order 'goes against corporate ethics'.

On 19 October Dmitry Khokhlov, deputy president of the Interregional Trade Union of Autoworkers (ITUA) local at Benteler Automotive in Kaluga, Russia, was dismissed.

After a successful strike for the recognition of the union in March 2012 ITUA signed a collective agreement with the management, one of the best in the Kaluga industrial area. However, the company didn’t withdraw from anti-union tactics.

There is a clear pattern of workers’ rights violations at Benteler, since Khokhlov’s dismissal was illegal, and earlier two cases of disciplinary action against Benteler workers had already been overturned by court decision.

Recently the local court ordered the reinstatement of Khokhlov and payment of compensation. However, on his first day at work on 10 December he was invited to talk to Elena Sirotkina, HR director at Benteler. She said his reinstatement ‘goes against corporate ethics’, and served him a notice of dismissal. The reason for dismissal was a no-show, however, Sirotkina didn’t bother to explain how a no-show was possible if Khokhlov hadn’t even started working.

Sirotkina also gave Khokhlov a written demand to put in writing a statement on his no-show, together with a notice of dismissal, which was already signed. She didn’t bother to explain the purpose of the statement if he was already fired. Khokhlov comments, ‘This is too much of a mockery of both the law and common sense.’

ITUA says they will strive for Sirotkina’s dismissal, as gross violations of labour law are an acceptable tactic for her.

"Benteler management in Kaluga should be brought to justice for defying labour laws and trade union rights," said ITUA activist in Kaluga, Russia." (..)

Library of Congress
(The USA) Library of Congress is the nation's oldest federal cultural institution and serves as the research arm of Congress)
Children’s Rights: Russian Federation
“Under the Labor Code,[30] individuals under eighteen years of age are subject to certain limitations on legal capacity, special limitations, and certain protection in the field of labor relations. The usual age of employment is sixteen, although in special cases, a minor may start work at fifteen, and even at fourteen if additional requirements have been met. The procedure of receiving approvals and permits for hiring a minor under sixteen is cumbersome, and employers usually do not hire minors under sixteen in order to avoid bureaucratic problems. All minors can be hired only after a medical examination. An annual medical examination of all employees under eighteen also is required. Labor law provides special protection to minors in its regulation of working hours and conditions; for instance, a minor’s vacation cannot be less than thirty-one calendar days; it cannot be postponed to the next working year or commuted for cash. Article 265 of the Labor Code contains the list of works prohibited for minors because of negative impact on the health and moral development of a minor. This list includes work with hazardous materials, underground work, and work which requires moving heavy weights over the limits established by sanitary norms. This prohibition is mandatory and applies to all enterprises regardless of their legal status and possession. Minors cannot be sent on business travel, they cannot work overtime, at night, or during weekends and holidays.”

Additional information from FSC Russia: “The list of hazardous jobs and jobs with harmful or hazardous working conditions for which it is prohibited to employ persons under 18 years is approved by the government of the Russian Federation as of February 25, 2000, Resolution №163. It includes forest harvesting operations, timber rafting and resin boxing.”

United States Department of Labor
http://www.dol.gov/ilab/reports/child-labor/russia.htm

2013 Findings on the Worst Forms of Child Labor: Russia

“Moderate Advancement”
In 2013, the Russian Federation made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified the UN CRC Optional Protocol and a UN treaty on protections against the sexual exploitation of children, and strengthened several of its own laws prohibiting child pornography and trafficking. However, children in Russia continue to
engage in child labor, including work on the streets and commercial sexual exploitation. Criminal laws on child pornography still do not prohibit possession, and do not protect children ages 14-18. In addition, Russia continues to lack a mechanism to coordinate nationwide efforts to combat the worst forms of child labor, and it has no social programs aimed at this goal.” Agriculture is mentioned in the findings as one of the sectors in which children’s work occurs.

Additional information from FSC Russia: “Agriculture and forestry are separate branches of the economy in Russia and have principally different types of employment. The mentioned problem does not automatically apply to the forest sector.”

<table>
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<tr>
<th>Additional general sources</th>
<th>Additional specific sources</th>
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| From national CW RA (FSC-CWRA-015-RU + Komi ENG fin) | “2.3. There is no evidence of child labor or violation of ILO Fundamental Principles and Rights at work taking place in forest areas in the district concerned”

**National level; Unspecified risk**

“2.3a. There is no evidence of violation of freedom of association and collective bargaining”

“The observation of the workers’ freedom of association (establishment and, subject only to the rules of the organization concerned, joining organizations of their own choosing without previous authorization of the employer) and the right of bargaining with the employer is guaranteed by: The Labor Code of the Russian Federation, Federal Industrial Tariff Agreement for forestry of the Russian Federation (between Trade Union of Forestry Workers of the Russian Federation (Roslesprofsoyuz), Federal Forestry Agency, federal Service for Supervision in the Sphere of Nature Use, Ministry of Natural Resources of the Russian Federation); the Federal Industrial Tariff Agreement for Forest Industry of the Russian Federation (between Roslesprofsoyuz, All-Russian Industrial Association of Employers “Union of Timber Producers and Exporters of Russia” and the Ministry of Industry and Energy of the Russian Federation (or similar). According to Roslesprofsoyuz data as of 31 December 2011, approx. 11% of

Country | Specified risk on not upholding the freedom of association and collective bargaining |
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<td>all timber producers had no collective bargaining agreements, there are cases when the requirements of such agreements were not met. Up to 10 acute labor conflicts are observed in Russia every year. ILO expressed its concern to the Government of the Russian Federation referring to complaints relating to the compliance with the requirements of Convention 87, in particular, “numerous violations of trade union rights in practice, including denial of registration of trade unions, interference by the authorities in internal trade union affairs, harassment of trade union leaders, and restrictions on the rights to strike” (Observation (CEACR) - adopted 2010, published 100th ILC session (2011), <a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2329270">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2329270</a>, as well as Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012), <a href="http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100">http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100</a>&lt;Comment_ID:2698661.NO&gt;, and Convention 98, in particular “numerous violations of trade union rights in practice, including acts of anti-union discrimination and interference by employers in trade union internal affairs”. (<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2698948:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2698948:NO</a>)</td>
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<td>National level; Unspecified risk</td>
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<td>Federal Sources:</td>
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<td></td>
<td>ILO Subregional Office for Eastern Europe and Central Asia (<a href="http://www.ilo.ru">www.ilo.ru</a>);</td>
<td></td>
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<tr>
<td></td>
<td>Trade Union of Forestry Workers of the Russian Federation (<a href="http://www.roslesprof.ru">www.roslesprof.ru</a>);</td>
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<td></td>
<td>Federal Service for Labour and Employment of the Russian Federation (<a href="http://www.rostrud.info">www.rostrud.info</a>);</td>
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<tr>
<td></td>
<td>Federal Forestry Agency of the Russian Federation (<a href="http://www.rosleshoz.gov.ru">www.rosleshoz.gov.ru</a>);</td>
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<td></td>
<td>All-Russian Industrial Association of Employers “Union of Timber Producers and Exporters of Russia”</td>
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<td>Regional Sources:</td>
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<td>Regional information websites</td>
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<td>Websites of regional non-government environmental organizations</td>
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<td>---------------------------------------------------------------</td>
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<tr>
<td>“2.3b. There is no evidence of violations of the rights of prisoners of corrective labour institutions during wood harvest.”</td>
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<tr>
<td>“Institution of the Main Directorate of the Federal Penitentiary Service of the Ministry of Justice of Russia (corrective labour institutions) may lease forest areas for the purpose of wood harvest. The Labour Code of RF does not consider the labor of prisoners as forced labour. However, pursuant to Penal Execution Code (Chapter 14, art. 6): “The convicted are not allowed to cease work to resolve labour conflicts.” Therefore, the prisoners may not always bargain properly the working conditions and size of wages as per ILO. ILO expressed its concern to the Government of the Russian Federation regarding the compliance with the requirements of Convention 29, stating, in particular, that “all requirements of labor legislation are met and the working conditions for prisoners are assimilated to free employment relationships, but the committee notes that, according to the law, there is no requirement for informed consent of prisoners in case of work for private enterprises” (Direct Request (CEACR) - adopted 2010, published 100th ILC session (2011))</td>
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</table>

**National level; Unspecified risk**

**Sources**

Regional information websites

Websites of non-governmental human rights organizations


“2.3c. There is no evidence of child labor use.”  

