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the European Social Charter

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THE GOVERNMENT OF RUSSIAN FEDERATION

Articles 3, 11, 12 and 14

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Report on the implementation
of
European Social Charter
(revised)

Articles 3, 11, 12, 14.

Ministry of Labour and
Social Protection of
the Russian Federation.
2016.

Paragraph 1 Article 3.

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organization:

to formulate, implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment. The primary aim of this policy shall be to improve occupational safety and health and to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, particularly by minimizing the causes of hazards inherent in the working environment;

During the report period 2010-2014 the realization of state policy in the sphere of occupational safety and health based on provisions of the Constitution, Labor Code of the Russian Federation, Federal Law № 52-FZ of 30.03.1999 "On the sanitary and epidemiological wellbeing of the population", Federal Law № 116-FZ 21.07.1997 "On industrial safety of dangerous production facilities", *Federal law № 426-FZ 28.12.2013 "On special assessment of working conditions"*, the orders of the President and Government of the Russian Federation and it was implemented in accordance with the concept of demographic policy of the Russian Federation for the period till 2025 and other regulatory documents of the President and Government of the Russian Federation.

In accordance with the concept of demographic policy of the Russian Federation for the period till 2025, the main objective of the legislative reforms of occupational safety 2010-2014 was the transition from the compensation, cost-based model of the occupational safety and health management to a modern system that allows to implement preventive (prophylactic) approaches to preservation of health and life of workers in manufacturing as well as to reduce all types of costs related to unfavorable working conditions. The reform was accompanied by a systematic review of regulations governing occupational safety aimed at improving occupational safety and health systems to prevent accidents and to minimize the causes of risks proper for working environment.

In 2010-2014 the following state programs were approved: Federal target program "Overcoming the consequences of radiation accidents for the period up to 2015", Federal Target Program "Fire safety

in the Russian Federation for the period up to 2017", State program of the Russian Federation "Employment promotion" (app. By the Decree of the Government of the Russian Federation № 298 04.15.2014 with the sub-programs "Active employment policy and social support for unemployed", "External labor migration" and "Development of labor market institutions," Model program for target inspection of physical protection of nuclear materials, nuclear plants and storage of nuclear materials, model program to improve working conditions and safety in the subject of the Russian Federation, Model state program of the subject of the Russian Federation (sub-programs) to improve the working conditions and safety in 2015-2017.

By the end of 2014, work was undertaken to harmonize the respective program projects with all subjects of the Russian Federation.

The funding is provided by the budget (regional and municipal) and extra-budgetary sources. In 2014, funding for the program was mainly performed from the funds of the regional department of the Social Insurance Fund (SIF) of the Russian Federation (42.3%), regional budgets of the subjects of the Russian Federation (36.3%), own funds of employers (18.3%).

The development of federal target programs and subprograms in the sphere of industrial safety was based on program-target method established in the paragraph 5 of section II of the Regulation of the Government of the Russian Federation № 594 26.06.1995. This method involves the sequential setting of appropriate targets and development of state (national) programs aimed at their achievement.

A sub-program "Development of labor market institutions" of the state program of the Russian Federation "Employment promotion" was aimed, inter alia, to preserve the health of workers and protect labor rights of citizens. To achieve these goals it was thought to create conditions for improving the quality of labor force and development of its professional mobility, to improve working conditions and enforce labor rights of citizens including increasing the effectiveness of state supervision and control over the observance of labor rights as well as maintain social stability in society.

In 2016, the Ministry of Labor and Social Protection of the Russian Federation has announced the beginning of the development of the state program "Safe Work" for 2018-2025 it is introduced in the Action plan for realization of the Concept of the demographic policy of the Russian Federation for the period till 2025 in 2018-2025 in accordance the ILO's program "SafeWork". It is planned that the program to improve working conditions and safety will be aimed at reducing the risks of accidents at work and occupational diseases, improving the quality of jobs and working conditions. The main objectives of the program are reduction in mortality from preventable causes, increasing life expectancy and improving the health of the working population.

The change in policy in the sphere of occupational health and safety is also reflected in the fact that in 2010-2014 the federal labor legislation was actively reformed. Thus, the section X "Occupational Safety" of the Labor Code of the Russian Federation involved significant changes aimed at integrating the provisions of the Federal Law № 426-FZ 28.12.2013 "On special assessment of working conditions" and transition from the compensation, cost-based model of the occupational safety and health management to a modern risk-oriented model and risk management system in the sphere of occupational safety and health (stipulated in the ILO Convention № 187, Concept of demographic development of the Russian Federation till 2025, Federal law № 238-FZ 18.07.2011 and Federal law № 421-FZ dd 28.12.2013) allowing to implement a proactive approach to life and health preservation of workers in the workplace as well as to reduce all types of costs related to unfavorable working conditions. In particular, the Concept of Demographic Policy for the period till 2025 provides for reduction of deaths and injuries from accidents at work and occupational diseases due to a risk-based approach i.e. due to the transition to occupational risk management system in the sphere of occupational safety and health (including informing workers on the risks and establishment of a system to identify, assess and control these risks), as well as due to economic incentives to improve working conditions by employer.

Also in the report period the Labor Code were amended, these minor changes related to the improvement of the state (municipal) control (Federal Law № 242-FZ 18.07.2011), submission and request of documents during the state expertise of working conditions (Federal Law № 169-FZ 01.07.2011), regulation of work of workers employed in underground work (Federal law № 353-FZ 30.11.2011), law on health care (Federal law № 317-FZ 25.11.2013), on education (Federal law № 185-FZ 02.07.2013), on urban planning (Federal law № 243-FZ 18.07.2011 and Federal law № 337-FZ 28.11.2011) and on ensuring the uniformity of measurements (Federal law № 303-FZ 07.11.2011).

Furthermore, in 2010-2014 the Russian Federation ratified a number of the ILO Conventions including two conventions that define the state policy in the sphere of occupational health and safety: Prevention of Major Industrial Accidents Convention (№ 174) (ratified by the Federal Law № 366- FZ 30.11.2011), Safety and Health in Mines Convention (№176) (ratified by the Federal law № 106-FZ 07.06.2013) and Promotional Framework for Occupational Safety and Health Convention (№ 187) (ratified by Federal law № 265-FZ 04.10.2010).

The revision of the national policy on occupational health and safety as well as elements of its implementation proved its effectiveness. So, by the end of 2015 according to Rosstat 39.1% of workers in Russia worked in harmful working conditions and it is 0.6% less than as of year-end 2014 (39.7% of workers). Moreover, according to Rostrud there is an increase in the number of workers in working conditions Class 3.1 (least harmful) by reducing the number of workers in in more hazardous conditions.

Working conditions class 3.1 in 2015 - 16.2% workers and it is 0.5% less than in 2014 (16.7% workers) based on total number of workers in the workplaces under special assessment of working conditions.

Similarly, according to the Social Insurance Fund for 2015, 42 511 accidents at work were registered throughout Russia and it is 10.4% lower than in 2014 (47,453 cases) and 30.4% below the same indicator at the beginning of the report period (2011 - 61,047 cases). Including in 2015 fatal industrial injuries - 1 886 cases and it is 15% less than in 2014 (2,221 cases) and 41.4% less than in 2011 (3 220 cases).

The European Committee of Social Rights requested to provide in the next report information on whether there is periodic assessment and review of the demographic policy concept for the period till 2025 and the Action Plan to improve occupational health and safety in the Russian Federation in 2008-2010 depending on the risk of evolution or not.

Evaluation and review of the Concept are not provided as Section I of the Concept establishes the general objectives, principles, tasks and main directions of the policy of the Russian Federation in this sphere. The Concept is subject to technical changes without altering its legal content (it was once introduced by the Presidential decree № 483 01.07.2014 in connection with the adoption of the Federal Law № 273-FZ 29.12.2012 "On Education in the Russian Federation").

The evolution of risks is taken into account in the implementation of the Concept by the Government's approval of plans for its implementation in accordance with paragraph 3 of the Decree of the President of the Russian Federation № 1351 October 9, 2007 "On approval of the Concept of the Demographic Policy of the Russian Federation for the period till 2025". Two plans were active in 2010-2014: A plan of measures on realization of the Concept in 2008-2010. (App. Resolution of the Government of the Russian Federation № 170-p 14.02.2008) and Action Plan for implementation of the Concept in 2011-2015. (App. Resolution of the Government of the Russian Federation № 367-p 10.03.2011).

Evaluation of the impact of implementation of the Concept for 2011-2015 provided for in paragraph 88 of the Action Plan includes population sampling surveys and information and statistical data drafting based on their results for the mentioned period including data for industrial injuries. The Federal State Statistics Service, Ministry of Labor, Ministry of Economic Development and Ministry of Health are responsible for this measure. A set of activities aimed at preserving the health of workers at work for 2012-2015. (App. Order of the Ministry of Health and Social Development of the Russian Federation № 125 14.02.2012), covered the activities implemented in the development of measures taken in accordance with the Program 2008-2010. Thus, in particular, it was provided to improve already created information system on working conditions and occupational risks (AS "Occupational risks"); formation of projection of occurrence of occupational injuries based on information on working conditions, industrial accidents and occupational diseases contained in the Unified electronic database on these issues, formed within this information system.

Also, further improvement of labor legislation and other regulations was provided and implemented in 2011-2015 in order to introduce occupational risk management mechanisms (developed in the previous stage according to the Program for improvement of working conditions and occupational safety for 2008-2010.) into the system of the occupational safety and health management, to improve the system of standards in the sphere of occupational safety and health, relevant new legislative rules (including established by the Federal law № 421-FZ 28.12.2013.), including a review of a series of sanitary regulations and hygienic standards (SanPiN and GN) using a separate plan in order to coordinate their standards with legislation of the European countries for 2012-2013, as well as activities for ratification of the ILO Safety and Health in Mines Convention (№176)

In addition, the Russian Federation envisaged and implemented mechanisms of economic incentives for employers to improve working conditions and based on special assessment of working conditions as envisaged by the subprogram "Development of labor market institutions," state program of the Russian Federation "Employment Promotion" (app. Resolution of the Government of the Russian Federation № 298 15.04.2014). Also the Resolution of the Government of the Russian Federation № 524 30.05.2012 approved Regulations on discounts and additions to the insurance rates for compulsory social insurance against accidents at work and occupational diseases for employers; Order of the Ministry of Labor and Social Protection of the Russian Federation № 39n 01.08.2012 approved Method of calculation for discounts and additions to the insurance rates for compulsory social insurance against accidents at work and occupational diseases, etc..

Along with these the following event were planned and performed: improvement of health care and medical prophylaxis system for workers, improving the quality of training in occupational safety, improving the quality of provision of workers with personal protective equipment, as well as events in the form of congresses, symposia and meetings on occupational health and safety including the annual All-Russian Congress "Occupation and Health".

Evaluation of the impact of the Action Plan for implementation of the Concept in 2011-2015 was performed by a nationwide monitoring (provided by the Order Ministry № 1197 Labor of 29.12.2014.). The monitoring results and reports on implementation of the state policy in the sphere of working conditions and occupational safety in the Russian Federation for 2010-2014 published on the website of the Ministry of Labor of the Russian Federation mainly show a positive dynamics: a steady decline in the number of occupational diseases and occupational injuries compared to previous years in most subjects of the Russian Federation (see. Table 1).

Table 1. Indicators of occupational injuries in the Russian Federation (according to Rosstat, Rostrud and Social Insurance Fund of the Russian Federation)

Indicators	Period		
	2012	2013	2014
Average number of workers (Rosstat)	45898381,6	45815639,7	45486400,2

Industrial injuries with fatal outcome (Rostrud)	2999	2575	2344
Number of identified hidden accidents (Rostrud)	1321	1112	953
Number of group work accidents(Rostrud)	901	813	653
Employed in hazardous working conditions in % of total employment (sample survey, Rosstat)	31,8	32,2	39,7
Number of persons with occupational diseases established for the first time (SIF RF)	5229	6993	6718
Financial support for preventive measures to reduce occupational injuries and occupational diseases, ths. rub. (SIF RF)	6332512,22	29397	8862850

In its Conclusion, the European Committee of Social Rights requested information on evolution of the overall policy, defined in the Action Plan for 2011-2015

The evolution of the policy defined in the Action Plan to implement the Concept for 2011-2015 taking into account the risks evolution can be traced in the improvement of federal legislation and adoption of the relevant acts on the other levels, including social and affiliate level.

Thus, during this period in order to implement the Concept of Demographic Policy of the Russian Federation for the period till 2025 on occupational safety and health the following regulations have been adopted:

- Federal Law № 426-FZ 28.12.2013, "On special assessment of working conditions" according to which the special assessment of working conditions establishes working conditions classes (subclasses), this law establishes the content of the Federal state information system for results of special assessment of working conditions (FGIS URP SOUT) and its filling procedure, it established administrative liability if the institution performing the assessment fails to comply with its procedure.

- Federal Law № 421-FZ 28.12.2013 amended federal legislation to ensure its coordination with the Federal Law mentioned № 426-FZ (Law on special assessment)

- Resolution of the Government of the Russian Federation № 1160 27.12.2010 approved the Regulations on development, approval and modification of normative legal acts containing state regulatory requirements for occupational safety.

- Order of the Ministry of Health and Social Development of Russia № 1137 dd 06.10.2011 approved the Regulations on unified nationwide information system for occupational safety. This Unified information system (EISOT) has been operating since 2015 on the official website of Ministry of Labor (<http://eisot.rosmintrud.ru/>). The purpose of its establishment, operation and further development is among other things, a complete, timely provision of users with public information on activities of the

federal executive bodies and other organizations in the sphere of occupational safety and health, posting information in the EISOT.

At the level of the subjects of the Russian Federation it is possible to see the evolution of policy as defined in the Action Plan for 2010-2015 by model state programs to improve working conditions and occupational safety in the subject of the Russian Federation, by long-term regional target programs to improve working conditions and occupational safety, programs to improve working conditions and occupational safety at the municipal level, by long-term regional target program with subprograms or sections containing measures to working conditions and occupational safety as well as not plans without the status of the "program" status with measures to improve occupational safety and health at the regional level, specific measures to improve the working conditions and safety at the municipal level and tripartite (regional) agreements containing "Occupational Safety" section.

So, the content of the Model program to improve working conditions and occupational safety in the subject of the Russian Federation shows that the development of another program involves analyzes of causes and conditions of the majority of accidents at work in the subject of the Russian Federation, establishment of the basic and other reasons for their occurrence, proposals for methods and areas of improvement as well as targets taking into account the results of the previous programs. By 2016, 69 out of 85 subjects of the Russian Federation have adopted these programs.

In order to improve working conditions and occupational safety at the municipal level there are city target programs on occupational safety and health for the period up to 5 years. At the level of the administrative city districts there are district programs on occupational safety and health for the period up to 5 years, and in some enterprises and institutions there are local target programs. Evaluation of the effectiveness of programs is performed based on the decision of the respective heads. In general, the programs are recognized as effective.

If to talk about the analysis of the prevention of occupational risks, the European Committee of Social Rights asked the Russian Federation, among other things, to provide in its next report information on practical application of occupational risk prevention system in the enterprise established by the Federal Law № 238-FZ (see. The conclusion of the Committee, dated January 2014).

In 2011, the Federal Law № 238-FZ 18.07.2011 pursuant to Article 226 of the Labor Code reformed the system of financial support for measures to improve working conditions and occupational safety. Funding for these measures is still performed at the expense of the federal budget, budgets of the subjects of the Russian Federation, local budgets, extrabudgetary resources and voluntary contributions of companies and individuals in the amount of not less than 0.2 per cent of the amount for production costs (works, services). Now, however, the preferred list of such measures is defined in the Model list of measures annually implemented by the employer at the expense of these funds to improve working conditions and occupational safety and reduce occupational risk and the list is approved by the Ministry of Labor and Social Protection of the Russian Federation. The workers still does not bear expenses for improvement of working conditions and occupational safety.

Accordingly, enterprises annually take measures to reduce occupational risk, prevent in and improve the working conditions and occupational safety in accordance with the Model list. The Model List of measures annually implemented by the employer to improve working conditions and occupational safety and reduce occupational risk is approved by Order of the Ministry of Health of Russia № 181n 01.03.2012. The footnote to the Model list says that a specific list of measures to improve working conditions and occupational safety and reduce occupational risk is defined by the employer based on specifics of its activities.

Directions to improve the system of funding for occupational hazard prevention systems were specified by the Order of the Ministry of Labor of Russia № 580n 10.12.2012, it adopted rules of financial support for preventive measures to reduce accidents at work and occupational diseases and sanatorium treatment of employees engaged in work with harmful and (or) dangerous production factors.

According to the rules, the financial support at the expenses of insurance contributions is provided for expenses of the insurant for such events as the special assessment of working conditions; implementation of measures to bring the levels of harmful and (or) hazardous production factors at the workplaces in line with government regulatory requirements for occupational safety; occupational safety training for the following categories of workers (including certain categories of workers of dangerous industrial objects), sanatorium treatment of workers engaged in work with harmful and (or) hazardous production factors; mandatory periodic medical examinations (surveys) of workers engaged in work with harmful and (or) hazardous production factors; provision of certain categories of workers with therapeutic and preventive nutrition; purchase of the relevant categories of insurants of devices to determine the presence and level of alcohol (alcohol testers or breathalyzers) and control devices for work and rest of drivers (tachographs); purchase of the first aid kits by the insurants, etc..

Budgetary allocation for prevention of occupational risks are constantly increasing (an average of 0.7 - 1.7 bln. rubles per year; 2014 - 2.8 bln rubles.) according to the law on budget of the Social Insurance Fund (Table 2) .

Table 2. Budgetary allocations for health, social and occupational rehabilitation of victims, provision of preventive measures to reduce accidents at work and occupational diseases

Year	Budgetary allocations, thous.rub	Approved
2010	10 898 930,0	Annex 4 to the Federal Law № 292-FZ of 28.11.2009
2011	11 661 855,1	Annex 3 to the Federal Law № 334-FZ of 08.12.2010
2012	13 371 742,4	Annex 3 to the Federal Law № 372-FZ of 30.11.2011
2013	14 992 899,4	Annex 4 to the Federal Law № 219-FZ of 03.12.2012
2014	17 850 159,0	Annex 4 to the Federal Law № 322-FZ of 02.12.2013
2015	18 645 080,1	Annex 4 to the Federal Law № 386-FZ of 01.12.2014
2016	19 970 689,7	Annex 4 to the Federal Law № 363-FZ of

According to the Ministry of Labor and Social Protection of the Russian Federation in the report period 2010-2014 at the expenses of insurance contributions for compulsory social insurance against accidents at work and occupational diseases the following measures were financially supported:

- purchase of special clothing, footwear and other personal protective equipment in accordance with the standards: in 2010 - 1,495,845 units; in 2012 - 1,355,625 units; in 2013 - 17,505,934 units; in 2014 - more than 17.5 million units; as well as washing and neutralizing agents in accordance with standard rules: in 2010 - 1.78 billion rubles or 38.6% of the total; in 2012 - 2.41 billion rubles or 38.1% of the total, in 2013 - 3.17 billion rubles or 41.5% of the total amount (relevant data for 2011 and 2014 is not publicly available);

- payment for sanatorium treatment of workers engaged in work with harmful production factors: in 2010 - 53 895 people in the amount of 1.28 billion rubles or 27.8% of the total; in 2012 - 54 956 people in the amount of 1.59 billion rubles or 25.1% of the total issued packages; in 2013 - 62 616 workers engaged in work with harmful and dangerous production factors or in the amount of 1.85 billion rubles or 24.2% of the total issued packages; in 2014 - more than 60 thousand workers (relevant data for 2011 is not publicly available main);

- mandatory periodic medical examinations of workers engaged in work with harmful production factors: in 2010 - 518,590 people in the amount of 0.40 billion rubles or 8.8% of the total; in 2012 - 562 255 people in the amount of 0.88 billion rubles or 13.9% of the total; in 2013 - 736 949 people in the amount of 1.37 billion rubles or 17.9% of the total.; in 2014 - more than 700 000 people in the amount to 69.1 billion rubles (relevant data for 2011 is not publicly available main);

- certification of workplaces in respect of working conditions: in 2010 - 554 736 in the amount of 1.05 billion rubles or 22.8% of the total; in 2012 - 626 179 in the amount of 1.32 billion rubles or 20.9% of the total; in 2013 - 546 187 in the amount of 1.04 billion rubles or 13.6% of the total (relevant data on certification for 2011 and 2014 is not publicly available);

- measures to bring the dust and gas hazard levels, noise and vibration levels, workplace radiation levels in line with state occupational safety regulations: in 2010 - 779 jobs in the amount of 0.06 billion ruble or 1.3% of the total; in 2012 - 1660 in the amount of 74.2 billion rubles or 1.2% of the total; in 2013 - 1330 in the amount of 127.88 million rubles or 1.7% of the total (relevant data for 2011 and 2014 is not publicly available);

- provision of therapeutic and preventive nutrition: in 2010 - 481 workers in the amount of 1.7 million rubles or 0.04% of the total; in 2012 - 1193 workers in the amount of 7.8 million rubles or 0.12% of the total; in 2013 - 1749 workers in the amount of 5.29 million rubles or 0.07% of the total (relevant data for 2011 and 2014 is not publicly available);

- purchase of devices for determining the presence and level of alcohol content (alcotester) to perform pre-shift (pre-trip) medical examinations by the insurants whose workers are engaged in

underground work as well as work related to traffic: in 2010 - 404 devices in the amount of 0.01 billion rubles or 0.15% of the total; in 2012 – 435 devices in the amount of 5.9 million rubles or 0.09% of the total; in 2013 -10 755 devices in the amount of 10.20 million rubles or 0.13% of the total (relevant data for 2011 and 2014 is not publicly available);

- purchase of devices to control work and rest of drivers (tachographs) by insurers engaged in passenger and cargo transportation: in 2010 – 29 devices in the amount of 0.8 million rubles or 0.02% of the total; in 2012 – 72 devices in the amount of 2.0 million rubles or 0.03% of the total; in 2013 - 657 devices in the amount of 16.61 million rubles or 0.22% of the total (relevant data for 2011 and 2014 is not publicly available).

In addition, the Ministry of Labor and Social Protection of the Russian Federation thinks that one of the most important components of prevention of accidents at work and occupational diseases is occupational safety training of workers and managers, as well as training of occupational safety and health experts. [Error! Reference source not found.] In general, funding for such training should be provided by the employer but in respect of certain categories of workers it may be performed at the expenses of insurance contributions for compulsory social insurance against accidents at work and occupational diseases to be paid in the established order to the SIF (according to the order of the Ministry of Labor of Russia № 580n dd 10.12.2012) within financial support for "precautionary" (ie preventive) measures. The list of such measures is approved annually by the Ministry of Labor and Social Protection of the Russian Federation, and insurers independently determine the direction to spend allocated funds according to the plans to improve working conditions and occupational safety in the enterprise.

Like the above mentioned indicators, the total number of workers trained and examined in occupational safety and health by accredited organizations is constantly increasing in recent years. Thus, according to the executive bodies of the subjects of the Russian Federation for the report period in 2014 were trained: in 2010 -542 672 people; in 2011 - 815 220 people, in 2012 - . 880 667 people; in 2013 - 937 487 people; in 2014 - 966 068 people. According to SIF the number of individual categories of workers trained in occupational health and safety as a part of the financial support for preventive measures also shows the overall positive trend: in 2010 - 14 891 people, in 2011 - 19 110 people; in 2012 - 15 060 people, in 2013 - . 22 607 people and in 2014 -31 103 people.

During the report period the companies monitored by Rosstat spent on occupational safety and health: in 2010 – on an average of about 6.7 thousand rubles per 1 employed; in 2012 - 189.9 billion rubles (on an average of 8.8 thousand rubles per 1 employed); 2013 - 189.1 billion rubles (on an average of about 8.9 thousand rubles per 1 employed); 2014 - 207, 1 billion rubles (on an average more than 9.6 thousand rubles per 1 employed). The highest specific costs of occupational safety per worker are traditionally demonstrated by the organizations of the following economic activities: mining, manufacturing, production and distribution of electricity, gas and water supply, transport and communications. If to distribute by the Federal Districts the highest specific costs are demonstrated in the Siberian and Urals federal districts with a high proportion of mining companies.

In 2015-2016 the work to improve the regulation of the system of prevention of occupational risks at the level of enterprise level continued. Thus, pursuant to Article 209 of the Labor Code of the Russian Federation, the Order of the Ministry of Labor of Russia № 438n dd 08.19.2016 approved Model Regulations on occupational safety and health management system (OSH MS). According to this Model provision, the employer must establish and maintain an occupational safety and health management system by complying with state occupational safety regulations taking into account the specifics of its activities taking into account achievements of modern science and best practices, obligations assumed on the basis of international, intergovernmental and national standards, guidelines and recommendations of the International Labor Organization on occupational safety and production safety. This OSH MS should be compatible with other management systems operating in the company. The OSH MS is a unity: (a) of the employer's organizational management structures with fixed responsibilities of the officials; (b) of the procedures and functions of OSH MS including planning and implementation of measures to improve working conditions and organization of occupational safety; (c) of constitutive (local normative acts of the employer) and complement (logs, reports, records) documentation. The OSH MS covers the whole territory, all buildings and facilities of the employer. The OSH MS requirements are mandatory for all workers of the employer and are mandatory for all persons in the territory, buildings and facilities of the employer. The basis of the organization and functioning of OSH MS is the provision on the OSH MS developed by the employer directly or through third-party companies and specialists. Provision on OSH MS is approved by order of the employer taking into account the views of workers and (or) their authorized representative bodies (if any).

In its Conclusion in 2014 the European Committee of Social Rights expressed a desire to receive information on types of preventive measures developed on the basis of certification of workplaces.

According to the law in effect from 2010 to 2013, the preventive measures were provided in the Plans of measures to improve and enhance working conditions in the company made by employers without fail as a result of certification. Form of the plan was given in Annex № 8 to the Procedure for workplace certification in respect of working conditions (app. Order of the Ministry of Health of the Russian Federation dated 31.08.2007) and to the Procedure for workplace certification in respect of working conditions (app. Order of the Ministry Health and Social Development of the Russian Federation № 342n 26.04.2011). Both documents are no longer valid from 07.06.2014, in connection with the publication of the Order of the Ministry of Labor of Russia № 103n dd 20.02.2014 on bringing the legislation in line with the Federal Law "On special assessment of working conditions"№ 426-FZ dd 28.12.2013.

Starting from 2012 the preventive measures (as well as other measures to improve working conditions) could also be developed based on the results of certification of workplaces in respect of working conditions and occupational risks levels according to the par. 2 of the Model list of measures annually implemented by the employer to improve working conditions and occupational safety and reduce occupational risk in force (app. Order of the Ministry Health and Social Development of the Russian Federation № 181n dd 01.03.2012; a new edition was approved by the order of the Ministry of

Labor of Russia № 103n dd 20.02.2014 in order to bring the model list in line with the Federal law "On special assessment of working conditions" № 426-FZ dd 28.12.2013).

Till 2014 employers had to make a new plan of action to improve and enhance working conditions after each certification. Therefore, these plans are different for different occupations / industries, and for each employer such plan is different.

For example, plans that apply to office workers, in addition to training on occupational safety and health also provides for measures to improve workplace illumination, reduced percent flicker, to improve ventilation in the workplace, ensure the power for computers through extension cords with plugs with protective contacts and etc. For workers of metal and cement plants, in addition to overall improvement of ventilation there are measures to reduce noise level, production control of aspiration unit efficiency to reduce the MAC of hazardous substances (welding fumes, dust, etc.) in the working area the workplace, etc.

Since 01.01.2014, in connection with the adoption of the Federal Law № 426-FZ dd 28.12.2013 "On special assessment of working conditions" the list of preventive measures (namely, measures to improve working conditions and occupational safety of workers at the workplace subjected to special assessment of working conditions) has been necessarily included in the results of the special assessment of working conditions at the enterprise referred to in the report on its performance.

In addition, the special assessment of working conditions includes assessment of effectiveness of personal protective equipment used by workers employed in jobs with hazardous working conditions, and based on this assessment working conditions class (subclass) can be reduced.

The European Committee of Social Rights also asked for information on all measures to prevent occupational risks (safety instructions, risk assessment, awareness-raising activities) taken at the federal, regional and local levels.

According to article 211 of the Labor Code, state standard occupational safety requirements contained in the Russian Federation's federal laws and other regulations and laws of the subjects of the Russian Federation shall establish rules, procedures, criteria and standards to preserve workers' life and health during labor activity. These regulations are binding on individuals and legal entities in the exercise of any activities.

According to the Regulation on development, approval and modification of normative legal acts containing state regulatory requirements of occupational safety (Approved by the Decree of the Government of the Russian Federation № 1160 dd 27.12.2010), the normative legal acts containing state regulatory requirements of occupational safety are: (a) safety standards; (b) rules and standard instructions on occupational safety; (c) state sanitary and epidemiological rules and standards (sanitary rules and norms, sanitary regulations, sanitary rules and hygienic standards establishing requirements for factors of production environment and labor process). According to paragraph 5.2.28 of the Regulations on the Ministry of Labor and Social Protection of the Russian Federation (app. Decree of the Government of the Russian Federation № 610 dd 19.06.2012) the rules on occupational safety and

standard instructions on occupational safety, safety standards are accepted by the Ministry independently.

According to Article 212 of the Labor Cod of the Russian Federation occupational safety rules and regulations for workers are developed by the employer taking into account the views of the elected body of primary trade union organization or other authorized body of workers.

Occupational safety regulations are developed on the basis of inter-sectoral or sectoral model instructions (and in its absence - inter-sectoral or sectoral regulations on occupational safety), of safety requirements established in the operational and repair documentation of manufacturers as well as technical documentation taking into account the specific conditions of production as provided by the Methodical recommendations on development of occupational safety regulations (approved by the Ministry of Labor of Russia dd 13.05.2004). These requirements are set out in relation to position, occupation of the worker or type of work performed.

The employer shall ensure the development and approval of occupational safety regulations for workers taking into account the above written opinion of the elected trade union or other authorized body of the workers. Collective agreement may provide for adoption of occupational safety regulations in consultation with workers' representative body. In order to put into operation new and reconstructed facilities it is possible to develop temporary occupational safety regulations for workers. Temporary occupational safety regulations for workers ensure safe management of technological processes (works) and safe operation of equipment. They are designed for up to acceptance of these facilities into operation. Verification and revision of occupational safety regulations for workers are organized by employers.

Revision of the regulations must be performed at least once every 5 years but their early revision is possible due to the revision of inter-sectoral and sectoral regulations and model occupational safety regulations, changing working conditions, introduction of new equipment and technology, based on analysis of accident investigation materials, accidents at work and occupational diseases or at the request of representatives of the labor authorities of the subjects of the Russian Federation or the subjects of federal labor inspectorate. If during the validity period of occupational safety regulations for worker his\her working conditions have not changed, these regulations are valid for the next term.

Existing occupational safety regulations for workers of structural divisions of the organization as well as a list of regulations are stored by the head of the division. Location of regulations for workers is recommended to determine by the head of structural division of the organization in order to ensure the availability and convenience of acquaintance with them. Occupational safety regulations for workers can be issued to them to study during primary instruction or posted in workplaces or sites, or stored in a different location accessible to workers. Recommended forms for regulations record books for workers and record books for workers of of structural divisions of the organization are listed in Annexes 2 and 3 to these Methodological recommendations.

Development and execution of occupational safety rules are performed taking into account the Recommendations for development and design of occupational safety regulations (approved by the Report № 2 dd 20.05.2015 of the Academic Council, FSBI "Institute of Occupational Safety and Economy» Ministry of Labor of Russia). Therefore, a significant part of the rules adopted by employers until the middle of 2015 was updated in 2015-2016.

