

Russia: Laws on Equality and Anti-Discrimination

This document outlines Russian Laws that relate to equality and anti-discrimination.

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1. Constitution of the Russian Federation

Title: the Constitution of the Russian Federation

Date legislation was first published (adopted): Adopted by national vote on 12 December 1993

External URL: <http://www.constitution.ru/en/10003000-01.htm>

Summary: This is the full text of the Constitution of the Russian Federation. It was adopted by national vote on 12 December 1993 and it has been in force since 25 December 1993.

Content:

The Constitution establishes basic principles of the state structure, declares main human and citizens' rights and duties.

The Constitution is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 6.2 declares that every Russian citizen shall enjoy in Russian territory all the rights and freedoms and bear equal duties provided for by the Constitution.

Article 19.1 sets out the right to equal protection before courts and under the law.

Article 19.2-3 establishes state guarantees, the equality of rights and freedoms of man and citizen, regardless of sex, race, nationality, language, origin, property and official status, place of residence, religion, beliefs, membership of public associations, or other circumstances. All forms of limitations of human rights on social, racial, national, linguistic or religious grounds shall be banned. Men and women shall enjoy equal rights and freedoms and have equal opportunities to exercise them.

Article 32.4 sets out the right to equal access to state services.

Article 37.3 sets out the right to labor remuneration without any discrimination whatsoever and not lower than minimum wages and salaries established by the federal law.

Article 55 sets out that the listing in the Constitution of the fundamental rights and freedoms shall not be interpreted as a rejection or derogation of other universally recognized human rights and freedoms.

The Constitutional provisions are the basis for all other legislation on non-discrimination and equality in Russia either at federal or regional (local) level. The Constitution has the supreme juridical force and applies directly in Russia.

2. Labor Code of the Russian Federation

Title: the Labor Code of the Russian Federation

Date legislation was first published (adopted): Adopted on 30 December 2001

External URL:

<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/60535/65252/E01RUS01.htm>

Summary: This is the full text of the Labor Code of the Russian Federation. It was adopted on 30 December 2001 and it has been in force since 1 February 2001.

Content:

The Labor Code regulates legal relationships between employer and employee, including matters of employment, labor agreement, remuneration, working time and time of rest, etc.

The Labor Code is considered to be the second most important piece of federal legislation relating to non-discrimination and equality (after the Constitution). It sets out the following key provisions in this area:

Article 2 establishes as principles of legal regulation of labor relations the following: prohibition of labor discrimination; equality of employees' rights and opportunities; employees' opportunities for career advancement taking into account work performance, skills and the job seniority, as well as for professional training, re-training and skill development without any discrimination; and the right to official state protection of his/her labor rights and freedoms.

Article 3 declares the individual's right to have equal opportunities to realize his/her labor rights and prohibits any discrimination in labor matters, including discrimination because of sex, race, colour of skin, nationality, language, origins, property, social status or position, age, domicile, religious beliefs, political convictions, affiliation or non-affiliation with public associations, as well as other factors not relevant to the professional qualities of the employee.

In addition, an individual considering himself to be discriminated against in labor matters has the right to petition the federal labor inspectorate bodies and/or courts applying for restoration of their violated rights, compensation for material loss and redress for moral damage.

Article 4 prohibits forced labor based on discrimination on the grounds of race, social, national or religious status.

Article 64 prohibits unjustified refusal to conclude a labor contract and any direct or indirect restrictions or granting direct or indirect advantages on entering into a labor contract based on sex, race, skin color, nationality, language, origin, property, social and official status, domicile (including availability or unavailability of registration at the place of residence or lodgment), pregnancy or presence of children, as well as on any other grounds not connected with the professional qualities of employees, except for the cases stipulated by the federal law.

The same Article also obliges an employer to inform a person who has been dismissed about reasons for the dismissal in written form. It also grants the dismissed person the right to appeal in court about the rightfulness of the dismissal.

Article 86 prohibits an employer from receiving and processing employees' personal data regarding his/her political, religious and other beliefs and private life.

Article 132 prohibits any discrimination when establishing and altering wage levels and other labor remuneration of terms.

Article 391 sets out that disputes arising out of or in connection with discrimination are subject to direct hearing at court.

The Labor Code confirms, deepens, and develops the general Constitution provisions on discrimination and equality in labor matters. The Code is a federal law, meaning that no regional legislation can contradict the Code's provisions.

3. Civil Code

Title: Civil Code of the Russian Federation, Part I

Date legislation was adopted: 30 November 1994

External URL: <http://www.russian-civil-code.com/>

Summary: This is the full text of Part I of the Civil Code, enacted by the State Duma of the Russian Federation. It was adopted on 30 November 1994 and it has been in force since 1 January 1995.

Content:

The Civil Code of Russia is the main piece of civil law legislation of Russia. Part I of the Civil Code of Russia establishes the basics of (i) legal status of individuals and corporations in private law relationships, (ii) rights of ownership, and (iii) contract law.

The Civil Code of Russia is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 17, part 1, provides that civil rights and obligations are equally applicable to all citizens. It is important to mention that even though foreign citizens or stateless individuals are not expressly mentioned here, by virtue of Article 2, part 1, the rules of Civil Code are applicable to all foreign citizens, stateless individuals and foreign legal entities unless otherwise stated by the federal law.

Article 426 of the Civil Code sets out the rules applicable to so-called 'public contracts'. A public contract is a contract for the sale of goods, performance of works or provision of services by a commercial entity that due to the nature of its operations shall sell goods, perform works or provide services to anybody who turns to it. For example, the following business operations anticipate entering into public contracts: retail trade, public transportation, communications services, power supply, medical services, hotel services, etc.

Among other issues Article 426 states that when entering into a public contract commercial entities are not allowed to give preference to any person or entity, but for the instances specified by the law or other legal acts. Article 426 further provides that the price of goods, works or services as well as other terms and conditions of a public contract shall be the same for all the customers.

4. Code of Administrative Offences

Title: Code of Administrative Offences of the Russian Federation No.195-FZ

Date legislation was first published (adopted): 30 December 2001

External URL: <http://www.russian-offences-code.com>

Summary: Attached is the full text of the Code of Administrative Offences of the Russian Federation enacted by the State Duma of the Russian Federation. It was adopted on 30 December 2001 and it has been in force since 1 July 2002. This Code has been amended several times; the last amendments were adopted on 3 June 2009 and they entered into force on 19 June 2009.

Content:

The Code of Administrative Offences sets out the administrative responsibility for individuals and legal entities that committed administrative offences in different spheres, such as traffic, transport, property protection, environment, energy, construction, health, and others. This Code also establishes aims and principles of legislation related to administrative offences; it determines administrative offences and responsibility for such offences, and it regulates legal proceedings for administrative violations.

This Code is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 1.4 sets out that "persons who have committed administrative offences shall be equal before the law. Natural persons shall be administratively liable, regardless of their sex, race, nationality, language, origin, property or official status, residence, religion, opinions, participation in social associations, or other circumstances. Legal entities shall be administratively liable, regardless of location, organizational and legal form and subordination or other circumstances."

The Code contains a number of Articles that set out the responsibility for certain offences that are related to different types of discrimination:

Article 5.26 envisages the responsibility for the violation of the laws on freedom of conscience and freedom of belief as well as on religious associations. According to this Article "obstructing the exercise of the right to freedom of conscience or freedom of belief, including the adoption of religious or other beliefs, or refusal thereof, as well as obstructing or imposing membership in a religious association shall entail the imposition of an administrative fine on citizens and officials."

Article 5.42 envisages the responsibility for the violation of the rights of disabled persons in the area of job placement and employment.

Article 5.43 sets out the responsibility for the failure to meet the requirements of the laws providing for the assignment of places in parking lots for special transport vehicles of persons with disabilities.

Article 9.13 sets out the responsibility for not making objects of engineering, transport and social infrastructures accessible to persons with disabilities.

Article 9.14 sets out the responsibility for the refusal to adapt public transportation to the needs of persons with disabilities.