<table>
<thead>
<tr>
<th>Country</th>
<th>Specified risk on violations of rights of prisoners in employment</th>
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<tbody>
<tr>
<td></td>
<td>Low risk (on child labour use)</td>
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</tbody>
</table>
### National level: Low risk

**Sources**
The same as 2.3a

“2.3d. There is no evidence of discrimination in the area of employment and occupation.”

“Russian labour laws prohibit any forms of discrimination in the area of employment and occupation. According to the report of the Federation of independent trade unions of Russia “On the status of women working at enterprises of the forestry and timber industries of RF and acts of trade unions” dated 07.12.2004: “Women are discriminated in terms of remuneration, during recruitment, carrier making and other forms of discrimination against women.”

The share of women in Roslesprofsoyuz is 34.4%. Although the problem of women discrimination is not resolved completely, Roslesprofsoyuz does not consider it as acute.

The problem of discrimination of migrants at work is more acute. In Amur Oblast, the timber is harvested by the Koreans under the special agreement between the Government of the Russian Federation and North Korea; Chinese workers are widely used in Siberia and Far East (0.4-1 mln people: Gelbras, 2001; www.km.ru/magazin/view.asp?id=F5F580B03F844EADA4577B7F30C20600; www.smoney.ru/article.shtml?2007/03/12/2433, including those involved in illegal logging (www.strana-oz.ru/?numid=19&article=911#s5; Vitkovskaya, 2002)

### Regional level: Unspecified risk: subjects of RF as per Annex 3.
The remaining subjects of RF - low risk

“Annex 3 (normative). List of the subjects of the Russian Federation where the risk of discrimination in the area of labor and employment when using migrant workers for timber harvesting is high (controlled wood indicator 2.3b)

1. Amur Oblast
2. Republic of Buryatia

<table>
<thead>
<tr>
<th>Country</th>
<th>Low risk (no discrimination of women in employment)</th>
<th>Specified risk on discrimination of migrant workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nine (9) regions as listed in left column as per ‘Annex 3’</td>
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<td></td>
</tr>
</tbody>
</table>
3. Jewish Autonomous Oblast  
4. Zabaikalskii Krai  
5. Irkutsk Oblast  
6. Krasnoyarskiy Krai  
7. Primorskiy Krai  
8. Tomsk Oblast  
9. Khabarovskiy Krai”

**Sources**  
The same as 2.3a above, as well as:  

### Additional information from NP (FSC Russia)

In an interview, Tantiana Yanitskaya from FSC Russia gave additional explanation to the information and assessment in the above quoted CWRA. Mrs. Yanitskaya explained that that additional interviews were held and that these interviews resulted in no evidence of child labour in the forestry sector in Russia.

### Conclusion on Indicator 2.2:

- The Russian Federation has ratified all eight fundamental labour conventions of the ILO and the majority of the relevant social rights are covered by the relevant legislation and enforced in the Russian Federation. Most evident non-conformities concern the issues freedom of association and the right to collective bargaining, a ban on the use of forced labour and elimination of child labour. Also the legislation to combat trafficking in persons is being criticized by the ILO.

- Rights to freedom of association and collective bargaining are not upheld in practice. There is evidence of numerous violations of trade union rights in practice, including acts of anti-union discrimination and interference by employers in trade union internal affairs, as well as ineffective mechanisms of protection against such violations. There is evidence that the right to collective bargaining is also violated in the timber production sector.

- There is limited evidence confirming forced labour in the Russian Federation:
  - Evidence confirms trafficking of persons in Russia. Men were trafficked into agricultural work but agriculture and forestry are separate branches of the economy in Russia and have principally different types of employment.”
  - There are numerous reports that laws on extremism are being used to target organizations and individuals critical of the Government and that compulsory labour is used as a punishment. There is no evidence that these forced labourers work in

<table>
<thead>
<tr>
<th>Country</th>
<th>Specified risk on violations of the freedom of association and collective bargaining, of workplace discrimination and sexual harassment of women</th>
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<tbody>
<tr>
<td>Low risk</td>
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the forestry sector.

- Evidence confirms the violations of the rights of prisoners of corrective labour institutions during wood harvest.
- There are reports that Russian women face significant workplace discrimination and sexual harassment.
- The problem of discrimination of migrant worker is acute. In Amur Oblast, the timber is harvested by the Koreans under the special agreement between the Government of the Russian Federation and North Korea; Chinese workers are widely used in Siberia and Far East.
- There is numerous evidence that Russia poses extreme child labour risks to supply chains of companies. Trafficking is a critical factor in Russia’s increasing risk profile regarding Child Labour. Inefficient law enforcement, weak institutional capacity and corruption are important contributing factors. Children performing work in Russia are also often engaged in the worst forms of child labour, especially in rural areas where agricultural work may involve risks to their health, such as using dangerous machinery and harmful pesticides. Although, there is no evidence of widespread use of child labour in the forestry industry the ‘forestry’ can ‘be hidden’ in the evidence on the ‘agriculture’ sector and is therefore assessed as specified risk.
- There is some evidence of inequality of opportunity and treatment of ethnic minorities and indigenous peoples. There is no evidence that this is structural or that it occurs in the forestry sector and this is not assessed as specified risk.

According to comments from FSC Russia, a lot of the mentioned specified risks do not apply to the forest sector. It is correct that most of the sources that were found in English do not directly point to the forest sector but they also do not rule out the forest sector. This analysis could not include sources in Russian or other languages.

The following specified risk thresholds apply, based on the evidence:
(14) The applicable legislation for the area under assessment contradicts indicator requirement(s); AND
(15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.

<table>
<thead>
<tr>
<th>Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.</th>
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<tr>
<td><strong>Guidance:</strong></td>
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<tr>
<td>- Are there Indigenous Peoples (IP), and/or Traditional Peoples (TP) present in the area under assessment?</td>
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<tr>
<td>- Are the regulations included in the ILO Convention 169 and is UNDRIP enforced in the area concerned? (refer to category 1)</td>
</tr>
<tr>
<td>- Is there evidence of violations of legal and customary rights of IP/TP?</td>
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<tr>
<td>- Are there any conflicts of substantial magnitude [footnote 6] pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?</td>
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<tr>
<td>- Are there any recognized laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights?</td>
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<tr>
<td>- What evidence can demonstrate the enforcement of the laws and regulations identified above? (refer to category 1)</td>
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<tr>
<td>- Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?</td>
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<td>general sources from FSC-PRO-60-002a V1-0 EN</td>
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<td>ILO Core Conventions Database</td>
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<td><a href="http://www.ilo.org/ilolex/english/docs/declworld.htm">http://www.ilo.org/ilolex/english/docs/declworld.htm</a> - ILO Convention 169</td>
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<td>Survival International: <a href="http://www.survivalinternational.org/">http://www.survivalinternational.org/</a></td>
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*Siberia*
**weakened 13 May 2014**

“Much of the Khanty's land has already been devastated by oil and gas companies. Now legislation is being weakened – making it much harder for communities to protect their land from exploitation.”

“The reindeer-herding Komi-Izhemtsi people in western Siberia have rejected the takeover of their land for oil exploration and drilling by Russian oil giant LUKOIL. They are demanding that the company suspends oil exploration, production and transport in their territory until their demands are met.

The Izhemtsi are a semi-nomadic reindeer herding people living in the Komi republic of Russia, just west of the Ural mountains. The Izhemtsi were angered by the discovery of several oil rigs on the edge of one of their villages in February. The rigs had been built without the agreement, or even knowledge, of the local community.

The communities are also objecting to what they see as LUKOIL’s inadequate ‘clean up’ operation following an oil spill in March – the spilt oil was ignited. Communities 10 km away from the spill reported seeing plumes of black smoke from the fire for two days.

Fifteen Komi-Izhemtsi communities have issued a declaration stating, ‘We, Komi-Izhemtsi, are indigenous people and this is our land. We are no longer willing to tolerate the predatory exploitation of our mineral resources and the environmental irresponsibility of LUKOIL. We must become equal partners in the implementation of any industrial projects in our lands’.