According to these Recommendations, occupational safety rules are drafted in accordance with the requirements of the Regulation on development, approval and modification of normative legal acts containing state regulatory requirements of occupational safety (Approved by the Decree of the Government of the Russian Federation № 1160 dd 27.12.2010 and Rules on preparation of normative legal acts of the federal executive authorities and their state registration (approved by the Decree of the Government of the Russian Federation № 1009 dd 13.08.1997). The Recommendations stipulate that occupational safety rules are issued as an annex to the order of the Ministry of Labor and Social Protection of the Russian Federation on approval of occupational safety and health regulations in certain sectors (construction, agriculture, etc.) or during certain activities (working at heights, electrical operation and etc.).

It is recommended to include in the occupational safety rules the following main chapters in the proposed order:

- I. General Provisions.
- II. Occupational safety requirements in the organization of work (production processes).
- III. Occupational safety requirements to production area (production facilities, production sites and areas of work) and organization of workplaces.
- IV. Occupational safety requirements during the production process and operation of process equipment.
- V. Occupational safety requirements to storage and transportation of raw materials, intermediates, semi-finished products and production waste.

Occupational safety rules should not include requirements to design, manufacture, construction, assembly and performance of production equipment and its operation modes but may include requirements governing the safe organization of jobs, presence of fences, warning devices and personal protective equipment of workers, methods and means of collective protection of workers, measures to limit the potential danger of technological equipment, methods of safe operation of a potentially dangerous process equipment.

Risk assessment is performed in the form of prophylactic (preventive) measures undertaken within the system of occupational safety and health management (including occupational risk management). As stated above, these measures are implemented through appropriate regulations and rules approved by the employer on the basis of standard regulations and rules of the sector or at the

inter-sectoral level as well as other documents establishing requirements that are important to ensure the safety of workers.

Obligation of explanatory work in the sphere of occupational safety and health is enshrined in the Labor Code of the Russian Federation. Thus, according to article 356 of the Code to the main authorities of the Federal Labor Inspectorate among other things are:

- conducting informational and consulting sessions with employers and workers on issues of compliance with labor law and other legal regulatory acts containing labor law standards;
- informing the public of any discovered violations of labor law and other legal regulatory acts containing labor law standards;
- conducting explanatory work concerning citizens' labor right;
- preparing and publishing annual reports on adherence to labor law and other legal regulatory acts containing labor law standards, and presenting them to the President of the Russian Federation and the Government of the Russian Federation in the established procedure .

The procedure of the Federal Labor Inspectorate service to inform and employers' and workers and counsel on these issues is established by administrative regulations of the Federal Service for Labor and Employment for public service on informational and consulting sessions with employers and workers on issues of compliance with labor law and other legal regulatory acts containing labor law standards.

In the report period two new administrative regulations of Rosstrud on informational and consulting sessions with employers and workers on issues of compliance with labor law and other legal regulatory acts containing labor law standards were adopted: in 2012 (approved by Order of the Ministry of Health and Social Development of Russia from № 581n dd 18.05.2012) and in 2014 (approved by the Order of the Ministry of Labor of Russia № 603n dd 03.09.2014). The regulations define the responsibilities of Rostrud and its territorial bodies to inform and counsel employers and workers at the federal and, accordingly, at the regional levels. This information should be provided by Rostrud for free and take into account the needs of applicants. Information and reference materials (brochures, booklets) are placed in the office of Rostrud (territorial bodies of Rostrud) designed to inform and counsel applicants, and in other places of this public service, as well as posted in the facilities of other public authorities, public institutions (eg, territorial bodies of federal executive authorities, territorial bodies of the Pension Fund, Social Insurance Fund of the Russian Federation, Federal Compulsory Medical Insurance Fund, Government agencies, Public employment service). Administrative regulations govern in detail the procedure of Rostrud and its territorial bodies response to verbal applications of citizens (including phone calls) and written requests (including a declaration using the website of Rostrud or its territorial bodies) including the form and timing of responses to applicants.

The explanatory work is performed during training in occupational safety. According to the provisions of Article 225 of the Labor Code, all employees (including the heads of organizations, and also employers being individual entrepreneurs shall undergo training in occupational safety and an examination of their knowledge of occupational safety requirements according to the Procedure for training and examination in occupational safety for workers (approved by the Resolution of the Ministry of Labor, Ministry of Education of the Russian Federation № 1/29 dd 13.01.2003, taking into account the opinion of the Russian Trilateral Commission for Regulating Social-Labor Relations).

The employer or person authorized by him shall be required to conduct occupational safety training for new workers and those being transferred to new jobs, and to arrange training in safe methods and techniques for performing their work and rendering first aid to injured persons.

The employer shall provide training for persons hired to positions involving harmful and (or) dangerous working conditions and instruct them in safe methods and techniques for performing their work including an on-the-job training period, examinations, periodic training in occupational safety and testing of their knowledge of occupational safety requirements throughout their period of employment.

The state shall assist in arranging occupational safety instruction in educational institutions and provide vocational training of specialists in occupational safety and health.

In order to ensure quality training in the sphere of occupational safety and health in respect of relevant field of study the Ministry of Labor of Russia accepted the Order № 524n dd 04.08.2014 "On professional standard "Expert in the sphere of occupational safety and health". This professional standard is intended to ensure that the professional competences of graduates of the educational institutions meet the employers' needs. Instruction of workers and employers in occupational safety is performed according to the decision of the Ministry of Labor and Ministry of Education of Russia № 1/29 dd 13.01.2003 «On approval of Procedures to instruct and examine workers in occupational safety requirements».

Certain categories of workers receive training in occupational safety in educational institutions which have a right to provide training for employers and workers in occupational safety on the basis of the Order of the Ministry of Health and Social Development of Russia № 205n dd 01.04.2010 "On approval of the list of services in the sphere of occupational safety and health with the necessary accreditation and Rules for accreditation of organizations providing services in the sphere of occupational safety and health". Due to increased requirements for workers engaged in underground work, the Decree of the Government of the Russian Federation № 506 dd 24.05.2012 approved "Rules to check the compliance of knowledge and skills of a person employed for underground work with the relevant qualification requirements."

The total number of employees trained and passed exams on occupational safety in accredited organizations is constantly increasing in recent years. According to the executive bodies of the subjects of the Russian Federation 966 068 people were trained in 2014 and it is higher than the corresponding

figures of the previous years: in 2013 - 931 487 people, in 2012 - 880,667 people, in 2011 - 815 220 , in 2010 - 542 672 people.

The number of certain categories of workers trained in occupational safety within financial support for preventive measures according to the SIF also increased in 2014 and was 31 103 people, 22 607 people in 2013, 15,060 people in 2012, 19 110 people in 2011 and 14 891 people in 2010.

The European Committee of Social Rights also requested information on the role of the federal labor inspectorate in establishment of culture of health and safety among employers and workers.

An important role in establishment of culture of health and safety among employers and workers belongs to a function of the Federal Labor Inspectorate conducting informational and consulting sessions with employers and workers on issues of compliance with labor law and other legal regulatory acts containing labor law standards described above.

At the same time, in accordance with Article 356 of the Labor Code of the Russian Federation the main authorities of the Federal Labor Inspectorate also include:

- carrying out state monitoring and enforcement of the observation of labor legislation and other legal regulatory acts containing labor law standards by employers, by conducting audits, tests, and inquiries, issuing binding injunctions to remove violations, drawing up reports on administrative offenses within the scope of powers, preparing other materials (documents) on holding persons at fault accountable under federal laws and other normative legal acts of the Russian Federation;

- analyzing the circumstances and causes of discovered violations and taking measures to eliminate them and restore violated labor rights of citizens ;

- carrying out the hearing of administrative violation cases in accordance with laws of the Russian Federation;

- sending corresponding information, following the established procedure, to federal executive agencies, executive agencies of the subjects of the Russian Federation, local government agencies, law enforcement agencies, and the courts;

- implement monitoring and enforcement of established procedures for investigating and reporting accidents at work;

- summarizing practical experience in applying labor law and other legal regulatory acts containing labor law standards, analyzing the causes of violations thereof, and preparing corresponding proposals for improving them; ;

- analyzing the condition and causes of industrial injuries, preparing proposals for averting them, and participating in investigations of industrial accidents or conducting them independently;

- taking necessary measures to enlist qualified experts for the purposes of ensuring the implementation of the provisions of labor law and other legal regulatory acts relating to the protection

of workers' health and safety at work, and also in order to obtain information on the effects of applying technologies, using methods and materials on workers' health and safety;

- requesting information needed to fulfill missions assigned on it from federal executive agencies and their regional offices, executive agencies of the subjects of the Russian Federation, local government agencies, prosecutors' offices, judicial agencies, and other organizations, and receiving such information without charge;

- receiving workers and examining statements, letters, complaints, and other appeals from citizens concerning violations of their labor rights, and taking measures to eliminate any violations discovered and restore violated rights ;

- conducting informational and consulting sessions with employers and workers on issues of compliance with labor law and other legal regulatory acts containing labor law standards;

- informing the public of any discovered violations of labor law and other legal regulatory acts containing labor law norms, and conducting explanatory work concerning citizens' labor rights;

- preparing and publishing annual reports on adherence to labor law and other legal regulatory acts containing labor law standards, and presenting them to the President of the Russian Federation and the Government of the Russian Federation in the established procedure;

- exercising supervision and control over the realization of the rights of workers to receive security under obligatory social insurance against accidents at work and occupational diseases, and also over the assignment, calculation and payment of benefits for temporary loss of capacity to labor from the funds of employers ;

- sending to the national accreditation body a report to suspend the certificate of accreditation of the institution performing special assessment of working conditions and violating legislation on special assessment of working conditions;

- sending to the federal executive authority performing functions of public policy and legal regulation in the sphere of labor proposals to annul the expert's certificate for the right to perform special assessment of working conditions in connection with this expert's violation of legislation on special assessment of working conditions;

- sending to appropriate state authorities information about the facts of violations, actions (inaction) or abuse that are not covered by labor legislation and other normative legal acts containing standards of labor law;

- other authorities in accordance with federal laws and other normative legal acts of the Russian Federation .

According to article 357 of the Labor Code (taking into account the amendments by the Federal Law № 242-FZ dd 18.07.2011, Federal Law № 248-FZ dd 19.07.2011 and Federal Law № 421-FZ dd 28.12.2013), state labor inspectors shall be entitled to:

- visit organizations of all legal and organizational forms and forms of ownership and employers being individuals for the purposes of conducting inspections, in the procedure established by federal laws and other normative legal acts of the Russian Federation, without hindrance and at any hour, provided they have proper identification;

- request documents, explanations and information needed to fulfill their monitoring and enforcement functions from employers and their representatives, executive agencies and local government agencies, and to receive such information without charge ;

- seize samples of materials and substances being used or processed in order to test them in the procedure established by federal laws and other normative legal acts of the Russian Federation, informing the employer or his representative of such act and compile a corresponding report ;

- investigate accidents at work following established procedures ;

- present employers and their representatives with binding injunctions to eliminate violations of labor law and other legal regulatory acts containing labor law norms, restore violated workers' rights, and hold persons guilty of such violations disciplinary liable or remove them from their positions in accordance with the established procedure ;

- make requests to the courts that organizations be liquidated or the activities of their structural subdivisions be halted due to violations of occupational safety requirements ;

- issue reports for persons who have not undergone, in the established procedure, training in safe working methods and techniques, an occupational safety briefing, workplace probation and examination of their knowledge of occupational safety requirements not to be cleared for work;

- prohibit the use by workers of individual and collective protective equipment not having certificates of conformity or declarations of conformity or not meeting state labor protection standards including technical regulation provisions of the Russian Federation and state occupational safety requirements;

- draw up reports and consider cases of administrative offenses within their scope of powers, prepare and send to law-enforcement bodies and to courts other materials (documents) on holding persons at fault accountable under federal laws and other normative legal acts of the Russian Federation ;

- act as experts in court on claims concerning violations of the labor legislation and other legal regulatory acts containing labor law standards and restitution of damage caused to the health of production workers ;

- issue to organization performing special assessment of working conditions binding orders to eliminate violations of the requirements of the legislation on special assessment of working conditions.

If a trade union body, worker, or other person appeals to the state labor inspection board on an issue that is under review by the corresponding agency for the review of individual or collective labor

disputes (with the exception of claims accepted for review by a court and issues on which a court ruling exists), the state labor inspector shall, upon discovering an obvious violation of labor law or other legal regulatory acts containing labor law standards, be entitled to issue the employer with a binding injunction. The injunction in question may be appealed by the employer in court within ten days from the day it is received by the employer or his representative .

Data on results and planned activities of the Federal Labor Inspectorate are publicly available on Rostrud's website in "Compliance with labor laws" and etc.([Http://www.rostrud.ru/control/soblyudenie-zakonodatelstva-o-trude](http://www.rostrud.ru/control/soblyudenie-zakonodatelstva-o-trude)).

The European Committee of Social Rights also requested information on whether the Federal Labor Inspectorate involved in the dissemination of knowledge about risks and prevention of risks within the activities in the sphere of prevention (awareness, education, prevention).

The information on participation of the Federal Labor Inspectorate and its territorial divisions in the dissemination of knowledge about risks (awareness and prevention) is provided above in the answer to the questions about the system of prevention and role of the Federal Labor Inspectorate. It is possible to add that Rostrud launched an electronic service "Onlayninspektsiya.RF", which is a part of a large-scale long-term project "Open Labour Inspectorate". The resource allows any citizen to apply to the Labor Inspectorate when his/her rights have been violated as well as it is possible to receive information about the solutions for problem situation in the sphere of labor relations.

The Committee also asked the Russian Federation to provide in the next report specific examples of government involvement in the dissemination of relevant information and knowledge through publications, information technologies, and seminars as well as information about its involvement in the development of training modules (how to work, how to minimize the risks for oneself and others).

The participation of the authorities in the dissemination of information and knowledge through information technology is performed in order to implement the Concept of demographic policy of the Russian Federation for the period till 2025. In accordance with the Federal Law № 8-FZ dd 09.02.2009 "On providing access to information on activity of local self-government bodies" the Regulation on uniform nationwide information system of occupational safety and Rules of preparation and posting information in the Unified nationwide information system on occupational safety were adopted (approved by the Order of the Ministry of Health and Social Development of the Russian Federation № 113 dd 06.10.2011). Currently, the system is available on the website of the Ministry of Labor of the Russian Federation at <http://eisot.rosmintrud.ru>. The system contains all the basic information on occupational safety provided also in the form of charts and diagrams. The information is systematized in the following sections:

Occupational safety system at the enterprise (including "Information for small enterprises", "Organization of occupational safety at the enterprise", "Training of managers and specialists in occupational safety", "Assessment and management of occupational risks", "Investigation of accident at work" and "Investigation of occupational diseases").

Regulatory and reference information (including "State supervision and control", "Accreditation of organizations providing services in the sphere of occupational health and safety", "Self-regulating non-profit organizations in the sphere of occupational safety and health", " " and " ").

A special assessment of working conditions (including
"Information systems and registries" and "FAQ")

Regional and international information (including "Territorial program to improve working conditions and occupational safety", "Conferences, exhibitions, seminars", "Monitoring of working conditions and occupational safety", "International Cooperation").

Accordingly, at this site you can freely obtain information about the popularization and educational activities of Rostrud, Federal Labor Inspectorate and its regional organizations in this sphere. In particular, the section "Training of managers and specialists in occupational safety" contains the diagrams with detailed information about the organization of such training.

Upcoming events are also displayed in the "Events" on the website of the unified nationwide information system on occupational safety (EOSISOT), the most relevant content is displayed on the home page of each website. The activities of the state to disseminate such information through publications have also been described above in the answer to the question on information and consultation of the Federal Labor Inspectorate.

In the Russian Federation, conferences and seminars on issues of occupational safety and health are performed primarily at the federal (national) level. For example, the All-Russian Week of Occupational Safety (<http://www.vssot.aetalon.ru/> dedicated to the World OSH Day (28 April) takes place every year in Sochi in April. And it covers exhibition on security measures and occupational safety, personal protective equipment, etc., and distribution of brochures, booklets and other literature on these issues.

The Russian National Congress with international participation "Occupation and Health" has been held since 2014 (<http://www.congress.niimt.ru/>). It includes plenary sessions, symposiums, conferences, round tables, field session of the World Health Organization and the International Agency for Research on Cancer, All-Russian Congress of medical pathologist as well as exhibition of scientific and pharmacological techniques.

Other relevant information on conferences and other similar events (including regional) is available in the section "Events" on the main website of the Ministry of Labor of the Russian Federation.

In its Conclusion the European Committee of Social Rights also requested to include in the report specific examples of such consultations and initiatives in the sphere of occupational health and safety (local + RTC).

One of the forms of social partnership is the implementation of mutual consultations (negotiations) on issues of regulation of labor relations and other relations directly associated with them, ensuring guarantee of the labor rights of workers and improvement of the labor legislation and

other normative legal acts containing labor law standards (in accordance with Article 27 of the Labor Code of the Russian Federation). The form of workers participation in the management of an organization - consultations being held by the representative body of the workers with the employer concerning the adoption of local normative acts — is provided for in Article 53 of the Labor Code. The procedure of consultation is not defined in the legislation that allows the social partners to define it by themselves. At the same time, such consultations may be performed within the activities of the Commission in charges of regulation of social and labor relations, the creation of this Commission is stipulated in Article 35 of the Labor Code. At the federal level, there is a permanent Russian Tripartite Commission in charges of regulation of social and labor relations and such commissions can be established in the subjects of the Russian Federation (based on the law of the corresponding subject), at the territorial level (based on the law of the corresponding subject of the Russian Federation and provisions of such commission approved by the representative bodies of local self-government) and sectoral (inter-sectoral) level. At the local level this commission shall be set up to conduct collective bargaining, prepare a draft collective agreement and conclude a collective agreement .

Labor Code of the Russian Federation requires to take into account the opinion of the Russian Tripartite Commission when reducing working hours for workers engaged in work with harmful and (or) dangerous working conditions (Article 92 of the Labor Code), when establishing procedure for elaborating, approving and amending subordinate legislative acts containing state normative occupational safety requirements including labor safety standards (article 211 of the Labor Code), when establishing norms and conditions of the gratuitous issuance of milk or other equivalent food products, treatment-and-prophylactic food (article 222 of the Labor Code), when establishing procedures for training in occupational safety and an examination of workers knowledge of occupational safety requirements (article 225 of the Labor Code), when establishing list of jobs with harmful and (or) hazardous working conditions and the use of female labor shall be limited in, and list of maximum allowable loads for women in lifting and moving of heavy objects (article 253 of the Labor Code), when establishing the list of jobs prohibiting the employment of workers under the age of 18 and maximum loads to be carried (article 265 of the Labor Code).

The federal governmental bodies, governmental bodies of subjects of the Russian Federation and local self-government bodies shall ensure favorable conditions for the participation of relevant commissions on regulation of social-labor relations (or relevant trade unions (associations of trade unions) and associations of employers) in the elaboration and/or discussion of draft legislative and other normative legal acts, socio-economic development programs, other acts of governmental bodies and local self-government bodies in the area of labor. This possibility established by the Article 35.1 of the Labor Code is regarded as one of the tools co-ordinating the interests of employees (representatives thereof), employers (representatives thereof) and the state on issues concerning the regulation of social-labor relations and the economic relations related thereto .

Draft legislative acts, normative legal and other acts of executive governmental bodies and local self-government bodies in the sphere of labor, and also the documents and materials required for the

discussion thereof shall be sent for consideration to the relevant commissions on regulation of social-labor relations (to relevant trade unions (associations of trade unions) and associations of employers) by the federal governmental bodies, governmental bodies of subjects of the Russian Federation or local self-government bodies which adopt the said acts. The decisions of relevant commissions on regulation of social-labor relations or the opinions of the parties thereto (statements by relevant trade unions (associations of trade unions) and associations of employers) concerning the draft legislative acts, normative legal and other acts of executive governmental bodies and local self-government bodies sent to them must be examined by the federal governmental bodies, governmental bodies of subjects of the Russian Federation or local self-government bodies which adopt the said acts. The Commission may participate in the drafting of the legal acts and directly influence the adoption of the most significant regulatory decisions of the Government of the Russian Federation regarding the issues of labor regulation in accordance with the Federal Law № 92-FZ dd 01.05.1999, "On the Russian Tripartite Commission in charges of regulation of social and labor relations"

According to the laws on occupational safety of the majority of subjects of the Russian Federation draft legislative acts, normative legal and other acts of executive governmental bodies and local self-government bodies in the sphere of occupational safety, and also the documents and materials required for the discussion thereof shall be sent for consideration to the relevant commissions on regulation of social-labor relations (to relevant trade unions (associations of trade unions) and associations of employers) by the federal governmental bodies, local self-government bodies which adopt the said acts. The decisions of relevant commissions on regulation of social-labor relations or the opinions of the parties thereto (statements by relevant trade unions (associations of trade unions) and associations of employers) concerning the draft legislative acts, normative legal and other acts of executive governmental bodies and local self-government bodies sent to them must be examined by the mentioned bodies which adopt the said acts. It is possible to give the following examples of such laws: the Law of Moskovskaya oblast № 170/2001-OZ dd 06.11.2001 "On occupational safety in Moskovskaya oblast", Law of Novosibirskaya oblast N89-OZ dd 19.12.1997 "On social partnership in Novosibirskaya oblast" and etc.

The legislation of the subjects of the Russian Federation on social partnership, as a rule, also establishes the possibility of occupational safety regulation and coordination of social and economic interests of workers and employers aimed at creating a healthy and safe working conditions, by social and partner documents (collective agreements). The examples of such laws are: Law of St. Petersburg № 577-114 dd 10.10.2011 «On social partnership in the sphere of labor in St. Petersburg," Law of the Kabardino-Balkarian Republic № 50-RZ dd 26.06.2008 "On Social partnership in the sphere of labor in the Kabardino-Balkarian Republic" and etc.

There are such procedures at the sectoral and corporate (local) level. For example, item 7.1.4 of the Sectoral tariff agreement in the electric power industry of the Russian Federation for 2013 - 2015"(Approved by the All-Russian industrial association of electric power employers, Public Association "Russian Electrotradeunion" 18.03.2013) prescribes "quarterly mutual consultations on matters

affecting the interests of the the social partners". Similarly, the section 3 of thee Regulation of the OJSC " Russian Railways" № 3165r dd 24.08.2004 "On social partnership in the OJSC "Russian Railways" calls "quarterly mutual consultations on matters affecting the interests of the parties of the social partnership" as a form of social partnership, and section 4 of this Regulation names the issues of occupational safety as the main areas of social partnership.

Paragraph 2 Article 3.

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organizations :

2. to issue safety and health regulations;

In the Russian Federation in accordance with Article 211 of the Labor Code of the Russian Federation normative legal acts regarding safety and health containing state regulatory requirements of labor protection are adopted at the federal level and at the level of the subjects of the Russian Federation. These requirements establish policies, procedures, criteria and standards aimed at preserving the life and health of workers in the workplace.

The procedure for development, approval and amendments in subordinate regulations containing specified requirements is approved by the Decree of the Government of the Russian Federation № 1160 dd 27.12.2010 taking into account the views of the Russian tripartite commission on regulation of social and labor relations.

For definition, implementation and periodic review of a coherent national policy on occupational safety and health and working environment, the Russian Federation has adopted important normative legal acts such as:

- Federal Law № 323-FZ dd 21.11.2011, "On Fundamentals of public health protection in the Russian Federation". It has established among other things, compulsory medical examinations for workers engaged in work with harmful and (or) dangerous production factors as well as the cases provided for by the legislation of the Russian Federation (article 24 of the Law) and to resolve issues related to this;

- Federal Law № 326-FZ dd 29.11.2010 "On Compulsory Medical Insurance in the Russian Federation". It has established the order of payment for treatment of the insured person' occurred directly after a heavy accident at work according to which this payment performed by the Social Insurance Fund at the account of compulsory social insurance against industrial accidents and occupational diseases (article 32 of the Law);

- Federal Law № 426-FZ dd 28.12.2013, "On special assessment of working conditions", has radically changed the professional risk assessment system.

During this period, a variety of federal, state and municipal laws and regulations has been amended. Following the Federal Law № 52 "On the sanitary and epidemiological welfare of population" the Resolution of the Chief Sanitary Doctor of the Russian Federation approved sanitary rules and regulations (SanPiN) affecting safety.

In addition, in recent years, Russia has become a party to the Agreement on industrial accidents investigation procedures that have occurred with the citizens of one Member State of the Eurasian Economic Community working in the territory of another member state of the Eurasian Economic Community (signed on 31.05.2013 ; as of October 2016 has not yet become effective) and ratified 5 ILO conventions:

in 2010 - two ILO Conventions:

Convention № 132 "Holidays with pay" (see Federal Law № 139-FZ dd 01.07.2010);

Convention № 187 "Promotional Framework for Occupational Safety and Health" (see Federal Law № 265-FZ dd 04.10.2010);

In 2011 - Convention № 174 "Prevention of Major Industrial Accidents" (see Federal Law № 366-FZ dd 30.11.2011 .);

in 2012 - a comprehensive Maritime Labor Convention, 2006 (see Federal Law № 56-FZ dd 05.06.2012, .);

in 2013 - Convention № 176 "Safety and Health in Mines" (see Federal Law № 106-FZ dd 07.06.2013.).

Also, there is the preparation of a legislative framework for the ratification of the ILO Convention № 167 "On safety and health in construction." In particular, the order of the Ministry of Labor № 336n dd 06.01.2015 approved occupational safety rules in construction establishing the state occupational safety regulations during construction and special construction works performed in new construction, expansion, reconstruction, technical re-equipment, current and major repairs of buildings and structures.

The European Committee of Social Rights asked to present a full and detailed information on legislation and regulations including all amendments during the report period, which specifically address the risks listed in the general introduction to Conclusions XIV-2 in the next report.

During 2010 - 2014. various standard-setting bodies of the Russian Federation adopted more than 500 regulations of varying legal force regarding mentioned risks (factors) including 11 federal and dozens of regional laws, resolutions of the Government of the Russian Federation and executive authorities of the subjects of the Russian Federation (including urban target program on labor protection, decision of the federal and regional ministries and agencies, regulations of the chief state sanitary doctor of the Russian Federation, prefectural orders (including regional, city or county programs on occupational safety and health, t orders of Ministry of Labor (Ministry of health of the Russian Federation), Rostrud and other ministries and departments (Investigative Committee of the Russian Federation, Ministry of Transport, Ministry of Energy, FMBA of the Russian Federation and FSMIF of the Russian Federation etc.) as well as regional departments.

In addition, the already mentioned Model programs have been adopted at the federal level:

- A model program to improve working conditions and safety in the subjects of the Russian Federation (approved by the Ministry of Health of the Russian Federation in 2010), focused on the 2011-2015;

- A model state program of the subject of the Russian Federation (sub-programs) to improve the working conditions and safety for 2015-2017 (approved by the letter of the Ministry of Labor of the Russian Federation № 15-3/10/P-4574 dd 08.14.2014).

In addition to the model programs for 2010-2014 at the federal level we have also developed a range of training and educational recommendations, guidebooks and others.

On the basis of these documents the subjects of the Russian Federation adopt their programs to improve working conditions and safety taking into account the specifics of the subject of the Russian Federation.

In the report period at the sectoral level we have adopted a program to ensure further improvement of working conditions, improving mine safety, reducing accidents and injuries in the coal industry, maintaining the operation capability of militarized mine rescue, emergency units for 2014-2016 (approved by the. Ministry of Energy of the Russian Federation, Ministry of Labor of the Russian Federation, MES of the Russian Federation, Rostekhnadzor, NP OORUP 30/06/2014).

In the report period the executive authorities (Ministry of Labor and Social Protection of the Russian Federation, specialized authorities of the subjects of the Russian Federation) as well as trade unions and research organizations (including. h. newsletters) published explanations, expert opinions, reports, statements, etc for clarification, explanations and information on the implementation of normative legal acts requirements regarding mentioned issues various letters

The Committee also requested to explain the relevance of laws and other regulations as well as standards and regulations applied within the legal system.

In general, relevance of these regulations, standards and regulations is due to the improvement of the regulatory framework of labor protection including OSH management system reform, strengthen its preventive orientation and implementation of a risk-based approach, expanding the range of controlled risk, increasing flexibility in assessment of working conditions and increasing employers' interest in their improvement, reduction of administrative barriers for public services related to safety and health in the workplace (including taking into account the Action Plan on the implementation in 2011-2015 of the Demographic policy concept till 2025, approved by the Resolution of the Government of the Russian Federation № 367-p dd 10.03.2011 as well as international standards). The objectives and reasons for adoption of a regulation are stipulated in the stage of legislative work - in the passport of the bill, and at the stage after its adoption - in the preamble to the adopted act. Then these goals can be elaborated in separate articles of the act.

For example, the passport of the draft Federal Law "On special assessment of working conditions" stated that the main purpose of the adoption of this bill is to unify the working conditions assessment procedure in the workplace as a single method of implementation of the mechanism of employers exemption from payment of insurance contributions to the Pension Fund of the Russian Federation set by the pension legislation and mechanism of statutory guarantees and compensation at the same time with the formation of economic incentives of employers to improve working conditions and safety. This target was subsequently concertized in the Article 7 of the Federal law "On special assessment of working conditions" dedicated to the application of the special assessment results .

The relevance of laws, other regulations, standards and norms is confirmed by the results of the discussion of draft laws and draft regulations at a meeting of the Tripartite Commission (pursuant to Article 211 of the Labor Code), meetings of public councils (according to the Decree of the Government of the Russian Federation № 877 dd 01.09.2012 "On approval of regulations and other documents including programs developed by the federal bodies of executive power that can not be adopted without discussion at a public meeting of the public councils of these federal bodies of executive power").

The European Committee of Social Rights in its 2014 Conclusion requested in the next report a full and detailed information on legislation and regulations including amendments particularly relating to the question of the commitment of the levels of prevention and protection required by legislation and regulations in connection with the accommodation, reconstruction and maintenance of jobs, to the relevant international standards.

The priority of preventive in the sphere of health protection is provided by: (1) development and implementation of a healthy lifestyle including programs reducing alcohol and tobacco abuse, prevention and control of non-medical use of narcotic drugs and psychotropic substances; (2) implementation of sanitary and anti-epidemic (preventive) measures; (3) implementation of measures for prevention and early detection of diseases including the prevention of socially significant diseases and their control; (4) preventive and other medical examinations, clinical examination, clinical supervision in accordance with the legislation of the Russian Federation; (5) implementation of

measures for preservation of life and health of citizens in the process of study and work in accordance with the legislation of the Russian Federation (Article 12 of the Federal Law № 323-FZ dd 21.11.2011 "On Fundamentals of public health protection in the Russian Federation"»).

Issues regarding accommodation, renovation and maintenance of jobs are reflected mainly in the sectoral and departmental regulations. Most of these standards are adopted pursuant to and in accordance with relevant international standards recognized by the Russian Federation. The most common indirect references to these standards is through reference to other documents. For example, many health standards, sanitary norms and rules and other documents that define the working conditions in the workplace are adopted in accordance with the Federal Law № 52-FZ dd 30.03.1999, "On sanitary and epidemiological welfare of population" and its article states, inter alia, that the sanitary and epidemiological requirements established by the documents adopted in accordance with international treaties of the Russian Federation.

Similarly, the Regulation on development, approval and modification of normative legal acts containing state regulatory requirements for labor protection (approved by the Resolution of the Government of the Russian Federation № 1160 dd 27.12.2010) establishes that such amendments are made, inter alia, "based on the results of the study of the Russian and international experience improving working conditions "and" based on proposals (with justification) of the federal bodies of executive power and (or) executive bodies of the subjects of the Russian Federation including harmonization of acts containing labor protection requirements, in accordance with the international law in the sphere of occupational safety and health". Similar provisions are contained in other acts regulating these issues.