Article 11.24 sets out the responsibility for organizing a public system of transportation without making it accessible to persons with disabilities.

5. Law on Citizenship

Title: Federal Law "On Citizenship of the Russian Federation" No. 62-FZ

Date legislation was adopted: 31 May 2002

External URL: <http://www.legislationline.org/documents/action/popup/id/4189>

Summary: This is the full text of Federal Law "On Citizenship of the Russian Federation" enacted by the Russian Federation. It was adopted on 31 May 2002 and it has been in force since 1 July 2002.

Content:

The Law on Citizenship sets out the rules and procedures for acquisition and withdrawal from the citizenship of the Russian Federation.

Article 4 of the Law on Citizenship is relevant to the right to non-discrimination and equality as it provides that citizenship of the Russian Federation is uniform and equal irrespective of the basis on which it is acquired.

6. Law on State Civil Service

Title: Federal Law "On the State Civil Service of the Russian Federation" No. 79-FZ

Date legislation was adopted: 27 July 2004

External URL: <http://eng.realpravo.ru/library/regulations/federal/> (Russian Only)

Summary: Attached is the full text of the Federal Law "On the State Civil Service of the Russian Federation" enacted by the Russian Federation. It was adopted on 27 July 2004 and it has been in force since 1 February 2005.

Content:

The Law on State Civil Service establishes the rules and procedures for the citizens to enroll and serve as public officers in federal and regional government agencies. The Law on State Civil Service is analogous to the Labor Code of Russia with respect to the employment of public officers in federal and regional government agencies.

According to item 3 of Article 4 of the Law on State Civil Service, one of the principles of the state civil service shall be equal access of Russian-speaking citizens to the civil service and equal terms of service irrespective of sex, race, nationality, origin, economic status, official post held, place of residence, religion, opinion, membership in public associations or other circumstances not related to professional or working skills of the civil officer.

The Law on State Civil Service provides that disputes in connection with state civil service shall be first heard by the commission of the respective government agency and that they can be then challenged in court. However, pursuant to item 15 of Article 70 of the Law on State Civil Service, if an officer believes that he or she was discriminated then such dispute shall be heard directly in court.

7. Law on Municipal Service

Title: Federal Law "On Municipal Service in the Russian Federation" No. 25-FZ

Date legislation was first published (adopted): 02 March 2007

External URL: <http://www.rg.ru/2007/03/07/sluzhba-dok.html> (in Russian only)

Summary: This is the full text of the Federal Law "On Municipal Service in the Russian Federation" enacted by the State Duma of the Russian Federation. It was adopted on 2 March 2007 and it has been in force since 1 June 2007.

Content:

The Law on Municipal Service establishes the rules and procedures for citizens to enroll and serve as public officers in municipal government agencies. The Law on Municipal Service is analogous to the Labor Code of Russia with respect to the employment of public officers in municipal government agencies.

According to item 3 of Article 4 and item 2 of Article 16 of the Law on Municipal Service, the access to and the terms of municipal service shall be equal for all Russian-speaking citizens, irrespective of sex, race, nationality, origin, economic status, official post held, place of residence, religion, opinion, membership in public associations or other circumstances not related to professional or working skills of the municipal officer.

8. Law on Organization of Municipal Governments

Title: Federal Law "On the General Principles of the Organization of Municipal Governments in the Russian Federation" No. 131-FZ

Date legislation was first published (adopted): 6 October 2003

External URL:

[http://www.cowiprojects.com/rdc/Documents/principles%20of%20local%20self-government%20\(Eng\).pdf](http://www.cowiprojects.com/rdc/Documents/principles%20of%20local%20self-government%20(Eng).pdf)

Summary: Attached is the full text of the Federal Law "On the General Principles of the Organization of Municipal Governments in the Russian Federation" enacted by the State Duma of the Russian Federation. It was adopted on 6 October 2003 and it has been in force since 1 January 2009.

Content:

Article 3 of the Law on the Organization of Municipal Governments is relevant to the right to non-discrimination and equality as it provides that the citizens are equal in their rights to self-government irrespective of sex, race, nationality, language, origin, economic status, official post held, religion, opinion, membership in public associations.

9. Education Law

Title: Law of the Russian Federation "On Education"

Date legislation was first published (adopted): 10/07/1992

External URL: <http://en.russia.edu.ru/information/npb/fzakon/law/3266-1/>

Summary: This is the full text of the Law "On Education" enacted by the Supreme Soviet of the Russian Federation. It was adopted on 10 July 1992 and most provisions have been in force since 31 July 1992. However, the Law has been amended several times, the last amendments were adopted on 13 February 2009 and they entered into force on 28 February 2009.

Content:

The overall purpose of the legislation is to provide a legal basis for the regulation of the educational process in Russia. The law sets out the basic principles for the state policy in the educational sphere, determines the system of education, and defines the powers of the federal and local authorities with respect to educational issues.

This Law is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 5 proclaims that citizens of the Russian Federation are guaranteed the opportunity to receive education irrespective of their sex, race, nationality, language, social origin, place of residence, attitude toward religion, personal beliefs, membership in public organizations (associations), age, health status, property status, official status, or criminal record. Limitations on the rights of citizens to vocational training on the grounds of sex, age, health status, and criminal record may be established only by law.

Article 5 also sets additional guaranties for citizens with disabilities, including special pedagogical methods.

In respect of language-based discrimination, Article 6 provides that citizens of the Russian Federation have the right to receive their basic general education in their mother tongue, and also to choose the language of tuition within the range of possibilities afforded by the educational system. The right of citizens to be taught in their mother tongue is ensured through the creation of the necessary number of appropriate educational establishments, classes, groups and conditions for their functioning.

Article 14 sets out general requirements for the content of education. One of such requirements is that the content of education must contribute to mutual understanding and cooperation between individuals and peoples irrespective of their race, nationality, ethnic group, religious affiliation and social position; it must respect the existing diversity of views, and help students exercise their right to the free choice of opinions and beliefs.

A number of Articles of this Law regulate different issues connected to the education of certain groups of citizens, such as persons with disabilities and children at risk. For example, Article 16 provides that the following persons shall be enrolled in entrance examinations to positions at state and municipal educational establishments of secondary

professional education and state and municipal educational establishments of higher professional education:

- children who are orphans and children without parental custody as well as persons under 23 years old who are orphans and children without parental custody;
- children and adults with disabilities pertaining to Groups I and II¹ for whom training at the appropriate educational establishments is not opposed to the federal institution engaged in carrying out medico-social expert examinations; and
- persons under 20 years old who have solely one parent of Group I who has a disability and whose average per capita income (within the family) is lower than the minimum established for subsistence in the appropriate constituent entity of the Russian Federation.

Article 20 sets that vocational training curriculum, including curriculum for students, pupils and adults with disabilities. The provisions of this Article are developed in Article 50, where it is stated that "organs of education administration shall create special (remedial) educational establishments (classes, groups) for children and adolescents with disabilities to cater for treatment, upbringing, and education, social adaptation and integration into society".

This Law is very important in respect of discrimination issues. Currently a considerable number of parents of children with disabilities together with different human rights

¹ There are three disability groups (Group I, Group II, and Group III) where Group I is the most serious. Criteria for attribution of persons to one of the three groups are specified in the Order No. 535 of the Ministry of Health and Social Development, dated 22 August 2005, "On approval of classification and criteria used for the purposes of medical and social assessment by the federal state institutions of medical and social assessment".

Criteria for attribution to Group I are one of the following or their combination: inability to self-service, inability to self-movement, inability to communication, inability to control behavior provided that such a person needs permanent help of other people.

Criteria for attribution to Group II are one of the following or their combination:

- ability to self-service, ability to self-movement, ability to orientation, ability to communication, ability to control behavior provided that such a person needs regular partial help of other people with the use of support technology, if necessary;
- inability to education or education only in special educational institutions;
- inability to labor activity or ability to perform labor activity in special conditions with the use of support technology and(or) with the help of other people.