Meanwhile, south-east of Komi, in the Khanty-Mansiisk region of Siberia, home to the Khanty and Mansi tribes, the regional parliament is seeking to weaken the legislation that protects the tribes’ land rights. The lands of many Khanty and Mansi communities had previously been protected, making it harder for oil and gas companies to enter the land without the permission of the tribes and without fulfilling a number of environmental obligations.

However, under the new system, the conservation requirement will be removed, opening the tribes’ lands up to greater exploitation and leaving them...
| **Remark by FSC Russia:** The Komi-Izhemtsi people do not live in western Siberia but in the Komi Republic, European Russia. |
| **Human Rights Watch:** [http://www.hrw.org/](http://www.hrw.org/) | No additional information found |
| **Injustice incorporated; Corporate Abuses and the Human Right to Remedy** |
| “In El Salvador, fiscal discipline eliminated the budgets of the nation’s natural resource management agencies and caused the demise of national technical capacity. (..) Similar conclusions were reached in another cross-country study that looked at the impact of IMF policies on deforestation in Brazil, Nicaragua, Guyana, Papua New Guinea (PNG), Russia, Indonesia, Tanzania and Cameroon. The study found that, in Brazil, for example, overall spending on environmental programmes was cut by approximately two-thirds in the late 1990s, preventing the implementation of 10 out of 16 of those programmes.953 In most of the countries considered by the study there was – and remains – a significant proportion of the population that is dependent on the natural environment and eco-services for at least some of their access to livelihoods, food and water.” |
| **The Indigenous World 2014 Russian Federation** |
| “The Russian Federation is home to more than 100 ethnic groups. Of these, 41 are legally recognised as “indigenous, small-numbered peoples of the North, Siberia and the Far East”; others are still striving to obtain this status, which is conditional upon a people having no more than 50,000 members, maintaining a traditional way of life, inhabiting certain remote regions of Russia and identifying itself as a distinct ethnic community. A definition of “indigenous” without the numerical qualification does not exist in Russian legislation. The small-numbered indigenous peoples number approximately 250,000 individuals and thus make up less than 0.2% of Russia’s population. They traditionally inhabit huge territories stretching from the Kola Peninsula in the west to the Bering Strait in the east, covering around two-thirds of the Russian territory. Their territories are rich in natural resources, |
| **Regions in which small-numbered indigenous peoples are legally recognized and ‘others’ which is not specified** |

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67 of 93
including oil, gas and minerals and they are heavily affected by large energy projects such as pipelines and hydroelectric dams. The small-numbered indigenous peoples are protected by Article 69 of the Russian Constitution and three federal framework laws (..) that establish the cultural, territorial and political rights of indigenous peoples and their communities. However, the implementation of the aims and regulations contained in these laws has been complicated by subsequent changes to natural resource legislation and government decisions on natural resource use in the North. In recent years, some important policy measures have been adopted, including the action plan for the implementation of the Concept paper on sustainable development of the indigenous small-numbered peoples of the North for 2009-2011; however, its key components have not been implemented.

Russia has not ratified ILO Convention 169 and abstained from voting in the UN General Assembly on the adoption of the UN Declaration on the Rights of Indigenous Peoples."

(..)

"The indigenous peoples of the Russian North met 2013 with great anxiety. By 1 November 2012, the Federal Ministry of Justice had suspended the activities of their national umbrella organisation, RAIPON (Russian Association of Indigenous Peoples of the North), under a formal pretext. This was both the culmination of a campaign of retaliation, which had been going on since 2009, and also related to the much wider crackdown on civil society observed in Russia since the substantial protests which commenced around the allegedly rigged Duma elections of 2011 (See The Indigenous World 2013). The suspension threatened to jeopardize the VII Congress of Indigenous Peoples of the North, to be held in late March 2013.

The suspension sparked an international outcry, including among many large NGOs such as Greenpeace but also several governments, in particular from the Nordic countries. By early 2013, the Ministry of Justice and RAIPON had found a compromise. RAIPON convened an extraordinary congress, during which modified statutes were adopted, complying with the Ministry’s demands and allowing the VII Congress to go ahead."

(..)

"The congress resolution

The most important outcome document of the congress is a resolution,
adopted by the delegates, that lists their main concerns and aspirations. In
their resolution, indigenous representatives denounce failures in government
policy, and propose specific legislative and administrative measures to be
immediately considered by the federal government, as well as requests and
proposals directed at the new leadership of RAIPON. (...) The concerns
highlighted in the resolution include:
• The government’s failure to implement the two most important action plans
concerning indigenous peoples adopted at federal level: the 2009-2011 Action
Plan for the Outline of Sustainable Development of Indigenous Peoples of
Siberia and the Far East and a package of urgent measures under the Second
International Decade of the World’s Indigenous Peoples;
• The lack of an effective mechanism for indigenous peoples’ participation in
decision-making processes regarding their socio-economic and cultural
development, the protection of their ancestral territories, their traditional way of
life and livelihoods, with due consideration for the principle of Free, Prior and
Informed Consent (FPIC);
• The removal from various laws of important legal safeguards for the rights of
indigenous peoples;
• The long-standing failure to develop and adopt legal mechanisms for the
protection of indigenous peoples’ land and resource rights.”

“The resolution highlights the need for decisive action in the following areas:
• Ensuring consistency in the elaboration of legislation protecting the rights of
indigenous peoples, in particular the right to the long-term use of lands and
natural resources free of charge; systematization and consolidation of Russia’s
legislation on indigenous peoples into a single legislative body;
• Immediate implementation of the Federal Law “On Territories of Traditional
Nature Use” and establishment of the Territories of Traditional Nature Use in
line with requests from indigenous peoples, in order to ensure their sustainable
development and the protection of their natural and cultural heritage;
• Development and adoption of legislation mandating the implementation of
ethnological impact studies prior to the approval of economic and other
activities affecting the ancestral territories and traditional ways of life of
indigenous peoples, including regulations for obtaining their FPIC;
• Measures to combat poverty, unemployment, lack of access to healthcare,
education and other public services, including through tracking their actual

numbered indigenous peoples are legally
recognized and ‘others’, which is not
specified

violations of IPs/TPs
rights, in particular
the land and
resources
rights, lack of
participation
in decision-
making and
regarding
the
processes
in place to
solve
conflicts
development using a set of socio-economic indicators;
• Introduction of regulations ensuring the guaranteed representation of
indigenous peoples in the legislature and administration;
• Administrative reforms to improve the government administration of
indigenous affairs and indigenous peoples’ participation in the development of
legislation as well as to empower indigenous peoples’ local self-governance.”

“Despite the congress’ resolution, no improvements were achieved in federal
legislation throughout the year. On the contrary, the authorities publicly
defended plans to further limit indigenous communities’ rights during round
table meetings with RAIPON representatives, held on November 12 in the
State Duma, and on November 22 in the Federation Council, where a draft
measure to amend the federal legislation on fishing was discussed, removing
the rights of obshchinas to fishing grounds.
Government representatives proposed that indigenous peoples and their
cooperatives (obschinas) should no longer be granted use rights for fishing and
hunting grounds; neither should they be allowed to pursue business activities,
including marketing traditional produce. They alleged that these rights had
been abused, that “pseudo-obschinas” had been created by non-indigenous
people solely in pursuit of business interests and that interethnic conflict had
resulted. According to the government, indigenous peoples’ traditional
economic activities should be confined to providing for their own subsistence.”

