

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandates of the Special Rapporteur on the human rights of migrants and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**

REFERENCE: AL G/SO 214 (106-10) G/SO 214 (78-15)  
RUS 2/2014

20 February 2014

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the human rights of migrants and Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance pursuant to Human Rights Council resolutions 17/12 and 16/33.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the series of xenophobic and racist attacks against migrants that took place in different regions of Russia in the last quarter of 2013.**

According to the information received:

Attacks against non-Russians by ultranationalists took place in Russia in the weeks after [REDACTED] [REDACTED] was allegedly stabbed to death on the night of between 9 and 10 October 2013 by a Muslim migrant from the North Caucasus in Moscow's Biryulyovo district. The source indicates that a significant far-right event took place in the Biryulyovo district in Western Moscow immediately following [REDACTED]'s murder. Inhabitants of the region of Biryulyovo district organized a demonstration and demanded an investigation.

**Manifestations in Biryulyovo District and following events**

Allegedly, Nationalist supporters seized the opportunity to make the murder an ethnic issue, announcing that on 15 October 2013 they would hold an action in "response to Kurban Bayram" (as the major Muslim holiday Eid al-Adha is generally called in Russia). On 13 October 2013, thousands of people marched through the Biryulyovo district in Moscow at night, allegedly storming a fruit and vegetable warehouse facility and a shopping centre and demanding that police find the alleged killer. Some chanted slogans including "Russia for Russians" and "Moscow for Muscovites". Clashes ensued when riot police confronted protesters and were pelted with bottles, sticks and rocks. Several cars were overturned and

stalls of melons smashed up. The police responded with batons and arrested about 400 people, all but 72 of whom were later released without charge.

On 14 October 2013, anger over the fatal stabbing spiralled into riots involving local people and ultra-nationalists. Russian officials were calling for calm after simmering tension between Muscovites and migrants from the Caucasus and central Asia. Police rounded up more than 1,200 migrant workers at the warehouse in the Biryulyovo district. They arrested them in market areas, at road blocks, and through subsequent house door to door raids. It is alleged that Moscow mayor Sergei Sobyenin reported to Russian president Vladimir Putin on the situation in Biryulyovo, and the city chief ordered the fruit and vegetable depot to remain closed for five days pending investigations into its operations. Police said the 1,200 or so people they detained at and near the warehouse complex would be checked for permission to reside in Moscow and for any connections to the stabbing or other criminal activity.

On 15 October 2013, participants in another nationalist demonstration tried to line up in a column at the Prazhskaya Metro stop and head down to Biryulyovo, but were refrained by riot police. That evening, near the subway station where this event was held, an Uzbek was found murdered. At the Cherkizovsky market in the eastern part of Moscow, an Azeri was found stabbed to death on the same day.

On 20 October 2013, St. Petersburg nationalists held their own protest which resulted in riots. After a rally in the park The Field of Mars, in St. Petersburg, about 40 nationalists marched down Nevsky Prospekt, the city's main thoroughfare, to Dumskaya Square. They then headed to the outdoor market at Apraksin Yard, where they burned smoke bombs and smashed up display cases with rocks. Nationalist actions took place in other Russian cities as well.

It is reported that Russians often place the blame for petty and more serious crime on migrants mostly from Chechnya and Dagestan and Central Asia who seek work in Moscow and other Russian cities. Many Russians, including the protesters in Biryulyovo, also accuse officials and police of failing to control migration or crack down on crime, and of taking bribes from migrants or their bosses in return for allowing them to stay in Moscow and keep working.

#### **Attacks against passengers at railway stations:**

On 26 and 27 October 2013 two trains: one from Moscow to Dushanbe and the other from Moscow to the northern Tajik city of Khujand were attacked by dozens of Slavic-looking men at Ternovka railway station in the Voronezh region. These attacks were accompanied by nationalistic statements and threats to passengers. A number of Tajik passengers were also reportedly injured and several train cars were damaged. The state Tajik Railways Company (ROT) has condemned these two attacks on its trains in Russia and sent a note to the Russian Railways Company on 29 October 2013, demanding full investigations into the attacks and compensation for damages.

## **The Unity day marches**

On 4 November 2013, several thousand Russian nationalists rallied against migrants whom they accuse of being involved in crime and taking their jobs. The protest took place on Unity Day, a national holiday established in 2005 to replace commemorations of the Bolshevik revolution. Allegedly, the "Russian March" was accompanied by violent attacks against ethnic minorities and migrants working in Moscow. Nationalist rallies were also held in other Russian cities, including St Petersburg, Kazan and Irkutsk.