Criteria for attribution to Group III are one of the following or their combination:

- ability to self-service, ability to self-movement if this requires more time when usual or use of support technology, if necessary;
- ability to orientation only in the familiar situation and(or) with the use of support technology;
- ability to communication with the decrease of speed and amount of information received, use of support technology, if necessary;
- occasional limitation to control behavior in difficult reality situations and(or) permanent difficulties in performing role functions;
- ability to education with the use of special educational methods, special educational regime, use of support technology, if necessary.

organizations are fighting for inclusive education. Unfortunately, most Russian schools are not equipped with the relevant tools that would allow persons in wheelchair to study at schools together with other pupils, and thus children with disabilities have to get their education either at home or in special institutions, which are also rare.

One of the recent achievements in these areas was set by Kirill Drozdov a pupil in wheelchair attending the 5th form, who forced his school to install special equipment that would allow him to go up the stairs as all the other children at school this year. Although at first the school administration refused to do it and the local administration ignored his request, involvement of human rights organizations and attention of Mass Media finally persuaded the school to install the required equipment.

10. Medical Insurance Law

Title: Law "On Medical Insurance of Citizens in the Russian Federation" No. 1499-1

Date legislation was first published (adopted): 28 June 1991

External URL: http://zonazakona.ru/zakon/index.php?zakon=zakon_medstrah&go=index
(Russian only)

Summary: The Law "On Medical Insurance of Citizens in the Russian Federation" was enacted by the Supreme Soviet of the Russian Federation. It was adopted on 28 June 1991 and it has been in force since 1 January 1993. (However, some of the Articles came into force starting from 1 October 1991.) The Law has been amended several times; the last amendments were adopted on 23 July 2008 and they entered into force on 1 January 2009.

Content: This Law is dedicated to the regulation of rights and obligations as well as responsibility of insurers and insureds, medical enterprises, and the state in the sphere of obligatory and optional medical insurance.

According to the Law, medical insurance is a form of social protection of the interests and the health of the population. The purpose of medical insurance in case of an insured accident is to guarantee medical aid and preventive treatments to private citizens at the expense of accumulated means. Medical insurance is effected in two forms: obligatory and voluntary.

This Law is relevant to the right to non-discrimination and equality in establishing the obligatory medical insurance. Article 1 states that obligatory medical insurance is an integral part of state social insurance and guarantees equal opportunities for all citizens of the Russian Federation to get medical aid provided at the expense of obligatory medical insurance in the amount and on the terms corresponding to the programs of obligatory medical insurance.

Voluntary medical insurance is effected on the basis of voluntary medical insurance programs and provides private citizens with additional medical and other services over and above those provided for by programs obligatory medical insurance programs.

11. Health Protection Law

Title: The Fundamentals of the Legislation of the Russian Federation on Health Protection No. 5487-1

Date legislation was first published (adopted): 22 July 1993

External URL: see attachment.

http://www.ilo.int/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=34802 (This is not a link to the full text of the legislation)

Summary: The “Fundamentals of the Legislation of the Russian Federation on Health Protection” were enacted by the Supreme Soviet of the Russian Federation. They were adopted on 19 July 1993 and they have been in force since 19 July 1993. The fundamentals have been amended several times; the last amendments were adopted on 30 December 2008 and they entered into force on 11 January 2009.

Content:

These Fundamentals establish legal, organizational, and economic principles in the area of citizens' health protection. The Fundamentals determine the areas of responsibility and jurisdiction of the Russian Federation and its constituent members in the sphere of health protection; regulate the activities of enterprises, institutions, and organizations in this sphere; determine the professional rights, duties, and responsibilities of medical and pharmaceutical workers and establish the guarantees for their social support; set out the rights of individuals and separate groups of population in the sphere of health protection and establish the guarantees for the observance of such rights.

These Fundamentals are relevant to the right to non-discrimination and equality in a number of ways, including:

Article 17 sets out an obligation for the state to provide its citizens with health protection, regardless of sex, race, nationality, language, social background, official status, place of residence, religion, beliefs, membership of public associations, or other circumstances.

Further, this Article provides that the State guarantees to its citizens protection against any form of discrimination based on disease.

12. Family Code of Russia

Title: Family Code of the Russian Federation № 223-FZ

Date legislation was first published (adopted): 29 December 1995

External URL: <http://www.jafbase.fr/docEstEurope/RussianFamilyCode1995.pdf>

Summary: Attached is the full text of the Family Code of the Russian Federation, enacted by the State Duma of the Russian Federation. It was adopted on 29 December 1995 and it has been in force, for the most part, since 1 March 1996.

Content: The overall purpose of this Act is to regulate a wide range of matters connected with family relationships, including the rights of individuals in their domestic relations, procedure and conditions for responsibility of family members, matters of marriage, divorce, child custody, adoption and related issues.

This Act is relevant to the right to non-discrimination and equality in a number of ways, including: Article 1.4 prohibits any violations of human rights related to marriage or to any family relations for reasons of social, racial or national origin, language or religion. Restrictions to citizens' rights in the family matters are only allowed, if established by federal law and only insofar as it is necessary to protect the morality, health, rights and legal interests of the other family members and other citizens. Thus, the law guarantees the equality of citizens in the family, developing the general constitutional principle of equality.

13. Tax Code of Russia

Title: Tax Code of the Russian Federation (Part 1) № 146-FZ

Date legislation was first published (adopted): 31 August 1998

External URL:

<http://tax.eycis.info/RL.nsf/x/D253DC1C6DDB7FE6C3257584004EAC07?OpenDocument>

Summary: This is the full text of the Tax Code of the Russian Federation, enacted by the State Duma of the Russian Federation. It was adopted on 31 August 1998 and it has been in force, for the most part, since 1 January 1999.

Content: The overall purpose of this Act is to regulate relations involving imposition and collection of taxes and fees in Russia, exercise tax control and establish liability for tax violations.

This Act is relevant to the right to non-discrimination and equality in a number of ways, including: Article 3.1 provides for the general liability to tax, stating that tax and fee legislation shall be based on recognition of universality and equality of taxation. Pursuant to Article 3.2, taxes and fees may not be discriminatory or applied differently depending on social, racial, national, religious and other similar criteria. It shall not be allowed to set differential tax or fee rates or to grant tax benefits based on the form of ownership, citizenship or origin of capital (the principle of equal burden of taxation).

14. Law on State of Emergency

Title: Federal Constitutional Law of the Russian Federation № 3-FKZ "On the State of Emergency"

Date legislation was first published (adopted): 30 May 2001

External URL: <http://www.legislationline.org/documents/action/popup/id/4290>

Summary: This is the full text of the Federal Constitutional Law "On the State of Emergency", enacted by the State Duma of the Russian Federation. It was adopted on 30 May 2001 and it has been in force since 1 June 2001.

Content: The overall purpose of this Act is to specify circumstances and procedure for declaring state of emergency and safeguarding human rights and freedoms, which may be temporarily restricted in conditions of a state of emergency. The Law imposes strict limits on application of these constraint measures.

Subject to the above mentioned provisions, this Act is relevant to the right to non-discrimination and equality in the following way. As a general rule, Article 28.1 states that the restriction of rights is possible insofar as it may be required by the seriousness of a given situation. Article 28.2 specifies that all the acceptable measures shall correspond to the international obligations of the Russian Federation in the field of human rights and shall not entail any discrimination against individuals or communities exclusively for reasons of sex, race, nationality, language, origin, property status and capacity, place of residence, attitude towards religion, beliefs, affiliation with public associations, or other circumstances.

