



## Human Rights Watch Submission to the Committee on Economic, Social and Cultural Rights

July 24, 2017

This memorandum, submitted to the United Nations Committee on the Economic, Social and Cultural Rights (“the Committee”), ahead of its review on Russia, highlights areas of concern that Human Rights Watch hopes will inform the Committee’s consideration of the Russian government’s compliance with the covenant. This memorandum provides updates to information submitted to the Committee on January 25, 2017.

### **Violations of Workers’ Rights during the Construction of World Cup 2018 Stadiums (Article 7)**

In 2016-2017 Human Rights Watch documented how construction workers building stadiums for Russia to host the FIFA 2017 Confederations Cup and 2018 World Cup face exploitation and labor abuses. Our research, detailed in a June 2017 report, found that workers on six stadium construction sites were not paid their wages either in full or part or experienced several months’ delays in payment of wages, worked in temperatures as cold as -25 degrees Celsius without sufficient protections, and that some employers did not provide work contracts required for legal employment.<sup>1</sup>

At least 17 workers have died on World Cup stadium sites, according to the Building and Wood Workers’ International global union.<sup>2</sup> Workers on several stadiums have organized strikes repeatedly to protest non-payment of wages and other labor abuses. International media have published credible reports about North Korean workers employed on the World Cup Stadium in St. Petersburg in 2016 working long hours with few days off and compelled to send wages to the North Korean government.<sup>3</sup>

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<sup>1</sup> Human Rights Watch, *Red Card, Exploitation of Construction Workers on World Cup Sites in Russia*, July 2017, <https://www.hrw.org/report/2017/06/14/red-card/exploitation-construction-workers-world-cup-sites-russia>.

<sup>2</sup> Human Rights Watch telephone interview with Ambet Yuson, general secretary, Building and Wood Workers’ International, May 1, 2017.

<sup>3</sup> Human Rights Watch, *Red Card*.

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

- End worker rights violations in the construction sector, through rigorous inspections and accountability for employers who exploit and abuse workers.
- Issue a high-level public message of zero tolerance for worker abuse.
- Refrain from punishing migrant workers, including through deportations, for the unscrupulous practices of employers.
- Undertake outreach campaigns to inform workers of their rights, and ensure accessible, effective mechanisms for workers to file complaints without retaliation.

**Threats of expulsion from university; political propaganda at schools and universities; interference with family life following March 2017 peaceful protests (Article 13)**

Human Rights Watch research found that following anti-corruption demonstrations on March 26, 2017 in cities across Russia, authorities in numerous cities harassed and intimidated schoolchildren and university students who participated in the demonstrations or sought to participate in demonstrations, and their families as detailed in a June 2017 short report.

University students in several cities told Human Rights Watch about threats, including of expulsion from school, and other retaliation for participation in anti-corruption rallies. In one case, senior university officials in a Russian far eastern city called a student three hours after he applied for a permit to hold a rally on March 26. After the deputy dean told him that he could face problems in his future studies and that “the FSB [Federal Security Bureau] would straighten [him] out,” the student withdrew the application.

Education officials in several towns required high school students to watch films criticizing popular anti-corruption activist and protest leader Alexei Navalny during classes, or lectured them against participating in public demonstrations critical of the government. Several university students described similar sessions they were encouraged, but not required, to attend.<sup>4</sup>

For example, on April 18, several dozen university students in Vladimir were required to attend an anti-extremism lecture that state university officials organized instead of regularly scheduled classes.<sup>5</sup> A publicly available video made by one of the students showed the head of the regional government agency for fighting extremism among youth lecturing the students, after showing a film that compared Navalny to Hitler and described Navalny’s alleged “criminal past.” Officials refused the students’ request to show a documentary on alleged corruption among Russian

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<sup>4</sup> “Russia: Children, Students Targeted after Protests, Protesters, Parents Face Intimidation, Charges,” Human Rights Watch news release, June 11, 2017, <https://www.hrw.org/news/2017/06/11/russia-children-students-targeted-after-protests>.