“At the same time, industrial companies are encroaching onto the lands of
indigenous peoples. When they present their projects, many of them state that
they are not obliged to consider their industrial impact on indigenous peoples
or compensate them for resulting losses as indigenous peoples are not
registered as legal users of the lands and aquatic areas affected. For instance,
in 2013, such declarations were made by the representatives of “Exxon
Neftegas Ltd” at the public hearings on the Sakhalin project in Piltun Bay, as
well as by representatives of the “Rosneft Far East” company in relation to the
“Arctic Shelf. Chuckchi Sea” project. On 28 December 2013, President Putin signed into
law a bill amending the Federal Law “On Designated Protected Nature Territories”, as well as
amendments to a series of legislative acts of the Russian Federation which
had been ratified by the State Duma at their first and the second hearings on
18 December 2013. The law changes the status of Territories of Traditional Nature Use (TTNU) from “specially protected nature territories” to “specially protected territories”. In recent years (2009-2012), RAIPON - along with the Committee on Nationalities Affairs of the State Duma - had been protesting the proposed change, while the Ministry for Regional Development had publicly supported it. Experts fear that this change will ultimately leave the concept of TTNU an empty shell because, unlike “specially protected nature territories”, mere “specially protected territories” have no defined status in legislation. This affects prohibitions that apply to protected nature territories in terms of allocating plots for construction of roads, pipelines, electricity lines and other communications; construction of factories, housing, for agriculture and other activities. The impact of this decision will be felt in the very near future.

Russian indigenous peoples almost never hold formal title to their ancestral land. At the same time, legislation regulating the industrial development of lands and waters considers the interests of legally-registered users only. The government is progressively eliminating norms guaranteeing the rights of indigenous obschinas to economic development from the legislation, whereas local authorities are persecuting the most successful obschinas, such as the Evenki obschina Dylacha, in the Republic of Buryatia, which was shut down by a court ruling due to allegations that it had engaged in non-traditional types of economic activity (see The Indigenous World 2013).

International human rights mechanisms
The trends depicted above contradict the recommendations received by the Russian Federation from two major human rights mechanisms in 2013, the UN Committee for the Elimination of Racial Discrimination (CERD) and the Human Rights Council’s Universal Periodic Review (UPR).

The UN Committee on the Elimination of Racial Discrimination considered the 20th and 21st periodic reports of the Russian Federation (CERD/C/RUS/20-22) and the respective NGO reports, including a joint shadow report by RAIPON and IWGIA. The rights of indigenous peoples were a matter of tremendous interest to many committee members, including, in particular, the issue of land and resource rights as well as the government’s suspension of RAIPON’s activities and the crackdown on the Evenki obschina, Dylacha. The committee’s concluding observations note Russia’s failure to implement its own indigenous peoples’ strategy and they put particular weight on the obligation to
produce specific disaggregated data on the actual situation of the indigenous peoples, something which the state report failed to do entirely, despite repeated requests by CERD and other bodies. Russia did not provide any actual figures on indicators such as life expectancy, employment, income, education, etc.

Given the many detrimental trends in Russian legislation, the committee urged the state to ensure that “any legislative changes enhance, rather than diminish, the rights of indigenous peoples, as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples”. Revisiting a long unresolved issue, it recommended that Russia “take all necessary steps to approve and establish Territories of Traditional Nature Use to ensure the protection of such territories from third-party activities”. It also recalled the state’s duty to consult with indigenous peoples along with the need to ensure their adequate representation in legislative bodies, and noted allegations of economic discrimination against indigenous peoples, alluding to the case of Dylacha. (..)

Importantly, the committee requested follow-up information on these issues to be provided by late March 2014 under its follow-up procedure.

In April 2013, Russia was for the second time examined in the UN Human Rights Council’s Universal Periodic Review (UPR). The review was based on the national report submitted by government and information from UN and civil society sources. In October 2012, IWGIA and RAI had jointly submitted a stakeholder submission to the UPR, which was among the sources considered in the OHCHR’s summary of stakeholder information. Partly relying on the information contained in this submission, during the review several states brought up the issue of indigenous peoples and issued relevant recommendations to the Russian government. (..)

While several recommendations were accepted, Russia’s explanations make it clear that no specific action should be expected to follow. For most of the accepted recommendations, Russia declared that they had already been implemented previously, meaning that, in their own view, no action needed to be taken. (..) This includes Hungary’s recommendation to “ensure the right of indigenous people to their ancestral lands through the implementation of the relevant legislation with measurable targets and effective data collection”, in response to which Russia i.e. pointed to the Federal Law on Territories of Traditional Nature Use, while ignoring the fact that this law has never been put into practice. Similarly, Russia claimed to already have implemented Mexico’s
recommendation to "harmonize the various laws on the rights of indigenous peoples, particularly regarding their access to land and natural resources", even though the inconsistent state of legislation is clearly noted in the country report by UN Special Rapporteur, James Anaya.

In the same fashion, Russia accepted Estonia's call to address the poor representation of indigenous peoples in state institutions, noting: "There are no laws or regulations that restrict the rights of small indigenous peoples to occupy public positions". This response alludes to a fundamental misconception, viewing human rights only as the state's duty not to actively violate rights and ignoring the obligation to enforce rights when they are not fully realised. Even if Russia does not legally restrict indigenous people from assuming public office, the reality on the ground is that, even in predominantly indigenous villages, the local mayor and public servants are usually non-indigenous males. This is indicative of a reality of structural discrimination. In such cases, the state is duty-bound to take special measures to alleviate the situation. Russia also rejected all recommendations to endorse the UNDRIP or to ratify ILO Convention 169, making it clear that it was not considering accepting any new obligations. Compared to the first review cycle, Russia's rejection of the second half of Estonia's recommendation to "follow other principles enshrined in the United Nations Declaration on the Rights of Indigenous Peoples" is a move backwards from a previously more progressive stance. In 2009, Russia had accepted Mexico's almost identical recommendation to "comply with the principles contained in the Declaration on the Rights of Indigenous Peoples".

In its written response, the Russian government declared that: "Russian legislation and law enforcement practice in respect of the rights of indigenous peoples and the preservation and development of their cultures goes substantially further than the provisions of the Declaration, extending its boundaries."(...) If this statement were indeed correct then there would be nothing preventing the Russian Federation from endorsing the Declaration.

In sum, Russia's response to the UPR is largely consistent with the regressive trends that can be seen to be affecting legislation and law enforcement practices in the country. Russia's approach of formally accepting recommendations as "already implemented" appears to be a cop-out for not taking any real measures and thus indicates a lack of sincerity towards the UPR as a human rights instrument."
http://www.iwgia.org/regions/arctic/russia

**Indigenous peoples in Russia**

(...) Among the peoples recognised as such are the Evenks, the Saami, the Yupiq (Eskimo) and the Nenets. Other Peoples of Asian and Northern Russia such as the Sakha (Yakuts), Buryat, Komi and Khakass do not hold this status because of their larger populations. A definition of "indigenous" without the numerical qualification does not exist in Russian legislation.

Comment by FSC Russia on this section: "Bad examples because the mentioned nations at least live in national republics of the same name, where they have been granted special rights. However, the problem is that their rural communities (even with mixed ethnic population, including Russians) do not have specific rights with respect to performing their traditional lifestyles. (For urban population ethnic specifics is not so relevant). In turn, there are still ethnic groups which are not recognized as IPs while they pretend to be such (e.g. Pomors)."

(...) *Indigenous livelihood and territory*

They have traditionally been hunters, gatherers, fisherfolk and reindeer breeders. For many of them, these activities still constitute vital parts of their livelihoods, even more since the collapse of the Soviet economy and the disappearance of the services it provided. Their languages belong to many different families, such as Finno-Ugric, Manchu-Tungusic and Paleo-Siberian, and their cultures and world views are closely related to their environments: the tundras on the shores of the Arctic Ocean, the vast boreal forests of Northern Eurasia, the Pacific Coast or the magnificent mountains of the Altai and the volcanoes of Kamchatka. Their territories are rich in natural resources, such as oil, gas, and minerals, and heavily affected by large energy projects such as pipelines and hydroelectric dams. Any industrial project taking place on indigenous peoples' lands presents a threat and elicits concern in the indigenous population. A map by the Center for Support of Indigenous Peoples of the North (www.csipn.ru) entitled "Places of Potential Conflict Between Industrial Companies and..."
Numerically Small Indigenous Peoples of the North, Siberia, and the Far East" identifies 70 places of potential conflict."


Russia: Indigenous hunters' association pressured to register as "foreign agents"
December 11 2014
"After anti-government protests in 2012, Russian lawmakers adopted a drastic revision of federal legislation on NGOs, forcing groups, who accept foreign funding and are engaged in political activism to register as "foreign agents". Now an association of sea mammal hunters, set up to protect the traditional crafts of the indigenous peoples of the North is the first indigenous organisation soon to be branded "foreign agent", as the independent daily "Novaya Gazeta" reports." (..)