Among documents adopted in the report period containing an express reference to compliance with international standards, we can name, for example, the following:

- Regulation of labor protection on sea and river fleet (Approved by the Order of the Ministry of Labor № 367n dd 05.06.2014,) - in accordance with paragraph 2 of the Rules, they comply with the requirements of ILO Maritime Labor Convention, 2006;

- Recommendations on organization and performance of inspection of compliance with requirements of the Federal Law № 426-FZ dd 12.28.2013, "On special assessment of working condition" for institutions authorized to perform working conditions assessment (approved by the Order of Rostrud № 199 dd 02.06.2014.) - in accordance with clause 2 of Recommendations, labor inspectors should follow general requirements including provisions of the ILO Labor Inspection Convention № 81 (1947) and its Protocol 1995 (ratified by the Federal law 58-FZ dd 11.04.1998).

In addition, many national standards in the sphere of occupational safety and health are completely identical to the corresponding international standards and it is emphasized in their preambles and annexes. For example, the preamble to the GOST R 55914-2013 "Risk Management. Guidance on the management of psychosocial risk in the workplace" states that it is identical to publicly available specification PAS 1010: 2011 " Guidance on the management of Psychosocial risks in the work

place ", and the preamble to the GOST R 54934-2012 Occupational health and safety management systems - Requirements" - that it is identical to the document, OHSAS 18001: 2007 * "Occupational health and safety management systems - Requirements ". In addition, the interstate standards have a mandatory reference application containing information about compliance of interstate standards with the reference international standards.

Referring to mandatory risk assessment in the workplace provided for in Article 212 of the Labor Code and the Order № 569 dd 31.08.2007 "On Approving the Procedure for certification of workplaces by working conditions" of the Ministry of Health and Social Development of the Russian Federation, the Committee would also like to know kinds of preventive measures developed on the basis of this assessment and if there is a schedule to eliminate the identified risks.

Russian legislation provides a problem analysis (risk) identified by the assessment (attestation) of jobs and schedule to eliminate the identified risks. For example, results of the investigation of accidents with grave consequences are send to labor inspection and trade unions to review the status and causes of occupational injuries in the Russian Federation and to develop proposals for prevention.

After the period of temporary incapacity of the affected worker, the employer (his representative) must send to the appropriate labor inspection and if necessary to the territorial authority of a supervisory and control institutions, a notification in a prescribed form on the consequences of the accident at work and measures taken to prevent industrial accidents.

The main government body responsible for risk identification, monitoring and prevention is the labor inspectorate. According to article 356 of the Labor Code of the Russian Federation, the main authorities of the labor inspectorate include, among others:

- analyzing the condition and causes of industrial injuries, preparing proposals for averting them, and participating in investigations of industrial accidents or conducting them independently;

- taking necessary measures to enlist qualified experts for the purposes of ensuring the implementation of the provisions of labor law and other legal regulatory acts relating to the protection of workers' health and safety at work, and also in order to obtain information on the effects of applying technologies, using methods and materials on workers' health and safety.

These authorities correspond to the employer's duty to obey the requirements of the labor inspectors as well as to engage in an independent risk identification and prevention in the sphere of occupational safety and health. For example, paragraph 1.5. Sanitary rules SP 1.1.1058-01 "Organization and performance of production control over compliance with sanitary regulations and implementation of sanitary and anti-epidemic (preventive) measures" (put into force by the resolution of the Chief State Sanitary Doctor of the Russian Federation №18 dd 12.07.2001) obliges legal entities and individual entrepreneurs according to their activities to implement regulations, instructions and sanitary and epidemiological conclusions of officials of the bodies authorized to exercise state sanitary and epidemiological inspection (including protection of workers' health and safety):

–develop and implement sanitary and anti-epidemic (preventive) measures;

–to ensure safety of works and services for human health as well as products for industrial purposes, food and goods for personal and domestic uses in their manufacture, transportation, storage and sales to the public;

–perform production control including laboratory research and testing for compliance with sanitary rules and take of sanitary and anti-epidemic (preventive) measures in work and rendering of services as well as in production, transportation, storage and sale of products.

For organized risk identification in the sphere of occupational safety and health, its further analysis and development of implementation plans for preventive measures, legal persons and individual entrepreneurs are obliged to draw up a program (plan) of production control before the beginning of their activities.

Measures of the production control taken by legal entities and individual entrepreneurs. The responsibility for timeliness, completeness and reliability of ongoing production control are born by legal entities and individual entrepreneurs. Requirements for the program (plan) of production control are established by the Part 3 of the Sanitary Regulations.

Examples of plans for implementation of preventive measures imposed by the Sanitary Regulations SP 1.1.1058-01 may be represented, for example, by sectoral occupational safety instructions for different kinds of maintenance and repair work. Thus, in accordance with Section 7 Instructions for safety in maintenance and repair of waiveguided line of train radio communication of an OJSC "Russian Railways" (approved by the order of the O JSC "Russian Railways" № 458r dd 06.03.2008) workers are obliged to inform their supervisor about all shortcomings in the provision of labor protection requirements during operation, about measures taken to eliminate them.

Article 7 of the Federal Law "On special assessment of working conditions" lists the possible areas of application of the results of such assessment and mentions, among other things, a series of actions that are directly or indirectly related to prevention, namely:

- development and implementation of measures aimed at improving working conditions;

- monitor the state of working conditions in the workplace;

- in cases stipulated by the legislation of the Russian Federation, organization of mandatory preliminary (at employment) and periodic (during employment) medical examinations of workers;

- justify funding of measures to improve working conditions and safety including at the account of funds for implementation of compulsory social insurance against industrial accidents and occupational diseases;

- decision on establishment of limitations stipulated by the labor legislation for certain categories of workers;

- assess the levels of occupational risks.

According to paragraph 6 of Article 15 of the Federal law "On special assessment of working conditions" employer taking into account the legislation of the Russian Federation on personal data and legislation of the RF on the state and other legally protected secret located on its website in the Internet (if available) a summary on special assessment of working conditions with regard to the establishment of classes (subclasses) for working conditions in the workplace and list of measures to improve the conditions and protection of workers in the workplaces special assessment was performed for, not later than within thirty calendar days from the date of approval of the report on special assessment of working conditions. Thus, all interested parties can get acquainted with this list.

Procedures to form the list of actions with deadlines for their implementation, amount of funding and executors should be based on measures priority aimed at prevention of occupational injuries, occupational diseases and improvement of working conditions. Special attention must be paid to reduction of cost for implementation of activities and simultaneously targeting the achievement of higher social and economic benefits as a result of their achievements. The typical document also contains elements designed to ensure that they have specific data for a particular company or industry. For example, in the annex to the specific program, the subjects of the Russian Federation are encouraged to submit a list of program activities grouped in accordance with the objectives of the State program (subprogram) indicating the funding. In addition, the program of the subject of the Russian Federation shall have dates for its implementation and identify specific enforcement authority of the subject of the Russian Federation responsible for program implementation.

The sectoral regulations on occupational safety for employers or relevant responsible person of the employer usually prescribe to address the identified risks, accidents, etc., but the exact timing is not set for objective reasons (heterogeneity of the risks, working conditions, manufacturing processes, etc.). Charts to address the identified risks can be prepared by the employer for individual cases (types of jobs, workplaces, etc.).

The Committee requested information on intentions of the Government of the Russian Federation to ratify or apply the ILO Safety and Health in Construction Convention **№167** (1988), Safety and Health in Mines Convention **№176** (1995) and Safety and Health in Agriculture Convention **№184** (2001).

Convention № 176 was included in the General agreement between the national associations of trade unions, national associations of employers and Government of the Russian Federation for 2011 - 2013. (Concluded on 29.12.2010) and ratified within deadlines set by this Agreement in 2013 (see. Federal Law № 106-FZ № 07.06.2013).

As a result of the examination in 2014, the ratification of the Convention № 184 "in the near future," considered inappropriate because "... in the modern Russian legislation and other regulations, numerous special regulations, conditions, requirements concerning safety of machinery, equipment, materials used in agriculture are not provided or are not systematized, as well as rules for work with

chemical and biological substances are insufficiently regulated. In addition, in order to implement the Convention № 184 it will be necessary to establish guarantees to ensure proper social conditions for workers employed in agriculture, and from the economic point of view, it is very difficult. " At the same time, experts note that the Labor Code and other legal acts of the Russian Federation provide numerous rights and obligations of workers and employers regarding occupational safety and health. The standards establishing these rights and responsibilities as well as ensuring their implementation shall apply to all workers signed labor contracts including persons engaged in labor activity in agriculture, so it is not required to adopt of any special rules in the case of ratification of the Convention.

In 2015-2016 there was a preparation of the legal framework for ratification of the ILO Safety and Health in Construction Convention №167 (1988). The Order of the Ministry of Labor № 336n dd 01.06.2015 approved occupational safety rules in construction establishing the state occupational safety regulations during construction and special construction performed in new construction, expansion, reconstruction, technical re-equipment, current and major repairs of buildings and structures.

The Committee requested information on legislation and other regulations related to the level of prevention and protection against asbestos and ionizing radiation in the next report as well as on practical application of laws and regulations. In particular, it requested information on maximum permissible exposure values, prohibition of production and marketing of asbestos or asbestos-containing products as well as incorporation of the requirements established by the International Commission on Radiological Protection (ICRP) (recommendation ICRP, 1990) into the legislation of the Russian Federation.

The Russian Federation ratified the ILO Asbestos Convention № 162 (Federal Law № 50-FZ dd 08.04. 2000). The provisions of the articles of the Convention are implemented mainly in the following normative legal acts: Labor Code, Federal Law № 52-FZ dd 30.03.1999, "On sanitary and epidemiological welfare of population", Cross-industry regulations on labor safety in production of asbestos and asbestos-containing materials and products POT RM - 010 - 2000, 2.2.3.2887-11 SanPiN "Hygienic requirements for production and use of chrysotile and chrysotile-containing materials", GN 2.2.5.1313-03 "Maximum permissible concentration (MPC) of harmful substances in the air of the working area."

Additionally, the Order of the Government of the Russian Federation № 79-r dd 28.01.2013 approved the Concept of the state policy aimed at elimination of diseases associated with exposure to asbestos dust for the period up to 2020 and beyond. In particular, the Concept provides a strategy to eliminate asbestos-related diseases in the Russian Federation, it consists of a gradual implementation of measures based on a differentiated approach to use of different types of asbestos and asbestos containing materials at the federal, regional and object level.

It is planned to reduce asbestos-related diseases due to prevention of exposure to asbestos dust from anthropogenic and natural sources, due to provision of health care for citizens exposed to

asbestos dust, due to raising public awareness about the risks associated with exposure to dust containing chrysotile asbestos, and others. In this regard, production and use of chrysotile asbestos is expected to be continued that is confirmed by the objective established in the Concept to provide re-training for "professionals engaged in health care for workers in mining and milling of asbestos, production, use and disposal of asbestos-containing products and population living on the territory of the subjects of the Russian Federation and municipalities with possible unprofessional effects of asbestos dust".

However, in some areas, other forms of asbestos and asbestos-containing products are prohibited as a whole or in part. For example, according to the Decision of the Customs Union Board № 299 dd 28.05.2010 "On application of sanitary measures in the Eurasian Economic Union," asbestos is included in the list of substances prohibited as ingredients in perfume and cosmetic products and oral hygiene products. At the same time, asbestos (EAEU HS CODE 2524) and certain articles thereof (EAEU HS CODE 6806 and 6808 00 000 0) are allowed in the composition of materials for air handling, air cleaning and filtering as well as personal protective equipment, and materials for their production.

According to the Decision of the CIS Heads of Government Council "On implementation of the provisions of the Free Trade Zone Agreement dd 18 October 2011" (adopted in Ashgabat 21.11.2014) exports and imports of the products (including asbestos-containing waste in form of dust and fibers; second-hand articles of asbestos-cement, cement with cellulose fibers or similar materials containing asbestos, glass fiber wastes of similar physical and chemical characteristics of asbestos) is banned in the territory of the Customs Union including the Russian Federation (according to the Unified list of goods subject to import or export prohibitions or restrictions of the Member States of the Customs Union within the Eurasian economic community in trade with third countries, approved by the decision № 134, Eurasian Economic Commission dd 16.08.2012,).

According to paragraph "d", Article 60, Technical Regulations on the safety of maritime transport facilities (approved by the Decree of the Government of the Russian Federation № 620 dd 12.08.2010), asbestos should not be contained in the insulating materials for newly built ships. Sanitary rules and regulations (SanPiN) 2.2.3.2887-11 "Hygienic requirements for production and use of chrysotile and chrysotile-containing materials" (approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 87 dd 01.07.2011) also limit mining and use of asbestos in civilian products with reference to the ILO Convention № 162 (ratified by the Federal law № 50-FZ dd 08.04.2000) and ILO Recommendation № 172. In this case, all workers of extraction, enrichment and processing of chrysotile enterprises are recommended, among other things, to reject smoking completely given the synergistic effect of smoking and asbestos in the development of lung cancer. Air pollution control in the work area containing fibers of chrysotile asbestos must be performed in workplaces in mining, enrichment, reprocessing and use of chrysotile and chrysotile-containing materials and products. Companies engaged in mining and processing of chrysotile should control air pollution with dust containing loose fibers of chrysotile asbestos.

Asbestos (CASN 1332-21-4) are included in the list of carcinogenic factors presented in SanPiN 1.2.2353-08 "Carcinogenic factors and basic requirements for prevention of carcinogenic risks. Sanitary and epidemiological rules and standards "(approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 27 dd 21.04.2008), indicating hygienic standards (MAC) for asbestos rock and asbestos dust and various forms of asbestos (natural, ie chrysotile , anthophyllite, actinolite, tremolite, magnesium arfvedsonite and synthetic).

Natural asbestos (chrysotile, tremolite), mixed asbestos and rock dust, asbestos - concrete, asbestos-bakelite, asbestos-rubber are also included in the list of harmful and (or) hazardous production factors in presence of which compulsory preliminary and periodic medical examinations (surveys) are obligatory (approved by the Order of the Ministry of Health of the Russian Federation № 302n dd 12.04.2011).

The Resolution of the Chief State Sanitary Doctor of the Russian Federation № 96 dd 12.07.2011, "On approval of GN 2.2.5.2895-11" Addition to № 7 GN 2.2.5.1313-03 "Maximum allowable concentration (MAC) of harmful substances in the air of working area" (together with "GN 2.2.5.2895-11" Hygienic standards "...") are arranged including MAC for various types of asbestos mainly at 0.5/0.1 mg/m³.

In accordance with GN 2.2.5.1313-03 "Maximum allowable concentration (MAC) of harmful substances in the air of working area" the following MAC should be observed at the Russian enterprises (Table 3).

Table 3. MAC for asbestos dust in the air of working area

N	Chemical	N CAS	Formula	MAC (mg/m ³)	Preferential aggregate state in the air in the conditions of production	Hazard Class	Effect on body
1	2	3	4	5	6	7	8
1802	Dust silicate, silicates, aluminosilicates						
	a) dust chrysotile, threshold limit value - time weighted average of respirable chrysotile fibers 2 fibers per milliliter (f/ mL)			2/0,5 <*>	a	3	f, c

b) dust chrysotile, threshold limit value - time weighted average of respirable chrysotile fibers 1 - 2 f/ml			4/1 <*>	a	3	f, c
c) dust chrysotile, threshold limit value - time weighted average of respirable chrysotile fibers less than 1 f/ml			6/2 <*>	a	3	f, c
d) amphibole asbestos (crocidolite, amosite, anthophyllite, tremolite, and others.), threshold limit value - time weighted average of respirable fibers more than 0,01 f/ml			0,5/0,1 <*>	a	3	f, c
e) amphibole asbestos (crocidolite, amosite, anthophyllite, tremolite, and others.), threshold limit value - time weighted average of respirable fibers 0,01 f/ml and less			2/0,5 <*>	a	3	f, c
f) mica (flagopit, muscovite), talc, talk dust containing up to 10% of free silicon dioxide with threshold limit value - time weighted average of amphibole asbestos respirable fibers 0,01 f/ml and less			8/4 <*>	a	3	f

Note: a - aerosols, f – Aerosols with predominantly fibrogenic action, c- carcinogens;

* In numerator - maximum permissible one-time concentration, and denominator - threshold limit value - time weighted average MAC.

In order to share knowledge about the prevention and protection against asbestos at the federal, regional and international level we regularly hold seminars and conferences with the participation of representatives of the Ministry of Labor of Russia and also to discuss issues of controlled use of asbestos and products based on it. In particular, in 2010-2013. there were:

1. Coordination Meeting "Development of national programs for elimination of asbestos-related diseases" (September 9-10, 2010, Moscow);

2. Seminar "Globally Harmonized agreed Chemicals classification and labeling system" (November 29-30, 2010, Azbest);
3. International Conference with the participation of high-level experts "Asbestos: policies and practices in Kyrgyzstan and in the world" (May 20, 2011, Kyrgyzstan, Bishkek);
4. International scientific conference "Risk management of chrysotile asbestos exposure" (November 21-22, 2012, Kiev, Ukraine);
5. International seminar "Risk management of natural exposure (asbestos) and man-made mineral fibers for workers and population. Modern methods of control for fibrous dusts in the air" (June 19-20, 2012, Moscow);
6. Seminar for designers "Application of materials made of chrysotile concrete in construction" (May 16, 2013, Perm);
7. Seminar "Chrysotile asbestos: modern scientific data, scope, normative documentation" (September 23, 2013, Volgograd);
8. International seminar "Development of the regional program for elimination of diseases associated with exposure to asbestos-containing dust. Identification and mapping of sources of potential exposure of asbestos-containing dust at workers and population" (October 22-23, 2013, Moscow);
9. The international seminar "Chrysotile concrete: modern scientific data, scope, normative documentation" (November 6-7, 2013, Uzbekistan, Tashkent)..

The Russian Federation also ratified ILO Radiation Protection Convention № 115 (Decree of the Supreme Soviet of the USSR № 1770-VII dd 05.08. 1967). The main provisions of the Convention are implemented through the application of the provisions of the Federal Law № 52-FZ dd 30.03. „On sanitary and epidemiological welfare of population", Federal Law № 3-FZ dd 09.01.1996 "On radiation safety of population", Labor Code, SanPiN 2.6.1.2523-09 "Radiation Safety Standards (NRB -99/2009) "(approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 47 dd 07.07.2009) , SP 2.6.1.2612-10" Basic sanitary rules for radiation safety (OSPORB 99/2010) "(approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 40 dd 26.04.2010).

The Paragraph 2, Article 9, Federal Law № 3-FZ established the following basic hygienic standards (permissible dose limits) of radiation on the territory of the Russian Federation as a result of use of ionizing radiation:

- For population, the average effective dose is 0.001 sievert or effective dose for the period of life (70 years) - 0.07 sievert; in some years a higher effective dose is permitted provided that the average annual effective dose calculated for five consecutive years does not exceed 0,001 Sv;

- For employees, the average effective dose is 0.02 sievert or effective dose for the period of employment (50 years) - 1 sievert; exposure is permitted with an annual effective dose to 0.05 Sv

provided that the average annual effective dose calculated for five consecutive years does not exceed 0.02 Sv.

The basic standards for permissible doses of ionizing radiation in the normal conditions of use of radiation source are given in the section III "Requirements for limitation of man-made radiation under controlled conditions" Sanitary Rules SanPIN 2.6.1.2523-09 "Radiation Safety Standards (NRB-99/2009)", by approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 47 dd 07.07.2009, namely:

The following categories of persons exposed are established:

- Personnel (groups A and B);
- The entire population including those of the staff outside the scope and conditions of their production activities.

For the categories of persons exposed establishes the basic dose limits (DL) are listed in the table for the staff of the group A. The main dose limits as well as all other permissible levels of exposure for the Group B are 1/4 values for Group A (Table 4).

Table 4. Basic dose limits

Standardized value	Dose limits	
	staff (Group A)	Population
Effective dose	20 mSv per year on average for consecutive 5 years but not more than 50 mSv per year	1 mSv per year on average for consecutive 5 years but not more than 5 mSv per year
Effective dose per year in		
eye lens	150 mSv	15 mSv
skin	500 mSv	50 mSv
hands and feet	500 mSv	50 mSv

In accordance with paragraph 3.2.3 of the sanitary rules SP 2.6.1.2612-10 "Basic sanitary rules for radiation safety (OSPORB 99/2010) " approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 40 dd 26.04.2010, a person subjected to exposure to an effective dose exceeding 100 mSv during the year in further work should not be exposed to radiation at a dose of more than 20 mSv per year. This radiation effective dose of more than 200 mSv during the year should be considered as potentially hazardous and persons who have been subjected to such radiation should immediately be derived from the irradiation zone and sent to a medical examination. Subsequent work of this person with sources of radiation might be authorized only on an individual basis taking into account his\her consent by the decision of the competent medical committee.

The requirements established by the ICRP Recommendation 1990 directly referred to in a number of guidance documents and standards in the sphere of radiation protection adopted or amended in the report period. For example, the Guidelines MU 2.6.1.3151-13. 2.6.1 "Ionizing radiation, radiation safety. Assessment and recognition of effective doses in patients during radionuclide diagnostic examinations "(approved by the Chief State Sanitary Doctor of the Russian Federation dd 20.12.2013) defines the concept of "a reference man" with characteristics defined by the International Commission on Radiological Protection for radiation protection purposes.

The Guidelines 2.6.1.0079-13 MR. 2.6.1 "Hygiene. Radiation Hygiene. Ionizing radiation, radiation safety. Complex expeditionary radiation and hygienic inspection of the settlements located in the territories subjected to radioactive contamination as a result of the accident in 1957 at the PA "Mayak" and discharge of radioactive waste into the Techa River "(approved by the. Rospotrebnadzor dd 21/10/2013) among normative references mention "publication of the International Commission on radiological protection № 43, 60, 67, 74, 82, 101, 103 ", and the Guidelines MU 2.6.1.3154-13. 2.6.1 "Hygiene. Radiation Hygiene. Ionizing radiation, radiation safety. Zoning residential settlements of the Russian Federation exposed to the radioactive contamination from the Chernobyl NPP by the criterion of annual radiation dose of the population. Amendments № 3 to the MU 2.6.1.784-99 "(approved by Rospotrebnadzor, dd 20/12/2013.) mention Publication № 43, 60, 67, 74 and 82.

The Guidelines 1.2.0041-11 MR. 1.2 "Hygiene, Toxicology, Sanitation. Decision-making system for nanosafety control based on assessment of production risks, use and disposal of nanomaterials on the basis of process data monitoring at the nanotechnology industry enterprises "(approved by Rospotrebnadzor dd 17.10.2011) in the list of recommended literature for the development of decision support systems for nanosafety control based on assessment of production risks, use and disposal of nanomaterials refer to publication № 103 of the International Commission on Radiological Protection (ICRP). The Guidelines 2.6.1.0051-11 MR. 2.6.1 "Ionizing radiation, radiation safety. Ensuring safe living and doing business in the contaminated areas of the Russian Federation (the zone of influence of the PA "Mayak") "(app. by Rospotrebnadzor dd 29.12.2011) refer to the data of the Commission for deaths, conditionally fatal cancers and hereditary defects in support of a slight reduction of human life ("only for 5 days from 25,000 days that people live on average") as a result of exposure to ionizing radiation.

The Guidelines MR 2.2.9.0012-10 "The model of regional program for primary cancer prevention "(app. by Rospotrebnadzor dd 08.10.2010) expressly provide that "cases of dealing with ionizing radiation sources requiring a more detailed analysis are discussed by the Russian National Commission on Radiation Protection (RNCRP) and agreed with the basic documents ("publications") of the International Commission on Radiological Protection (ICRP) ".

Similarly, a number of GOSTs regarding radiation problems refer to the requirements of the ICRP directly. For example, GOST IEC 60601-2-7-2011 «Interstate standard. Medical electrical equipment. Part 2-7. Particular safety requirements for X-ray devices supplying diagnostic X-ray generators "(entered into force by the Order of the Rosstandart № 1280-st dd 13.12.2011) and GOST IEC 60601-2-45-2011 «Interstate standard. Medical electrical equipment. Part 2-45. Particular safety requirements for

mammographic X-ray equipment and mammographic devices for stereotaxis "(entered into force by the Order of the Rosstandart № 1393- st dd 13.12.2011) establishes that "during the preparation of this standard regarding radiation protection it was accepted that manufacturers and users used basic principles of the International Commission on Radiological Protection (ICRP) set in ICRP 60, 1990, paragraph 112," and directly lists these principles with reference to the ICRP 60 Recommendations of the International Commission on Radiological Protection (Ann ICRP 21 (1-3), 1990). Press.GOST R IEC 60601-1-2010 "National standard of the Russian Federation. Medical electrical equipment. Part 1: General requirements for basic safety and essential performance "(Approved and put into effect by Order Rosstandart from 23.11.2010, № 492-st) specifies its identity to the international standard IEC 60601-1: 2005" Medical electrical equipment - Part 1. General requirements for basic safety and essential performance" and this when "requirements of epy IEC standards for ionizing radiation are broadly consistent with the recommendations of the International Commission on Radiological Protection (ICRP) whose purpose is to provide designer engineers and responsible organization with data suitable for operational use. "

According to the concept of the Program for joint activities to overcome the consequences of the Chernobyl disaster within the Union State for the period until 2016 with the accompanying documents (approved by the Decree № 2 of the Council of Ministers of the Union State 24.05.2013) and Program for joint activities to overcome the consequences of the Chernobyl disaster within the Union States for the period until 2016" and accompanying documents (approved by the Decree № 21 of the Council of Ministers of the Union State dd 13.12.2013), according to data, including the ICRP, an increased radiation risk of disease was assessed and information on which would be incorporated into a Unified database of the Information system of complex monitoring for health status of the citizens of Belarus and Russia (including a Unified Chernobyl register of Russia and Belarus, established in 1998).

The Committee would also like to know if the ILO Asbestos Recommendation **№172** (1986) and Radiation Protection Recommendation **№114** (1960) are taken into account. The Committee draws the attention of the Government of the Russian Federation to the Recommendation 1369 (1998), Council of Europe, Parliamentary Assembly: Danger of asbestos for workers and the environment, calling for elimination of asbestos if the technological knowledge allows.

As mentioned above, these recommendations are fully taken into account in the Russian legislation including by ratifying the following ILO Conventions:

- ILO Radiation Protection Convention № 115 (ratified by the Decree of the Supreme Soviet of the USSR № 1770-VII dd 05.08. 1967);
- ILO Asbestos Convention № 162 (ratified by the Federal Law № 50-FZ dd 08.04. 2000)
- ILO Prevention of Major Industrial Accidents Convention № 174 (ratified by the Federal Law № 366-FZ dd 30.11.2011).

These conventions are fully respected by the Russian Federation and it is reflected in the national reports on the application measures of these conventions the Russian Federation submitted to the ILO in accordance with the provisions of Article 22 of the ILO Constitution.

In addition, the reference to the provisions of the ILO Recommendation № 172 can be found in paragraph 1.2 2.2.3.2887-11 SanPIN ""Hygienic requirements for production and use of chrysotile and chrysotile-containing materials" (approved by the Resolution of the Chief State Sanitary Doctor of the Russian Federation № 87 dd 01.07.2011). The ILO Recommendation № 114 is mentioned in the bibliography to GOST 12.0.230-2007 "Interstate standard. Occupational safety standards system. OSH management systems. General requirements "(Put in force by the order of Rostechregulirovanie № 169-st dd 10.07.2007).

The Committee requested a detailed information on coverage of temporary workers, workers temporarily in charge and workers with time-limited contracts by these documents in the next report. It would like to get specific examples of access conditions of these workers to health monitoring and representation of workers at the workplace.

Regarding these categories of workers the Russian lawmaker adheres to the principle of equality of rights and responsibilities in the sphere of occupational safety and health. Accordingly, all general provisions on labor protection as well as relevant sectoral regulation apply to categories of workers listed by the Committee in full including access to health monitoring (Art. 213 of the Labor Code of the Russian Federation) and representation at the workplace (Art. 29-31 of the Labor Code the Russian Federation). The legislation does not set specific conditions or exemptions from the general conditions of workers access to health monitoring and representation of workers at the workplace.

Differentiation by frequency and specificity of medical monitoring is installed for certain categories of workers in connection with the characteristics of their industry, profession or activity (athletes, aviation personnel, etc.), working conditions (harmful, dangerous), location of their work (the Extreme North) and other characteristics, not related with the term of the employment contract between the parties.

The Committee requested a detailed information if the laws and regulations on occupational safety and health covered independent workers, workers at home as well as domestic staff.

The Russian legislation and regulations on occupational safety and health are equally cover all workers regardless of nature of the contract between the parties (employment contract for workers or civil contract for so-called "independent workers", ie in terms of the Russian law - executors), nature of work (domestic staff) or place of its execution (homeworkers).

According to art. 211 Labor Code of the Russian Federation, the state normative labor protection requirements shall be mandatory for fulfillment by all legal entities and individuals during the performance by them of any types of activity, including during the design, construction (renovation), and operation of facilities, the construction of machines, mechanisms, and other equipment, the development of production processes, and the organization of production and labor. According to art.

212 Labor Code of the Russian Federation, An employer shall be charged with obligations to ensure safe conditions and labor protection (including the employer- natural person who employs domestic staff).

The Labor legislation provides a number of features in the sphere of occupational safety and health that do not affect the scope of rights of the mentioned categories of workers.

Thus, home workers are covered by the labor legislation and other acts containing norms of labor law, with the features established by the Labor Code of the Russian Federation (Art. 310 of the Labor Code). These features include the enhanced legal protection of workers' health so jobs assigned to homeworkers may not involve any medical contraindications for those workers and must be performed in conditions that meet workplace safety requirements. (Art. 311 of the Labor Code).

Labor Code established features of investigation when the subject matter of an investigation is an accident at an employer being a natural person. According to Art. 229 of the Labor Code of the Russian Federation the following persons shall take part in the investigation: the employer or his empowered representative, an empowered representative of the victim, a labour protection specialist who may be invited to investigate the accident under a contract. .

When investigating an accident that occurred to a person who has been sent to another employer to perform work and who has taken part in that employer's production activity shall be investigated by a commission formed by the employer at which the accident took place. The commission shall include a representative of the employer that sent the person. The failure to appear or a late appearance of said representative shall not be deemed grounds for changing the term for completion of the investigation (according to Art. 229, 341.2 and 341.4 of the Labor Code of the Russian Federation).

The Committee also requested information on any possible restrictions depending on the number of employees as well as on measures taken in order to monitor implementation of these laws and regulations in practice.

Restrictions regarding requirements for employers on occupational safety and health are established in the Labor Code and other regulations. These restrictions are aimed at supporting small businesses, preserving jobs in the medium, small and micro-enterprises. Restrictions center around reduction of the organizational burden on those employers.

For example, according to the article. 217 of the Labor Code, each employer performing production activity with a contingent of more than 50 employees shall establish a labor protection service or introduce the position of a labor protection specialist possessing appropriate training or work experience in the field. An employer having up to 50 employees shall adopt a decision on setting up a labor protection service or the position of labor protection specialist with due regard to the specific nature of the employer's production activity ".

According to paragraph 14 of the Recommendations on Labor protection service in enterprises (approved by the Decree of the Ministry of Labor of Russia № 14 dd 08.02.2000, the number 14,

amended 12.02.2014) the structure of services and number of workers of the Service is determined by the head of enterprise depending on: number of workers; working conditions; production severity and other factors. And he\she should take into account The Inter-industry standards for labor protection service in enterprise (approved by the Decree of the Ministry of Labor of Russia № 10 dd 22.01.2001, amended 02.12.2014).