15. Law on Advertising

Title: Federal Law of the Russian Federation № 38-FZ "On Advertising"

Date legislation was first published (adopted): 13 March 2006

External URL:

[http://tax.eycis.info/RL.nsf/0/501c7f7ad7eeb7b7c3257540004c2ce3/\\$FILE/Federal%20Law%20No_%2038-FZ%20of%2013_03_2006%20_Rev_%207.pdf](http://tax.eycis.info/RL.nsf/0/501c7f7ad7eeb7b7c3257540004c2ce3/$FILE/Federal%20Law%20No_%2038-FZ%20of%2013_03_2006%20_Rev_%207.pdf)

Summary: This is the full text of the Federal Law "On Advertising", enacted by the State Duma of the Russian Federation. It was adopted on 13 March 2006 and it has been in force, for the most part, since 1 July 1996.

The overall purpose of this Act is to regulate relations in the area of advertising distributed in the territory of the Russian Federation.

Content: This Act is implicitly relevant to the right to non-discrimination and equality in the following way. Article 5.6 prohibits the use of profanities, obscene and offensive images, comparisons and expressions including in relation to sex, race, nationality, profession, social category, age, language, official state symbols (flags, emblems, anthems), religious symbols, objects of cultural heritage (historical and cultural monuments) of the nations of the Russian Federation, as well as objects of cultural heritage included in the World Heritage List.

16. Criminal Code

Title: Criminal Code of the Russian Federation

Date legislation was first published (adopted): 13 June 1996

External URL: <http://www.legislationline.org/documents/section/criminal-codes/country/7>

Summary: Attached is the full text of the Criminal Code, enacted by the State Duma of the Russian Federation. It was adopted on 13 June 1996 and it has been in force since 1 January 1997.

Content:

The Criminal Code of Russia is the sole legal authority that determines crimes and punishments. It consists of a General Part and a Special Part. The General Part contains (i) principles of Russian criminal law; (ii) definition and types of crimes, guilt and punishment; (iii) determination of individuals subject to criminal liability; (iii) peculiarities of juvenile criminal liability, etc. The Special Part describes elements of certain crimes and provides for the sanctions.

Many of the Articles of the Criminal Code of Russia are relevant to non-discrimination and equality, including:

Article 4 sets out equality of individuals before the law as a basic principle of criminal law. Persons who have committed crimes shall be equal before the law and shall face criminal liability, regardless of their sex, race, nationality, language, origin, property or official status, place of residence, attitude to religion, beliefs, membership of public associations or other circumstances.

Article 63, part 1(f), lists commission of a crime by reason of political, ideological, racial, national or religious hatred or enmity or by reason of hatred or enmity with respect to some social group among the circumstances of aggravated punishment. The similar approach is followed with regard to a number of crimes (e.g. Article 105 (murder), part 2 (k); Art. Article 111 (intentional infliction of a grave injury), part 2 (f); Article 112 (intentional infliction of injury to health of average gravity), part 2 (f); Article 115 (intentional infliction of light injury), part 2 (b); Article 116 (battery), part 2 (b); Article 117 (torture), part 2 (h); Article 150 (involvement of a minor in the commission of a crime), part 4; Article 214 (vandalism), part 2; Article 244 (outrages upon bodies of the deceased and their burial places), part 2 (b)).

Political, ideological, racial, national or religious hatred or enmity with respect to some social group form the basis of certain crimes. Among them hooliganism (Article 213, part 1(b)); public appeals for the performance of extremist activity (Article 280); incitement of hatred or enmity, as well as abasement of human dignity (Article 282); organizing an extremist community (Article 282.1); genocide (Article 357).

Article 136, which addresses violations to the principle of equal implementation of human rights and civil rights and freedoms, is one of the most important articles in the context of

non-discrimination. It prohibits discrimination itself as a crime, defining it as 'violation of the rights, freedoms and legal interests of humans and citizens based on sex, race, nationality, language, origin, property or official status, place or residence, attitude to religion, beliefs, affiliation with public associations or any social groups'. It provides for more severe sanctions for the state officials committing such violations.

Article 148 is closely related to Article 136 and it serves the same purpose: fighting against discrimination. It prohibits as a crime of the act of obstructing the right of liberty of conscience and religious liberty, including obstructing the activities of religious organizations or the performance of religious rites.

17. Civil Procedure Code

Title: Civil Procedure Code of the Russian Federation

Date legislation was first published (adopted): 14 November 2002

External URL: www.rarolc.net/programs/download.php?fcid=3&fid=542 -

Summary: Attached is the text of Sections 1 and 5 of the Civil Procedure Code, enacted by the Russian Federation. It was adopted on 14 November 2002 and it has been in force since 1 February 2003.

Content:

The Civil Procedure Code is the main piece of procedural law in Russia regulating relations arising in the course of legal proceedings in Russian courts of general jurisdiction. Section 1 of the Civil Procedure Code contains general provisions regarding: (i) composition of the court; (ii) jurisdiction; (iii) parties; (iv) representation in court; (v) proof and proving; (vi) court expenditures and fines; (vii) statute of limitations; (viii) court notices and summons. Section V concerns the particularities of cases involving foreigners.

The Civil Procedure Code is relevant to the right of non-discrimination and equality in a number of ways, namely:

Article 6 states that justice shall be administered by the court, taking into account the principle of equality before the law and the courts for all the citizens, irrespective of their sex, race and nationality, language, origin and property or official status, place of residence, religion and beliefs, affiliation to public associations or other circumstances, and for all organizations, regardless of their legal organizational form, their form of ownership and location, subsidiarity or other circumstances.

Article 12, part one sets out the obligation of the court to administer justice on the basis of the equality of the parties. The equality of the parties' procedural rights and duties is set out in Article 38.

According to Article 36, the civil legal capacity to sue is recognized as belonging equally to all the citizens and organizations, that are granted, in conformity with the legislation of the Russian Federation, the right to the legal protection of their rights, freedoms and lawful interests.

According to Article 398, foreign citizens, stateless persons and foreign organizations enjoy the right to apply to the courts in the Russian Federation for the protection of their violated or disputed rights, freedoms and lawful interests. Foreign citizens enjoy all the procedural rights and shall discharge the procedural duties as Russian citizens and organizations.

18. Law on Militia

Title: Federal Law "On militia" No. 1026-1

Date legislation was first published (adopted): 18 April 1991

External URL: <http://www.consultant.ru/popular/militia/> (in Russian only)

Summary: the Federal Law "On militia" was enacted by the Supreme Soviet of the RSFSR. It was adopted on 18 April 1991 and it has been in force since 18 April 1991.

Content:

The Law on Militia is the main law governing the activity of Russian militia which, like police, is a public force empowered to enforce the law and to ensure public and social order through the legitimized use of force.

The relevance of the Law to non-discrimination can be perceived in the following Articles:

Article 5 provides that Militia defends human rights and citizens' rights irrespective of sex, race, nationality, language, origin, property or official status, place of residence, religion and beliefs, affiliation to public associations and other circumstances.

Articles 19 and 20 deal with non-discrimination of citizens on militia service. According to Article 19, militia service is open to any citizen of the Russian Federation who meets the requirements of age, education, fitness and health, irrespective of sex, race, nationality, language, origin, property or official status, place of residence, religion and convictions, affiliation to public associations and other circumstances.

19. Law on Detention in Custody of the Suspects and the Accused

Title: Federal Law "On Detention in Custody of the Suspects and the Accused of Commission of a Crime" No. 103-FZ

Date legislation was first published (adopted): 15 July 1995

External URL: <http://www.consultant.ru/online/base/?req=doc;base=LAW;n=72294> (in Russian only)

Summary: The Federal Law "On Detention in Custody of the Suspects and the Accused of Commission of a Crime" was enacted by the State Duma of the Russian Federation. It was adopted on 15 July 1995 and it has been in force since 17 July 1995.

Content:

The Law on Detention in Custody governs the order and defines the conditions of detention in custody, and guarantees the rights and lawful interests of suspects and accused individuals who are taken into custody in accordance with the Criminal Procedure Code of the Russian Federation.

Article 4 of the Law lists the principle of equality of all citizens before the law as one of the basic principles governing detention in custody.

Article 6 provides that there shall be no discrimination against the suspects and the accused individuals due to sex, race, nationality, language, origin, property or official status, place of residence, religion, beliefs, affiliation to public associations or other circumstances.