"Russia: Ministry in charge of indigenous affairs to be dissolved"
September 10 2014
According Russian media reports, President Putin has accepted a proposal by Prime Minister Dmitry Medvedev to dissolve the Federal Ministry of Regional Development. Among others, the Minregion, as it is commonly known, is in charge of affairs of indigenous peoples and other non-Russian ethnic groups. The decree signed by president Putin on 8 September stipulates, that these competences will be moved over to the Ministry of Culture. Indigenous peoples commenting the news in social networks expressed their outrage, noting that this indicates that henceforth indigenous affairs will be reduced to sponsorship for "singing and dancing", whereas rights, land and development would be off the table.

This concern is aggravated by the fact, that Arctic affairs will be handed over to the Ministry of Economic Development, indicating a renewed emphasis on industrial exploitation of Arctic resources, without consideration for the inherent rights of the region's indigenous inhabitant.

Indigenous representatives have long denounced the inefficiency of the Ministry of Regional Development. They have been advocating the creation of a dedicated governent body fully mandated to address indigenous affairs with indigenous peoples' full and effective participation. The Kremlin's latest
<table>
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<th>IP territories</th>
<th>Specified risk on violation of IPs rights, especially rights over land and to natural resources, rights on adequate political representati on at the municipa l, regional and federal levels of government; right to consent / consultation in decisions affecting them and their right to determine</th>
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<tr>
<td>United Nations Special Rapporteur on the rights of indigenous peoples</td>
<td><a href="http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx">http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx</a></td>
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indigenous peoples of Russia continue to face multiple impediments to the full enjoyment of their human rights, especially in some regions. Further efforts are needed to ensure that the existing laws guaranteeing indigenous communities’ rights over land and to natural resources are fully and consistently implemented throughout Russia and for all indigenous peoples; that indigenous peoples are ensured adequate political representation at the municipal, regional and federal levels of government; and that indigenous people’s right to consultation in decisions affecting them, including decisions about the industrial development of natural resources; and their right to determine that their legal and governing structures and economic priorities are fully respected. Conscious of these challenges, the Special Rapporteur offers several recommendations that may serve to enhance the recognition and protection of the rights of the indigenous peoples in Russia in line with the Government’s commitments and international standards, together with the recommendation that the Government consider declaring its support for the United Nations Declaration on the Rights of Indigenous Peoples."

("II. The small-numbered indigenous peoples of Russia

7. The Russian Federation is one of the most ethnically diverse countries in the world, and includes over 160 distinct peoples. Russian federal legislation protects the "numerically small indigenous peoples" or "small-numbered indigenous peoples of Russia", defined as those who live in territories traditionally inhabited by their ancestors; maintain a traditional way of life and economic activity; number fewer than 50,000; and identify themselves as separate ethnic communities. The official listing of the small-numbered indigenous peoples of the Russian Federation identifies 46 such groups. The size of these groups varies from fewer than 300 (240 Ent) to more than 40,000 (41,000 Nenet peoples). In total, these groups comprise 244,000 people, residing within 28 constituent political-administrative units of the Russian Federation, mainly in the North, Siberia and the Far East of Russia.

For example, the Altai Kezhi in the Altai Republic number more than 50,000, but share a similar history and way of life to those of the Altai Alengita, who are included in the official list of smallnumbered peoples. The Nogay number well over 50,000, and constitute an ethnically differentiated people with many problems similar to those of much smaller indigenous groups in the
Russian Federation. Also, the Komi-Izhemtsy or Izvatas, have a traditional reindeer-herding and fishing way of life, but because they are considered a subgroup of the larger Komi national minority, do not meet the numerical criteria. Hence, much of the discussion and recommendations in this report regarding the situation of the small numbered indigenous people in the Russian Federation may also apply to some of these other groups.”

“9. Diverse peoples indigenous to the northern, Siberian, and the far eastern regions of territory now within the geographic boundaries of the Russian Federation inhabited these regions long before Tsarist Russia started exploring the territories in the 12th and 13th centuries. They had well-developed communities, subsistence economies and cultures, based on a nomadic or semi-nomadic way of life, fishing, hunting, and reindeer herding. Even though the main Tsarist legal act on indigenous people, the 1822 “Regulation of Indigenous Population”, recognized the role of clan community leadership and even prohibited Russians from settling in the territories of indigenous people without their leaders’ permission, indigenous communities suffered many effects of colonization, including military conflicts, loss of autonomy and lands, and heavy taxation. The 1917 Revolution brought drastic changes to the relationship between the central Government and indigenous communities, and further affected the situation of indigenous people in Russia.”

( .. )

“11. Thus, indigenous peoples’ traditional leadership structures and communities, their religion, customary law and traditional medicine, and their capacity for self-reliance and economic subsistence built up over hundreds of years were radically affected by the paternalistic and intrusive management and control, forced integration, and “collectivization” during communism. For example, reindeer farming and all other economic activities were transformed into Government-run enterprises; indigenous children were mandatorily placed in boarding schools and taught by Moscow-trained educators; and nomadic communities were forced to settle, leading to increased urbanization.”

( .. )

“13. Despite this, the small-numbered indigenous peoples of Russia have been able to preserve their unique and distinctive identities, cultures, languages and traditions. However, notwithstanding governmental and non-governmental efforts to improve the situation of indigenous peoples in the last two decades,
and despite some signs of success, deep-rooted problems remain. According to various sources the small-numbered indigenous peoples generally have worse human development indicators than other population segments within the Russian Federation (see part IV.C.4)."


"20. The guarantees set out in the federal legislation include both group and individual rights of indigenous peoples to free-of-charge use of land and renewable natural resources in the territories which they have traditionally occupied and where they engage in traditional economic activities; the rights to establish self-government bodies in places of compact settlement and to form communities and other organizations; the right to reform their educational institutions according to their traditional way of life; the right to receive compensation for damage to their traditional environment due to industrial activities; the right to have courts consider customary law in as far as it does not contradict federal or regional legislation; and other entitlements. However, while the guarantees set out in these federal laws are substantial, there has been widespread criticism of the lack of their effective implementation."

1. Relevant legal framework

30. Post-Soviet Russia has been undergoing a complex and prolonged land reform, defining and redefining property and land relationships. According to the federal constitution, land and other natural resources may be under private, State, municipal or other form of ownership. Most of the land and subsoil resources in Russia are currently the property of the State. All issues concerning ownership, use and allocation of land, mineral resources, water
and other natural resources are jointly administered by the federal and regional Governments. Agricultural, forest, pasture and other land parcels are currently utilized by private entities primarily on a lease basis from the Government.

31. Consistent with this general framework, indigenous peoples in Russia are accorded rights to use the land and its renewable and common resources, while title ownership remains with the State. The Special Rapporteur holds the view that such use rights could be sufficient to comply with relevant international standards, if they are well established, implemented, judicially protected, and working in concert with other entitlements such as those of consultation and consent, compensation, environmental protection and development.

32. Indigenous peoples’ rights to lands and natural resources are promoted by the federal law “On Territories”. The law provides that the land an indigenous community utilizes for traditional economic activities may be granted a special legal designation of “territory of traditional nature use”, and be assigned to that community to use free-of-charge for a certain renewable period of time. Once created, the indigenous people living in these territories are guaranteed the right to continue to occupy the land and use its renewable resources for traditional activities, the right to participate in decision-making when industrial development in the territory is considered, and the right to receive compensation when industrial development that interferes with their access to land or damages the environment occurs there.

33. However, a common criticism of the federal law “On Territories” is that no territories have been established directly under it, and that to date the federal law is lacking by-laws or procedures specifying methods for its direct implementation. In response, the Ministry of Regional Development reports that it is currently working on a proposal for amending the law “On Territories” in order to strengthen the law’s effectiveness and means of implementation. Additionally, the Committee on Nationalities at the State Duma is working on a new draft law “On the protection of the environment for traditional way of living and traditional nature use of indigenous small-numbered people of the Russian Federation”.