According to paragraph 15 of the Recommendations, if number of workers does not exceed 50, head of the enterprise may impose obligations on labor protection to another specialist or another person (with his\her consent), which, after appropriate training and testing along with the main work will be to perform a job of a labor protection specialist. The paragraph 16 of the Recommendations gives the head of the enterprise the right to conclude a contract with specialists or organizations providing services in the sphere of occupational safety and health if his\her enterprise does not have the Service (Specialist) on labor protection.

According to paragraph 1.11 of the Inter-industry standards if the company has 400 and workers, the number of occupational safety and health service workers is calculated separately for each unit. The unit means separate production companies, workshops, road transport, housing and communal services departments included in the structure of the enterprise located at different production sites and having finished production cycle. According to paragraph 3.1.1 of the Inter-industry standards, for the enterprise with an average number of workers (in the absence of workers engaged in heavy and associated with harmful and dangerous working conditions) up to 700 people the function of the Labor protection services can be perform by individual experts on labor protection. The Labor protection bureau or department is established for the enterprises with a bigger number of workers. The bureau consists of 3 - 5 workers (including the chief), department consists of 6 workers and more. The Inter-industry standards give a table with the ratio of average number of workers, number of independent units of structural subdivisions and standard number of Labor protection service workers. This data is used in planning of labor protection measures, drawing up reports according to established forms and documentation in the enterprise.

In turn, in accordance with Article 18 of the Federal Law № 426-FZ dd 28.12.2013, "On special assessment of working conditions", the Federal state information system for results of the working conditions special assessment includes number of workers working for the employer on a particular workplace. Details of this system are used by the Ministry of Labor and Social Protection of the Russian Federation, Rostrud, Social Insurance Fund and other supervisory and control authorities and executive bodies of subjects of the Russian Federation in the sphere of occupational safety and health in the implementation of the objectives of the special assessment. In particular, these data allow us to determine the relative number of workers with hazard working conditions with specific degrees with respect to the total number of workers for specific employers also it is possible at the level of the subjects and Federation as a whole.

Certain restrictions (exceptions to the general provisions on labor protection depending on number of workers) have also been established in some areas. For example, according to the POT R O-

14000-004-98 "Regulation. Technical operation of industrial buildings and structures", with 50 to 300 workers there should be a health center (area - 12 m2 with a listed number of workers upto 150 and 18 m2 with the listed number of workers 151 - 300). When the listed number of workers is more than 300 people there should be feldsher's health center. Similar standards are contained in other sectoral instruments including sectoral agreements. For example, paragraph 6.3. Sectoral agreements for the Federal Security Service of the Russian Federation for 2014 - 2016 (approved by the Federal Security Service of Russia, Trade unions of security authorities workers of the Russian Federation dd 25.12.2013) prescribes the employer (in consultation with the elected trade union) to define units (workers) that monitor occupational safety and health in accordance with the current regulations for number of workers and create the necessary working conditions for them.

With regard to law enforcement in the sphere of occupational safety and health, the measures are set in the Labor Code, Code of Administrative Offenses of the Russian Federation and Criminal Code of the Russian Federation and procedural aspects are set in the relevant administrative regulations and provisions. According to Art. 210 of the Labor Code to the main state policy guidelines in the sphere of labor protection include, among others:

- federal state supervision over the observance of labor legislation and other regulatory legal acts containing labor law rules that comprises the conduct of inspections as to the observance of the state regulatory requirements for labor protection ;

- assisting in the public monitoring of the observance of workers' rights and lawful interests in the area of labor protection .

According to Art. 220 of the Labor Code of the Russian Federation, in the interests of preventing and eliminating violations of state normative labor protection requirements, the state shall organize and implement federal state supervision of the observance thereof, and shall determine the liability of employers and officials for violations of those requirements. .

There is an administrative and criminal liability for violation of labor protection requirements contained in federal laws and other normative legal acts of the Russian Federation, except in certain cases.

The administrative control (supervision) functions are assigned to Rostrud and its territorial bodies (labor inspection in the regions). The subject of supervision is the observance of labor law by employers; compliance of information in the notifications on the start of activity submitted by employers with the mandatory requirements; measures to prevent harm to life and health of workers and violation of their labor rights.

Measures to ensure compliance with laws and regulations on occupational safety established by the criminal law are applied by court order.

Trade union monitoring of compliance with laws and other normative acts on labor protection is performed by the all-Russian trade unions and their associations as well as interregional and regional

associations through the creation of technical and legal inspectorates of trade union labor (Part 3 of Art. 370 of the Labor Code).

According to part 5 of Art. 370 of the Labor Code, the employer does not interfere with inspectorate's work. Moreover, in accordance with paragraph 1 of Art. 19 of the Federal Law of 12.01.1996, № 10-FZ "On Trade Unions, their Rights and Guarantees", within one week from the day of receiving a demand to eliminate discovered violations, employers and other officials shall be required to inform the relevant trade union body of the results of their review of the given demand and measures taken. According to Art. 27 of the Labor Code, if the employer does not agree with the decision of the trade union legal inspector, he\she should send a reasoned opinion in written form to the inspector. He\she also has the right to be consulted as part of the solution of this issue.

Persons authorized (empowered) by trade unions for matters of workplace safety shall be entitled to monitor compliance with workplace safety requirements without hindrance, and submit proposals for removing discovered violations of workplace safety requirements, consideration of which shall be binding upon the organization's officials or employers being individual entrepreneurs.

In accordance with Part 6 of Art. 370 of the Labor Code, trade union labor inspectors shall be entitled to :

- monitor employers' compliance with labor law and other legal regulatory acts containing labor law norms;
- conduct independent expert review of working conditions and provisions for worker safety;
- take part in investigations of industrial accidents and work-related illnesses;
- obtain information from the heads and other officials of organizations, employers being individual entrepreneurs on the state of working conditions and workplace safety, and also on all industrial accidents and work-related illnesses;
- defend the rights and lawful interests of trade union members on issues of restitution for harm caused to their health at work;
- present demands to employers that operations be suspended in the event of an imminent threat to the lives and health of workers;
- send employers reports with demands to eliminate discovered violations of the labor legislation and other legal regulatory acts containing labor law standards, consideration of which shall be mandatory;
- conduct audits of the state of working conditions and workplace safety, and of employers' fulfillment of obligations stipulated in collective negotiations and other agreements;

- take part in the work of commissions for the testing and accepting for operation of means of production as independent experts etc .

In addition, trade union labor inspectors shall be entitled presenting official ID to visit without hindrance any employers where members of the given trade union or unions belonging to an association are employed, in order to check on compliance with labor law, other legal regulatory acts containing labor law norms, and laws on trade unions and compliance with the terms of collective agreements and agreements (including labor protection legislation), law on trade unions and collective agreement (paragraph 5.1. of the Regulation on technical labor inspection FITUR, approved by the Decision of the Executive Committee of the Federation of Independent Trade Unions of the Russian Federation № 5-17 dd 10.13.2014).

In monitoring compliance with labor law and other legal regulatory acts containing labor law norms, compliance with the terms of collective agreements and agreements, all-Russian trade unions and associations thereof may create legal and technical inspectorates of trade union labor, which shall be granted powers provided in regulations approved by the all-Russian trade unions and associations thereof.

Interregional and regional associations of trade union organizations that are active within the territory of a constituent member of the Russian Federation may create legal and industrial inspectorates of trade union labor, which shall operate on the basis of regulations they adopt in accordance with the standard regulation of the corresponding all-Russian association of trade unions. .

The Committee requested to present concrete examples of consultation with employers 'and workers' associations and measures aimed at the adoption or amendment of laws, other regulations and standards. (RTC)

The answer is partly given above in the commentary to paragraph 1 of Article 3 of the European Social Charter.

The Labor code of the Russian Federation states that the procedure for elaborating, approving and amending subordinate legislative acts containing state normative labor protection requirements, including labor safety standards, shall be established with account taken of the opinion of the Russian Trilateral Commission for Regulating Social-Labor Relation (Art. 211 of the Labor Code). Certain issues which take into account the opinion of RTC are detailed in the Labor Code (when establishing procedure for professional risk assessment, procedure for employers training on occupational safety and health and testing of knowledge of labor protection requirements, etc..).

The main objectives of RTC include, among other things, consultation on issues related to the development of draft federal laws and other normative legal acts of the Russian Federation in the sphere of social and labor relations (in accordance with the Federal Law № 92-FZ dd 01.05.1999 "On the Russian Trilateral Commission for Regulating Social-Labor Relation").

In addition, the RTC has a right to develop and submit to the federal bodies of state power proposals for the adoption of federal laws and other normative legal acts of the Russian Federation in the sphere of social and labor relations in a prescribed manner.

Draft legislative acts, normative legal and other acts of executive governmental bodies and local self-government bodies in the area of labor, and also the documents and materials required for the discussion thereof shall be sent for consideration to the RTC by the federal governmental bodies, governmental bodies of subjects of the Russian Federation or local self-government bodies which adopt the said acts. The decisions of relevant commissions on regulation of social-labor relations or the opinions of the parties thereto (statements by relevant trade unions (associations of trade unions) and associations of employers) concerning the draft legislative acts, normative legal and other acts of executive governmental bodies and local self-government bodies sent to them must be examined by the federal governmental bodies, governmental bodies of subjects of the Russian Federation or local self-government bodies which adopt the said acts (Art. 35.1 of the Labor Code).

For example, Article 8 of the Federal Law № 426-FZ 28.12.2013 "On special assessment of working conditions", the technique of special assessment of working conditions is being approved by the Ministry of Labor and Social Protection of the Russian Federation taking into account the opinion of the Russian Trilateral Commission for Regulating Social-Labor Relation.

Paragraph 3 of Article 3.

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organizations:

3. to provide for the enforcement of such regulations by measures of supervision;

In accordance with p.1 art. 210 LC RF the basic guidelines of state policy in the Field of Labor Protection include, in particular, areas related to supervision for implementation of normative legal acts in the area of the right to health and safety at work:

state administration for protection of labor;

federal state supervision over the observance of labor legislation and other regulatory legal acts containing labor law rules that comprises the conduct of inspections as to the observance of the state regulatory requirements for labor protection (Federal Law № 247 – FZ dd 18.07.2011 [6] changed this provision so it reflects that the state supervision includes "inspection as to the observance of the state regulatory requirements for labor protection »).

assisting in the public monitoring of the observance of employees' rights and lawful interests in the area of labor protection;

investigating, and keeping record of, accidents at work and occupational disease cases;

arranging for the gathering of state statistic data on working conditions, industrial injuries, occupational disease incidence and the material consequences thereof;

ensuring the running of a uniform labor protection information system.

According to p.2 art.210 LC RF the implementation of the basic guidelines of state policy in the field of labor protection shall be ensured by the coordinated actions of the Russian Federation's state government bodies and local self-government bodies, employers, associations of employers, as well as trade unions, their associations, and other representative bodies authorized by employees with regard to issues of labor protection..

According to p.2 art.216 LC RF federal executive government bodies that have been afforded the right to perform individual functions of standard legal regulation and special authorization, supervisory, and monitoring functions in the field of labor protection shall be obligated to harmonize the decisions made by them in the field of labor protection and to coordinate their activity with the federal executive body exercising the functions of normative legal regulation in the labor area..

State administration of labor protection on the territories of Russian Federal entities shall be accomplished by federal executive government bodies and executive government bodies of Russian Federal entities in the field of labor protection to the extent of their authority. Certain powers of state administration of labor protection may be conferred on local self-government bodies in the procedure and on the terms defined by federal laws and laws of subjects of the Russian Federation (p.2 art.216 LC RF).

For the purpose of state management of labor protection, the bodies of executive power of the entities of the Russian Federation in the field of labor protection shall (p.3 art.216 LC RF):

ensure the realization on the territory of an entity of the Russian Federation of state policy in the field of labor protection and of the targeted programs for improving the conditions and protection of labor;

elaborate and approve the territorial targeted programs for improving the conditions and protection of labor and ensure control over their fulfillment;

organize the collection and processing of information about the state of labor conditions and protection with employers carrying out activity on the territory of the Russian Federation;

perform other authority in the sphere of state management of labor protection which are not under the authority of the federal bodies of executive power, in accordance with laws and other normative legal acts of subject of the Russian Federation.

Accidents at work

Recording and investigation of accidents in the Russian Federation shall be exercised in accordance with the provisions of the Labor Code (Articles 227-231), Regulation on investigation of accidents at work in individual industries and companies developed in accordance with art.229 LC RF

and Decree of the Government of the Russian Federation № 653 dd August 31, 2002 "on forms of documents required for investigation and recording of accidents at work and especially the investigation of accidents at work."

These regulations establish requirements for organizing and conducting the investigation, registration and recording of accidents at work occurring in companies and employers - individuals with different categories of workers (citizens). In 2010-2014, these documents have not been amended other than drafting changes aimed at changing the terminology and bringing the names of state authorities in accordance with other legal acts.

Permanent platform for discussion including OSH issues and monitoring of implementation of normative legal acts to ensure the effective exercise of the right to working conditions that meet safety and hygiene requirements, is the Russian tripartite commission on regulation of social and labor relations (RTC). The objectives of the RTC are, in particular, promotion of contractual regulation of social and labor relations at the federal level; counseling on issues related to the development of draft federal laws and other normative legal acts of the Russian Federation in the sphere of social and labor relations, federal programs in the sphere of labor and employment of migrant workers, social security etc.; coordination of parties' positions in key areas of social policy. A working group №5 was established within the RTC for protection of labor rights, protection of labor, industrial and environmental safety, which examines in details the issues related to occupational safety and health.

Activities of labor inspectorate

In the previous report we presented provisions of the legislation regulating the activities of the State Labor Inspectorate in this sphere. Currently, the organization of work and authorities of the federal labor inspection on implementation of the federal state supervision in the sphere of labor is governed by:

ILO Labor Inspection Convention № 81 (1947) and Protocol (1995) ratified by the Federal Law № 58-FZ of April 11, 1998;

Labor Code of the Russian Federation;

Code of Administrative Offences;

Federal law № 294-FZ of December 26, 2008 "On protection of the rights of legal entities and individual entrepreneurs in the exercise of state control (supervision) and municipal control";

Federal Law № 59-FZ of May 2, 2006 "On order of complaint examination of citizens of the Russian Federation";

Regulations on the federal state supervision over the observance of labor legislation and other normative legal acts containing standards of labor law approved by the Decree of the Government of the Russian Federation № 875 of September 1, 2012;

The Decree of the Ministry of Economic Development of the Russian Federation № 141 of 30.04.2009 (as amended on 30.09.2011) "On implementation of the provisions of the Federal Law "On protection of rights of legal entities and individual entrepreneurs in the exercise of state control (supervision) and municipal control ";

The Order of Rostrud № 14 of January 24, 2011 "On approval of the recommendations on application by Rostrud officials and its territorial bodies of the Federal Law № 294-FZ of December 26, 2008 " On protection of rights of legal entities and individual entrepreneurs in the exercise of state control (supervision) and municipal control " during the supervision and control over compliance with labor legislation and other normative legal acts containing standards of labor law ';

Decree of the Ministry of Health and Social Development of Russia № 1065n of September 21, 2011 "On approval of the Administrative Regulations for the Federal Service for Labor and Employment realization of the state function for exercise of the federal state supervision over compliance with the established procedure for investigation and recording of accidents at work";

Decree of the Ministry of Health and Social Development of Russia №132n of November 7, 2011 " On approval of the Administrative Regulations for the Federal Service for Labor and Employment realization of the state function for exercise of the federal state supervision over compliance with requirements aimed at realization of rights of workers, provision of compulsory insurance against industrial accidents and occupational diseases as well as procedure of appointment, calculation and payment of temporary disability benefits at the expense of the employers';

Decree of the Ministry of Health and Social Development of Russia № 581n of May 18, 2012 " On approval of the Administrative Regulations for the Federal Service for Labor and Employment on provision of public service of informing and advising employers and workers on the enforcement of labor laws and other normative legal acts containing standards of labor law";

Order of the Ministry of Labor of Russia № 355n of 30.10.2012 "On approval of the Administrative Regulations of the Federal Service for Labor and Employment on provision of public service of reception and recording of notification on the beginning of production of certain types of PPE by legal entities and individual entrepreneurs" (Registered in the Ministry of Justice of Russia № 27045 of 02.13.2013);

Order of the Ministry of Labor of Russia №354n of October 30, 2012 " On approval of the Administrative Regulations of the Federal Service for Labor and Employment' realization of the state function for exercise of the federal state supervision over compliance with labor legislation and other normative legal acts containing standards of labor law."

The legislation was amended in 2010-2014.

In particular, in 2011, the new edition is presented to art.352 LC RF, and also a new Article 352.1 was included into the Labor Code.

In accordance with a new version of the art.353 LC RF the federal state supervision over the observance of labor legislation and other regulatory legal acts containing labor law rules shall be exercised by the federal labor inspectorate in the procedure established by the Government of the Russian Federation. The state control (supervision) over the observance of the requirements for the safety of works in specific areas of activity shall be exercised in compliance with the legislation of the Russian Federation by authorized federal executive power bodies.

According to art.353.1 LC RF the departmental control over the observance of labor legislation and other regulatory legal acts containing labor law rules in subordinate organizations shall be exercised by federal executive power bodies, executive power bodies of constituent entities of the Russian Federation and local authorities in the procedure and under the terms which are defined by laws of the Russian Federation and laws of constituent entities of the Russian Federation.

Significant changes were made to the art.360 LC RF governing the inspections by state labor inspectors. In 2011, and 2013 the following new provisions relating to planned and extraordinary inspections were included:

As the subject of an inspection shall be seen satisfaction by an employer while exercising activities thereof the requirements of labor legislation and other regulatory legal acts containing labor law rules, execution of orders to remove violations detected in the course of inspections and to take measures aimed at preventing violations of labor law rules and protection of citizens' labor rights.

As the ground for holding an extraordinary inspection shall be deemed the following:

expiry of the time period for execution by an employer of an order to eliminate the detected failure to satisfy the requirements of labor legislation and other regulatory legal acts containing labor law rules issued by the federal labor inspectorate;

receiving the following by the federal labor inspectorate:

appeals and applications of citizens, including individual businessmen, and of legal entities, information from state power bodies (from officials of the federal labor inspectorate and other federal executive power bodies exercising state control (supervision), form local authorities, trade-unions from mass media about employers' failures to satisfy the requirements of labor legislation and of other regulatory legal acts containing labor law rules, in particular the requirements for labour protection that have entailed the threat of inflicting harm upon life and health of employees;

an appeal or application of an employer as to violation by the employer of labor rights thereof;

an employee's request for inspecting the labor conditions and protection at the working place thereof in compliance with Article 219 of LC RF;

availability of the instructions (order) of the head (deputy head) of the federal labor inspectorate to hold an extraordinary inspection issued in compliance with the instructions of the President of the Russian Federation or the Government of the Russian Federation or on the basis of a public prosecutor's

demand to hold an extraordinary inspection within the framework of supervision over the observance of laws on the basis of the materials and applications received by organs of the prosecutor's office.

An extraordinary visiting inspection for the reason cited in par.4 of p.7 art. 360 may be held immediately notifying an organ of the prosecutor's office in the procedure established by federal law without its coordination with the bodies of the prosecutor's office.

It is not allowed to notify an employer in advance about an extraordinary visiting inspection for the reason cited in Paragraph Four or Five of Part Seven art 360.

The specifics of holding inspections of satisfaction of the requirements of labor legislation and other regulatory legal acts containing labor law rules at the organizations which are subordinate to federal executive power bodies in charge of defense, security, internal affairs, penal execution and to the authorized governing body as to the atomic energy use shall be established by the President of the Russian Federation or by the Government of the Russian Federation.

Based on art.360 LC RF Government approves the procedure for the federal state supervision over the observance of labor legislation and other normative legal acts containing standards of labor law. The Government of the Russian Federation issued a Decree № 875 dd 01.09.2012 "On approval of the Regulations for the federal state supervision over the observance of labor legislation and other normative legal acts containing standards of labor law" (hereafter referred to as – the Regulations), and on 13/07/2015 the said decree was amended.

According to par. 2 of the Regulations the federal state supervision in the sphere of labor is performed by the Federal Labor Inspectorate consisting of the Federal Service for Labor and Employment and its territorial bodies (State Labor Inspectorate) in respect of any employers (legal persons (organizations), irrespective of the legal form and the form of ownership of employers - natural persons having labor relations with workers) as well as other entities which, in accordance with the federal laws are entitled to conclude contracts of employment (hereafter referred to as - the employers).

According par. 4 of the Regulations the subject of the federal state supervision in the sphere of labor is compliance with labor legislation and other normative legal acts containing standards of labor law including compliance with state regulatory requirements of labor protection as well as execution of orders to eliminate violations found during federal state supervision in the sphere of labor and conduct activities to prevent violations of mandatory requirements and protect labor rights of workers.

According to par. 5 of the Regulations timing and sequence of procedures for the implementation of the federal state supervision in the sphere of labor established is by the administrative regulations.

This regulation was approved by order of the Ministry of Labor of Russia № 354n dd 30.10.2012 2012 " On approval of the Administrative Regulations of the Federal Service for Labor and Employment' realization of the state function for exercise of the federal state supervision over compliance with labor legislation and other normative legal acts containing standards of labor law."

According to par. 8 of the Regulations planned and extraordinary inspections are performed in the form of documentary inspections and (or) field inspections in the manner prescribed by the Federal Law "On protection of the rights of legal entities and individual entrepreneurs in the exercise of state control (supervision) and municipal control" with regard to the specifics established by the Labor Code. Planned inspections are performed by the state labor inspectors on the basis of annual plans developed under the authority of the federal labor inspection no more than once every 3 years (par.9 of the Regulations).

The procedure for preparation of plans for planned inspections by the bodies of state control (supervision), their approval and submission to the prosecuting authorities, exclusion from the annual plan as well as a standard form of the annual plan guiding the Federal Labor Inspectorate, approved by the Decree of the Government of the Russian Federation № 489 dd 30.06.2010 "On approval of Procedures for preparation of the annual plan of planned inspections of legal entities and individual entrepreneurs by bodies of state control (supervision) and municipal control"

The term of each inspection (par. 12 of the Regulation) may not exceed 20 working days; for employers - small enterprises overall duration of the planned field inspection may not exceed 50 hours for small enterprises and 15 hours for micro enterprises per year. In exceptional cases relating to the need for complex and (or) long-term studies, tests, special examinations and investigations on the basis of motivated proposals of state labor inspectors conducting planned field inspection, the duration of the planned field inspection may be extended by the head of the Federal Service for Labor and Employment or State labor inspection, but no more than 20 days, for small enterprises - no more than 50 hours, in respect mirco enterprises- not more than 15 hours.

Par.13 of the Regulations provides for the rights of state labor inspectors including in particular, the right to visit the employer at any time for inspections; receive the requested explanations and information from the employer; to seize samples of substances and materials for research; investigates accidents; demand the elimination of violations, punishment and dismissal of responsible persons; require the elimination of legal persons in court; require the suspension of workers who have not studied the requirements of labor protection; prohibit the use of personal protective equipment that does not meet the requirements; draft documents on administrative responsibility and examine some administrative.

As a result of the inspection the state labor inspector make a report in the prescribed form (par. 14 of the Regulation). Decisions made by the state labor inspectors with violations of the requirements to their organization and performance are repealed by the head of Federal service for labor and employment and chief state labor inspectors of the Russian Federation. Decisions of state labor inspectors made as a result of the inspection may be appealed to the relevant Head by subordination, chief state labor inspector of the Russian Federation and (or) in court. The decisions of the Chief State Inspector of the Russian may be appealed in court.

As a result of the inspection the state labor inspectors are taking measures to prevent, detect and suppress violations of the mandatory requirements by employers, and bring the responsible persons to justice in accordance with legislation of the Russian Federation (par. 15 of the Russian Federation).

Thus, in the Russian Federation at the legislative level, measures are taken necessary to monitor the implementation of normative legal acts to ensure the effective exercise of the right to working conditions that meet safety and hygiene requirements. Such measures are applied on the basis of consultation with employers 'and workers' organizations.

The European Committee of Social Rights in the Conclusion 2013 requested detailed information about the obligation to report accidents at work and all the measures taken to resolve the problem of possible non-declared cases in practice.

The above-mentioned regulations including the provision of information about the facts of accidents for the recording apply to the following categories of persons:

a) to all employers in all sectors including employers - individuals;

b) individuals who are in labor relations, including:

- workers who perform work under employment contract including labor contracts concluded for a period of up to two months or for seasonal work, part-time, home-workers;

- students and pupils of educational institutions, undergoing practical training in institutions or employers - individuals);

- persons sentenced to imprisonment and attracted to work;

c) other persons with the consent of the employer (or a representative thereof) involved in production activities with their personal labor and whose legal relationship does not involve the conclusion of employment contracts including:

- military personnel, students and pupils of educational institutions the appropriate level sent to the organization to perform construction, agricultural and other work not related to military service or educational process;

- employers' family members - individuals (heads of peasant farmers), members of cooperatives, members of business partnerships or other companies working for them (in them) at their own expense;

- members of boards of directors (supervisory boards) of organizations (except for persons who have concluded a labor contract with the given organization);

- nationals by the decision of the competent authority attracted to perform community service or civil service;

- third-party workers sent at an agreement between the employers in order to provide practical assistance in the organization of production;

- persons undergoing scientific and pedagogical and scientific training in the system of post-graduate vocational education (graduate and doctoral students);

- persons who undergo re-training under an apprenticeship contract;

- persons suffering from mental disorders who take part in production work at production health-treatment enterprises for the purpose of labor therapy according to medical recommendations.

The following shall be subject to investigation as accidents in the established procedure: events resulting in bodily harm (injuries) including these inflicted by other persons; heat stroke; burns; chilblains; drowning; electrocution; lightning strike; radiation exposure; bites and other bodily harm inflicted by animals and insects; damage due to explosions and accidents/breakdowns, the demolition of buildings, installations and structures, natural calamities and other extraordinary circumstances, other injury to health due to external factors which has caused the need for transferring the victim to another job, a temporary or persistent lack of ability to work or death of the victims if the said occurrences took place:

a) during working hours or work on the instructions of the employer (his representative) including during a business trip as well as during performance of other legal actions in the interests of the employer including those aimed at the prevention of accidents, disasters and other situations of an emergency nature;

b) on the territory of the organization, other facilities and areas assigned to the organization according to the right of ownership or lease (hereafter referred to as – territory of the organization) or another place of work during working hours (including established breaks) including traveling to the place of work from the place of work) and during the time needed to clean up tools, clothing, etc. before and after work or during the performance of work outside the working hours on days-off and public holidays;

c) while travelling to the place where work is performed or back by a vehicle provided by the employer (by the third party according to the contract concluded with the employer) or by personal vehicle if the personal vehicle is used for production (service) purposes on the instructions of the employer (of a representative of the employer) or by agreement of the parties to a labor contract;

d) during service travels by a public transport vehicle and also while travelling on the instructions of the employer (of a representative of the employer) to the place where work is performed and back, including, on foot;

e) while travelling to the destination of a business trip and back,;

f) while travelling by a vehicle as a shift man during an inter-shift leisure period (a shift driver of a vehicle, conductor or mechanic of a train refrigerator car, a member of the team of a train post car etc.);

g) when work is performed by the long-shift method during an intershift leisure period, and also while staying aboard a craft/vessel (air, sea or river) during an off-watch and off-duty period;;

h) recruited in the established procedure to take part in the work of preventing a catastrophe, disaster or other extraordinary circumstances or in the work of elimination of the aftermath thereof.

The same procedure is used for investigation and recording of accidents occurred with the employers themselves - individuals and their authorized representatives during work or other activities due to labor relations with workers.

Also accidents involving employees and other persons who take part in the production activity of an employer when they execute their labor duties or when they perform any work on the instructions of the employer (or a representative thereof) and also when they commit other lawful actions determined by labor relations with the employer or accomplished in the interests of the employer are subject to investigation and recording

Thus, the recording involves obtaining information on accidents related to work not only regarding workers but also other persons.

The problem of possible non-declared accidents in practice, the Committee had requested in the Conclusion 2013, is solved by a number of measures.

Firstly, in recent years targeted measures have been taken to legalize informal labor relations.

In particular, the Federal Law № 421 of 28/12/2013 amended the Labor Code of the Russian Federation in order to prevent the conclusion of civil contracts instead of employment contracts as well as to legalize actual labor relations concluded not in accordance with the law. Thus, Article 15 of the Labor Code "Labor relations" was supplemented by part 2, according to which "The conclusion of civil law contracts effectively regulating the employment relationship between the worker and employer is not allowed." Article 16 of the Labor Code includes the grounds of the employment relationship as the "recognition of the relations connected with the use of personal labor and emerged on the basis of a civil contract as labor relations" and states that " actual permit of worker to work without the knowledge or instruction of the employer or a representative thereof is prohibited " Also, a new art. 19.1 was added to the LC RF "employment relationship arising out of an employment contract as a result of recognition of relations connected with the use of personal labor and emerged on the basis of a civil contract as labor relations," which provides that "the recognition of relationships that have arisen on the basis of a civil contract as labor relations can be performed by:

person using personal labor and is the customer under this agreement, on the basis of a written application of an individual being the executor under this agreement, and (or) under the order of the state labor inspector not appealed in court in the established manner;

court in case if an individual is a contractor under this agreement applied directly to the court, or according to materials (documents) directed by the state labor inspectorate, other bodies and persons with the necessary authority in accordance with federal laws.

In the event of termination of relations involving the use of personal labor and emerged on the basis of a civil contract, the recognition of these relationships as labor relations by the courts.

Irremediable doubt when considering disputes on the recognition of relationships as labor relations by courts that have arisen on the basis of a civil contract, shall be interpreted in favor of the existence of the labor relations.

If the relationship associated with the use of personal labor emerged on the basis of a civil contract but were later recognized as labor relations, such labor relations between the worker and employer are considered to arise from the date of actual permit of an individual who was the executor under this agreement, to the execution of the obligations provided by the specified agreement."

Finally, a new article 67.1 was introduced "The consequences of the actual permit to work by an unauthorized person" which provides that "if an individual was actually permitted to work by a worker unauthorized by the employer, and the employer or an authorized representative thereof refuses to recognize the relations arising between the person who was actually permitted to work and this employer as labor relations (to conclude the employment contract with a person actually admitted to work), the employer (the work was accomplished in the interests of thereof) is obliged to pay such individual for actual hours worked (accomplished work).

A worker permitted an individual to work without authorization of the employer shall be held liable including material liability in the manner prescribed by this Code and other federal laws. "

The regions perform a comprehensive monitoring of enterprises that are in the shadow employment zone. Taking into account changes in legislation and inspections performed by the state labor inspectorate according to the information available to the Minister of Labor and Social Protection Mr. M. Topilin, as from 2015, 2.6 mln people were legalized. [70]

Second, the State Labor Inspectorate takes targeted measures to identify and investigate the hidden accidents at work.

One of the directions of the state labor inspectors is to work for the implementation of state supervision over the observance of the established procedure for the investigation of accidents at work; they take systematic measures to identify the facts of concealment of occupational accidents by employers.