<sup>5</sup> “Студентам Владимирского государственного университета показали фильм, в котором Навального сравнивали с Гитлером,” *Медиазона*, April 19, 2017, <https://zona.media/news/2017/19/04/navahitler> (accessed July 24, 2017).

authorities or to present an alternative view to the film criticizing Navalny, by saying: “What other view do you still need?”<sup>6</sup>

Media reported that on March 30, in the city of Tomsk, a high school teacher dedicated an entire class to lecturing students about the protest movement and called those who support Navalny “betrayers, traitors, and liberal-fascists.”<sup>7</sup> A university lecturer in the same town started talking about anti-corruption rallies during a regular class, called those who spoke at the anti-corruption rally in Tomsk “freaks,” and suggested that the demonstrators were paid.<sup>8</sup> In a video made by one of the students and posted to YouTube, a teacher can be seen telling students that if they want to make money, they should choose methods that would not discredit them in the future.<sup>9</sup>

The right to education is to be enjoyed without discrimination on any grounds such as political or other opinion. It is not compatible with the right to non-discrimination in education for the state to use the classroom for partisan political coercion. This principle is reflected in Article 48 of Russia’s Federal Law on Education, which forbids teaching staff “to use educational activities for political agitation, the coercion of students to accept political, religious or other beliefs or to reject them.”

Human Rights Watch also documented how authorities brought administrative charges against some parents whose children participated in demonstrations. For example, in Nizhnii Novgorod authorities charged the parents of five children with “failure to execute child-rearing responsibilities,” an administrative violation, because they allege they put their children at risk by allowing them to attend an unsanctioned gathering, even though the gathering was peaceful. Lawyers representing detained children in Moscow reported that police and other officials in some cases questioned their clients and their clients’ families about their home and family life, apparently seeking information that could lead to administrative or other charges against parents, or seeking to intimidate parents by making them fear such charges. In addition, in some cases officials visited families of children who participated in rallies, allegedly to check the living conditions in the children’s homes.

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

- Cease retaliation, threats and harassment, including unfounded administrative charges, against children, students who participate in peaceful protests, and their families;

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<sup>6</sup> “Встреча правой школы со студентами,” April 18, 2017, <https://www.youtube.com/watch?v=CxDAY4oPV1Y> (accessed July 24, 2017).

<sup>7</sup> “Учитель школьников: «Вы либералы-фашисты, холопы англосаксов»: политинформация по-томски,” March 30, 2017, <https://www.youtube.com/watch?v=eSMYgczoiu4> (accessed July 24, 2017).

<sup>8</sup> “Как посмотришь на протестующих — ну рожи» Преподаватель Томского университета отчитывает студентов за участие в митинге против коррупции. Видео и расшифровка,” *Medusa*, March 28, 2017, <https://meduza.io/feature/2017/03/28/kak-posmotrish-na-protestuuyuschih-nu-rozhi> (accessed July 24, 2017).

<sup>9</sup> “Учитель школьников: «Вы либералы-фашисты, холопы англосаксов»: политинформация по-томски,” March 30, 2017, <https://www.youtube.com/watch?v=eSMYgczoiu4> (accessed July 24, 2017).

- Ensure that schools and universities do not engage in partisan political coercion of children, young people, and staff in the classroom, during school hours, or outside of school.

### **European Court of Human Rights Judgment on “Gay Propaganda” Law (Articles 2, 12, 15)**

On June 20, 2017, in a judgment in the *Bayev and Others v. Russia* case, the European Court of Human Rights ruled that Russian federal law No. 135-FZ, known as the “gay propaganda” law, is discriminatory. The law banned dissemination of information that portrays same-sex relationships in a positive light to children.<sup>10</sup>

Human Rights Watch reiterates its recommendations to the Committee to call on the Russian government to:

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

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<sup>10</sup> Graeme Reid (Human Rights Watch), “European Court Condemns Russia’s Gay Propaganda Law Ban on ‘Propaganda of Nontraditional Sexual Relations’ Ruled Discriminatory,” June 22, 2017, <https://www.hrw.org/news/2017/06/22/european-court-condemns-russias-gay-propaganda-law>.