34. Although no indigenous territories have been established under the federal law, regional laws have, to varying extents, within 28 regions of the Russian Federation, protected territories for indigenous traditional use, which are documented in an official federal listing.
Lifestyles and Traditional Livelihood of Numerically Small Indigenous Peoples of the Russian Federation, N 631-p of 2009. The regional regimes have functioned well in many cases, for example in the Khanti-Mansiyski Autonomous Region where there are 523 traditional use territories created under regional law.

35. Nevertheless, most indigenous communities across the Russian Federation still do not enjoy designated territories, and due to ongoing reforms to the land regime at the federal level, which affect regionally created territories, the status of existing territories is perceived as legally uncertain. For example, in the designated “regional territory of traditional use” in the area spanning over 17,000 hectares along the Amur River surrounding Sikachi-Alian village in Khabarovky Krai, indigenous residents currently enjoy de facto free-of-charge use of land resources and receive preferential access to fishing areas. However, concern was expressed to the Special Rapporteur that federal land reforms could have the effect of undermining these currently existing regional entitlements, and in this regard the rights of indigenous peoples within the area are feared to be unstable and not legally defensible.

40. In addressing indigenous land and resource issues, it is necessary to ensure an overall regime of access to lands and natural resources for indigenous peoples that is forward-looking, taking into account the evident evolving nature of indigenous cultures, land-use patterns and economic relationships. Existing guarantees appear to focus on “traditional uses” — such as subsistence or relatively small-scale reindeer herding, hunting and fishing — without ensuring that indigenous peoples have secure rights to use and develop their lands and resources for purposes beyond such uses as can easily be described as “traditional”, such as commercial purposes. In this regard, the Special Rapporteur notes that the Declaration on the Rights of Indigenous Peoples affirms that “indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development” (art. 23).

UN Human Rights Council Universal Periodic Review
http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentatio n.aspx

Universal Periodic Review Second Cycle - Russian Federation
http://www.ohchr.org/EN/HRBodies/UPR/Pages/RUSession16.aspx

No additional information found.
**UN Human Rights Committee**
http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx

*Also check:* UN Committee on the Elimination of All Forms of Racial Discrimination
http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx


No additional information found.


Reports submitted by States parties under article 9 of the Convention; Twentieth to twenty-second periodic reports of States parties due in 2012: Russian Federation; 13 March 2012

“11. A positive trend in the period between the two censuses (2002–2010) was the increase in the population of 40 small indigenous peoples of the North (the inventory of whom was approved by Government Order No. 536 of 17 April 2006) from 244,000 to 257,900 persons, an increase of 13,900, or 5.7 per cent. The population of the Telengits grew by 55 per cent, the Soiots by 30 per cent, the Chelkans by 38 per cent, the Tubalars by 26 per cent, the Evens (Lamuts) by 14 per cent, the Dolgans by 9 per cent, the Evenks by 8 per cent, the Mansi by 7 per cent, the Khanty by 8 per cent and the Yukagirs by 6 per cent. The total population of the 47 small indigenous peoples of Russia (according to the inventory of small indigenous population approved by Government Decision No. 255 of 24 March 2000), stood at 316,000 persons, or 17,800 more than in 2002.”

“473. The rights of indigenous peoples concerning natural resources are also set out in the Forest Code (Federal Act No. 22 of 29 January 1997). When forests are used in the traditional habitat of small indigenous peoples, the Forest Code guarantees the protection of their traditional way of life (art. 48) and free provision of wood for their personal needs (art. 30).”

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**Intercontinental Cry**
http://intercontinentalcry.org/


No additional information found.

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**Forest Peoples Programme:** [www.forestpeoples.org](http://www.forestpeoples.org)

FPP’s focus is on Africa, Asia/Pacific and South and Central

No additional information found.

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Country | Low risk
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82 of 93
### American Samoa

**Society for Threatened Peoples:**  
No recent reference to Russia found.

#### Regional human rights courts and commissions:
- Inter-American Court of Human Rights  
- Inter-American Commission on Human Rights  
- African Commission on Human and Peoples’ Rights  
- African Court on Human and Peoples’ Rights  
- European Court of Human Rights

#### Data provided by National Indigenous Peoples’, Traditional Peoples organizations;

**Association of Sámi in Murmansk Oblast:**  
English website not found

**Russian Association of Indigenous Peoples of the North (RAIPON)**  
[http://raipon.info/eng/](http://raipon.info/eng/)  
English website not available

#### Data provided by Governmental institutions in charge of Indigenous Peoples affairs;

Not searched as information in FSC Russia CWRA is complete and because consultant does not read Russian.

#### Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);

- Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws)  
- Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws)

#### Relevant census data

See above and below on existence of IPs

- IP territories  
Specified risk on violating ILO 169 and UNDRIP

#### National land bureau tenure records, maps, titles and registration (Google)

See above: **State is owner of all land**

Country  
Specified risk on violating ILO 169 and UNDRIP
| National/regional records of claims on lands, negotiations in progress or concluded etc. | Not searched as information in FSC Russia CWRA is considered to be complete, because consultant does not read Russian and because the State is owner of all land. | - | - |
| Cases of IP and TP conflicts (historic or ongoing). | Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes) | No additional information found. See above: the cases of conflicts found repeatedly on NGO’s websites were and are related to (severe) conflicts with industrial developments and the extractive industries about the use of their land and with the government about laws and regulations and their implementation. | - | - |
| Social Responsibility Contracts (Cahier des Charges) established according to FPIC (Free Prior Informed Consent) principles where available | N/A | - | - |
| Google the terms [country] and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights' | http://www.minorityrights.org/2492/russian-federation/russian-federation-overview.html World Directory of Minorities and Indigenous Peoples Russian Federation Overview; Updated November 2014 (..) *The centrepiece of the Russian government policy was the Council of Ministers decree (11 March 1991) ‘On the State Programme for the Development of Economy and Culture of the Minority Peoples of the North 1991–5’. The Committee for the North and Minority Peoples was created in the Council of the Federation in April 1994. The Russian Parliament passed a law ‘On the Foundations of the Legal Status of the Indigenous Peoples of the Russian North’, although President Yeltsin vetoed it in the summer of 1995 under pressure from the oil and gas lobby. Several years later the situation of the peoples of the North, Siberia and the Far East was still ‘critical’ according to some analysts. Accounting for only 260,000 people, these peoples currently live across areas covering more than half of the territory of the Russian Federation. Russia has not signed the only international instrument explicitly addressing the rights of indigenous peoples, the Convention Concerning Indigenous and Tribal Peoples in Independent Countries. However, nominal progress has been achieved in the expansion of national legislation dealing with these peoples. In 1999 Russia adopted the Federal Law on the Guarantees of the Rights of Indigenous Numerically Small Peoples of the Russian Federation, which established a wide range of rights for numerically small peoples. In 2000 the Federal Law on General Principles | IP territories Specified risk on violation of IP rights, especially land rights and consultation / FPIC |
of the Organization of Communities of Indigenous Peoples of the North, Siberia, and the Far East was adopted; in 2001 a **Federal Law on the Territories of Traditional Nature Use** by Indigenous Numerically Small Peoples of the North Siberia and the Far East was adopted.

Despite these positive legislative steps the lack of implementation at the practical level has limited the potential benefits to the numerically small peoples supposedly the beneficiaries of these laws. By 2004 no federal funding had been allocated for the realization of indigenous rights and federal laws had not been backed up by national, regional or local enforcement laws or mechanisms. The small peoples of Siberia, the North and the Far East continue to confront serious problems of discrimination, land use and ownership and environmental **damage caused by the activities** of Russian and multinational enterprises exploiting oil, timber, coal, mineral and gas reserves in the region.

The issue of land rights is perhaps the most fundamental. Although the 2001 Federal Land Code gives a priority right to the acquisition of land to those already having possession rights on this land, a provision which benefits indigenous communities, indigenous communities are generally too geographically dispersed, remote from administrative centres and ill-informed of legal developments to take advantage of this provision. Regional and local authorities have done little to remedy this situation as they often stand to benefit from the activities of private companies using indigenous lands for industrial production.