The main forms of work of officials of the federal labor inspection in this area are:

thematic inspections of organizations on compliance with the established procedure for investigation and recording of accidents at work;

conducting targeted inspections on the appeals of citizens who suffered as a result of accidents at work, and (or) relatives of the victims;

data reconciliation from medical organizations (including forensic examination bodies) in order to identify information about the injured (dead) workers;

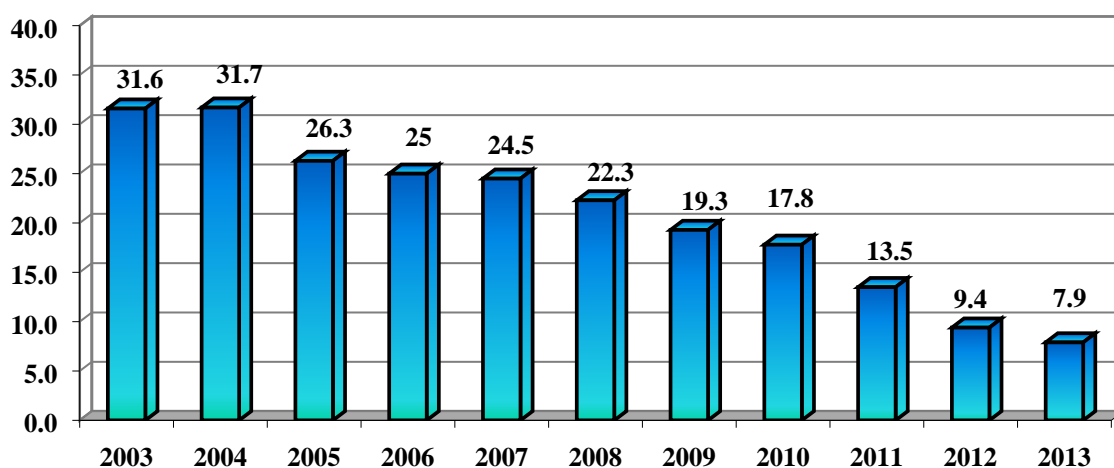
reconciliation of operational data about the victims of accidents at work with the regional offices of the Social Insurance Fund of the Russian Federation;

data reconciliation on accidents at work with law enforcement authorities including prosecutor's offices;

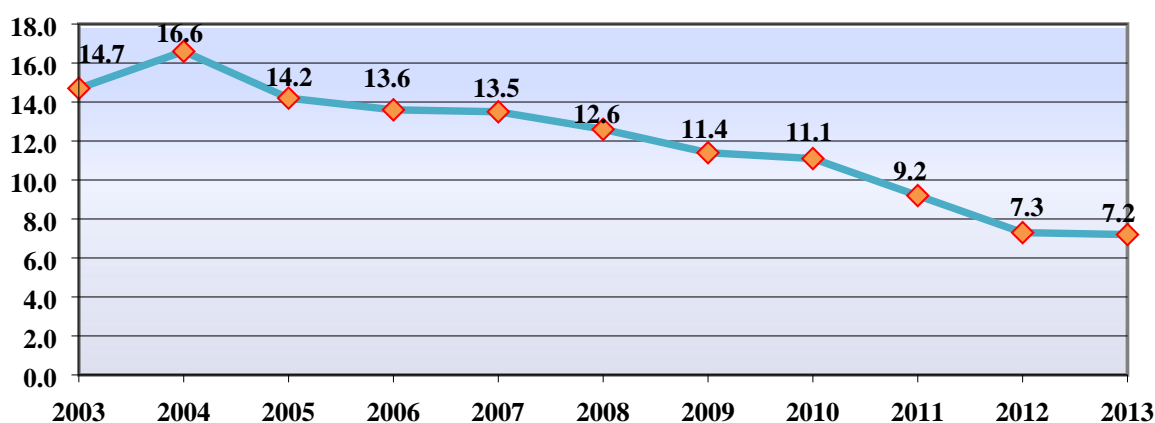
media monitoring;

check the information contained in the received registration forms № 59-IPV/u "Notice of victims of accidents at work, delivered or sent to the medical institution" approved by Order of the Ministry of health and social development of Russia № 1045n of December 30, 2009.

So, in 2013, there were 7.94 thous. inspections regarding the investigation of accidents and as a result 18.5 thous. various violations were found out. In this case, in 2013 One State labor Inspector (OSH) performed more than 7 inspections on this matter and revealed more than 16 violations. Information on inspections performed by the state labor inspectors, number of inspections performed by one inspector in the previous years is shown in Figures 1-2; number of violations in this area over the years and by one inspector is shown in Figures 3-4.

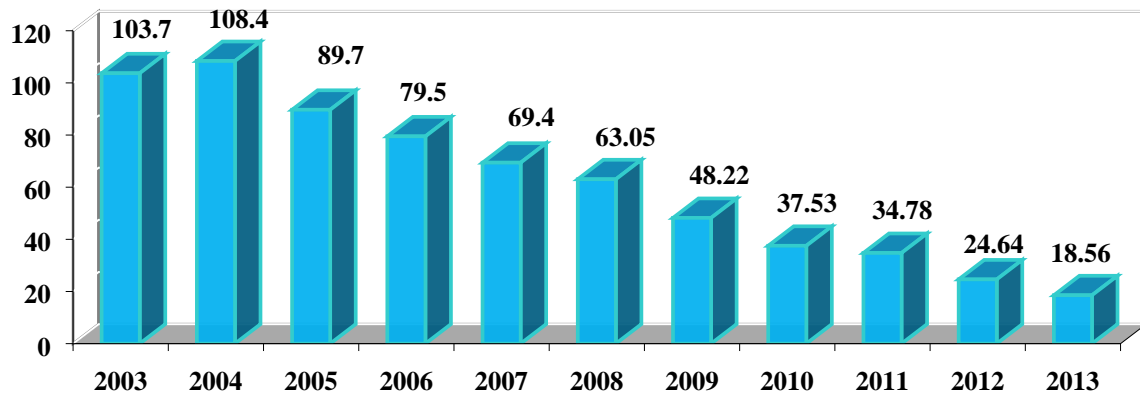


■ Number of inspections for compliance with the established procedure for the investigation of accidents at work, total (thous.)

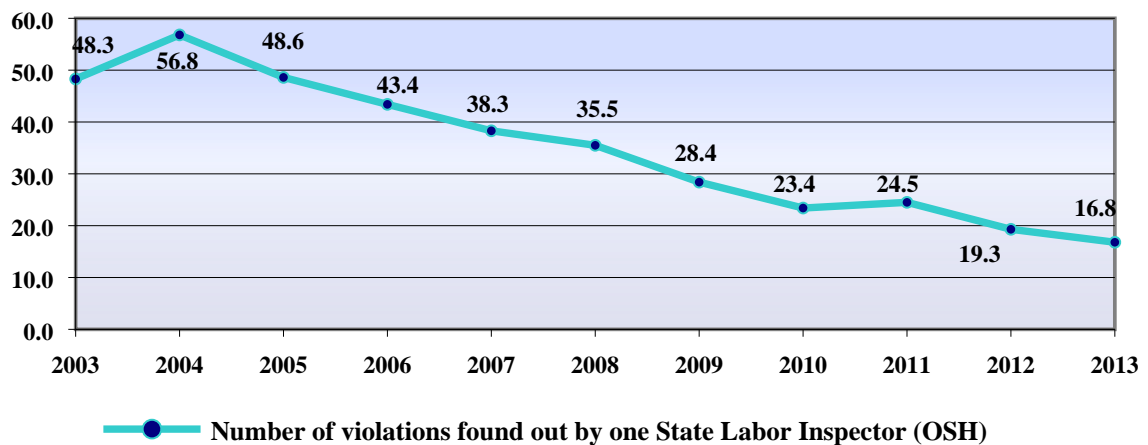


◆ Number of inspections for compliance with the established procedure for the investigation of accidents at work by one S Labor Inspector (OSH)

Figures 1-2. Information on number of inspections for compliance with the established procedure for the investigation of accidents at work performed by state labor inspectors in 2003-2013.



Information on number of violations of the established procedure for investigation of accidents at work found out by one State Labor Inspector (OSH)



Figures 3-4. Information on number of identified violations of established procedure for the investigation of accidents at work (thous.)

As a result of control (supervision) over observance of the established procedure for the investigation of accidents at work performed by the state labor inspectorates the following cases were identified and investigated in the prescribed manner: in 2013 - 1112 concealed accidents at work (8.9% of the total number of cases investigated in 2013) including 41 group accidents, 612 serious accidents and 278 accidents with a fatal outcome; in 2012 - 1321 concealed accident at work (9.7% of the total number of cases investigated in 2012) including 41 group accidents, 758 serious accidents and 338 accidents with a fatal outcome; in 2011 - 1486 concealed accident at work including 55 group accidents, 864 serious accidents and 316

accidents with a fatal outcome; In 2010 - 1686 concealed accidents at work including 55 group accidents, 1023 serious accidents and 326 accidents with a fatal outcome.

In 2014, officials of the federal labor inspectorate detected and investigated in accordance with established procedure 953 concealed accidents at work including 26 group accidents, 521 serious accidents, 251 accidents were fatal. Compared to 2013 the number reduced to 137, 3, 65 and 36 accidents, respectively. During the last 5 years, the total number of identified concealed accidents tends to decrease by an average of 13.3% per year. The number of identified concealed accidents with a fatal outcome also decreased (only exception was 2012, when their number increased by 22 accidents) and it is about 10-12% of the total number of accidents with a fatal outcome.

Summary for 2010 - 2014 is shown in Table 5.

Table 5. Concealed accidents at work

(According to Rostrud)

Indicator	Report period										
	2009	2010		2011		2012		2013		2014	
	total	total	in % to 2009	total	in % to 2010	total	in % to 2011	total	in % to 2012	total	in % to 2013
Number of identified concealed accidents at work, total	1949	1686	86,5	1486	88,1	1321	88,9	1090	82,5	953	87,4
Including with a fatal outcome	365	326	89,3	316	96,9	338	107	287	84,9	251	87,5

An analysis of the typology of violations shows that the main violations of the procedure for investigation, registration and recording of accidents at work are violations related to the concealment of accidents, such as, in particular, unjustified qualification of accidents as a non-occupational; violation of the established procedure for sending notices on group accidents, severe accidents, accidents with fatal outcomes to the bodies and organizations mentioned in Art. 228 of the Labor Code, and as a result, investigation of these accidents is performed by the improper boards.

Recording of accidents at work including with fatal outcomes is performed by several government agencies: Federal State Statistics Service (Rosstat), Federal Labor and Employment Service (Rostrud) and Social Insurance Fund.

At the end of 2013 the European Committee of Social Rights requested to present in the next report an explanation of the difference in the number of accident with fatal outcomes in 2011 given in this report (3 220 cases) and data promulgated by ILOSTAT and Rosstat (1824 cases) . The Committee also

stressed the importance of developing of a common approach to recording of data on accidents at work data.

In order to explain the situation we announce that Rosstrud, Rosstat (and SIF) use different methods to record data on accidents and take into account various criteria which explains the existence of various indicators of the number of victims of accidents at work including fatal.

Rosstat provides federal statistical monitoring of injuries at work based on an annual form № 7-Traumatism "Data on injuries and occupational diseases" and Annex to the form № 7-Traumatism "Data on the distribution of number of injured at work by main types of accidents and causes of accidents" collected every three years. The said statistical form № 7 – Traumatism is provided by legal entities other than micro enterprises, of all forms of ownership performing all kinds of economic activities except for: financial activities, public administration and military security, social security, education, household activities, activities of extraterritorial organizations (hereafter referred to as the organizations). The exclusion from the statistical observation of certain types of economic activity associated with a small number of occupational accidents. A continuous monitoring performed for large and medium enterprises, small enterprises - random.

Recording and registration of accidents by the Federal Service for Labor and Employment is performed on the basis art.230.1 LC RF.

Each industrial accident formally recognized in the established procedure shall be registered in the log-book intended for registration of industrial accidents according to the established form.

One copy of a report on the investigation of a group industrial accident, a grave industrial accident or an industrial accident causing death together with copies of investigation materials, including copies of the report on the industrial accident for each injured person shall be sent by the chairman of the commission (by the state labor inspector who investigated the accident on his own in the cases envisaged by the present Code), within three days after being presented to the employer, to the procurator's office which has been informed of this accident.

The second copy of the report together with investigation materials shall be preserved for 45 years by the employer at which the accident occurred.

Copies of said report together with copies of investigation materials shall be sent to:

the relevant state labor inspectorate and the territorial body of the relevant federal executive governmental body charged with the state control (supervision) in the established area of activity for industrial accidents which occurred at organizations or at installations/sites which are under the jurisdiction of that body;

- for an insured accident, also to the insurer's executive body (at the place of registration of the employer as an insured).

Copies of reports on the investigation of industrial accidents (including group accidents) causing grave bodily harm to one or several injured persons or industrial accidents (including group accidents)

causing death, together with copies of reports on the industrial accident for each injured person shall be sent by the chairman of the commission (by the state labor inspector who investigated the industrial accident in the cases envisaged by the present Code) to the federal executive governmental body empowered to exercise the federal state supervision over the observance of the labor legislation and other normative legal acts containing labor law standards (Federal Service for Labor and Employment) and to the relevant territorial association of organizations of trade unions for the purpose of analyzing the state and causes of industrial injuries in the Russian Federation and of elaborating proposals for the prevention thereof.

As shown by the above mentioned standards, a copy of the report of investigation and investigation materials are sent to the Social Insurance Fund (SIF), if an accident is an insured one. Thus, SIF collects data on accidents regarding workers insured under the compulsory social insurance against industrial accidents and occupational diseases. In addition, for the recognition of the accident as insured one by the FIS, it should be investigated in accordance with established procedure within the prescribed period and confirmed by a set of documents.

Taking into account the different methods of collecting information on accidents the named bodies have different data on number of accidents at work, including fatal.

According to the Federal State Statistics Service the following information on number of victims of accidents including fatal is recorded (Table 6). This data shows a decline in number of victims of accidents including the number of fatalities.

Table 6. Accidents at work

Year	The number of injured in accidents at work with permanent disability for one working day or more and with a fatal outcome		The number of injured in accidents at work with fatal outcomes	
	Thous. people	per 1000 employed	people	per 1000 employed
2005	78	3,1	3091	0,124
2006	71	2,9	2900	0,119
2007	66	2,7	2986	0,124
2008	58	2,5	2550	0,109
2009	46	2,1	1967	0,090
2010	48	2,2	2004	0,094
2011	44	2,1	1824	0,086
2012	40	1,9	1820	0,084

2013	36	1,7	1699	0,080
2014	31	1,4	1456	0,067

According to Rostrud (Federal Service for Labor and Employment) based on operative data of the State Labor Inspectorate also there still is a positive trend developed in recent years in reduction of the absolute number of industrial accidents with severe consequences including fatal (see Figure 5).

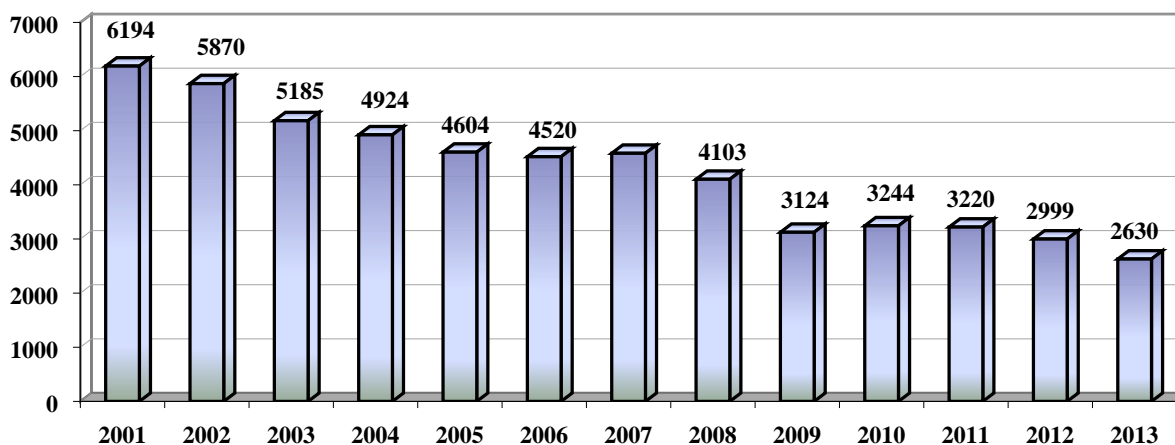


Figure 5. Dynamics of changes in the absolute number of injured in accidents at work with fatal outcome in 2001 - 2013

The report of the Ministry of Labor for 2014 did not give number of victims of accidents at work with fatal outcomes.

In respect of other indicators characterizing the industrial accidents in the Russian Federation, the following can be noted.

There is a decrease in the total number of accidents with serious consequences in Russia as a whole (Table 7).

Table 7. Distribution of accidents at work in 2010-2014 with severe consequences by the Federal Regions of the Russian Federation,

Federal regions of the Russian Federation	Number of accidents									
	Group					Severe				
	2010	2011	2012	2013	2014	2010	2011	2012	2013	2014
Russian Federation	1085	959	901	813	653	7377	7440	6730	6174	5686
Central	240	226	211	189	141	1702	1655	1532	1440	1293

North-West	97	103	61	84	70	771	807	765	698	652
South	72	86	81	61	54	576	499	438	391	348
North Caucasus	32	23	21	14	18	148	140	137	121	102
Volga	275	250	252	202	164	1532	1597	1380	1260	1211
Ural	126	82	88	82	79	822	892	891	777	719
Siberian	187	129	137	136	86	1335	1354	1140	1105	994
Far Eastern	56	60	50	45	41	491	496	447	382	367
	With fatal outcomes									
Russian Federation	2524	2524	2437	2229	1942					
Central	561	599	608	497	467					
North-West	263	239	238	199	183					
South	204	223	190	178	137					

Table 7 cont.

North Caucasus	70	53	59	55	44					
Volga	561	505	507	456	417					
Ural	253	257	259	260	206					
Siberian	417	468	398	404	337					

The highest rate of occupational injuries with fatal outcomes is traditionally observed in organizations with such economic activities as construction, manufacturing, transport and communications, agriculture, hunting and forestry, mining (Table 8).

Table 8. Share of victims in the organizations of the most traumatic economic activities (in %)

Type of economic activity	2011	2012	2013	2014 [Error! Reference source not found.]
Construction	22,30	24,14	23,19	24,1
Manufacturing	15,40	18,34	17,45	17,4
Agriculture, hunting and forestry	12,30	10,19	11,55	10,9
transport and communications	13,30	12,29	10,99	11,7
Mining	6,30	6,94	7,15	7,9
Wholesale and retail trade, repair of motor				6,4

vehicles, household goods				
Other	30,40	28,10	29,67	21,6

As a result of accidents with severe consequences workers are seriously injured or killed most often as a result of falling from height, due to moving, flying, rotating objects, components, machinery, etc. Also, a high share of accidents with severe consequences that have occurred with workers belongs to traffic accidents as well as to fall, collapse, landslides of items, materials, and so forth. (Table 9).

Table 9. Basic types of industrial accidents with severe consequences (in %)

Types of accidents with severe consequences	2011	2012	2013	2014 [Error! Reference source not found.]
Traffic accidents	14,7	15	13,8	14,2
Falling from height	30,9	31	30,8	24
Fall, collapse, landslides of items, materials and land	11,9	11	12,4	11,7
Moving, flying, rotating objects, components, machinery, etc	24,1	23,9	23,9	21,1
Other	18,4	19	19,1	29

Recording of occupational diseases is based on the Decree of the Government of the Russian Federation № 967 of 15.12.2000 "On Approval of the Regulation on investigation and recording of occupational diseases". The order of the Ministry of Health № 176 dd 28.05.2001 "On improvement of investigation and registration system for occupational diseases in the Russian Federation" is approved based on the above mentioned decree as well as "Instruction on the application of the Regulation on investigation and recording of occupational diseases".

According to par.1 of the mentioned Regulation of the Government, acute and chronic occupational diseases (poisoning) are subject to investigation and recording, their occurrence is due to the influence of harmful factors during the of job duties or production activities on the instructions of an organization or an individual entrepreneur.

The investigation and registration of occupational diseases is performed regarding:

- a) workers who execute their duties under a labor contract;
- b) citizens performing work under civil law contracts;
- c) students of educational institutions of higher education, vocational educational institutions, students of educational institutions working under an employment contract during training in organizations;
- d) persons sentenced to imprisonment and made to work;
- d) other persons engaged in production of the organization or individual entrepreneur.

Recording of occupational diseases is performed by the center of the state sanitary and epidemiological surveillance, carried out the investigation. The order of the Ministry of Health of the

Russian Federation № 176 dd 28.05.2001 governs the issue, it established that the recording and registration of occupational diseases (poisoning) is performed in the center of state sanitary and epidemiological surveillance on the basis of the final diagnoses established in specialized medical and preventive health care facilities or their units. Special register of occupational diseases is filled on the basis of data on diagnosis of occupational diseases, reports of cases of occupational diseases (poisoning) and other information.

Rosstat presents the following data (Table 10) based on information from Rospotrebnadzor.

Table 10. Number of persons with newly established occupational diseases (poisoning) (persons)

	2005	2010	2011	2012	2013	2014
Occupational diseases (poisoning)	8156	7671	7836	6696	6993	6718
including:						
acute occupational disease (poisoning)	95	96	99	61	49	42
Of them with fatal outcome	8	3	12	10	15	3
chronic occupational diseases (poisoning)	8061	7575	7764	6635	6944	6676
Among persons with occupational diseases - persons with disabilities established for the first time in the report year under, total	2536	1457	1453	1164	1166	1090
including:						
1 group	8	2	10	11	5	3
2 group	358	128	108	98	72	41
3 group	2170	1327	1335	1055	1089	1046

The European Committee of Social Rights in Conclusions 2013 requested digital data by year in relation to infringements in the sphere of occupational health and safety, number of workers covered by inspections and decisions of the labor inspectorates.

Below are listed the data on the basis of the Rostrud reports (Figures 6-7).

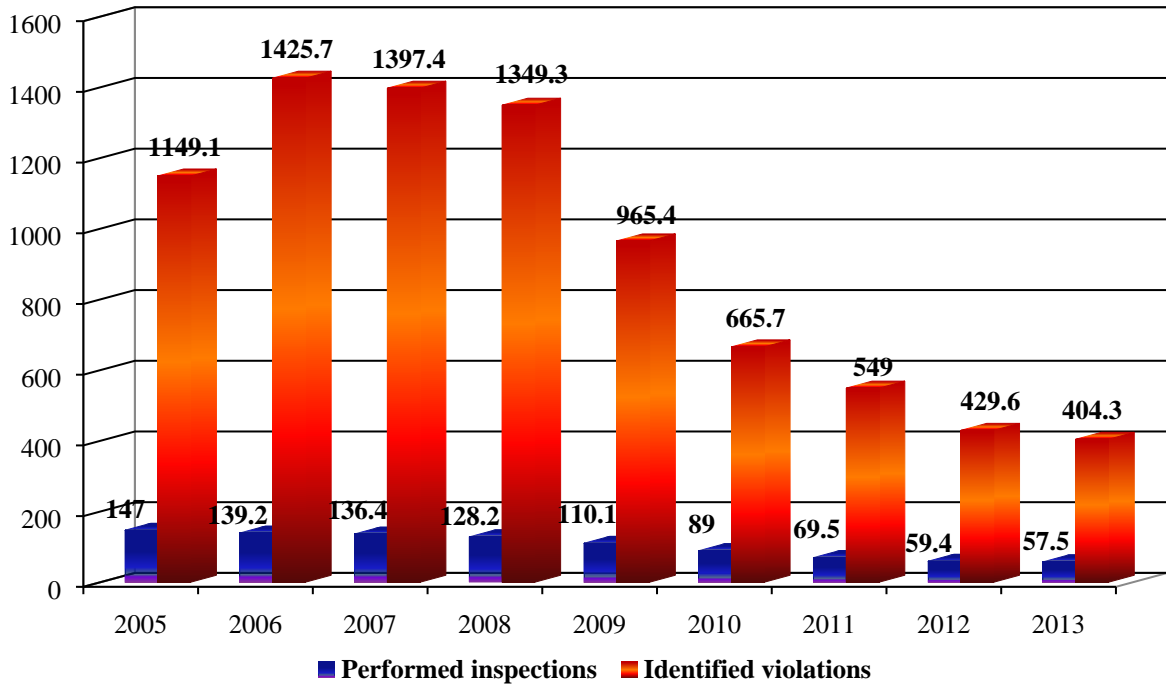
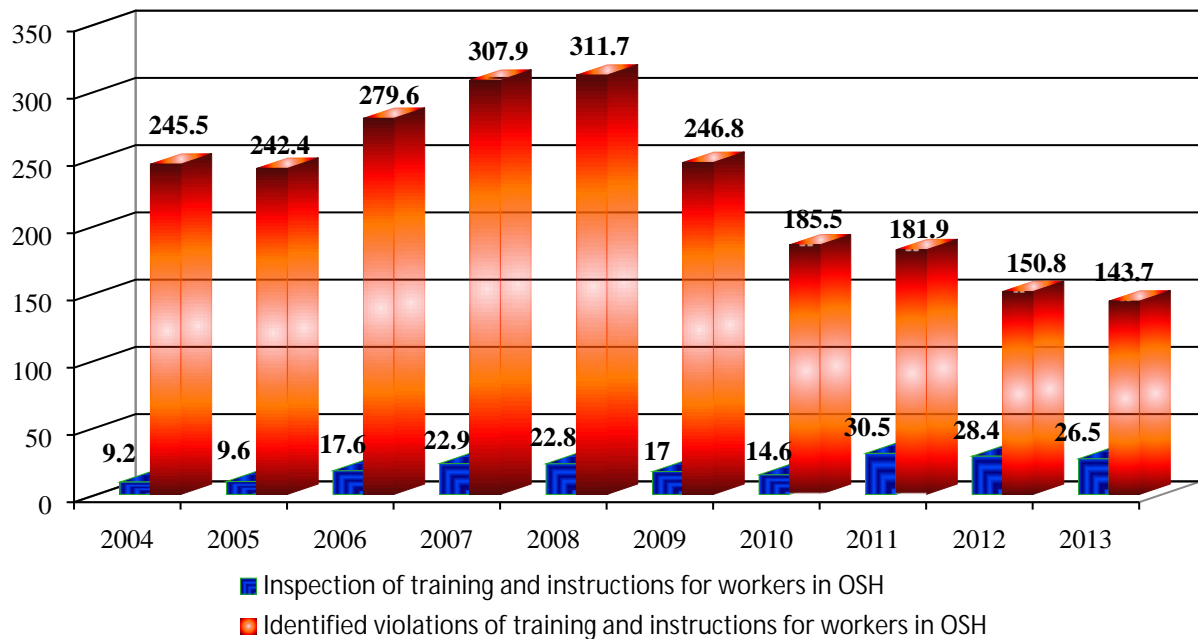


Figure 6. The total number of inspections on labor protection and number of violations in the sphere of occupational safety and health (thous.)



Figures 7. Information on number of inspection of compliance with the established procedure for workers training in OSH and identified violations (tous.)

The most common violations of the law are:

head and specialist do not pass tests on labor protection;

workers are permitted to an independent work without OSH training and testing and training at the workplace.

As a result of inspections due to the failure to undergo in the prescribed manner and within the prescribed time training, coaching, training in the workplace and to pass OSH tests at the request of officials of the federal labor inspection in 2013 - 95 686 workers of organizations were suspended from work, in 2012 - 66 692, in 2011 - 93 255 workers; in 2010 - 99 990 workers (Figure 8).

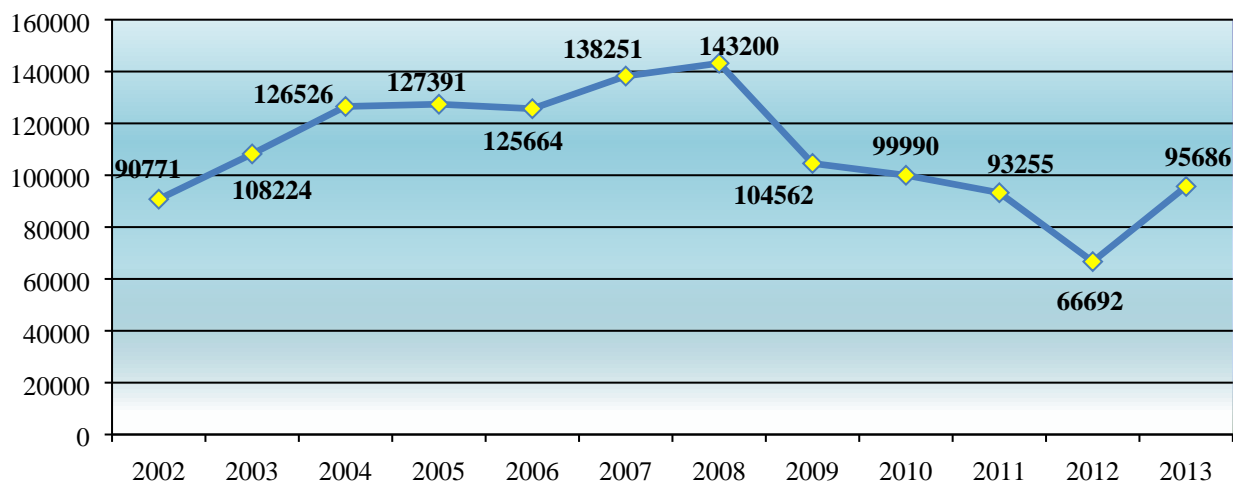


Figure 8. Information on number of workers suspended from work by labor inspectors due to failure to undergo training in OSH according to the established procedure

Inspectors perform themed inspections of compliance with the requirements of art. 221 LC RF in order to ensure supplying workers with special clothing, special footwear and other means of individual and collective protection and in 2014 - 39.5 thousand violations were found; in 2013 - more than 50.4 thous. Violations, in 2012 - 49.7 thous. Violations, in 2011 - 53.4 thous. Violations, in 2010 - 51.1 thous. Violations (Figure 9).

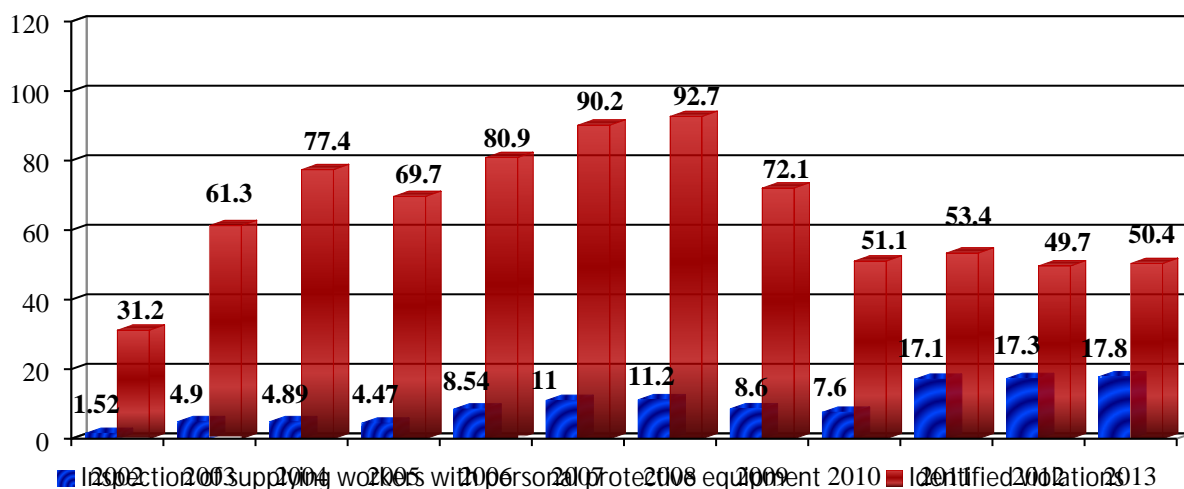


Figure 9. Information on number of inspections of supplying workers with personal protective equipment (thous.)

The most common violation of the law regarding supplying workers with personal protective equipment (PPE) in many organizations are the following according to Rostrud information:

purchased by employers PPE do not have declarations of conformity and (or) certificates of conformity with the requirements of labor protection;

there are not proper recording and control over the issuance of PPE to workers and there is not established order of their storage;

there is not proper training of workers to use and check the PPE;

there is not timely replacement of the PPE in cases of damage before the expiry of the PPE service life for reasons beyond the control of the worker, their washing, cleaning and repair.