20. Code of Professional Ethics of the Officers of Law Enforcement Agencies

Title: Order of the Ministry of Internal Affairs "On Approval of the Code of Professional Ethics of the Officers of Law Enforcement Agencies" No. 1138

Date legislation was first published (adopted): 24 December 2008

External URL: <http://www.prof-police.ru/index.php/2008-10-02-12-16-36/153-2009-02-14-14-39-00.html> (in Russian only)

Summary: The Order of the Ministry of Internal Affairs No. 1138 "On Approval of the Code of Professional Ethics of the Officers of Law Enforcement Agencies" enacted by the Russian Federation. It was adopted on 24 December 2008 and it has been in force since 24 December 2008.

Content:

The Code of Professional Ethics is a guidance for the officers of law enforcement agencies. Although it is not a legally binding document, it is a moral obligation of every officer to abide by the rules provided for in the Code.

According to Article 6, part 2 of the Code, tolerance, i.e. a considerate and tolerant attitude to individuals with due consideration of religious, ethnic customs and traditions, is one of the basic moral principles of the service in law enforcement agencies.

Article 11, part 3, discourages the use of statements which could be construed as insults against certain social or national groups.

Article 12, part 5, declares as unacceptable for an officer any statements or actions of discriminatory nature due to factors of sex, age, race, nationality, language, social, property or family status, or political or religious convictions.

21. Freedom of Conscience and Religious Associations Law

Title: Federal Law "On Freedom of Conscience and on Religious Associations"

Date legislation was adopted: 26 September 1997

External URL: see attachment.

<http://www.legislationline.org/documents/action/popup/id/4187>

Summary: Attached is the full text of Federal Law "On Freedom of Conscience and on Religious Associations", enacted by the Russian Federation. It was adopted on 26 September 1997 and it has been in force since 29 September 1997.

Content:

The Federal Law "On Freedom of Conscience and on Religious Associations" regulates relationships in respect of freedom of conscience and the legal status of religious associations.

The Federal Law "On Freedom of Conscience and on Religious Associations" is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 3 contains several significant provisions.

First, it guarantees the freedom of conscience. This freedom includes the right to profess individually or jointly with others or to profess no religion whatever, to freely choose and change, have and disseminate religious and other views.

Second, foreign citizens and apatrides have equal rights as Russian citizens.

Third, establishment of preferences, restrictions or other forms of discrimination on the ground of religion is not allowed. Russian citizens are equal before the law in all spheres of civil, political, economic, social and cultural life regardless of their religious views.

Further, Russian citizens have the right to alternative civilian service instead of compulsory military service if the latter contradicts their religious views.

In addition, nobody has a duty to disclose his/her religious views. Nobody shall be forced to profess or refuse to profess any religion, to participate or not participate in worship service and religious associations. It is prohibited to draw minors into religious associations as well as to teach them contrary to their wish and without the consent of their legal guardians.

Finally, restriction of freedom of conscience is prohibited. It is prohibited to carry out public affairs and to distribute texts and images that hurts religious feelings of others close to buildings of religious worship.

The secrecy of confession is guaranteed under the law. No clergymen shall be responsible for refusal to disclose information received from confession.

Article 4 provides for standards of relationships between the Russian Federation and religious associations.

The most important issue here is the principle of establishment (separation between religious associations and the state). Religious associations are separated from the state and are equal before the law. The Russian Federation is a secular state. It means that no religion shall be proclaimed as a governmental or compulsory religion. According to this principle, the Russian Federation undertakes:

- not to interfere with citizens' religious affiliation;
- not to interfere with children's upbringing by their legal guardians;
- not to impose on religious associations governmental functions;
- not to interfere in the activity of religious associations; and
- to provide for secular education.

The officials of state bodies and local government agencies as well as members of the military may not use their official position to form any particular attitude towards religion.

Separation of religious associations from the state shall not entail restrictions of rights of members thereof.

22. Alternative Civilian Service Law

Title: Federal Law "On Alternative Civilian Service"

Date legislation was adopted: 25 July 2002

External URL: <http://www.consultant.ru/popular/alternative/> (in Russian only)

Summary: This is the full text of Federal Law "On Alternative Civilian Service", enacted by the State Duma of the Russian Federation. It was adopted on 25 July 2002 and it has been in force since 1 January 2004.

Content:

This Law regulates citizens' right to change compulsory military service to alternative civilian service.

The Law is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 2 states that a citizen has the right to change compulsory military service to alternative civilian service if military service contradicts his views or religion.

Article 12 sets out the grounds for refusal to change compulsory military service to alternative civilian service. One of such grounds is that documents and other records do not confirm the contradiction between compulsory military service and beliefs or religion of a person. According to Article 15, a citizen can challenge the refusal of the call-up commission to change compulsory military service to alternative civilian service in court.

23. Law on Rehabilitation of Victims of Political Repression

Title: RF Law "On rehabilitation of victims of political repression" No 1761-1

Date legislation was adopted: 18 October 1991

External URL: <http://www.memorial.krsk.ru/zakon/17612004.htm> (in Russian only)

Summary: This is the full text of RF Law "On rehabilitation of victims of political repression", enacted by the House of the Soviets of Russia. It was adopted on 18 October 1991 and it has been in force since 31 October 1991.

Content:

RF Law "On rehabilitation of victims of political repression" stipulates a definition of "political repression"; it determines grounds for declaring people as being repressed and for ordering rehabilitation measures.

This Law is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 1 defines "political repression" as various forcible measures used by the government on political grounds in the form of, *inter alia*, deprivation of life or liberty, putting to compulsory treatment into mental hospitals, an exclusion from a country and deprivation of citizenship, an exile, forced labor as well as other deprivation or limitation of rights and liberties of the persons recognized as socially dangerous to the state or political regime on class, social, national, religious or other grounds which take place under the court decision and other bodies that have judicial functions or by the bodies of the executive power in administrative procedure and by non-governmental organizations and their bodies that have administrative powers.

Article 5 provides that persons convicted of violation of laws on the separation between the church and the state and between the school and the church and the encroachment on human rights under the pretext of exercising religious ceremonies should be rehabilitated independent of factual justification of prosecution.

Article 7 contains the right to charge non-rehabilitation in court.

Articles 12-16 provide for various rehabilitation measures. For instance, Article 12 provides that rehabilitated persons are restored in their socio-political rights and civil rights, military and other special ranks, retrieve their state honors, receive compensation, and are provided with social support. Article 13 provides that rehabilitated persons who lost their houses due to repression should come back to live in those places where they used to live before repression, in which case the rehabilitated persons and the members of their families should be provided with accommodations in accordance with legislation of the subjects of the Russian Federation. According to Article 14, those rehabilitated persons who were deprived of citizenship should be restored in citizenship of the Russian Federation. Pursuant to Article 15, those rehabilitated persons who were repressed by being deprived of liberty and put to mental hospitals, should be compensated in the amount of 75 Rubles per each month of deprivation of liberty or being in the mental hospital but not more than

10 000 Rubles. Under Article 16.1, generally rehabilitated persons should be restored with their property confiscated due to repression or should be refunded its value.

24. Letter on the Secular Nature of Education in the State Educational Institutions

Title: Letter of the Ministry of Education of the Russian Federation "On the secular nature of education in the state educational institutions of the Russian Federation"

Date legislation was adopted: 19 March 1993

External URL: <http://www.sclj.ru/law/rus/detail.php?ID=1091> (in Russian only)

Summary: This is the full text of Letter of the Ministry of Education of the Russian Federation "On the secular nature of education in the state educational institutions of the Russian Federation", enacted by the Ministry of Education of the Russian Federation. It was adopted on 19 March 1993 and it has been in force since 19 March 1993.

Content:

This Letter sets requirements for the educational process in state educational institutions to the extent that it relates to religious upbringing.

This Letter is relevant to the right to non-discrimination and equality in a number of ways, including:

Clause 1 confirms the principle of separation between religion and education. It means that religious or atheistic upbringing is prohibited in schools.