In 2009, the Concept Paper on the Sustainable Development of Indigenous Peoples of the North, Siberia and the Far East was approved. In August of the same year, Prime Minister Vladimir Putin signed decree N. 1245-R, which approved the action plan for 2009-2011 to implement the concept. The second action plan was approved in October, with the stated aim of ensuring indigenous access to basic services, developing livelihoods and protecting heritage. Despite these positive developments, in April 2012 the Audit Chamber of the Federation issued a report that concluded that the allocation of federal funds for the years 2009-2010 had been used inefficiently and produced limited benefits for indigenous peoples.”
Native peoples have been active in their own defence, establishing organizations to campaign on their behalf. The First Congress of the Northern Minorities took place in March 1990. It called for a return of historic lands and the creation of traditional tribal councils. Russia recognized only a limited number of native peoples, leaving more than 20 unrecognized. Some of those who were recognized have their own autonomous areas, but even here they are usually heavily outnumbered by Slavic settlers.

Certain of the more numerous native peoples have been granted territorial recognition. Most of the smaller groups (Nanai, Nivkhi, Selkup, Ulchi, Itelmen, Udegei, Sami (Lapp), Inuit, Chu-van, Nganasan, Yukagir, Ket, Oroch, Tofalar, Aleut, Negidal, Ent, Orok) have not. While the larger sedentary groups have often assimilated to Russian life, this is not the case with the less numerous peoples. Their small numbers, however, suggest they have a precarious future. Scattered across the north, Siberia and the Russian Far East, the largest group without an official ethnic homeland, the Nanai, has a population of 12,021, while the smallest, the Orok, number just 190.

Indigenous groups are typically marginalized in many areas of life, including access to education, and typically face lower standards of living. Among the most vulnerable groups in Russia are the country’s indigenous peoples. General trends suggest significantly poor health outcomes compared to the majority Russian population: according to the 2002 Census, the average life expectancy of Russian indigenous peoples is 15 years below the Russian average.


Endangered Communities? The Politics of Indigenous Peoples in Siberia
Kennan Institute. By Mackensie Knorr

“A key issue Russia’s indigenous communities face in defending their status stems from legal definitions of identity. Balzer reported that the state is narrowing that definition as much as possible so that fewer people get legal dispensations such as tax breaks, quotas, and special licenses for access to fishing, hunting, forestry, and land. “There is very little room for self-identity in
these definitions," Balzer explained, when the power of defining identity, in terms of holding protected status, is state-directed and specified for those in groups under 50,000.

Balzer warned that new legal constraints are being placed on Russia's indigenous peoples. A draft law is set to update the 1996 law concerning the territories of indigenous peoples and their traditional land use. It stipulates that for indigenous peoples to remain with special status on their lands, they must practice subsistence living, reside on lands documented as ancestral, and they must know their native languages. These are challenging standards to meet: recent land auctions and changing boundaries have already shrunk indigenous territories, and many have lost their native languages because of Sovietization language policies. Nearly half their populations reside in villages and towns.

Diverse ways of life of indigenous groups, though they may be predominantly traditional, are legally problematic. Moscow recently revoked the fishing rights of a Nanai community in the Amur River area because they rode snowmobiles to reach their sites of traditional land use. A local judge had asserted that they should have been riding reindeer, yet they had never bred or ridden reindeer. Additionally, an Evenki community in Buriatia has been accused of running an illegal jade mining operation, although some Evenki had traditionally mined jade prior to the arrival of Russians in their region. The Evenki mine director is missing, with murder and multi-level corruption suspected. In other regions, Evenki reindeer breeders have lost their lands to hydroelectric dam projects. Ultimately, new laws may be used to further revoke the land rights of indigenous peoples in favor of Russian energy, transport and mining projects.

The issue is not just the bureaucratic fight, but the trauma that has gone so deep in these communities," said Balzer, quoting her Sakha colleague Uliana Vinokurova, who is worried about increased suicides and alcoholism. Another indigenous leader explained that in Sel'kup and Khanty areas: "People’s homes are being burned in suspicious fires" and several villages have been burned to frighten indigenous people, so that energy exploitation can continue without native interference.

Balzer stressed indigenous leaders do not automatically oppose development
projects. Rather, they advocate for indigenous representatives to have input and ecological oversight concerning these projects. Native input is necessary to ensure that reindeer corridors, graveyards, and other sacred sites are protected.”

<table>
<thead>
<tr>
<th>Additional general sources for 2.3</th>
<th>Additional specific sources</th>
<th>scale of risk assessment</th>
<th>risk indication</th>
</tr>
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<tbody>
<tr>
<td>From national CW RA (FSC-CWRA-015-RU + Komi ENG fin)</td>
<td>“2.4. There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned.” “The violation of a number of traditional and civil rights in forestry work in Russia is quite possible. Although, the forest law in force requires the protection of the rights of citizens, it lacks the mechanisms for local communities and public involvement in forest management and taking decisions significant for the population. The population has no rights and opportunities to prevent or suspend the acts leading to the violation of their rights for the favourable environment or deprivation of vitally important forest resources. The law does not establish mechanisms and procedures for recording the opinion of the local population, indigenous peoples and public organizations during the development of regulatory and normative acts; taking decisions on the transfer of forest area on lease/for use and conclusion of forest lease agreements or forest sale agreement; the development of Forest Plan of the subject of the Russian Federation, forestry regulations of lesnichestvos and forest development projects for the leased forest areas. A special case is the violation of traditional rights of citizens during management operations in forests having particular importance for the population with the purposes not related to the forest management but nevertheless requiring forest cutting or conversion to other land uses. The building of railroads and hard-surface automobile roads, pipelines, as well as...”</td>
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<td>Country</td>
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7 The process which offers effective security tools and/or which is not characterized by deep structural misbalance or internal inconsistency. Examples: negotiations over land use, legal procedures, court proceedings.
8 Indigenous peoples, workers, communities and governmental institutions in the area accept and approve the existing procedure for addressing and resolving the said issues; communities and/or indigenous peoples recognized that the use of legal systems or other governmental institutions may reduce any adverse impacts of wood harvest.
constructions of industrial, residential and sports and recreational facilities brings protests on the part of the populations. As an example, we may refer to conflicts on the construction of speedway Moscow-Saint-Petersburg through Khimki Forest, the plans for construction of Central Ring Automobile Road in the Moscow region, construction of infrastructural facilities for Sochi 2014 Olympics in Sochi and its surroundings.”

**Source**

Local self-government authorities;

“2.5. There is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned:”

**National level; Unspecified risk**

“2.5a. There is no data about indigenous small-numbered peoples and tribal peoples living in the area.”

“ILO Convention No. 169 is not ratified by Russia. According to the Russian law, the special rights in the area of traditional land use cover only the indigenous small-numbered peoples of the North, Siberia and Far East. The Russian law on indigenous peoples does not cover bigger (having more than 50 thousand people) indigenous peoples and titular nations of republics and autonomous districts making the part of RF. Some small-numbered ethnic groups identifying themselves as indigenous peoples were not added to the

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9 The new FSC definition of indigenous peoples (adapted from publications of United Nations Permanent Forum on Indigenous, Factsheet. Who are indigenous peoples, October 2007; United Nations Development Group. Guidelines on Indigenous Peoples’ Issues. United Nations 2009, United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007): peoples and groups of people which are identified or characterized with the following: the fundamental feature or criterion – self-identification at the individual level and recognition by the community as a member; historic succession from pre-colonial and/or pre-settlement communities; strong links with the area and its natural resources; special social, economic or political systems; individual language, culture and beliefs; being non-dominant groups of the society; ability to maintain and reproduce the environment of their ancestors and systems as individuals and communities.
above lists either. The national FSC standard provides a vague definition of term “indigenous peoples.”

Indigenous peoples that meet the requirements of ILO C169 are located in the following subjects of RF:

national districts inhabited by indigenous small-numbered peoples as per “List of lands serving as traditional environments and places of economic activities of indigenous small-numbered peoples of the Russian Federation” dated May 8, 2009, No. 631-p, law of Republic of Dagestan No. 3 of 12.02.2003, and

Abazinsky district of Karachay-Cherkess Republic and the whole of: Udmurt Republic, Pskov, Leningrad and Chelyabinsk regions where such districts were not identified irrespective of the availability indigenous small-numbered peoples.