As a result of inspections, the state labor inspectors prohibited to use personal protective equipment purchased by employers without declaration of conformity and (or) certificate of compliance with labor protection requirements: 2014 - 143.569 thous. units, in 2013 - more than 128.4 thous. units; in 2012 - 92.7 thous. units; in 2011 - 111.8 thous. units; in 2010 - 126.9 thous. units (Figure 10.).

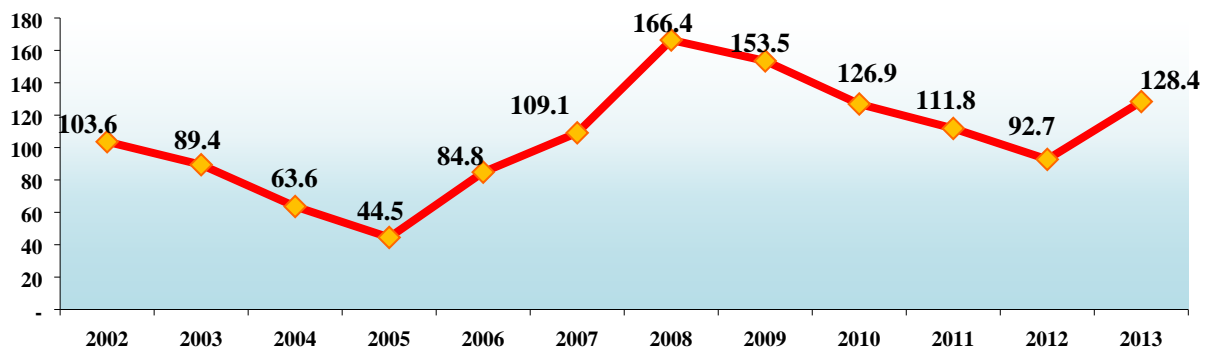


Figure 10. Number of the prohibited PPE (thous.)

By 2013, the federal labor inspectorate performed thematic inspection of employers' compliance with the established procedure for certification of workplaces in accordance with the requirements of Art. 212 LC RF. Data on number of inspections and number of violations by year are shown in Figure 11 below.

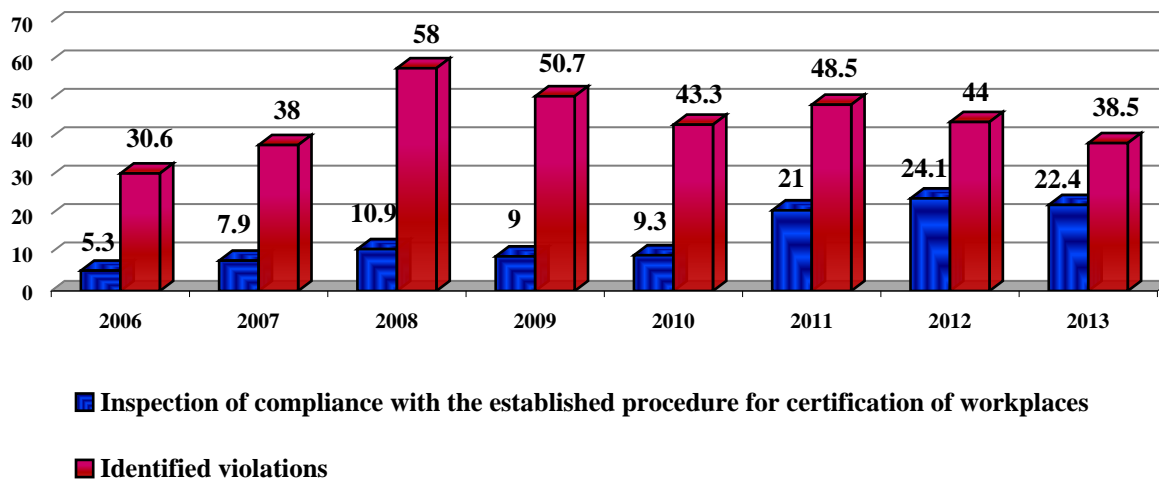


Figure 11. The number of inspections of compliance with the established procedures for certification of workplaces for working conditions (thous.)

A special assessment of working conditions has been performed since 2014 due to changes in legislation (introduction of a special assessment of working conditions instead of certification of workplaces). In 2014 there were about 1000 inspections at the enterprises of 46 subjects of the Russian Federation, 2800 violations were identified and it is 7 times larger than the number of violations identified in 2013 according to the inspections for certification of workplaces for working conditions as well as more than 400 recommendations and regulations were issued and it is 2.6 times larger than the results of certification of workplaces for working conditions in 2013

Below we present the details of the suspension of the operation of the equipment, buildings and structures according to the results of certification of workplaces for working conditions at the request of the state labor inspectors (Figure 12).

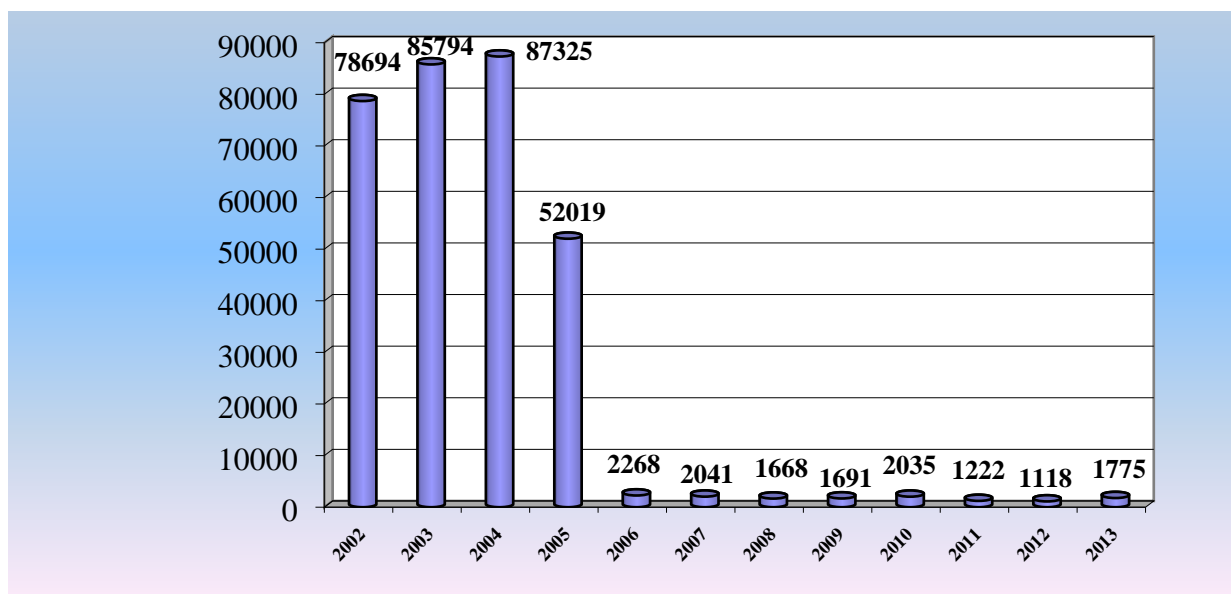


Figure 12. Information about the number of cases of suspension of the operation of the equipment, buildings and structures at the request of the state labor inspectors

In 2014, the technical labor inspectors charged the employers with the demands to suspend the work and operation of various means of production (total - more than 1100), they were subsequently fully decommissioned.

The European Committee of Social Rights in Conclusion 2013 requested information on the general budget and size of the entire staff of the Federal Labor Inspectorate and on all sanctions imposed in addition to fines.

This information is given on the basis of the data provided Rostrud (Table 11).

Table 11. Data on number of staff of the state labor inspectors

	2006	2007	2008	2009	2010	2011	2012	2013	2014
Regular number of workers of the federal labor inspectorate, total	3553	3553	3576	3593	3593	3413	3233	2909	3109
Actual number of workers (including maintaining experts):	3342	3319	3383	3436	3366	3169	2868	2641	2615
State labor inspectors (OSH), including management	1831	1774	1776	1696	1601	1419	1277	1105	

Since the beginning of the administrative reform (2004) to 2013, the actual number of workers of the federal labor inspectorate was reduced by 23.4%.

Downsizing has caused an increase in the relative and actual load on the authorized officials of the federal labor inspection as a result by the end of 2013, for example, the relative number of businesses for one authorized of the Federal Labor Inspectorate on the average was 3.04 thous. units (figures 13-15).

In 2014, despite the relative stabilization of the average number of inspectors, the grow of a relative and actual load per inspector continued. By the end of 2014, the relative number of businesses for a state labor inspector on the average was 3.61 thous. units and in comparison with 2013 has decreased by 1.4 times.

In this case the actual load for officials in the territorial bodies of the federal labor inspection in some subjects of the Russian Federation exceeds the average load on the system of the Federal Labor Inspectorate a lot.

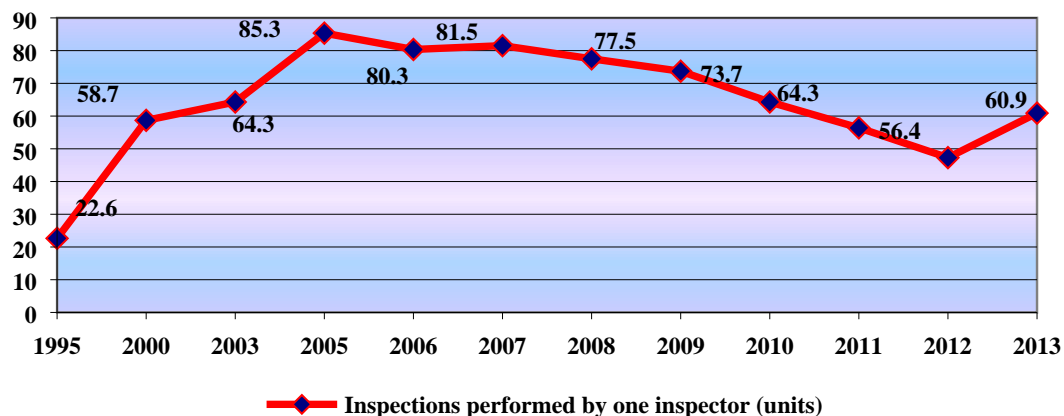


Figure 13. The relative number of inspections for compliance with labor legislation performed in 1995-2013 on the average by one authorized official of the Federal Labor Inspection

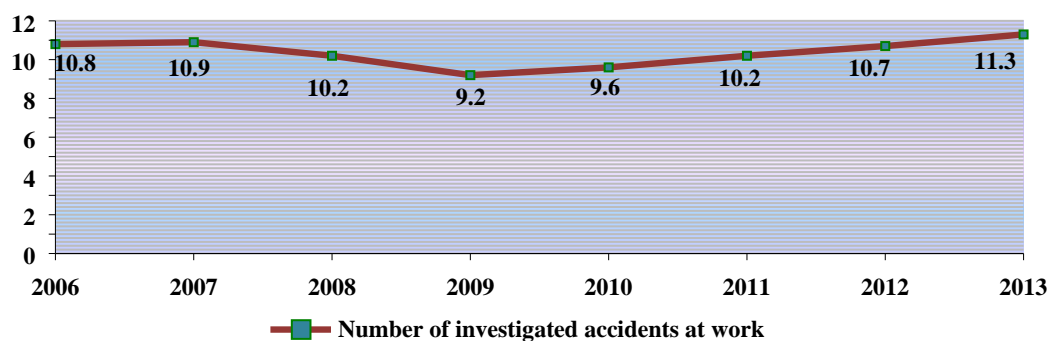


Figure 14. The relative number of investigated accidents at work in 2006-2013 on the average by one authorized official of the Federal Labor Inspection

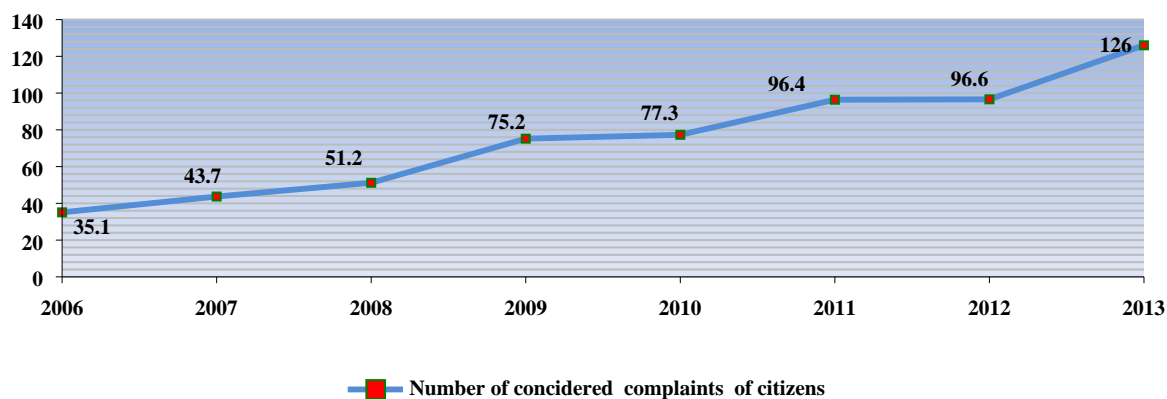


Figure 15. The relative number of considered complaints of citizens in 2006-2013 on the average by one authorized official of the Federal Labor Inspection

According to Rostrud, taking into account the assigned and currently realized by the Federal Labor Inspectorate oversight functions and authorities, the established in 2013 number of authorized officials of the federal labor inspectorate actually allows conducting routine supervision in respect of the one enterprise with a periodicity on the average no more than once every 26 years.

The complex calculation of workers of the territorial bodies of the Federal Labor Inspectorate, made on the basis of the provisions of the ILO Convention № 81, establishing the basic principles for determining the number of labor inspections (number, nature, size and location of the supervised institutions, number and categories of workers, nature and complexity of the controlled legal provisions, material resources, available to labor inspectors etc.) shows that for the planned supervision in respect of one enterprise with a frequency of once every five years, the estimated number of authorized officials of the federal labor inspectorate should be 13 200 people.

Thus, the actual number of state labor inspectors is not sufficient to perform proper supervision over the observance of labor rights, and does not allow performing measures to prevent violations of labor legislation. In the absence of sufficient number of inspectors it is not possible to ensure a quality supervision of compliance with labor rights, to ensure that each incoming complaint can be given enough time to examine and establish the circumstances of the case.

As for financial support, it should be noted that the costs of the Federal Service for Labor and Employment to ensure the work of territorial bodies of Rostrud are approved by the federal laws "On the federal budget." Amounts of expenditure approved in the following way:

- 2014 - No Data Available
- 2013 - 2 040, 663 mlnn rubles.
- 2012 - 2 092, 459 mlnn rubles.
- 2011 - 2 132, 500mln. rubles.
- 2010 - No Data Available

The European Committee of Social Rights in Conclusion 2013 requested information about all imposed sanctions other than fines.

According to the Federal Service for Labor and Employment in order to eliminate labor law violations identified by the representatives of the federal labor inspectorate during inspections as well as during investigations of circumstances and causes of accidents at work, employers are issued binding instructions. Figure 16 provides information on the number of instructions for 2013.

106,768 prescriptions were issued in 2014.

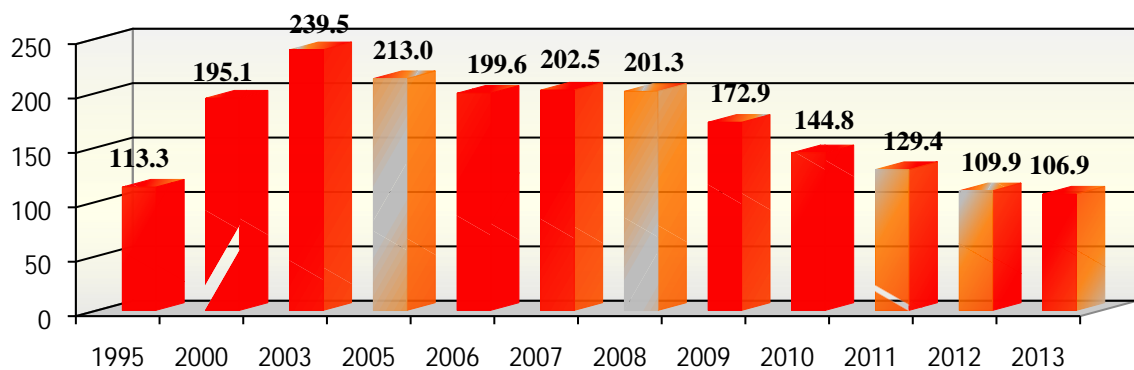


Figure 16. Data on number of instructions to eliminate violations of mandatory requirements in the sphere of employment issued by officials of the Federal Labor Inspectorate (thous.)

One official of the Federal Labor Inspectorate for years issued 46.1 to 50.8 instructions (Figure 17).

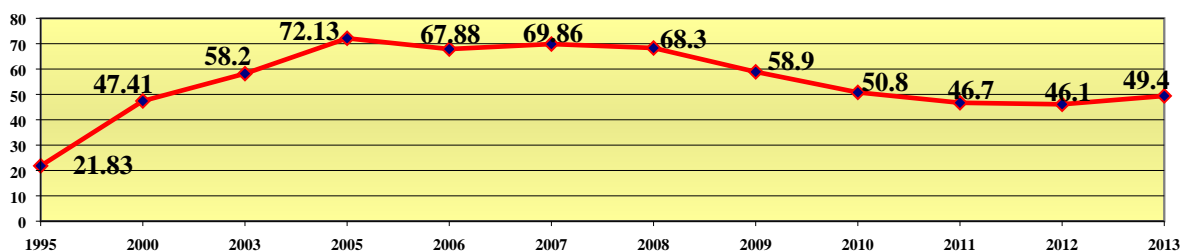


Figure 17. Data on number of instructions to eliminate violations of mandatory requirements in the sphere of employment issued by one officer of the federal labor inspectorate during the year on the average

In accordance with the authority granted by Article 23.12 of the Code of Administrative Offences of the Russian Federation, officials of the federal labor inspectorate are authorized to examine cases on administrative offenses provided for by Part 1 of Article 5.27 of the Code of Administrative Offences of the Russian Federation (Violating Labor Laws and Labor Protection Laws), articles 5.28 - 5.34 of the Code of Administrative Offences (Violation in the area of collective bargaining and participation in the resolution of collective labor disputes), and make decisions on administrative punishment.

Figure 18 shows the number of administrative penalties imposed by the officials of the federal labor inspectorate.

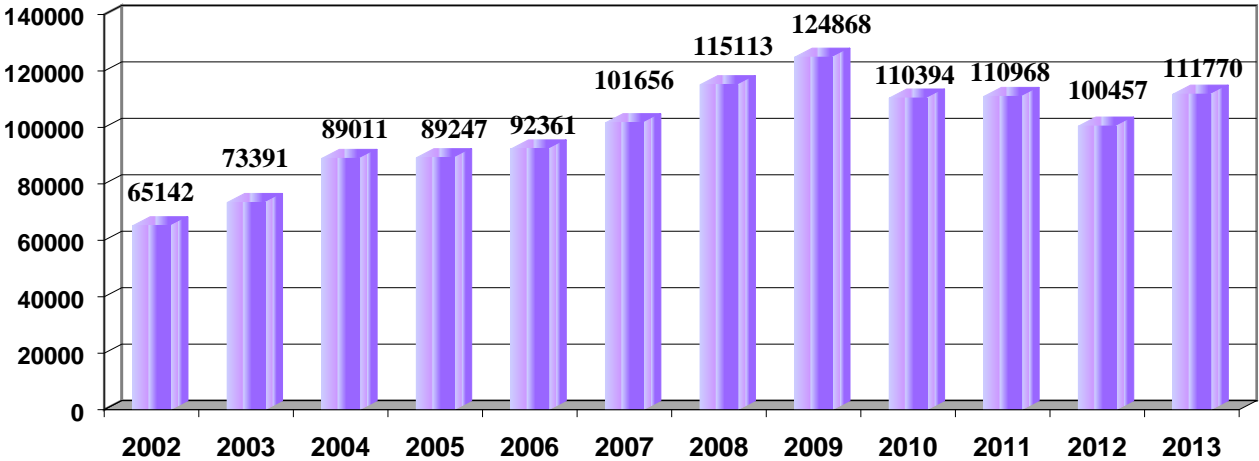


Figure 18. Information on number of administrative penalties imposed by the authorized officials of the federal labor inspectorate on responsible for violations of labor legislation

Officials of the Federal Labor Inspectorate does not have the right to impose other sanctions, in addition to fines, but they are authorized to draw up protocols on administrative offenses provided for in Articles 17.7, 17.9, 19.4¹, 19.6, 19.7, 19.7⁵⁻¹, 19.261 article 19.4, part 1 article 19.5, part 1 article 20.25 Code of Administrative Offences of the Russian Federation. Information on the number of reports on imposition of administrative sanctions is shown in Figure 19.

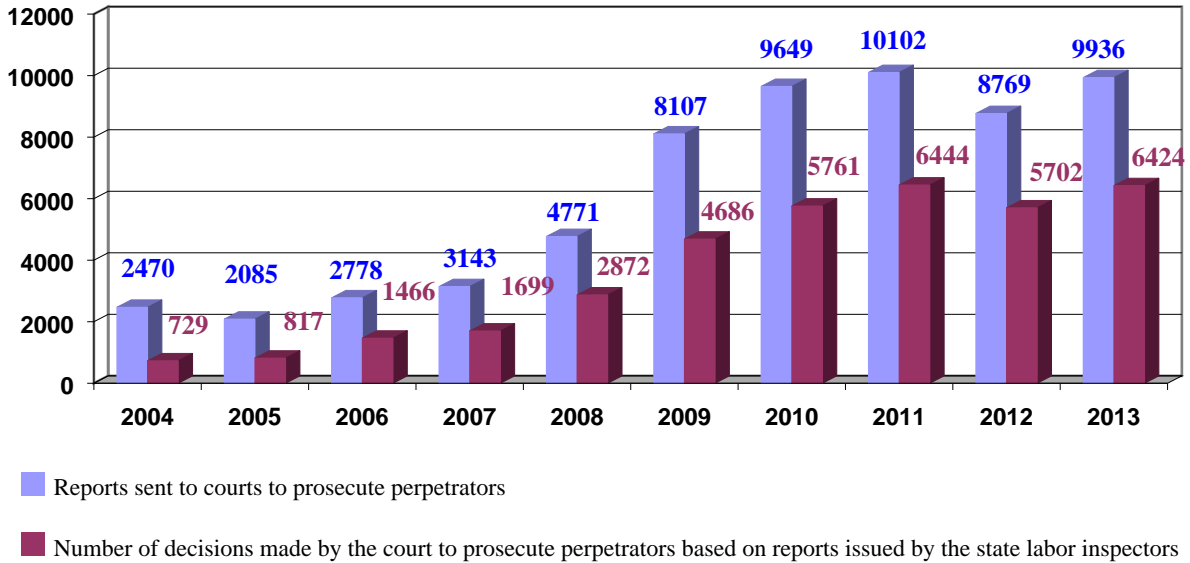


Figure 19. Information on total number of reports on imposition of administrative sanctions, made and directed by officials of the Federal Labor Inspectorate to courts

Upon review of these reports the courts make decision to impose other sanctions, in particular, administrative suspension of activity of structural divisions and production sites, equipment operation as well as disqualification of officials who allow similar violations of the labor legislation. Information on the number of officials, disqualified for committing administrative violations of the labor legislation based on reports made by officials of the federal labor inspectorate is shown in Figure 20.

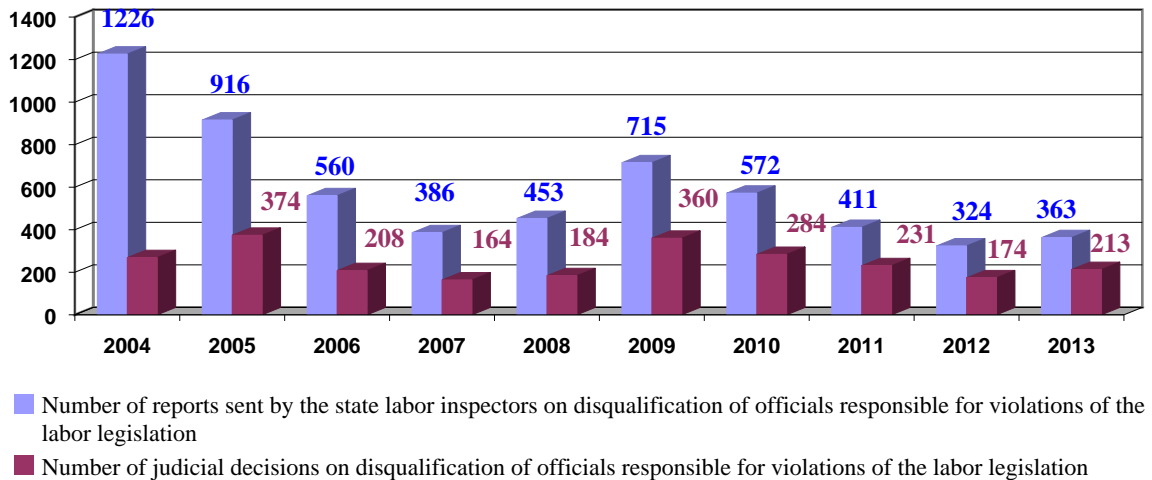


Figure 20. Information on number of officials disqualified for committing administrative violations of the labor legislation based on reports of the officials of the Federal Labor Inspectorate

Upon review of administrative cases the authorized officials of the State Labor Inspectorate sent to employers instructions to eliminate the causes and conditions that contributed to the commission of administrative offenses.

In addition, if supervision and control revealed signs of the crimes established in Articles 143, 145, 145-1 of the Criminal Code of the Russian Federation, officials of the Federal Labor Inspectorate sent to the prosecution and investigation authorities materials to consider criminal case against the perpetrators.

Figure 21 shows the decisions of prosecutors and court made based on materials of inspections performed by the state labor inspectors including number of criminal cases and number of cases in which the accused were convicted by court.

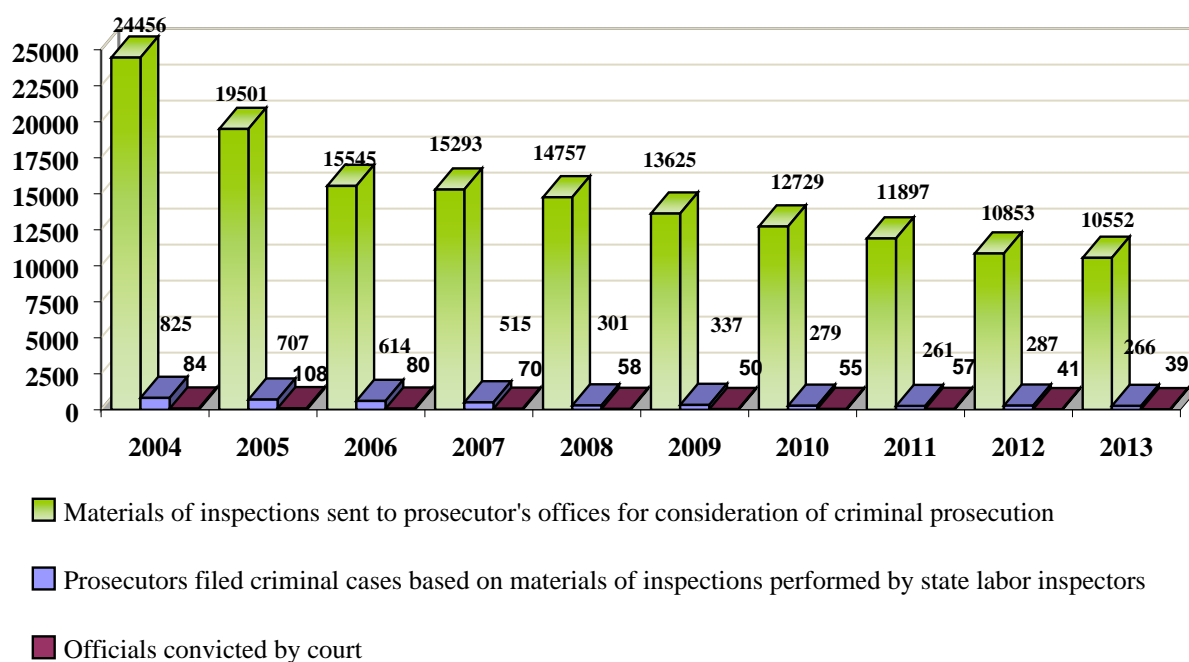


Figure 21. Information on decisions of the prosecution and court made based on materials of inspections performed by the state labor inspectors

The European Committee of Social Rights indicated that it would like to get an explanation about the mid-size administrative fines imposed in practice, given that the size, if you divide the total amount of fines on the given number is 530.79 rubles, while the minimum amount of fines defined is 5 Minimum monthly wage (MMW), in accordance with Article 5.27 of the Code of Administrative Offences of the Russian Federation, and up to 500 MMW in accordance with Article 143 of the Criminal Code of the Russian Federation.

According to the Federal Labor Inspectorate, the total amount of fines imposed amounted to more than a billion rubles in 2013 (data for 2013 and earlier, see the chart № 15.), and in 2014 - 2, 0.982 trillion rubles, 1 655.6 billion. rubles is paid (Figure 22).

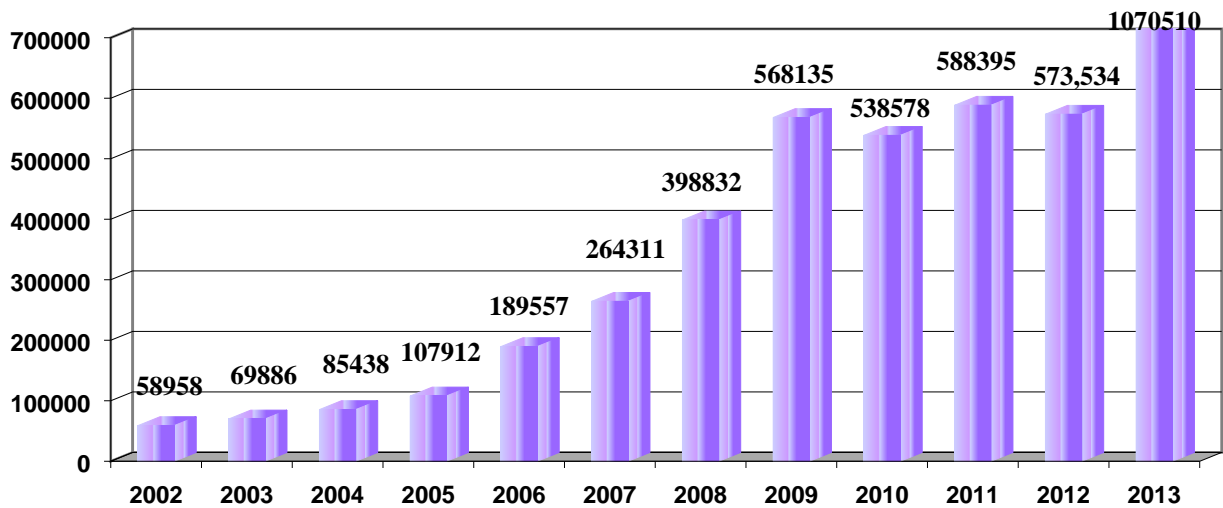


Figure 22. . Information on amounts of fines imposed on persons responsible for violations of the labor legislation based on regulations issued by the authorized officials of the Federal Labor Inspectorate (thous. rubles)

The average amount of fines imposed by the state labor inspectors in 2010 amounted to 4.7 thous. rubles, and in 2013 rose to 9.8 thous. rubles, and amounted to 14 489.9 rubles in 2014. (The total amount of the imposed administrative fines in 2014: number of regulations issued by officials of the State Labor Inspectorate to impose an administrative penalty in a form of a fine = 2 098.2 : 144 804 = 14 489.9 rubles.) (Table 12).