Clause 2 stipulates that religious-cognitive, theological, religious, and philosophical disciplines could be included in the educational program due to informative goals. Such optional courses as "Religions' history", "World's religions", "Theology" could be introduced in the schools.

Clause 3 further states that theological issues may be taught in institutions other than schools. Such studies could be carried out in the form of hobby groups, clubs, scientific societies of learners and others.

Clause 4 provides that tutors who teach theological disciplines should have special professional qualification.

Clause 6 sets forth the human right to establish non-governmental educational institutions for religious or atheistic upbringing.

Clause 7 states that religious education and upbringing can be performed in the non-governmental educational institutions, at home, or in religious associations. If so desired by citizens, religious education and upbringing can be performed optionally by representatives of religious associations at any pre-school and educational institutions.

25. Government Regulation on Alternative Civilian Service

Title: Government Regulation "On the approval of the regulation on alternative civilian service"

Date legislation was adopted: 28 May 2004

External URL: http://www.jobsme.ru/BPravo/DocumShow_DocumID_90570.html (in Russian only)

Summary: This is the full text of Government Regulation "On the approval of the regulation on alternative civilian service", enacted by the Government of the Russian Federation. It was adopted on 28 May 2004 and it has been in force since 10 June 2004.

Content: Government Regulation "On the approval of the regulation on alternative civilian service" sets out the provisions of performance of alternative civilian service, citizens' appointment to the said service and dismissal issues.

Government Regulation "On the approval of the regulation on alternative civilian service" is relevant to the right to non-discrimination and equality in a number of ways, including:

Clause 15 stipulates that those citizens who desire to change compulsory military service to alternative civilian service should prove that military service contradicts their convictions or religion. For this purpose citizens can point out persons who can confirm the validity of these suggestions.

Clause 24 states that a call-up commission should decide whether or not to change compulsory military service to alternative civilian service based on several points. One of such points is evidence produced by persons who can confirm the validity of the conviction.

26. President Order on Measures in Respect of the Ministers and Believers that have become Victims of Unjustified Repressions

Title: the Presidential Order "On measures in respect of the Ministers and Believers that have become the victims of unjustified repressions".

Date legislation was adopted: 14 March 1996

External URL: <http://www.sclj.ru/law/rus/detail.php?ID=1080> (in Russian only)

Summary: This is the full text of the Presidential Order "On measures in respect of the Ministers and Believers that have become the victims of unjustified repressions" enacted by the President of the Russian Federation. It was adopted on 14 March 1996 and it has been in force since 24 March 1996.

Content: The Presidential Order "On measures in respect of the Ministers and Believers that have become the victims of unjustified repressions" provides for measures for rehabilitation of ministers and believers being repressed under the Soviet regime.

This Order is relevant to the right to non-discrimination and equality in a number of ways, including:

Clause 2 establishes the duty of different state bodies to rehabilitate Russian citizens being unreasonably convicted because of, *inter alia*, religious activity and beliefs.

Clause 3 establishes the duty of different state bodies to assist believers in restoring religious buildings and returning the property confiscated from churches, mosques, synagogues and other religious institutions.

27. Standard Rules on the Equalization of Opportunities for Persons with Disabilities.

Title: Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Date legislation was first published (adopted): 20 December 1993

External URL: <http://www.un.org/esa/socdev/enable/dissre00.htm> (in Russian only)

Summary: This is the full text of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities adopted by General Assembly. It was adopted on the forty-eighth session by resolution 48/96 on 20 December 1993. These rules are not obligatory, however Russian court do refer to them when taking decisions².

Content:

The Standard Rules on the Equalization of Opportunities for Persons with Disabilities were adopted in order:

- to stress that all action in the field of disability presupposes adequate knowledge and experience of the conditions and special needs of persons with disabilities;
- to emphasize that the process through which every aspect of societal organization is made accessible to all is a basic objective of socio-economic development;
- to outline crucial aspects of social policies in the field of disability, including, as appropriate, the active encouragement of technical and economic cooperation;
- to provide models for the political decision-making process required for the attainment of equal opportunities, bearing in mind the widely differing technical and economic levels, the fact that the process must reflect keen understanding of the cultural context within which it takes place and the crucial role of persons with disabilities in it;
- to propose national mechanisms for close collaboration among States, the organs of the United Nations system, other intergovernmental bodies and organizations of persons with disabilities;
- to propose effective machinery for monitoring the process by which States seek to attain the equalization of opportunities for persons with disabilities.

This law is relevant to the right to non-discrimination and equality in a number of ways, including:

The Preamble lists all major international legal documents that proclaim the prohibition of discrimination against persons with disabilities, including among others:

- Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political

² For example, Resolution of Federal Arbitration Court of East-Siberian Circuit of March 24, 2005 case No. A33-6954/04-C6- Φ02-377/05-C1.

Rights proclaim that the rights recognized therein should be ensured equally to all individuals without discrimination,

- Convention on the Rights of the Child prohibits discrimination on the basis of disability and it requires special measures to ensure the rights of children with disabilities,
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families provides for some protective measures against disability,
- Convention on the Elimination of All Forms of Discrimination against Women ensures the rights of girls and women with disabilities, and
- Declaration on the Rights of Disabled Persons, the Declaration on the Rights of Mentally Retarded Persons, the Declaration on Social Progress and Development, the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care and other relevant instruments adopted by the General Assembly prohibit discrimination against persons with disabilities.

Section I of the Rules lists the preconditions for equal participation of persons with disabilities. Article 2 of Rule 1 of Section I sets out that States should initiate and support information campaigns concerning persons with disabilities and disability policies, conveying the message that persons with disabilities are citizens with the same rights and obligations as others.

Article 3 of Rule 2 of Section I sets out that States should ensure that persons with disabilities, particularly infants and children, are provided with the same level of medical care within the same system as other members of society.

Article 1 of Rule 3 of Section I provides that States should develop national rehabilitation programmes for all groups of persons with disabilities. Such programmes should be based on the actual individual needs of persons with disabilities and on the principles of full participation and equality.

Article 1 of Rule 4 sets that States should ensure the provision of assistive devices and equipment, personal assistance and interpreter services, according to the needs of persons with disabilities, as important measures to achieve the equalization of opportunities.

Rule 5 Section II sets that States should recognize the overall importance of accessibility in the process of the equalization of opportunities in all spheres of society. For persons with disabilities of any kind, States should (a) introduce programmes of action to make the physical environment accessible; and (b) undertake measures to provide access to information and communication.

Rule 6 provides that States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings.

Rule 7 sets out that persons with disabilities must have equal opportunities for productive and gainful employment in the labor market. Article 1 of Rule 7 adds that laws and

regulations in the employment field must not discriminate against persons with disabilities and must not raise obstacles to their employment.

Article 2 of Rule 8 sets out that in countries where social security, social insurance or other social welfare schemes exist or are being developed for the general population, States should ensure that such systems do not exclude or discriminate against persons with disabilities.

Rule 9 provides that States should promote the right of persons with disabilities to personal integrity and ensure that laws do not discriminate against persons with disabilities with respect to sexual relationships, marriage and parenthood.

Article 2 of Rule 9 states that persons with disabilities must have the same access as others to family-planning methods, as well as to information in accessible form on the sexual functioning of their bodies.

Rule 10 proclaims that States ensure that persons with disabilities are integrated into and can participate in cultural activities on an equal basis.

Rule 11 refers to equal opportunities for recreation and sports for persons with disabilities.

Rule 12 sets out equal participation by persons with disabilities in the religious life of their communities. Article 1 of Rule 12 says that States should encourage, in consultation with religious authorities, measures to eliminate discrimination and make religious activities accessible to persons with disabilities. Article 4 of Rule 12 sets out the recommendation for the States and/or religious organizations to consult with organizations of persons with disabilities when developing measures for equal participation in religious activities.