It is reported that the main event of the day was in Lyublino district in Moscow, organized by the ethno-political movements "Russians", National Democratic Party (NDP), and the "Russian National Union" (ROS). The march was estimated to be attended by about 6,000 people. Activists from the following organizations were seen participating in the march: "Russians" (including regional organizations around Moscow), "Russian Joggers", "The Union of Orthodox Banner Bearers", the NDP, "Russian Khimki" (Guestbusters) "Block of Free National-Socialist Societies", "Russian Right-Wing Party" led by Viktor Ivanov (Istrakhov), "Other Russia", "Common Cause", "Russia and Poland", the paratroopers of the movement "For Fair Power", fans of football clubs (CSKA, Spartak, Lokomotiv, Dinamo), the ecologists of the organization "Green World" (formerly "Volnitsa"), as well as representatives of the Cossack and neopagan associations.

It is reported that the marchers passed by Pererva street, chanting racist and abusive slogans (examples: "To Russians – a Russian Moscow, cancel 282!", "Russia for the Russians, Europe for the whites", "Forward, Russia, we are with you!", "Moscow is not the Caucasus", "A Russian is one who does not smoke and does not drink", "Die for Russia, not for drunkenness", "Kill a Khach (an ethnic slur referring to non-Slavic people from the Caucasus), save Russia!", "Kosovo Is Serbia!" and more), and brandishing their arms in a Nazi salute. Marchers carried the flags of the different organizations, Imperial flags, and banners and posters on which were written: "Arise, Russian people!", "Lyublino is the new Biryulyovo", "For introducing a visa regime with the countries of Central Asia and Transcaucasia" (NDP), "Government – to the work camps of Poland" (Association "Russia and Poland"), "Russians, nature, verdure!" ("Green World"). In the column where the association "Russians" marched, a brass band played "Farewell of Slavianka" and "Katyusha", two very well-known Russian tunes. Allegedly, organizers of the march insistently demanded the press to remove their cameras. The police detained several people, and the rest scattered. The reason for the detentions was an attempt to set fire to a smoke bomb. Allegedly, the police reported a total of about 30 people detained for the display of Nazi symbols and salutes. The event ended with a series of short speeches. Information received indicates that the participants in the event broke the windows of several cars parked at the metro station "Lyublino", and also started a scuffle with a few people who seemed to be from the Caucasus. The source also indicated that in the same march a journalist of nonwhite appearance was also hassled.

## **Other incidents**

Allegedly, in separate incidents which took place in October 2013 two murders and 18 assaults were committed during racist and neo-Nazi attacks in Moscow and St. Petersburg and the Kirov, Lipetsk, Novosibirsk, Samara and Sverdlovsk regions.

Allegedly, acts of neo-Nazi vandalism against Muslim, Jewish and Orthodox targets were recorded amounting to a total of 53 ideologically motivated acts of vandalism in several regions of the country in 2013. In August 2013, 10 instances of neo-Nazi and xenophobic vandalism in different regions of Russia were recorded. Orthodox churches, Jehovah's Witnesses buildings, and Muslim and Protestant buildings were targeted. The source indicated that in addition to the usual graffiti, there were dangerous acts of vandalism: on the night of 19 August 2013, two individuals attempted to burn down the St. Peter's Church in St. Petersburg, with white power group NS/WP Nevograd claiming responsibility the following day.

During August 2013, nationalists continued conducting "anti-immigrant" raids. In St. Petersburg, despite the arrest of Slavic Force's leader Dmitri Evtushenko, the so-called "Russian sweeps" continued under the direction of the Russian Party's leader Nikolai Bondarik, and without the use of direct physical violence. In Moscow, similar "sweeps" were conducted under the direction of Aleksandr Amelin of the Russia Revival movement. On 20 August 2013, Moscow ultra-right activists from organizations including Shield of Moscow (led by Aleksei Khudyakov), Bright Rus (Igor Mangushev), Attack (a splinter group of Maksim Martsinkevich's Restruct), the veterans' club Reserve (a project of the Great Russia movement), and the Russian Moscow movement conducted raids in coordination with Izmailovo law enforcement officers, detaining about 150 immigrants in Moscow's Izmailovo section and on the grounds of the former Cherkizovsky market.

Another far-right initiative was the network of events under the banner "Russians Against the Distribution of Citizenship" which took place on 14 September 2013. Various events were held in Moscow, St. Petersburg, Astrakhan, Volgograd, Kirov, Krasnoyarsk, Nizhny Novgorod, Novosibirsk, Penza, Khabarovsk and Syktyvkar where the local nationalist leader Alexander Karmanov declared his admiration for the acts of Norwegian terrorist Anders Breivik, calling for a "white terror."