Table 12. The average amount of fines imposed as a result of imposition of administrative sanctions by the authorized officials of the Federal Labor Inspectorate, on the average for the Russian Federation (thous. rubles)

	2010	2011	2012	2013	2014
The average amount of fines imposed	4,7	5,4	5,7	9,8	14 489

The minimum amount of the fines imposed by the state labor inspectors is determined not in the amount of 5 MMW but in various fixed amounts. Below we present the compositions of administrative offenses and sanctions for them, the state labor inspectors had the right to impose before amendments to the Code of Administrative Offences of the Russian Federation dd 28.12.2013.

Table 12 cont.

Article	Offence	Sanction
5.27	Violating Labor Laws and Labor Protection Laws	the imposition of an administrative fine on officials in the amount of five hundred to five thousand rubles ; upon the persons engaged in business activity without creating a legal entity - from one thousand to five

		thousand rubles or an administrative suspension of the activity for a term of up to ninety days; upon legal entities - from thirty thousand to fifty thousand rubles or an administrative suspension of the activity for a term of up to ninety days
5.28	Avoidance by an employer, or by a person representing him, of participation in talks concerning the conclusion of, or introduction of amendments and additions to, a collective contract or agreement, or violation of the terms for conducting the talks established by law, as well as failure to ensure the work of a commission for conclusion of a collective contract or agreement within the terms determined by the parties	a warning or the imposition of an administrative fine in the amount of one thousand to three thousand rubles
5.29	Non-submission by an employer, or a person representing him, of the information necessary for the conduct of collective talks or for the exercise of control over the observance of a collective contract or treaty	a warning or imposition of an administrative fine in the amount of one thousand to three thousand rubles
5.30	Unreasonable refusal of an employer, or of a person representing him, to conclude a collective contract or agreement	a warning or imposition of an administrative fine in the amount of three thousand to five thousand rubles
5.31	Defaulting on, or failure to meet, obligations under a collective contract or agreement by an employer or by a person representing him	a warning or imposition of an administrative fine in the amount of three thousand to five thousand rubles
5.32	Avoidance by an employer, or by a person representing him, of the receiving of demands of employees and of participation in conciliatory procedures, including non-reservation of premises for the conduct of such meeting (conferences) of employees for the purpose of advancing demands, or obstructing the conduct of such a meeting (a conference)	the imposition of an administrative fine in the amount of one thousand to three thousand rubles .

5.33	Failure of an employer, or of a person representing him, to carry out the obligations under an agreement made as a result of a conciliatory procedure	the imposition of an administrative fine in the amount of two thousand to four thousand rubles .
5.34	Dismissal of employees in connection with a collective labor dispute or calling a strike	the imposition of an administrative fine in the amount of four thousand to five thousand rubles
15.34	The non-disclosure by an insurant of an insured event under obligatory social insurance against industrial accidents and professional illnesses	the imposition of an administrative fine upon citizens in the amount from three hundred to five hundred rubles , upon officials in the amount from five hundred to one thousand rubles and upon legal entities in the amount from five thousand to ten thousand rubles

Thus, the average amount of fines imposed is in accordance with the amount of fines the state labor inspectors have the right to.

After the adoption of the Federal Law № 421-FZ of 12/28/2013 "On Amendments to Certain Legislative Acts of the Russian Federation in connection with adoption of the Federal Law " On special assessment of working conditions " state labor inspectors were also given the right to impose fines for the following offenses in the following amount:

Table 12 cont.

Article	Offence	Sanction
5.27 p.2	Actual admittance to work by a person who has not been authorized by an employer if the employer or its authorized representative decides against recognizing relations arisen between the person admitted to work and this employer as employment relations (i.e. do not conclude employment contract with the person admitted to work)	administrative fine On individuals – from RUB 3,000 to 5,000 On officials–from RUB 10,000 to 20,000
5.27 p.3	Avoidance of execution or improper execution of an employment contract or conclusion of a civil-law contract that actually regulates employment relations between a worker and employer	administrative fine On officials –from RUB 10,000 to 20,000 On individuals engaged in entrepreneurial activities without establishing a legal entity – from RUB 5,000 to 10,000 On legal entities – from RUB 50,000 to 100,000

5.27.1 p.1	Other violations of federal health and safety regulations specified in the current legislation of the Russian Federation, except for cases provided in p.2-4 of the present Article	<p>a warning or an administrative fine from RUB 2,000 to 5,000 for enterprise officials</p> <p>On individuals engaged in entrepreneurial activities without establishing a legal entity – from RUB 2,000 to 5,000</p> <p>a fine from RUB 50,000 to 80,000 for legal entities</p>
5.27.1 p.2	violation by an employer of the statutory process for special evaluation of labor conditions, or failure to perform such an evaluation	<p>a warning or an administrative fine from RUB 5,000 to 10,000 for enterprise officials</p> <p>for individuals engaged in entrepreneurial activities without establishing a legal entity – from RUB 5,000 to 10,000</p> <p>a fine from RUB 60,000 to 80,000 for legal entity</p>
5.27.1 p.3	Permitting an worker to work without prior training and testing in OSH, or without mandatory preliminary and ongoing medical examinations in the beginning of the shift, mandatory psychiatric examinations or in case of medical contraindications	<p>an administrative fine from RUB 15,000 to 25,000 for enterprise officials,</p> <p>for individuals engaged in entrepreneurial activities without establishing a legal entity – from RUB 15,000 to 25,000</p> <p>a fine from RUB 110,000 to 130,000 for legal entities.</p>
5.27.1 p.4	Failure to provide workers with personal safety equipment	<p>administrative fine from RUB 20,000 to 30,000 for enterprise officials</p> <p>for individuals engaged in entrepreneurial activities without establishing a legal entity – from RUB 20,000 to 30,000</p> <p>a fine from RUB 130,000 to 150,000 for legal entities</p>
14.54 p.1	Violation of the procedure of a special assessment of working conditions by the organization performed the special assessment of working conditions	<p>administrative fine from RUB 20,000 to 30,000 for officials</p> <p>a fine from RUB 70,000 to 100,000 for legal entities</p>
14.54 p.2	an official committing a similar offence established in p. 1 repeatedly	<p>can be disqualified for a period of one to three years or charged with a fine from RUB 40,000 to 50,000 while for legal entities, this offence could result in a fine ranging between RUB 100,000 and 200,000, or an administrative suspension of operations for a period of up to 90 days.</p>

The fines imposed after 2014 has increased as the state labor inspectors have the right to impose fines at a higher amount.

The European Committee of Social Rights also asked to provide information about the Rospotrebnadzor (competence, number of inspectors and facilities at their disposal; sanctions imposed), as well as about specialized internal authorities of control of the federal authorities and local authorities.

According art.353 LC RF the state control (supervision) over the observance of the requirements for the safety of works in specific areas of activity shall be exercised in compliance with the legislation of the Russian Federation by authorized federal executive power bodies. This type of state control (supervision) is performed by the following agencies:

- The Federal Service for Supervision of Consumer Rights Protection and Human Well-Being (Rospotrebnadzor) and its territorial bodies perform, in particular, the federal state sanitary and epidemiological supervision over the observance of sanitary legislation by examining the activities of legal entities and individual entrepreneurs in implementing the requirements of legislation of the Russian Federation in the sphere of sanitary and epidemiological welfare of the population.

State sanitary and epidemiological supervision is performed, in addition to the Federal Service for Supervision of Consumer Rights Protection and Human Well-being and its territorial bodies by:

b) the Federal Medical-Biological Agency and its regional offices — in organizations for particular branches of industry with especially dangerous conditions of labor and for particular territories of the Russian Federations according to the list approved by the Government of the Russian Federation;

c) structural subdivisions of the Ministry of Defense of the Russian Federation, the Ministry of Interior Affairs of the Russian Federation, the Federal Security Service of the Russian Federation, the Federal Protective Service of the Russian Federation, the Federal Drug Control Service of the Russian Federation, the Federal Penal Service, the Chief Directorate for Special Programs of the President of the Russian Federation and the Directorate of the President of the Russian Federation correspondingly in the Armed Forces of the Russian Federation, other troops, military formations and bodies, at objects of defense and defense industry, security, interior affairs and other special assignments within their competence.

In addition, since 01.08.2011, in addition to state control in the sphere of labor, a departmental control over the observance of labor legislation and other normative legal acts containing standards of labor legislation has been introduced. The departmental control over the observance of labor legislation and other regulatory legal acts containing labor law rules insubordinate organizations shall be exercised by federal executive power bodies, executive power bodies of the subjects of the Russian Federation and local authorities in the procedure and under the terms which are defined by laws of the Russian Federation and laws of the subject of the Russian Federation.

Federal Service operates on the basis of the Resolution of the Government of the Russian Federation № 322 dd June 30, 2004 "On Approval of the Regulations on the Federal Service for Supervision of Consumer Rights Protection and Human Wellbeing." The powers provided for in section 2 of the Regulations and of the part regarding supervision and control include:

5.1. supervise and monitor the execution of the mandatory requirements of the legislation of the Russian Federation in the sphere of sanitary and epidemiological welfare of the population, protection of consumer rights and in the consumer market, including:

5.1.1. Federal state sanitary and epidemiological supervision over compliance with the sanitary legislation;

5.1.2. Federal state supervision over compliance with laws and other normative legal acts of the Russian Federation regulating the relations in the sphere of consumer rights protection;

5.1.3. Federal state supervision over compliance with rules of sale of separate kinds of goods provided by the legislation of the Russian Federation provided;

5.1.4. Sanitary and quarantine control at checkpoints across the state border of the Russian Federation;

5.1.6. Federal state supervision over the quality and safety of flour, pasta and bakery products during the procurement of the above mentioned products for the state needs as well as delivery (allocation) of flour to the state reserve, its storage as a part of the state reserve and transportation;

5.1.7. Federal state supervision over the quality and safety of flour, pasta and baked goods at import (export) of the said products to the territory of the Russian Federation;

5.1.8. State control over the compliance with the requirements for the inclusion of information on the energy efficiency class of goods, other mandatory information on energy efficiency in the technical documentation supplied with the product, its labeling, placement of such information on its label, as well as the rules of inclusion (placement) of the said information;

5.1.9. State supervision over compliance of information products sold to consumers with the Russian legislation in the sphere of protection of children from information harmful to their health and (or) development, in part of accompanying documents, information obtained as a result of the classification of information products and in part of the placement of such products in accordance with the information data products mark;

5.8. it organizes the activity of the system of the State Sanitary and Epidemiological Service of the Russian Federation;

5.9. it performs in the established procedure an inspection of legal entities, individual entrepreneurs and citizens to implement the requirements of the Russian legislation in the sphere of sanitary and epidemiological welfare of the population and in the sphere of consumer right protection

as well as technical regulations, state control (supervision) over compliance with requirements entrusted to the service;

5.12. it organizes the reception of citizens complaint, provides timely and full consideration of citizens' complaints, makes decisions regarding these complaints and send answers within the period prescribed by the legislation of the Russian Federation.

According to the Code of Administrative Offences of the Russian Federation art.23.29 Bodies exercising state ecological control shall try cases concerning the administrative offences provided for by Part 2 of Article 7.2 (on eliminating and damaging markings of specially protected wildlife territories, as well as markings established by animal users or by specially authorized state bodies in charge of protection, control and regulation of the use of animals and their habitat, of buildings and other structures owned by said users and bodies), by Articles 7.6, 7.11, 8.1, 8.2, 8.4 - 8.6, 8.12 (as regards violations of the procedure for allotment of land plots in water protection zones and in coastal areas of water bodies), by Parts 1, 2 and 4 of Article 8.13, Part 1 of Article 8.14 and by Articles 8.15, by Article 8.18, by Article 8.19, by Articles from 8.21 to 8.23, by Parts 2 and 3 of Article 8.31, by Articles from 8.33 to 8.36, by Part 3 of Article 8.37 and by Articles 8.39, 8.41 of the Code of Administrative Offences of the Russian Federation..

The sanctions provided for in these articles include the imposition of fines on citizens, officials and legal entities (the amount of fines for various articles ranging from one to five hundred thousand rubles), suspension (for up to 90 days), deprivation of rights (eg. the right to hunt for a period of one to three years), seizure (such as confiscation of the vessel, aircraft and other instruments of committing the administrative offense).

The European Committee of Social Rights in Conclusion 2013 requested information about the services for labor protection and labor protection commissions.

According to art.217 LC RF in the interests of ensuring observance of the labor protection requirements and monitoring their fulfillment, each employer performing production activity with a contingent of more than 50 workers shall establish a labor protection service or introduce the position of a labor protection specialist possessing appropriate training or work experience in the field.

An employer having up to 50 workers shall adopt a decision on setting up a labor protection service or the position of labor protection specialist with due regard to the specific nature of the employer's production activity.

If an employer has neither a labor protection service nor a labor protection specialist who is a member of staff then the functions thereof shall be carried out by the employer being an individual entrepreneur (in person), the head of the organization, or another worker empowered by the employer or an organization or specialist that provides labor protection services that is recruited by the employer under a civil-law contract.

Organizations that provide labor protection services are subject to mandatory accreditation. The list of services, for whose rendering the accreditation is required, and the rules for the accreditation, incorporating the accreditation demands to be satisfied by organizations, rendering services in the area of labor protection, the procedure for exerting control over the activity of accredited organizations and that for the suspension or cancellation of the accreditation, shall be compiled by the federal executive power body, fulfilling the functions for the elaboration of the state policy and for the normative legal regulation in the area of labor.

The structure of a labor protection service in an organization and the number of employees of a labor protection service shall be determined by an employer, taking into account the recommendations approved by the Decree of the Ministry of Labor of Russia № 14 of 08.02.2000 "On approval of the Recommendations for Labor protection service in the enterprise" (hereafter referred to as the Recommendation). The structure of services and number of workers of the Service is determined by the head of enterprise depending on: number of workers; working conditions; production severity and other factors. And he\she should take into account the Inter-industry standards for labor protection service in enterprise (approved by the Decree of the Ministry of Labor of Russia № 10 of 22.01.2001, amended 02.12.2014).

According to the Recommendations, the Labor protection service in the enterprise (hereafter referred to as the Service) reports directly to the head of the enterprise or by his\her order to one of his\her deputies. It is recommended to organize the Service as an independent structural unit of the enterprise consisting of OSH experts led by the head (chief) of the Service. The Service operates in cooperation with other units of the enterprise, committee (commission) on labor protection, OSH authorized (trusted) persons for labor unions or other authorized workers of the representative bodies, OSH service of the parent organization (if any) as well as federal executive authorities and executive authorities of the subject of the Russian Federation in the sphere of labor protection, bodies of state supervision and control over compliance with labor protection requirements and public control authorities.

In companies with 100 or less workers, the decision on establishment of the Service or introduction of an OSH specialist is made by the head of the enterprise taking into account the specifics of the enterprise's activities. The head of the enterprise may impose obligations on labor protection to another specialist or another person (with his\her consent), which, after appropriate training and testing along with the main work will be to perform a job of a labor protection specialist.

In the absence of the Service in the enterprise (labor protection expert), the head of the enterprise has the right to conclude a contract with specialists or organizations providing services in the sphere of occupational safety and health.

As a rule the position of labor protection expert is assigned to those who have been qualified as OSH engineer or specialists with higher vocational (technical) education without requiring a length of service or vocational (technical) education and work experience as a technician of the 1st category for at

least 3 years, or work experience with other positions for specialists with secondary vocational (technical) education for at least 5 years. All categories of these persons must undergo special training in occupational safety and health.

The main tasks of the Service are (par. 6 of the Recommendations):

- Organization of work to ensure compliance with labor protection requirements.
- Control over compliance with laws and other normative legal acts on labor protection, collective contract, labor protection agreements and other local normative legal acts of the organization.
- Organization of work to prevent occupational injuries, occupational diseases and diseases caused by production factors as well as work to improve working conditions.
- Informing and consulting workers of the organization including its head on safety.
- Research and dissemination of best practices on occupational safety, promotion OSH issues.

The Recommendations also define the functions and rights of the Service.

Labor protection committees (commissions) are bilateral authority comprising representatives of workers and employers. They are created on the basis of the art. 218 Labor Code on the initiative of the employer and (or) on the initiative of workers or their representative.

Representatives of the employer and representatives of the elected body of the primary trade union organization or of another representative body of employees shall be included on a parity basis.

The Order of the Ministry of Labor of Russia № 412n of 24/6/2014 approved the Model Regulation on the Labor Protection Committee (Commission). According to art.218 LC RF Committee (commission) on occupational safety is organizing joint actions of the employer and employees to ensure that the requirements of occupational safety and health, the prevention of occupational accidents and diseases, as well as organizes inspections of working conditions and safety in the workplace and to inform workers of the results of these checks, collection of proposals to the section of the collective contract (agreement) on labor protection.

Based on the Regulation, the order (instruction) of the employer taking into account the views of the elected body of primary trade union organization or other representative body authorized by workers approve the Regulation on the Labor Protection Committee (Commission) (hereafter referred to as the Committee), taking into account the specifics of the employer's activities.

The Committee is an integral part of the OSH management system of the employer as well as one of the forms of worker participation in the OSH management. The Committee's work is based on principles of social partnership (par. 4).

The Model Regulations on the Labor Protection Committee (Commission), the employers use to develop their own Regulations on the Labor protection committee (commission) sets common tasks, functions and powers of the Committee (Commission).

The main functions of the Labor protection committee (commission) include consideration of proposals for the improvement of occupational safety, facilitation the organization of occupational safety training, participation in monitoring of compliance with the requirements of labor protection, informing workers on different aspects of labor protection in the enterprise; assist employer in: organization of medical examinations, respect labor protection requirements for work in hazardous working conditions, organization of financial support for labor protection measures, introduction of more advanced and safe production technologies and equipment, improvement of working conditions, development of local acts on labor protection.

Committee is created on the initiative of the employer and (or) workers or their representative body on a parity basis (each party has one vote regardless of the total number of representatives of the parties), it consists of employer's representatives, trade union representatives or other representative body of workers (par. 10).

Representatives of workers in the Committee (Commission) are run by the trade union organization if it unites more than half of the workers or at the general meeting (conference) of workers. Commission members are trained on labor protection by the employer.

Support for operation of the Committee, its members (exemption from the main work for the duration of his\her duties, for OSH training) is set by collective agreement, local normative acts of the employer (par. 17).

The European Committee of Social Rights in Conclusion 2013 requested information was requested about observance over Labor protection services in enterprises with less than 50 people when this function is performed by the employer or it is assigned to one of the workers or to occupational medicine health services.

Such control is performed within inspection in the sphere of OSH by state and non-state authorities (trade unions) in the framework of the mechanisms described in this report.

The European Committee of Social Rights has requested information on the trade unions as well as the practical aspects of coordination with the Federal Labor Inspectorate to ensure effective control.

In Russia there are several all-Russian associations of trade unions. The largest of them is the Federation of Independent Trade Unions of Russia (FITUR), it is a legal successor of the Soviet trade unions (VTSSPS) it currently unites about 20 million members.

The second trade union association by number of members is the Confederation of Labor of Russia (CLR) created in 1995 and it brings together the most active unions created after the collapse of the Soviet Union. It has about 2 million members. Number of members of other unions is difficult to determine.

The economically active population as of 2015 was 76.5 mln.people (53% of the total population). Thus, the trade unions united around 30% of the economically active population.

According to art 370 LC RF the trade unions are entitled to monitor compliance with labor law and other legal regulatory acts containing labor law standards, their compliance with the terms of collective agreements and agreements by employers and their representatives.

Within one week from the day of receiving a demand to eliminate discovered violations, employers shall be required to inform the relevant trade union body of the results of their review of the given demand and measures taken.

In monitoring compliance with labor law and other legal regulatory acts containing labor law standards, compliance with the terms of collective agreements and agreements, all-Russian trade unions and associations thereof may create legal and technical inspectorates of trade union labor, which shall be granted powers provided in regulations approved by the all-Russian trade unions and associations thereof.

Interregional and regional associations of trade union organizations that are active within the territory of a constituent member of the Russian Federation may create legal and industrial inspectorates of trade union labor, which shall operate on the basis of regulations they adopt in accordance with the standard regulation of the corresponding all-Russian association of trade unions.

Trade union labor inspectors shall, following established procedures, be entitled to visit without hindrance any employers (organizations irrespective of the organizational legal forms and the forms of ownership thereof, and also employers being natural persons), where members of the given trade union or unions belonging to an association are employed, in order to check on compliance with labor law, other legal regulatory acts containing labor law standards, and laws on trade unions and compliance with the terms of collective agreements and agreements.

Trade union labor inspectors and persons authorized (empowered) by trade unions for matters of workplace safety shall be entitled to::

- monitor employers' compliance with labor law and other legal regulatory acts containing labor law standards;

- conduct independent expert review of working conditions and provisions for worker safety;

- take part in investigations of industrial accidents and occupational diseases;

- obtain information from the heads and other officials of organizations, employers being individual entrepreneurs on the state of working conditions and workplace safety, and also on all industrial accidents and occupational diseases;

- defend the rights and lawful interests of trade union members on issues of restitution for harm caused to their health at work;

present demands to employers that operations be suspended in the event of an imminent threat to the lives and health of workers;

send employers reports with demands to eliminate discovered violations of the labor legislation and other legal regulatory acts containing labor law standards, consideration of which shall be mandatory;;

conduct inspections of the state of working conditions and workplace safety, and of employers' fulfillment of obligations stipulated in collective negotiations and other agreements;

take part in the work of commissions for the testing and accepting for operation of means of production as independent experts;

participate in the review of labor disputes associated with violations of the labor legislation and other normative legal acts containing standards of labor law and obligations stipulated in collective negotiations and other agreements, as well as disputes over changes in working conditions;

participate in preparing drafts of federal laws and other normative legal acts of the Russian Federation, laws and other normative legal acts of subjects of the Russian Federation, normative legal acts of local self-government bodies containing standards of labor law;

take part in the elaboration of drafts of subordinate normative legal acts establishing state normative requirements of labor protection and also agree upon them in the procedure established by the Government of the Russian Federation;

apply to the appropriate agencies and present demands that guilty persons be held accountable for violations of the labor legislation and other legal regulatory acts containing labor law standards or for concealing industrial accidents.

In exercising the indicated powers, trade unions and their labor inspectorates shall work with the federal executive governmental body empowered to exercise state supervision and control over the observance of the labor legislation and other normative legal acts containing standards of labor law, its territorial bodies, other federal executive governmental bodies charged with the functions of control and supervision in the established area of activity.

Persons authorized (empowered) by trade unions for matters of workplace safety shall be entitled to monitor compliance with workplace safety requirements without hindrance, and submit proposals for removing discovered violations of workplace safety requirements, consideration of which shall be binding upon the enterprises' officials or employers being individual entrepreneurs.

Similar provisions are included in Article 19, 20 of the Federal Law "On Trade Unions, their Rights and Guarantees".

Trade unions exercise trade union control of OSH and environment through their bodies, authorized (empowered) persons for labor safety, the recommendations on their establishment

approved by the Ministry of Labor of Russia as well as their own OSH inspections operating on the basis of the regulations approved by the trade unions.

The FITUR Regulation on technical labor inspection approved by the decision of the FITUR Executive committee № 7-6 of 19.12.2005; amended by the decision of the FITUR Executive committee № 5-17 of 13.10.2014, in particular, it has changed the system of recording information on technical labor inspection.

The trade unions employ specialists as labor inspectors for whom this place of work in most cases is the main place of work. A lot of trade unions regularly organize seminars and conferences for their inspectors aimed at professional development and discussion of relevant issues; perform various types of methodical work. The FITUR adopted the practice of seminars, meetings.

Report and information on work of the FITUR trade union labor inspection are approved annually by the FITUR Executive Committee.

The number of labor inspectors working in FITUR has declined in recent years: from 491 people in 2009 to 403 people in 2014 (491 - 2010, 476 - 2011, 492 - 2012, 401 - 2013 and 403 - 2014) [90]

Similarly, the number of OSH authorized (empowered) persons has decreased from 281 659 people in 2010 to 217 231 in 2014 (exact data are shown in Table 10).

However, it should be noted that the number of types of work performed and various forms of assistance to workers during this period, by contrast, has even increased by a lot of indicators.

Interaction with the federal labor inspectorate performed on the basis of the Agreement on mutual cooperation of the Federal Service for Labor and Employment and FITUR in ensuring compliance with the labor rights of workers [91] and agreements between the State Labor Inspectorate and territorial (interregional) associations of trade union organizations concluded in the most regions of the Russian Federation.

According to Article 2 of the Cooperation Agreement the forms of cooperation between FITUR and Rostrud are:

- exchange of information on violations of workers' rights;
- joint implementation of measures to protect the labor rights of workers, identification, elimination and prevention of violations;
- joint participation in the settlement of collective labor disputes;
- exchange of experience in protection of labor rights of workers;
- cooperation in the improvement of legislation on the protection of workers' rights and bringing it in line with the Constitution, generally recognized principles and standards of international law;
- cooperation within the Russian tripartite commission on regulation of social and labor relations;
- cooperation in training of labor arbiters specializing in the resolution of collective labor disputes.

For the purpose of cooperation, the parties can form a joint temporary or permanent working groups to ensure participation of its employees in the events held by the Parties on a reciprocal basis.

Joint implementation of measures to protect the labor rights of workers includes:

conduct joint inspections of compliance with the requirements of the labor legislation in the enterprises, adoption of measures to restore the violated labor rights of workers, to bring responsible officials to justice;

informing and consulting workers and employers on labor legislation including through the organization of joint seminars, conferences, lectures, discussions, etc. ;

legal assistance to workers to protect their labor rights in the judiciary;

joint activities to monitor the implementation of preventive measures by employers to prevent accidents at work and occupational diseases funded by compulsory social insurance.

The FITUR documents provide information about the results of the technical labor inspections, the most significant indicators for this report are given in Table 13.

Table 13. Performance indicators of Technical Labor Inspectorate of the territorial associations of the FITUR trade unions for 2010-2014

№	Indicator	Aggregated by year				
		2010	2011	2012	2013	2014
1.	Number of technical labor inspectors of the trade unions (total)	491	476	492	401	403
2.	Inspections performed by technical labor inspectors (total)	12896	13059	13583	15 603	16 962
	Identified violations	88158	84319	88872	77 081	78 543
	Issued instructions	11274	11196	11136	11 025	10 951
	Including together with:					
2.1	Federal Service for Labor and Employment	3508	2810	2662	1 925	2 024
	Identified violations	24826	18925	18813	13 581	13 723
	Issued instructions, reports	3093	2593	2427	1 664	1 723
2.2	technological supervision authorities	Reports are not recorded			561	449

	Identified violations				1 251	1 946
	Issued instructions, reports				254	263
2.3	sanitary and epidemiological surveillance authorities				187	235
	Identified violations				1 252	1 584
	Issued instructions, reports				174	213
2.4	Prosecutors office	415	372	364	268	418
	Identified violations	2281	2078	1686	1 302	1 623
	Issued instructions, reports	357	334	301	285	227
2.5	other bodies of state control (supervision) and departmental control	3922	3374		2 127	2 815
	Identified violations	22217	20207	15206	12 354	12 563

Table 13 cont.

	Issued instructions, reports	3424	3018	2161	1 540	1 470
4.	Sent demands to prosecute persons responsible for violations of the laws and other legal acts containing standards of labor law (total)	2958	2560	2718	2 645	1 620
	including:					
4.1	To employers	2004	1982	1938	2 192	1 285
4.2	To federal services	728	556	439	339	199
4.3	To prosecutors office	309	184	183	114	136
5.	Prosecuted based on reports (total)	3014	2883	2663	2 682	1 605
5.1	disciplinary	2171	2119	1855	1 977	1 113
5.2	administrative	928	832	808	701	487
5.3	criminal	6	7	0	4	5

6.	Demands to employers to suspend the works, operation of tools, machinery, equipment, vehicles, industrial sites in the event of imminent danger to life and health (all)	1606	1553	1575	1 312	1 130
12.	Number of OSH authorized (empowered) persons by the trade unions	281659	268251	259955	228 025	217 231

These data indicate that the trade unions are working in collaboration with government bodies that supervise occupational safety and health.

Paragraph 4 Article 3.

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organization:

4. to promote the progressive development of occupational health services for all workers with essentially preventive and advisory functions.

According to the Concept of the demographic policy of the Russian Federation for the period up to 2015 one of the main tasks of the demographic policy of the Russian Federation for the period up to 2025 is to reduce the mortality rate especially of active working age population. This task includes, in accordance with the provisions of the Concept, reduction of deaths and injuries from accidents at work and occupational diseases due to the transition in the sphere of occupational safety and health to professional risk management system (including informing workers on the risks, establishment of the identification system, system for evaluation and control of such risks) as well as due to economic incentives to improve the working conditions by the employer.

According to art.2 LC RF one of the main principles of the legal regulation of labor relations and other relations directly associated with them is ensuring the rights of each employee to fair working conditions, including working conditions meeting the safety and hygiene requirements, right to leisure, including restriction of working time, providing daily rest, days-off and holidays, paid annual leave.

Paragraph 4 art.3 of the Charter requires that the member states, in consultation with employers' and workers' organization have contribute to the progressive development of occupational health services for all workers. In the Russian Federation there is a state management of OSH including state

regulation of the establishment and activities of services and organizations functioning as occupational health services.

So according to art.6 LC RF the sphere of reference of the federal bodies of state power in the sphere of labor relations and other relations directly associated with them include adoption of federal laws and other normative legal acts obligatory for application on the whole territory of the Russian Federation, specifying: the main areas of state policy in the sphere of labor relations and other relations directly associated with them; the fundamentals of legal regulation of labor relations and other relations directly associated with them (including the definition of rules, procedures, criteria and standards aimed at preserving the life and health of workers in the course of their labor activities).

According to art.216 LC RF State administration of occupational safety and health (OSH) shall be accomplished by the Government of the Russian Federation directly or at its instruction by the federal executive body exercising the functions of the elaboration of state policy and normative legal regulation in the labor area and also by other federal executive government bodies within the scope of their powers.

For the purpose of state management of OSH , the Government of the Russian Federation and the authorized federal bodies of executive power shall ensure the elaboration of normative legal acts determining the bases of state management of OSH ; elaborate federal targeted programs for improving the conditions and protection of labor and ensure control over their fulfillment; ensure the interaction of the federal bodies of executive power, bodies of executive power of the subjects of the Russian Federation, associations of employers, trade unions and their associations on issues of realization of state policy in the sphere of OSH ; coordinate research works in the OSH and ensure the dissemination of advanced domestic and foreign experience of the work in improving the conditions and protection of labor; exercise other authorities in the sphere of state management of OSH in accordance with federal laws and other normative legal acts of the Russian Federation.

For the purpose of state management of OSH, the bodies of executive power of the subjects of the Russian Federation in the sphere of OSH shall ensure the realization on the territory of an entity of the Russian Federation of state policy in the sphere of OSH and of the targeted programs for improving the conditions and protection of labor; elaborate and approve the territorial targeted programs for improving the conditions and protection of labor and ensure control over their fulfillment; organize the collection and processing of information about the state of labor conditions and protection with employers carrying out activity on the territory of the Russian Federation; perform other authority in the sphere of state management of OSH .

According to art.212 LC RF an employer shall be charged with obligations to ensure safe conditions and OSH. The employer shall be obligated to ensure:

in instances stipulated by the labor legislation organizing the performance at their own expense of mandatory, preliminary (during the start of work) and periodic (during labor activity) medical examinations, mandatory psychiatric examination of workers, and unscheduled medical examinations,

mandatory psychiatric examination of workers pursuant to their requests in accordance with medical recommendations with the retention by them of their job (position) and the average earnings for the period when undergoing said medical examinations;

not permitting workers to perform their labor duties without having undergone mandatory medical examinations, mandatory psychiatric examinations, as well as in the event of medical contraindications;;

taking measures to prevent emergency situations and to preserve workers' life and health during the occurrence of such situations, including the provision of first aid to victims;

hospital and at-home treatment, and health coverage of workers in accordance with the requirements of OSH , and also the delivery of workers who fall ill at their workplaces to a health-care institutions when they need urgent medical assistance.