Rule 15 sets out that States have a responsibility to create the legal bases for measures to achieve the objectives of full participation and equality for persons with disabilities. Article 1 of Rule 15 provides that States are under an obligation to enable persons with disabilities to exercise their rights, including their human, civil and political rights, on an equal basis with other citizens. States must ensure that organizations of persons with disabilities are involved in the development of national legislation concerning the rights of persons with disabilities as well as in the ongoing evaluation of that legislation.

Article 2 of Rule 15 states that legislative action may be needed to remove conditions that may adversely affect the lives of persons with disabilities, including harassment and victimization. Any discriminatory provisions against persons with disabilities must be eliminated. National legislation should provide for appropriate sanctions in case of violations of the principles of non-discrimination.

28. Law on Social Protection of Persons with Disabilities in the Russian Federation

Title: Law "On Social Protection of Persons with Disabilities in the Russian Federation"

Date legislation was first published (adopted): 24 November 1995

External URL:

http://wallis.kezenfogva.iif.hu/eu_konyvtar/Projektek/Vocational_Rehabilitation/russia/rus_rap/leg_1.htm (please note that the text of this law is out of date)

Summary: This is the full text of the Federal Law "On Social Protection of Persons with Disabilities in the Russian Federation" enacted by State Duma. It was adopted on 24 November 1995 and it has been in force since 2 December 1995. However, the Law has been amended several times, the last amendments were adopted on 28 April 2004, and it entered into force on 5 May 2009.

Content:

This Law defines the state policy in the sphere of social protection of persons with disabilities in Russia.

The Law defines the terms of "person with disabilities", "social protection of persons with disabilities", "medical and social assessment", and "rehabilitation of persons with disabilities", and sets out the authority of federal public authorities and public authorities of Russian Federation constituent members in the sphere of social protection of persons with disabilities.

The most important chapter of the Law (chapter IV) is dedicated to the provision of vital support to persons with disabilities.

Article 13 is dedicated to the medical aid for persons with disabilities.

Article 14 provides that the state guaranties persons with disabilities the access to information.

Article 15 sets out the right of persons with disabilities to enjoy:

- access the facilities of the social infrastructure: apartment houses, public and industrial buildings, places of rest, sports facilities, cultural establishments, places of entertainment and other institutions;
- unimpeded use by persons with disabilities of railway services, airline services, water transportation, interurban public transportantion, and all types of city and suburban passenger transportation facilities, as well as means of information and communication.

Article 17 regulates housing for persons with disabilities.

Articles 18 and 19 are dedicated to the personal development and education of persons with disabilities. The State guarantees to persons with disabilities the necessary conditions for obtaining education and professional training.

Articles 20-24 regulate the rights of persons with disabilities in the labor sphere. Article 28 is dedicated to the social amenities of persons with disabilities (monthly monetary payments, social support with respect to payment for residential accommodation and utility services).

This Law is relevant to the right to non-discrimination and equality in the following way: the preamble to the Law says that the Law itself was adopted in order to provide persons with disabilities with equal opportunities in the realization of their civil, economic, politic and other rights and freedoms. The Law sets out different rights of persons with disabilities that should serve as a guarantee to persons with disabilities that they will be treated equally in different spheres of life.

The Federal Law "On Social Protection of Persons with Disabilities in the Russian Federation" is the main law of the Russian Federation which regulates the rights of disabled persons. Based on the provisions of this Law, a number of disabled persons tried to force the municipal entities, other authorities and legal entities to equip schools, state buildings, transport facilities and other social enterprises with means that would allow the disabled persons a free and easy access to those facilities.

Most theatres, concert halls and museums remain inaccessible. At movie theatres wheelchair users are forced to enter through the emergency exit, which for safety reasons is always located at ground level. Russian Orthodox churches are usually built on high ground, and only rarely are the steep steps leading up to the church built with handrails. The majority of train stations, even those renovated relatively recently, are not equipped with accessible toilets, or even with a few broader stalls. The majority of the population, both with and without disabilities, live in four- or five-storey apartment buildings without elevators. In large cities the norm is nine-storey buildings, which have small elevators but not freight elevators, which are more convenient for wheelchair users. Freight elevators are found only in 16- and 22-story buildings. Despite the existence of elevators notwithstanding, nearly all apartment buildings have narrow entranceways with a few steps and no railings.

At the same time certain improvements in this sphere should be mentioned. For example, the Government of Moscow is making plans to build several dozen apartment buildings in the newer neighbourhoods that will be accessible to wheelchair users. These apartments will be equipped with individual lifts, spacious bathrooms, and wide doorways. In other large cities, such as Nizhny Novgorod and Samara, older apartments are being reconstructed to make them accessible. In Ulan-Ude, city officials in conjunction with local organizations of persons with disabilities (through the Achievement Foundation) are planning the construction of an apartment complex for wheelchair users that would also include manufacturing enterprises, athletic facilities and a recreation centre.

29. Law on Social Service of Elderly Citizens and Persons with Disabilities

Title: Federal Law "On Social Service of Elderly Citizens and **Persons with Disabilities**"

Date legislation was first published (adopted): 2 August 1995

External URL: <http://www.meduhod.ru/info/law/socobsluzhivanie2.shtml> (please note that the text of law is in Russian only)

Summary: The Federal Law "On Social Service of Elderly Citizens and Persons with Disabilities" was enacted by State Duma. It was adopted on 2 August 1995 and it has been in force since 4 August 1995. The Federal Law was amended several times; the last amendments were adopted on 22 August 2004 and it entered into force on 1 January 2005.

Content: This Federal Law was adopted in order to create a legal basis for the regulation of activities in the sphere of social protection of elderly citizens and persons with disabilities. It establishes economical, social and law guarantees for this category of people based on principles of mercy and benevolence.

In accordance with the Law, social service for elderly citizens and persons with disabilities includes care, organization of nutrition, assistance in getting medical, legal, natural, social and psychological kinds of aid, provision of employment etc.

Under this Federal Law, elderly citizens and persons with disabilities have the following rights in the sphere of social services:

- respectful and human treatment by employees of social service establishments;
- choice of establishment and type of social service;
- information regarding their rights, obligations and conditions of social service provision;
- consent to the social service;
- refusal of the social service;
- confidentiality of personal data which becomes known to the employees of social service establishments while providing social services;
- protection of their rights and legal interests including by judicial means.

The Federal Law recognises the following types of social services:

- social service at home;
- semi-hospital service in day (night) stay departments of social service establishments;
- hospital social service in residential social service institutions (asylums, rest homes and other social service establishments regardless of their name);
- urgent social service;
- social counselling.

The system of social service of elderly citizens and persons with disabilities comprises state and private sectors of social services.

This Federal Law is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 3 states that all activities in the sphere of social services for elderly citizens and persons with disabilities should be exercised among others in accordance with the principle of equal opportunities, as applied to social services and their accessibility for elderly citizens and disabled persons.

Article 4 states that the State shall guarantee the elderly citizens and disabled persons the opportunity to obtain social services on the basis of principle of social justice without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition.

Article 6 states that foreign citizens and stateless individuals, including refugees have equal rights in the sphere of social services together with Russian citizens.

30. Law on Russian People's Languages

Title: Law "On languages of the Peoples of the Russian Federation"

Date legislation was adopted: 25 September 1991

ExternalURL: http://www.ukonsu.wilkins.ru/law/federal-law/federal_5723.html (please note this is in Russian only).

Summary: This is the full text of the RF Law "On languages of the Peoples of the Russian Federation", enacted by the Russian Federation. It was adopted on 25 September 1991 and it has been in force since 12 December 1991.

Content:

The RF Law "On Languages of the Peoples of the Russian Federation" deals with the citizens' rights to use languages of the peoples of the Russian Federation, regulates relationships regarding the usage of languages of the peoples of the Russian Federation in the operation of state bodies and municipal authorities in international relations, in the naming of geographical objects, road signs, etc.