On the evening of 27 September 2013, over thirty young neo-Nazis from the gang Moscow Shield attacked a dormitory in the first block of the Kapotnya District. The building is home to migrant workers (mostly janitors and cleaners from Central Asia) and impoverished people evicted by the authorities from their flats because of their inability to pay bills. Armed with batons and other objects, the neo-Nazis rushed into the building and went from floor to floor, announcing that they were looking for "illegal" immigrants and shouting nationalist slogans. On one floor, they were met with resistance. Clashes broke out during which smoke bombs and traumatic weapons were used. A female passerby was shot and

wounded. Police who arrived at the scene arrested sixty people, forty-seven of them migrant workers who had been defending themselves and thirteen of their neo-Nazi assailants. There was no information as to why the rest of the assailants were not taken into custody.

Concerns are expressed about the failure of the authorities to prevent and to address the rising wave of racism and xenophobia and punish those responsible for racial violence. Concerns are also expressed as these incidents seem to illustrate a worrying pattern of racism, racial discrimination and xenophobia against foreign nationals and migrants.

While we do not wish to prejudge the accuracy of these allegations, we would like to remind to your Excellency's Government of its obligations under the *International Convention on the Elimination of All Forms of Racial Discrimination* (CERD), which it ratified on 4 February 1969, in particular articles 2, 4, 5(b), 6 and 7.

We would also like to refer to the recommendations made by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Doudou Diène, in his report dated 30 May 2007 on his visit to the Russian Federation which took place from 12 June 2006 to 17 June 2006 (A/HRC/4/19/Add.3). These urged the Government to, amongst others, firmly condemn any manifestation of racism and intolerance against the Caucasian and Central Asian population, ensure that such manifestations wherever occur are investigated in a prompt and impartial manner and the perpetrators adequately prosecuted and punished.

In this context we recall that any form of impunity for crimes motivated by racist and xenophobic attitudes weakens the rule of law and democracy and tends to encourage the recurrence of such acts. Therefore, it is of utmost importance to ensure that those responsible for crimes with racist or xenophobic motivation are prosecuted and adequately sanctioned.

We would also like to draw the attention of your Excellency's Government to Human Rights Council Resolution 18/21 and General Assembly Resolution 68/179, which call upon States "to respect the human rights and the inherent dignity of migrants" as well as "strongly condemns the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them".

Regarding the allegations of sweep operations and widespread detention of migrants, we would like to remind your Excellency's Government that the enjoyment of the rights guaranteed in the *International Covenant on Civil and Political Rights* (ICCPR), ratified by the Russian Federation on 16 October 1973, are not limited to citizens of States parties but "must also be available to all individuals, regardless of nationality or statelessness, such as asylum seekers, refugees, migrant workers and other persons, who may find themselves in the territory or subject to the jurisdiction of the State Party" (CCPR/C/21/Rev.1/Add. 13 (2004), para. 10).

The ICCPR further stipulates that all persons deprived of their liberty must be ensured the right, without delay, to control by a court of the legality of the detention (art. 9 (4)). The human rights legal framework governing detention is guided by the principles of necessity, reasonableness in all the circumstances, and proportionality. The starting point is that no one shall be subject to arbitrary or unlawful detention (ICCPR article 9(1). Detention should accordingly be a measure of last resort and as the result of an individual determination, must only be applied in exceptional circumstances, be prescribed by law, meet human rights standards, be subject to periodic and judicial review and, where used, last only for the minimum time possible. For further guidance, we would like to refer to the report of the Special Rapporteur on the human rights of migrants on the detention of migrants in an irregular situation (A/HRC/20/24).

Furthermore we would like to draw the attention of your Excellency's Government to *General Recommendation No. 30 on Discrimination Against Non-Citizens* of the Committee on the Elimination of Racial Discrimination which contains a number of recommendations including to take steps to address xenophobic attitudes and behavior towards non-citizens, ensure that legislative guarantees against racial discrimination apply to non-citizens regardless of their immigration status and that non-citizens enjoy equal protection of the law, as well as the security of non-citizens

Finally, we would like to draw the attention of your Excellency's Government the resolution *Combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance* of the General Assembly (68/150). This resolution emphasized, amongst others, the need to take the measures necessary to put an end to racist incidents and the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national, ethnic, religious or linguistic minorities. It also called upon States to take more effective measures in accordance with international human rights law to combat those phenomena and the extremist movements, which pose a real threat to democratic values.

As it is our responsibility under the mandate provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Are the facts alleged in the summary of the case accurate?
2. Have complaints been lodged by victims of violence? If so please provide the details, and where available the results, of any investigation, judicial or other inquiries which may have been carried out in relation to these incidents. If no inquiries have taken place, or if they have been inconclusive, please explain why. If prosecutions have been undertaken, please provide the sanctions imposed on the alleged perpetrators.
3. Please indicate whether compensation has been provided to the victims or the family of the victims.

We would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of foreign nationals and migrants and religious minorities in the Russian Federation. In the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

François Crépeau  
Special Rapporteur on the human rights of migrants

Mutuma Ruteere  
Special Rapporteur on contemporary forms of racism, racial  
discrimination, xenophobia and related intolerance