The whole area of Arkhangelsk Oblast and Republic of Komi where Pomors and Komi-Izhem people live which quality for the status of indigenous small-numbered peoples.

All other national republics and autonomous districts (entire area).

List of the subjects of the Russian Federation where indigenous peoples complying with criteria of ILO C No.169 live is in Annex 4 (informative). But their presence in other subjects of RF is possible as well.

*Annex 4 (informative). List of the subjects of the Russian Federation where indigenous peoples complying with criteria of ILO C No.169 live (controlled wood indicator 2.5a)

1. Republic of Adygeya
2. Republic of Altai
3. Republic of Bashkortostan
4. Republic of Buryatia
5. Republic of Dagestan
6. Republic of Ingushetia
7. Kabardino-Balkar Republic
8. Karachay-Cherkess Republic
9. Republic of Kalmykia

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10 Here, the term “indigenous peoples” is understood widely and applied to any group identifying itself as an indigenous community, including indigenous small-numbered peoples; individual ethnic communities (for example, local Buryat, Karel, Komi, Yakut, Tyva communities and other titular nations of republics and autonomous districts of the Russian Federation); groups of Russian old-timers (Pomors, Starovers, Kossacks); any other groups having specific culture and self-identification.
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<tbody>
<tr>
<td>10.</td>
<td>Republic of Karelia</td>
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<td>11.</td>
<td>Republic of Komi</td>
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<td>12.</td>
<td>Republic of Mari El</td>
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<td>13.</td>
<td>Republic of Mordovia</td>
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<td>14.</td>
<td>Republic of Sakha (Yakutia)</td>
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<td>15.</td>
<td>Republic of North Ossetia-Alania</td>
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<td>16.</td>
<td>Republic of Tatarstan</td>
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<td>17.</td>
<td>Republic of Tyva</td>
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<td>18.</td>
<td>Udmurt Republic</td>
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<td>19.</td>
<td>Chechen Republic</td>
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<td>20.</td>
<td>Republic of Khakassia</td>
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<td>21.</td>
<td>Chuvash Republic</td>
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<tr>
<td>22.</td>
<td>Altai Krai (municipal entities as per Annex 5)</td>
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<td>23.</td>
<td>Zabaikalskii Krai (municipal entities as per Annex 5)</td>
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<td>24.</td>
<td>Krasnoyarskiy Krai (municipal entities as per Annex 5)</td>
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<td>25.</td>
<td>Kamchatskiy Krai</td>
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<td>26.</td>
<td>Primorskiy Krai (municipal entities as per Annex 5)</td>
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<td>27.</td>
<td>Khabarovskiy Krai (municipal entities as per Annex 5)</td>
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<td>28.</td>
<td>Amur Oblast (municipal entities as per Annex 5)</td>
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<td>29.</td>
<td>Arkhangelsk Oblast</td>
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<td>30.</td>
<td>Vologda Oblast (municipal entities as per Annex 5)</td>
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<td>31.</td>
<td>Irkutsk Oblast (municipal entities as per Annex 5)</td>
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<td>32.</td>
<td>Kemerovo Oblast (municipal entities as per Annex 5)</td>
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<td>33.</td>
<td>Leningrad Oblast</td>
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<td>34.</td>
<td>Murmansk Oblast (municipal entities as per Annex 5)</td>
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<td>35.</td>
<td>Magadan Oblast (municipal entities as per Annex 5)</td>
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<td>36.</td>
<td>Sakhalin Oblast (municipal entities as per Annex 5)</td>
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<td>37.</td>
<td>Sverdlovsk Oblast (municipal entities as per Annex 5)</td>
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<td>38.</td>
<td>Tomsk Oblast (municipal entities as per Annex 5)</td>
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<td>39.</td>
<td>Tyumen Oblast (municipal entities as per Annex 5)</td>
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<td>40.</td>
<td>Chelyabinsk Oblast</td>
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<td>41.</td>
<td>Nenets Autonomous Okrug</td>
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<td>42.</td>
<td>Khanty-Mansi Autonomous Okrug – Yugra (municipal entities as per Annex 5)</td>
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<td>43.</td>
<td>Chukotka Autonomous Okrug</td>
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<td>Conclusion on Indicator 2.3:</td>
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<td>----------------------------</td>
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<tr>
<td>- The FSC Russia CWRA provides a comprehensive assessment of the issues at hand that is supported by many sources found.</td>
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<tr>
<td>- There are indigenous peoples in the Russian Federation. A large number of these peoples are recognized by the State and listed as so-called small-numbered peoples of the North, Siberia and Far East. Some peoples, small and large, are not recognized.</td>
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<tr>
<td>- FSC Russia CWRA has produced a very comprehensive and detailed list of areas in which indigenous peoples live. While this is a list of area’s, the majority of the sources found during this assessment mention peoples without detailed information on specific areas where they live. No English source could be found, providing a detailed list including corresponding maps. In addition, FSC Russia CWRA and several additional sources state that the overview provided respectively is in informative and that “their presence in other</td>
<td></td>
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</tbody>
</table>

| IP territories as defined in FSC Russia CWRA but to be assessed per situation |
| Specified risk on violation of legal and customary rights of IPs/TPs, especially the right to |

**Annex 5**

National level; Unspecified risk

Sources

The same as in 2.4, as well as:

RAIPON (http://www.raipon.org, http://www.csipn.ru) and its regional associations, regional and local ethnothistorical and/or historical institutions, educational and cultural institutions.

Records of ongoing or completed negotiations on the land use right, decisions of the authorities, court judgments.


Regional information websites

"List of lands serving as traditional environments and places of economic activities of indigenous small-numbered peoples of the Russian Federation“ approved by the Order of the Government of the Russian Federation dated May 8, 2009 No. 631-p,

subjects of RF is possible as well."

- This assessment therefore supports the outcome of the FSC Russia CWRA and adds that this list is based on an identification of IPs based on the criteria of ILO Convention 169 and that the FSC criteria for the identification of IPs are similar but not the same. A situation-specific assessment is therefore needed.

- The Russian Federation has legislation in place protecting the small-numbered indigenous peoples. The regulatory framework establishes the cultural, territorial and political rights of indigenous peoples and their communities. Implementation of the aims and regulations contained in these laws has, however, been complicated by growing political pressure and several subsequent changes to natural resource legislation and government decisions on natural resource use in the North. ILO Convention 169 is also not ratified by the Russian Federation.

- The issue of land rights is perhaps the most fundamental violation of the rights of IPs/TPs. This includes the rights to resources and other use rights. In the regulation and in the practice IPs/TPs have limited or no influence on policy- or practice decisions that influence their lives and rights.

- All land is State owned and forests are leased to companies for, for example, forestry operations without the opportunity of IPs/TPs to influence this decision-making. IPs/TPs rights to FPIC is violated.

- There is numerous evidence that IPs/TPs have limited rights and possibilities to build and maintain their own social, economic or political structures.

- There are no recognized laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights. There is no evidence that procedures to solve such conflicts are sufficient and/or broadly accepted by affected stakeholders as being fair and equitable.

The following specified risk thresholds apply:
(23) The presence of IP and/or TP is confirmed or likely within the area. The applicable legislation for the area under assessment contradicts indicator requirement(s) (refer to 2.2.6);
(24) Substantial evidence of widespread violation of IP/TP rights exists; AND
(25) IP and/or TP are not aware of their rights; AND
(26) There is evidence of conflict(s) of substantial magnitude pertaining to the rights of IP and/or TP. Laws and regulations and/or other legally established processes do not exist that serve to resolve conflicts in the area concerned, or, such processes exist but are not recognized by affected stakeholders as being fair and equitable. Note under threshold No 20* applies.

*Note under threshold No 20: Processes for resolution of conflicts pertaining to use rights, cultural interests or traditional cultural identity should provide means for recourse. They should be free from overwhelming structural imbalances or inherent unfairness. They should be acceptable to affected parties giving them a means to resolve any conflicts of substantial magnitude. Rights may be defined by international structures (e.g. UN) and local legal structures;