

## RUSSIAN FEDERATION

### Special Decisions or Action Taken Re: Reporting, Including Urgent Action Procedure

#### CERD A/50/18 (1995)

#### II. PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY WARNING AND URGENT PROCEDURES

##### A. Decisions adopted by the Committee

25. The following decisions were adopted by the Committee under this agenda item at its forty-sixth session.

##### 1 (46). Report requested urgently from the Russian Federation

The Committee on the Elimination of Racial Discrimination views with concern the situation of human rights in the Republic of Chechnya. It expresses alarm over the disproportionate use of force by the Russian armed forces and the massive loss of life which has resulted in Chechnya. The Committee deplores the destruction of civilian property. It condemns all violations of human rights and of international humanitarian law. It calls for all those who have committed such violations to be brought to justice.

The Committee on the Elimination of Racial Discrimination calls urgently for an immediate cessation to the fighting and for a dialogue to achieve a peaceful solution while respecting the territorial integrity and the Constitution of the Russian Federation.

The twelfth and thirteenth periodic reports of the Russian Federation were due on 5 March 1992 and 1994 respectively. Bearing in mind its powers under article 9, paragraph 1 (b), of the International Convention on the Elimination of All Forms of Racial Discrimination, the Committee requests the Russian Federation to expedite its periodic reports to permit their consideration at the Committee's forty-seventh session.

The Committee further requests the United Nations High Commissioner for Human Rights to inform it of the results of his dialogue with the Russian Government in implementation of his mandate with a view to securing respect for all human rights.

1086th meeting  
9 March 1995

**CERD CERD/C/SR.1642 (2004)**

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION  
Sixty-fourth session  
SUMMARY RECORD OF THE 1642nd MEETING

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CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 6) (continued)

Request for additional information regarding the situation of Meskhetians in the Russian Federation

41. The CHAIRMAN recalled that the Committee had been asked to take action with regard to the plight of Meskhetians residing in the Russian Federation. The Committee had expressed concern about the situation in 2003, in its concluding observations to the Russian Federation's fifteenth to seventeenth periodic reports. He proposed that the Committee write to the State party asking it to submit detailed information on the situation not later than 31 July 2004, in time for its sixty-fifth session.

42. Mr. THORNBERRY, who had acted as Country Rapporteur with respect to the Committee's consideration of the fifteenth to seventeenth periodic reports of the Russian Federation in 2003, said that a letter to the State party seemed to be a reasonable proposal.

43. Mr. SHAHI said that he wished to know whether the Committee was content simply to write to the State party, given that the Russian NGO "Memorial" had asked the Committee to consider taking action under its early warning and urgent action procedure and to designate a member of the Committee to act as a focal point with regard to the situation of the Meskhetians in the Russian Federation.

44. Mr. PILLAI said that if the Committee intended to write a letter to a State party on the basis of a communication received from an NGO, it was important to know whether the proposed course of action was taken under the early warning and urgent action procedure, or by way of a request under article 9 (b) of the Convention for clarification on information contained in reports submitted by States parties. The Committee should have the opportunity to discuss the issue.

45. Mr. THORNBERRY said that he would have some hesitation in invoking the early warning and urgent action procedure, which was designed for a dramatically different situation. The Committee should simply write to the State party under article 9 (b) of the Convention.

46. Mr. SHAHI suggested that it might be an appropriate application of the new rule on follow-up procedure that the Committee had just adopted.

47. Mr. THORNBERRY agreed that it would be entirely appropriate to apply the follow-up mechanism; he suggested that the Committee begin by writing to the State party to request further

information, before considering, at its sixty-fifth session, appointing a person to act as a focal point.

48. Mr. TANG Chengyuan said that the Committee needed to discuss the issue thoroughly before deciding what mechanism to apply; the Committee should agree on the criteria for cases under each mechanism in order to ensure that it acted consistently.

49. Mr. THORNBERRY wished to emphasize that the concerns raised about the situation of the Meskhetians were based not on any unsubstantiated claim by an NGO, but on solid evidence. He agreed that the Committee needed to hold a more general discussion about its working methods in order to determine criteria for more systematic application of the various mechanisms; nonetheless, the Committee should write to the State party to request further information.

50. Mr. SHAHI said that he wished to make it clear that he had suggested the appointment of a coordinator in connection with the follow-up mechanism and not as a result of the representations of an NGO.

51. The CHAIRMAN said that the Committee should opt for the simplest of the procedures that were available to it. He therefore proposed that the Committee write to the State party under article 9 (a) of the Convention to request further information, which would be enough to put pressure on the State party and draw attention to the issue. The Committee would then decide what further steps it should take in that regard at its sixty-fifth session.

52. It was so decided.