This Law is relevant to the right to non-discrimination and equality in a number of ways, including:

Introductory clause forbids the use of disdainful words with regard to any language. It also forbids hindering, limiting or privileging any particular language.

Clause 2 of Article 2 guarantees to all peoples equal rights on maintaining and developing their natural languages regardless of the number of persons still speaking the language, on freedom of choice and usage of the language of the conversation.

Clause 3 of Article 2 guarantees the right to use one's native language and freely to choose a particular language for interpersonal relationships in general, upbringing, education, and any form of creative work, regardless origin, social and property status, racial and national identity, sex, education, religion and place of domicile.

Clause 4 of Article 2 introduces a prohibition to set out limitations and privileges when using one or another language. The rules described are applied to citizens of the Russian Federation as well as foreign citizens and stateless individuals.

Article 5 guarantees Russian citizens the exercise of their basic political, economic, social and cultural rights independent from their knowledge of any language. Knowledge or lack of knowledge cannot be the ground for limitation of linguistic rights of Russian citizens.

Article 22 forbids discriminating among citizens on language grounds when providing services.

31. Law On Opposition to Extremist Activities

Title: Federal Law "On Opposition to Extremist Activities"

Date legislation was adopted: 25 July 2002

External URL: http://www.medialaw.ru/laws/russian_laws/txt/27.htm (please note this is in Russian only)

Summary: This is the full text of the Federal Law "On Opposition to Extremist Activities", enacted by the State Duma of the Russian Federation. It was adopted on 25 July 2002 and it has been in force since 10 August 2002.

Content:

The Federal Law "On Opposition to Extremist Activities" establishes legal and organizational grounds of opposition to extremist activities; introduces the responsibility for its exercise.

The Federal Law "On Opposition to Extremist Activities" is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 1 establishes the definition of extremist activities. It includes, *inter alia*:

- incitement of social, racial, national or religious hatred;
- propaganda of exclusiveness, superiority or inferiority of a person on grounds of social, racial, national religious or linguistic affiliation;
- infringement of rights and freedoms of a person and citizen based on social, racial, national religious or linguistic affiliation;
- commission of crimes by reason of political, ideological, racial, national, religious hatred or enmity or by reason of hatred or enmity in respect of any social group.

According to the Law, if an organization is involved in activities described it should be subject to the compulsory liquidation.

Article 1 further sets out what types of materials are recognized as extremist materials. It includes, *inter alia*, publications proving or justifying the national or racial superiority or justifying the practice of military or other crimes leading to the full or partial annihilation of any ethnic, social, racial, national or religious group.

Article 8 specifies that in case of distribution of extremist materials by means of mass-media the activity of such mass-media could be forbidden by the court and such materials could be subject to confiscation.

32. Law on National Cultural Autonomy

Title: Federal Law "On National Cultural Autonomy"

Date legislation was adopted: 17 June 1996.

External URL: <http://femida.info/51/onka004.htm> (please note this is in Russian only)

Summary: This is the full text of the Federal Law "On National Cultural Autonomy", enacted by the Russian Federation. It was adopted on 17 June 1996 and it has been in force since 25 June 1996.

Content: The Federal Law "On National Cultural Autonomy" defines the legal grounds of national cultural autonomy in the Russian Federation.

RF Law "On National Cultural Autonomy" is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 1 defines national cultural autonomy as an association of Russian citizens attributing themselves to certain ethnicity and being in a position of national minority in a particular territory. The goals of the national cultural autonomy law are as follows:

- maintenance of the culture's uniqueness;
- language development;
- education development;
- development of the national culture.

Article 4 provides that neither the decision to become a member nor the decision not to become a member in an association of national cultural autonomy can be a cause for limiting the rights of Russian citizens. Besides, nationality cannot be a cause for limiting rights of association regarding issues of national cultural autonomy.

Article 4 then stipulates that the exercise of the right to national cultural autonomy should not cause damage to the interests of other ethnicities.

33. Law on State Policy regarding Nationals Abroad

Title: The Federal Law "On State Policy of the Russian Federation in Respect of the Nationals Abroad"

Date legislation was adopted: 24/05/1999

External URL:

<http://pravo.roskultura.ru/law/federalstatute/24/05/1999/1/text/363.html> (please note this is in Russian only).

Summary: This is the full text of the Federal Law "On State Policy of the Russian Federation in Respect of the Nationals Abroad", enacted by the Russian Federation. It was adopted on 24 May 1999 and it has been in force since 1 June 1999.

Content: The Federal Law "On State Policy of the Russian Federation in Respect of the Nationals Abroad" provides for obligations of the Russian Federation regarding the support to nationals living abroad in various spheres of life, namely:

1. exercise of basic rights and freedoms;
2. economic and social arenas;
3. culture, language, education, and
4. access to information.

This Law is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 7 stipulates that persons having double citizenship, one of which is Russian, should not be limited in their rights and freedoms and should not be released from responsibilities, arising from Russian citizenship, unless otherwise stipulated by an international treaty ratified by the Russian Federation or the Federal Law.

Article 13 stipulates that while visiting the Russian Federation nationals who are foreign citizens or stateless individuals should exercise rights and incur obligations on the same basis as Russian citizens except as required by the Constitution of the Russian Federation, International Treaty or the Federal Law.

Article 14 stipulates that discrimination against citizens of the Russian Federation living abroad may result in a change in policy of the Russian Federation regarding the foreign state discriminating against Russian citizens.

Article 14 further provides that non-compliance by a foreign state with universally recognized principles and norms of international law in the area of basic rights and freedoms regarding Russian nationals is a sufficient reason for taking measures to protect the interests of Russian nationals.

Article 15 provides that Russian nationals could rely on the support of the Russian Federation in their actions against discrimination on the grounds of race, sex, language, religion, political and other convictions, national or social background, nationals' affiliation, property status or any other reason.

34. Law on the Rehabilitation of Repressed Peoples

Title: RSFSR Law "On the Rehabilitation of Repressed Peoples"

Date legislation was adopted: 26 April 1991

External URL: <http://pravo.roskultura.ru/law/zakonrsfsr/26/04/1991/1/text/383.html>
(please note this is in Russian only)

Summary: This is the full text of the RSFSR Law "On the Rehabilitation of Repressed Peoples", enacted by the RSFSR. It was adopted on 26 April 1991 and it has been in force since 2 May 1991.

Content: The RSFSR Law "On the Rehabilitation of Repressed Peoples" declares as unlawful all repressive actions against Peoples within the Soviet period. It guarantees territorial, political, social, and cultural rehabilitation thereof.

The RSFSR Law "On the Rehabilitation of Repressed Peoples" is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 2 stipulates that a people is considered to have been repressed when that people was subject to state policies of slander and genocide on grounds of national or other affiliation. In addition, repression is considered to exist when a policy has been followed by:

5. forced over-settlement,
6. abolishment of state-national entities;
7. redrawing of national-territorial boundaries;
8. introduction of a violent regime.

All repressed peoples should be rehabilitated.

Article 3 stipulates that during the process of rehabilitation of repressed people's rights, legal interests of citizens currently living on the territories of repressed peoples should not be infringed.

36. Law on Personal Data

Title: Federal Law "On Personal Data"

Date legislation was adopted: 27 July 2006

External URL: <http://www.rg.ru/2006/07/29/personaljnye-dannye-dok.html> (please note all documents are in Russian only).

Summary: This is the full text of Federal Law "On Personal Data", enacted by the State Duma of the Russian Federation. It was adopted on 27 July 2006 and it has been in force since 26 January 2007.

Content: Federal Law "On Personal Data" sets out principles and conditions for processing personal data, enshrines rights of persons whose data is being processed, and establishes obligations for personal data operators.

Federal Law "On Personal Data" is relevant to the right to non-discrimination and equality in a number of ways, including:

Article 10 provides that processing special categories of personal data regarding race, nationality, political views, religious or philosophical beliefs is not allowed except in cases specifically provided by the law.

Article 13 provides that rights and freedoms of a person and citizen shall not be limited on the grounds of different types of personal data processes.