In the Russian Federation the functions of occupational health services are performed by a variety of services: functions of occupational health services - services created by the employer or engaged by the employer (occupational health services, institutions providing services in the sphere of occupational safety and health engaged by the employer under a civil law contract, created on a parity basis committees (commissions) on labor protection) (article 217 of the Labor Code), and the functions of occupational medicine services - services that are external to the employer. The employer does not perform functions in the sphere of occupational medicine, they are delegated to independent entities subordinate Rospotrebnadzor, Federal Medical-Biological Agency (FMBA) of Russia and Ministry of Health of the Russian Federation.

Provisions concerning specification of the work of these services in addition can be regulated in collective agreements. According to art.46 TLC RF the agreement may incorporate mutual obligations of the parties concerning working conditions and OSH; the collective agreement may incorporate workers' and employer's obligations relating environmental safety and the protection of employees' health at work (art.41 LC RF).

According to art.217 LC RF In the interests of ensuring observance of the OSH requirements and monitoring their fulfillment, each employer performing production activity with shall establish an occupational health service.

the employer having more than 50 workers shall establish an occupational health service or introduce the position of an OSH expert possessing appropriate training or work experience in the field (p.2 art.217 LC RF); the employer having up to 50 workers shall adopt a decision on setting up an occupational health service or the position of OSH expert with due regard to the specific nature of the employer's production activity (p.3 art.217 LC RF).

If an employer has neither an occupational health service nor an OSH expert who is a member of staff then the functions thereof shall be carried out by the employer being an individual entrepreneur (in person), the head of the enterprise, or another employee empowered by the employer or an

enterprise or specialist that provides OSH services that is recruited by the employer under a civil-law contract.

The structure of an occupational health service in an enterprise and the number of employees of an occupational health service shall be determined by an employer, taking into account the Recommendations for Labor protection service in the enterprises. [Error! Reference source not found.] According to the Recommendations OSH experts should be permanent workers of the employer. Order of the Ministry of Labor of the Russian Federation № 524n dd August 4, 2014 approved standard "Specialist in the sphere of occupational safety and health." According to the Order №524n the expert works with planning, organization, control and improvement of occupational safety and health management. The main objective of this activity is to prevent accidents at work and occupational diseases, reduce the impact or eliminate harmful or hazardous production factors, levels of occupational risks.

The Decree of the Ministry of Labor of Russia № 10 dd January 22, 2001 "On approval of cross-sectoral standards for number of OSH workers in the enterprises" gives recommendations for employers on number and structure of OSH services, the state that the organization with the number of workers up to 700 people (in the absence of heavy work and work in harmful or dangerous working conditions) may engage individual OSH experts; with greater numbers of workers, the organization can create OSH Bureau (3 - 5 workers including the chief) or department (6 or more workers).

More information about the occupational health services see. the answer to the question of the Committee of Economic and Social Rights for Article 3 par 3 ESC.

The tasks of the occupational health service or specialist include the organization of work to ensure compliance with OSH requirements and appropriate controls; preventive work of appropriate orientation; information work; research and dissemination of the best practices in OSH.

The workers of the Service have the right, in particular, at any time of the day visit and inspect the various premises of the organization without restrictions; issue binding instructions to the officials of the enterprise; send to the head of the enterprise proposals to prosecute officials - violators of safety rules.

In accordance with the Recommendations for the Labor protection in the enterprise approved by the Decree of Ministry of Labor of Russia № 14dd February 8, 2000 the service is entrusted with the following functions: recording and analysis of condition and causes of accidents at work, occupational diseases; organization and participation in the special assessment of working conditions; technical survey of the buildings, equipment, means of collective and individual protection of workers, state sanitary-technical devices; participate in the development of programs to improve the working conditions and safety, prevention of accidents at work, occupational diseases; organization of investigation of accidents at work; organization of training on occupational safety and health; control over the use of personal and collective protection means, elimination of causes of accidents at work, the implementation regulations of the state supervision bodies and etc.

Thus, the occupational health services are established for all workers including public sector workers in all sectors of economic activity and types of ownership.

Organizations providing services in the sphere of occupational safety and health engaged by the employer under civil law contract are subject to mandatory accreditation, except for organizations conducting a specific assessment of working conditions, the procedure for accreditation is established by the legislation on a special assessment of working conditions. The list of services the accreditation is necessary for and rules of accreditation of organizations providing services in the sphere of occupational safety are approved by the Order of the Ministry of Health of Russia № 205n dd April 1, 2010.

Organizations accredited to provide services in the sphere of occupational safety and health engaged by an employer under a civil law contract may perform functions of the occupational health services, conduct training of employers and workers in OSH.

A labor protection committee (commission) shall organize an employer's and the workers' joint actions to support the OSH requirements and to prevent workplace injuries and occupational illnesses, and organize the performance of verifications of the condition and protection of labor in work places and the notification of employees regarding the results of said verifications and the collection of proposals relating to the section of a collective contract (agreement) on OSH (p.2 art.218 ТК РФ).

The Order of the Ministry of Labor № 412n dd June 24, 2014 approved the Model Regulations on the Labor Protection Committee (Commission). The labor protection committees (commissions) are social and partner agencies. Details on the establishment and activities of the labor protection committees (commissions) on labor protection see. the answer to the question of the Committee on Economic and Social Rights for par. 3 art. 3 ESC.

In accordance with workplace safety requirements, it shall be the responsibility of the employer to ensure that workers receive services in the areas of basic sanitation and general and preventive health care (art.223 LC RF). For these purposes, the following shall be set up by the employer, pursuant to established standards: washrooms and toilets, lunch rooms, first aid posts, and areas for rest and stress relief during the work day; medical posts shall be set up with first-aid kits containing an assortment of medications and supplies; devices shall be installed to provide workers in hot shops with carbonated salt water, and others.

Transportation to medical institutions or to the place of residence of workers suffered from accidents at work and occupational diseases as well as by other medical indications is performed by the transport of the employer or at the employer's expense (part 2 of article 213 of the Labor Code).

Art. 24 of the Federal Law "On the fundamentals of health protection in the Russian Federation" [16] guarantees the rights of workers to health protection employed in certain types of work. In order to protect health and preserve the ability to work, prevent and early detect occupational diseases workers employed in jobs with harmful and (or) dangerous production factors as well as in the cases stipulated by the Russian legislation, workers employed in certain types of work are subject to mandatory medical

examinations (Clause 1 of Article 24 of the Federal Law "On the fundamentals of health protection in the Russian Federation").

With regard to workers who are not related to the above categories, employers have the right to take additional measures to care about their health.

In order to protect the health, the employers have the right to create a position of medical workers and establish divisions (doctor's office, health center, medical room, medical unit and other units) providing medical assistance to workers (clause 4 of Article 24 of the Federal Law "On the fundamentals of health protection in the Russian Federation").

The procedure for activities of departments and health workers is established by the Ministry of Health of Russia. At the moment there is an Order of the Ministry of Health of Russia № 911n dd 13.11.2012 "On approval of the provision of medical care for acute and chronic occupational diseases" and it approved the Rules for medical health center (Appendix №1 to the Order).

The Rules determine the procedures of the medical health center created in the form of a structural unit of the enterprises performing medical activity alongside the main (statutory) activities. According to paragraph 2 of the Rules the health center is created in organizations with more than 1201 workers in the first shift, more than 301 people in the second shift, more than 201 people in the third shift and more than 101 people in the fourth shift.

The structure of the health center and its staffing level established are by the head of the organization it was created in based on the volume of diagnostic and treatment, number of treated workers and recommended standards on staff (Appendix №2 to the Order). Appendix №3 to the Order describes the equipment standard for health center.

The main functions of the health center are (p.5 Appendix №1 to the Order) provision of primary health care before arrival of emergency medical assistance; examination of temporary disability; assignment of workers looked for medical care to consultation of specialists; pre- and after trip, pre and after shift, inspections; organization and performance sanitary-hygienic and anti-epidemic measures in the territory of the enterprise; health protection of workers etc.

Workers employed in rural and remote areas use feldsher's stations of medical institutions (structural units of the medical institutions organized for primary pre-hospital care and palliative care to the population in rural areas with low population and (or) are far from medical institutions including medical and obstetric centers, or in the presence of water, mountains and other obstacles, as well as in the case of pre-emptive (over 40%) living of citizens older than working age population). The Order of the Ministry of Health of Russia № 534n dd 15.05.2012 "On Approval of the Regulations for organization of primary health care to adults" approved Appendix №18 (Rules for feldsher's stations of medical institutions), Appendix №19 (Recommended staff standards for feldsher's stations), Appendix № 20 (Standard equipment for feldsher's stations).

According to the Order of the Ministry of Health of Russia № 32 dd July 13, 2012 № 32 there is a draft order of the Ministry of Health "On Procedures for departments providing medical assistance to workers in enterprises" and it should replace the mentioned Appendix 1, 2, 3 to the Procedures approved by the Order of the Ministry of Health № 911n dd 13.11.2012 as well as Appendix №18, 19, 20 to the Regulation for organization of primary health care to adults approved by the Order of the Ministry of Health of Russia № 534n dd 15.05.2012.

The draft order set rules for organization of departments providing health care to workers except for units subordinated FMBA of Russia; set features for organization, functions, number of staff and equipment for the doctor's office, health center, medical unit as well as the health center designed to provide primary health care to divers.

The legislation of the Russian Federation provides an examination of professional suitability in order to determine compliance of workers health with ability to perform certain types of work (art 63. of the Federal Law 323-FZ dd 21.11.2011 "On the fundamentals of health protection of population in the Russian Federation"). Examination of professional suitability is performed by the Board of the medical institution with medical specialists on the results of the preliminary medical examination and periodic medical examinations. According to the results of professional suitability examination the board shall issue a medical conclusion on the suitability or unsuitability of the worker to perform certain types of work. The procedure for examination and form of a medical conclusion on suitability or unsuitability to perform certain types of work are established by the authorized federal executive body. [17]

The examination of the link between the disease and occupation is performed in order to establish a cause-and-effect relationship (art 63. of the Federal Law 323-FZ dd 21.11.2011 "On the fundamentals of health protection of population in the Russian Federation"). The examination of the link between the disease and occupation is performed by a specialized medical institution or specialized structural unit of the medical institution in the sphere of occupational diseases in the identification of occupational disease. According to the results of the examination of the link between the disease and occupation a medical report is issued on the presence or absence of an occupational disease. The procedure for the examination of the link between the disease and occupation and form of a medical report on the presence or absence of occupational diseases are established by the authorized federal executive body. As of June 1, 2016 the Ministry of Health developed a draft Order "On approval of the Procedure for examination of the link between the disease and occupation and form of a medical report on the presence or absence of an occupational disease. "

Employers are obliged to provide conditions for medical examinations and clinical examination of workers as well as allow workers to be examined without restrictions (p.5 Article 24 of the Federal Law "On the fundamentals of health protection of population in the Russian Federation").

Article 46 of the law gibes the types of medical examinations:

1) preventive medical examination for early detection of pathological conditions, diseases and risk factors for their development, non-medical use of narcotic drugs and psychotropic substances as well as to form health groups and make recommendations to patients;

2) preliminary medical examination performed at admission to work in order to determine whether the health of the worker allows him to work as well as at admission to training in a number of areas;

3) periodic medical examination performed with appropriate intervals in order to monitor workers' health, detect early forms of occupational diseases, early signs of the impact of harmful and (or) hazardous production factors, work environment, work process on the state of health of workers in order to form groups of occupational diseases risks, identify medical contraindications to the implementation of certain types of work;

4) pre-shift, pre-trip medical examinations performed before the start of the working day (shift, trip) in order to detect signs of the impact of harmful and (or) hazardous production factors, conditions and diseases that prevent the implementation of labor obligations including alcohol, narcotics or other toxic intoxication and residual effects of such substances;

5) after shift, after-trip medical examinations performed at the end of the working day (shift, trip) in order to detect signs of the impact of harmful and (or) hazardous production factors of working environment and labor process on workers health, acute occupational disease or poisoning, signs of alcohol, narcotic or other toxic substances;

6) other types of medical examinations established by the legislation of the Russian Federation.

These types of medical examination and psychiatric examination performed at the expense of the employer.

Preliminary medical examinations (before the employment) are performed for the following categories of persons:

1) persons who has not reached the age of 18 years;

2) workers employed in jobs with harmful and (or) dangerous working conditions as well as work related to traffic;

3) persons engaged to work in the Far North and equated localities;

4) persons employed for work on a rotational basis;

5) workers of organizations in the food industry, public dining, trade, water pipeline structures, treatment, preventive treatment, and children's institutions, as well as certain other employers;

6) workers ensuring the movement of trains;

7) workers engaged in underground work;

8) some other category of workers in accordance with federal laws (departmental security; workers of certain occupations, industries, enterprises, institutions and organizations that are subject to mandatory medical examinations for the detection of HIV infection, rescuers) .

Periodic medical examinations are performed for (part 1 of article 213 of the Labor Code) the following categories of workers:

- workers employed in harsh work and work with harmful and (or) dangerous working conditions (including in subterranean work), as well as in work involving the movement of transportation. The said workers shall undergo unscheduled medical examinations (tests) in accordance with medical recommendations in order to determine the workers fitness for the performance of the assigned work and to prevent occupational diseases;

- workers of organizations in the food industry, public dining, trade, water pipeline structures, treatment, preventive treatment, and children's institutions, as well as certain other workers, shall undergo said medical examinations (tests) in the interests of safeguarding the public's health and preventing the occurrence and spread of diseases.

Mandatory daily medical examination at the beginning, during and at the end of the working day (shift). The running time of these medical examinations is included in the working hours.

Examinations include:

- workers engaged in underground work (art.330.3 LC RF);
- workers directly employed in jobs related to the maintenance of electric power facilities;
- employees of public railway transport;
- drivers of vehicles in particular of official cars.
- crew members of civil aircraft, air traffic controllers.

Employees performing individual types of activity, including involving sources of heightened danger (with the influence of harmful substances and unfavorable production factors), as well as those working in conditions of heightened danger, shall undergo mandatory psychiatric certification at least once every five years in a manner established by the federal executive body authorized by the Government of the Russian Federation.

In the event of the need, certain employers may, by a decision of local self-government bodies, introduce additional conditions and indications for the performance of mandatory medical examinations.

The medical examination of working citizens, unemployed people and students has been introduced since 2015. The procedure for clinical examination is provided by the Order of the Ministry of Health of Russia № 36an 03.02.2015 "On Approval of Procedure for clinical examination of certain groups of the adult population."

Clinical examination is a set of measures including preventive medical examination and additional methods in order to assess the state of health (including definition of health groups and groups of follow-up monitoring) and implemented with respect to certain groups of population in accordance with the legislation of the Russian Federation (p.5 Article 46 of the Federal Law ""On the fundamentals of health protection of population in the Russian Federation"").

According to Article 34 of the Federal Law №52-FZ dd 30.03.1999 "On the sanitary-epidemiological wellbeing of population" Individual entrepreneurs and legal entities are obliged to provide conditions necessary for proper medical examinations of workers (p. 3); Workers refusing to pass the medical examinations are not admitted to work (p.4). Data on medical examinations is subject to entering into personal medical cards and to accounting by medical organizations of state and municipal systems of public health and also authorities exercising federal state sanitary and epidemiological surveillance (Part 5).

Access to health care in other cases is governed by the general rules that guarantee the right to health care and medical aid.

Thus, in the Russian Federation at the legislative level measures are taken necessary for development of occupational health services for all workers especially with consultative and preventive purposes. Legislation in this area is developed based on consultations with social partners. The main channel for such consultations is the work of the Russian tripartite commission on regulation of social and labor relations.

The European Committee of Social Rights in Conclusion 2013 asked on the next report to present statistics on total number of workers who must undergo a preliminary or periodical medical examination, percentage of experts in the sphere of occupational medicine in relation to the economically active population and percentage of companies using their own or external medical services provided access to health care in practice.

As part of the All-Russian monitoring of conditions and safety the main objects of monitoring are, in particular, state of working conditions and ensure occupational safety at the workplace; level of accidents at work and occupational diseases; establishment of disability due to accident at work or occupational disease; federal state supervision over compliance with government regulatory requirements for OSH; information support of OSH and dissemination of advanced domestic and foreign experience to improve the working conditions and safety; vocational training and training in OSH; implementation of public control over the observance of rights and legitimate interests of workers in the sphere of occupational safety and health, etc..

The Ministry of Labor makes an annual report on the implementation of the main directions of the state policy in the sphere of environment and occupational safety based on the monitoring data and annual report on the results of monitoring the implementation of the Federal Law N 426-FZ dd December 28, 2013 "On special assessment of working conditions" and published regulations thereunder.

The list of information required for nationwide monitoring of working conditions and OSH recommended for submission to the executive bodies of the subjects of the Russian Federation in the sphere of occupational safety and health; the list of reporting forms the information from which is used by the Ministry of Labor to conduct nationwide monitoring approved by the Order of the Ministry of Labor of the Russian Federation № 1197 as well as published data reports thereunder - do not present data on total number of workers who must undergo a preliminary or periodical medical examination, percentage of experts in the sphere of occupational medicine in relation to the economically active population and percentage of companies using their own or external medical services provided access to health care in practice.

However, there are available data on certain categories of workers belonging to groups that must undergo preliminary and periodic medical examinations.

Thus, in particular, we take into account data on number of workers employed in hazardous working conditions (such workers must undergo mandatory preliminary and periodic medical examinations) (Table 14).

Table 14. Average number of workers in Russia and engaged in harmful working conditions (according to a sample survey by Rosstat)

Indicators	2010	2011	2012	2013	2014
Average number of listed workers (according to Rosstat), pers.	46719007	45872388	45898381,6	45815639,7	45486400,2
Employed in hazardous working conditions, in % of total employment (according to Rosstat sample survey)	29	30,5	31,8	32,2	39,7

Thus, 18,058,100 persons must undergo preliminary and periodic medical examinations within this category of workers at year-end 2014.

Conclusions about the number of workers of organizations in the food industry, public dining, trade, water pipeline structures, treatment, preventive treatment, and children's institutions that must undergo preliminary and periodic medical examinations can be based on Rosstat data on the average annual number of workers of organizations by kind of economic activity (Table 15) .

Table 15. Average number of eworkers of organizations by economic activity (thous.)

	2005	2010	2011	2012	2013	2014
Manufacture of food products including beverages and tobacco	1447,0	1317,4	1291,7	1253,8	1216,4	1190,5
Production and distribution of electricity, gas and water	1861,1	1838,6	1844,6	1833,0	1828,7	1813,6

Education	5833,9	5523,4	5364,4	5268,1	5168,3	5098,5
Health care and social services	4357,3	4464,0	4455,3	4435,4	4360,8	4344,4

Table 15 cont.

Other community, social and personal services	1810,2	1728,0	1695,0	1695,9	1660,4	1627,6
Wholesale and retail trade; repair of motor vehicles, motorcycles, household goods and personal items	4470,8	5474,8	5280,3	5352,6	5574,0	5711,1
Hotels and restaurants	677,8	786,8	804,4	809,5	803,5	809,3

There is publicly available information on activities undertaken at the expense of insurance funds in quantitative terms. Thus, according to the Social Insurance Fund, in 2012-2014 the number of workers that underwent mandatory periodic medical examinations: in 2012 - 562,255 people, in 2013 - 736,949 people, in 2014 - more than 700 thous. people

The actual costs of medical examinations and personal protective equipment in 2014 amounted to 69.1 bln rubles including.:

medical examinations - 10.6 bln rubles.

purchase of personal protective equipment - 58.5 billion rubles.

The value of actual costs of compensation, medical examinations and personal protective equipment (171.1 bln. Rubles) is constantly increasing. Thus, compared with the increase in year 2013 was 10.7%

The European Committee of Social Rights in Conclusion 2013 requested information on the percentage of experts in the sphere of occupational medicine in relation to the economically active population and percentage of companies using their own or external medical services provided access to health care in practice.

Such information is not publicly available.

The European Committee of Social Rights in Conclusion 2013 requested information on occupational diseases identified during the periodic medical examination.

The information from the Federal Service for Supervision on Consumer Rights Protection and Human Wellbeing (Rosпотребнадзор) on the number of newly established occupational diseases (poisoning) is shown in Table 8 (page 201 of this report).

According to the Federal Service for Supervision on Consumer Rights Protection and Human Wellbeing the number of people with an occupational disease established for the first time in 2014 has decreased in comparison with 2013 by 3.9% and amounted to 6718 people including 990 women.

Chronic diseases - 6 676 people (including 974 women), acute (poisoning) - 42 people (including 16 women) fatal – 3 cases. The number of people with two or more diseases is 1 071 people (15.9% of the total number of cases) including 184 women.

The information from Rosstat on the number of newly established occupational diseases (poisoning) is shown in Table 16.

Table 16. Number of persons with occupational disease established in 2011-2014 in the subjects of the Russian Federation (according to Rosstat)

Federal districts and subjects of the Russian Federation	Number of persons with occupational diseases established in the current year							
	persons				Per 10 000 employed			
	2011	2012	2013	2014	2011	2012	2013	2014
Russian Federation	7718	5319	5337	5090	3,7	2,5	2,5	2,3

Number of persons with occupational diseases established for the first time remains constant for the following economic activities: the first position (in descending order) belongs to manufacturing, mining, transport and communications (Table 17).

Table 17. Distribution of persons with newly established occupational diseases in 2012-2014 by economic activity (according to Rosstat)

	2012	2013	2014
Manufacturing	1 995	1990	1 917
Mining	1 745	2017	1 865
Transport and communications	643	615	609
Construction		136	215
Agriculture, hunting, forestry		228	181
Health care, social services		129	143
Production and distribution of electricity		85	86
Real estate, renting and business activities		85	58

At the end of 2012, 2014 the highest rate of occupational diseases was observed in mining and manufacturing (Table 18).

Table 18. The highest rate of occupational diseases (persons per 10 thous. employed)

	2012	2014
Mining, including	18,1	19,3
- coal, lignite and peat	59,8	79,7
- Coal mining by underground method	91,3	130,0
Manufacturing	3,1	3,0

According to the Ministry of Labor, among the causes of occupational diseases the leading role belongs to poor working conditions, which in some economic activities are harmful to every second workplace and even more often, for example:

- Mining of coal, lignite and peat - in 2012 - 76.0%, in 2014 - 80.2% workplaces;
- Metallurgical production - in 2012 - 62.4%, in 2014 - 69.5% workplaces;
- Mining of metal ores - in 2012 - 52.0%; in 2014 - 67.0% workplaces).

The European Committee of Social Rights in 2013 requested information on access to health care for workers who are not engaged in heavy work and do not work in harmful working conditions or dangerous to their health.

Workers who are not engaged in heavy work or do not work in harmful and dangerous working conditions, and who are not included in the number of other categories of workers who undergo medical examinations in a particular order, use the services of sanitary care and medical support for workers provided by employers described above.

In addition, they are entitled to medical care provided in the Russian Federation on a common basis.

The European Committee of Social Rights requested an explanation on the measures taken to improve the results of compliance with health and hygiene standards in the sphere of labor and to reduce the number of occupational diseases.

The report of the Ministry of Labor on the implementation of the state policy in the sphere of OSH in the Russian Federation [98] shows that a strategic goal of reforming of OSH management is the transition from the compensation, cost – based model for OSH management to a modern risk-oriented model to implement a proactive approach to conservation of health and lives of workers in manufacturing as well as to reduce all types of costs related to unfavorable working conditions.

In accordance with the Plan of Activities of the Ministry of Labor of Russia for 2013-2018 the work in this area by the end of the last period was dedicated to implementation and operation of the institute for special assessment of working conditions, to improvement of legislation in the sphere of OSH at the federal and regional levels, to introduction of program-oriented OSH management, to scientific and practical events in the sphere of occupational safety and health, to state supervision and control over compliance with legislation in the sphere of occupational safety and health, to public control over the conditions of the state of occupational safety and health.

1. Improve the assessment of working conditions, establish guarantees and compensation for work in harmful and (or) dangerous working conditions.

The Federal Law № 426-FZ dd December 28, 2013 "On special assessment of working conditions" and Federal Law № 421-FZ dd on December 28, 2013 "On Amendments to Certain Legislative Acts of the Russian Federation in connection with adoption of the Federal Law" On special assessment of

working conditions" have come into force in 2014. The mentioned laws ensure the introduction of the institute for special assessment of working conditions, its results have a direct impact on the volume of guarantees and compensations to employees for work in harmful and (or) dangerous working conditions, it provides differentiation of the additional payment of insurance contributions to the Pension Fund in respect of workers engaged in work with harmful and (or) dangerous working conditions taking into account a working conditions class established as a result of a special assessment. The necessary legal were approved and registered in the Ministry of Justice of Russia in the development of this federal law № 426-FZ dd December 28, 2013 "On special assessment of working conditions" in 2014. The Assessment of working conditions in 2014 was performed taking into account the transitional provisions of the Federal Law № 426-FZ dd December 28, 2013 "On special assessment of working conditions."

2. Economic incentives for employers to improve the working conditions of workers, improvement of financial support for preventive measures to reduce accidents at work and occupational diseases as well as harsher punishment for violations in the sphere of occupational safety and health.

The most important mechanism of economic incentives for employers to improve working conditions is the introduction of a new system for payment of additional rates of insurance contributions in the Pension Fund of the Russian Federation to finance the insurance part of labor pensions at the same time with the introduction of a special assessment of working conditions. It depends on the working conditions class established as a result of a special assessment of working conditions performed in duly prescribed manner. The changes in the amount of the additional rates introduced by the Federal Law № 421-FZ to the Federal Law № 167-FZ dd December 15, 2001 "On Compulsory Pension Insurance in the Russian Federation" (Table 19).

Table 19. Additional rates of insurance contributions to the Pension Fund of the Russian Federation

Class	Subclass	Additional rate of insurance contributions
Dangerous	4	8,0%
Harmful	3.4	7,0%
	3.3	6,0%
	3.2	4,0%
	3.1	2,0%

Permissible	2	0,0%
Optimal	1	0,0%

Thus, in case of permissible or optimal working conditions class the employer is exempt from the payment of additional insurance contributions.

The same federal law №421-FZ amended the Criminal Code and Code of Administrative Offences of the Russian Federation.

Art. 143 of the Criminal Code " Violation of Labor Protection Rules " has a new edition and provides the following measures of responsibility: violation of safety rules or any other labor protection rules, committed by a person who has the duty of observing these rules, if this entailed by negligence the infliction of grave injury to the victim shall be punishable with a fine in an amount of 400 thousand rubles or in the amount of a wage or other income of the convicted person for up to 8 months or by obligatory labor for a term of up to 180-240 hours, or by corrective labor for a term of up to 2 years, compulsory labor for a term of up to 1 year or by deprivation of freedom for the same term with disqualification to hold certain positions or engage in certain activities for up to 1 year or without it.

The same act entailing, by negligence, the death of a person shall be punishable by obligatory labor for a term of up to 4 years or by deprivation of freedom for the same term with disqualification to hold certain positions or engage in certain activities for up to 3 year or without it.

The same act entailing, by negligence, the death of two and more people shall be punishable by obligatory labor for a term of up to 5 years or by deprivation of freedom for the same term with disqualification to hold certain positions or engage in certain activities for up to 3 year or without it.

The Code of Administrative Offences was amended with new articles envisaging responsibility for violations in the sphere of occupational safety and health: Art. 5.27.1 - for violation of federal health and safety regulations and art.14.54 - violation of the procedure of a special assessment of working conditions by the organization performed the special assessment of working conditions. Article19.5 of the Code of Administrative Offences was amended too: administrative liability for failure or improper fulfillment of requirements of state labor inspectors (administrative fine from 30 to 50 thous. rubles for enterprise officials or disqualification for 1-3 years; for individuals engaged in entrepreneurial activities without establishing a legal entity – from 30 to 50 thous. Rubles; a fine from 100 to 200 thous. rubles for legal entities.

Article 5.27.1 of the Code of Administrative Offences establishes the liability for the following violations:

- violations of federal health and safety regulations specified in the current legislation of the Russian Federation;

- violation by an employer of the statutory process for special assessment of working conditions, or failure to perform such an assessment;

- permitting a worker to work without prior duly training and testing in OSH, or without mandatory preliminary (at employment) and periodic medical examinations in the beginning of the shift (working day), mandatory psychiatric examinations or in case of medical contraindications;

- failure to provide workers with personal protective equipment.

Sanctions for these violations include fines for officials (from 2 to 40 thous. rub.), for individuals engaged in entrepreneurial activities without establishing a legal entity (from 2 to 40 thous. rub.), legal entities (from 50 to 200 thous. rub). Repeated violation can lead to a possible disqualification of officers for a period of 1-3 years; suspension of activities individuals engaged in entrepreneurial activities without establishing a legal entity, as well as of a legal entity - for up to 90 days.

The amount of sanctions for violation of the procedure of a special assessment of working conditions by the organization performed the special assessment of working conditions (art.14.54) is slightly higher - lower limit of the minimum fine for officials begins with 25 thous. rubles, for legal entities - from 70 thous. rubles.

In 2014, opportunities for financing preventive measures were greatly expanded at the expense of the SIF of the Russian Federation for small and medium enterprises. The calculation of 20 percent from the amount of insurance contributions has been performed on the basis of assessed contributions for three consecutive calendar years preceding the current fiscal year since the beginning of the last year for companies with up to 100 workers, if for last two years they did not provide funding for preventive measures at the expense of the SIF. This measure is aimed at increasing the attractiveness of implementation of preventive measures in the sphere of occupational safety for small and medium enterprises by increasing the amount of funds reimbursable by the SIF.

Also, according to the Order of the Ministry of Labor of Russia № 375n dd June 16, 2014 a Model List of measures annually implemented by the employer to improve working conditions and safety and reduce occupational risk levels was supplemented by activities aimed at the development of physical culture and sport of the working population, including compensation of payments for sports clubs and sections, construction of new and (or) reconstruction of existing facilities and areas for sports and a number of other events. A typical list of activities is complemented by the introduction of the All-Russian sports complex "Ready for Labor and Defense" (RLD) including payment to trainers and coaches involved in the implementation of these measures.

3. Updating the rules on OSH

In 2014 we continued work on revision and updating of existing cross-sectoral and industrial regulations on OSH in order to strengthen preventive measures, to reduce the number of accidents at work and occupational diseases.

In 2014, the following the regulations on OSH have been approved by the orders of the Ministry of Labor of Russia and registered by the Ministry of Justice of Russia:

Regulation on occupational safety when working at height (order of the Ministry of Labor of Russia № 155n dd March 28, 2014);

Regulations on labor protection on sea and river vessels (order of the Ministry of Labor of Russia № 367n dd June 5, 2014);

Regulation on occupational safety during loading and unloading and placing of goods (order of the Ministry of Labor of Russia № 642n dd September 17, 2014);

Regulation on occupational safety for units of the Federal Fire-Fighting Service of the State Fire-Fighting Service (order of the Ministry of Labor of Russia № 1100n dd December 23, 2014);

Regulation on occupational safety during electric and gas welding works (order of the Ministry of Labor of Russia № 1101n dd December 23, 2014);

Regulation on occupational safety during operation of refrigeration systems (order of the Ministry of Labor of Russia № 1104n dd December 23, 2014).

In 2014, new 9 draft regulations on occupational safety have been developed:

Regulation on occupational safety in road transport;

Regulation on occupational safety in housing and communal services;

Regulation on occupational safety in construction;

Regulation on occupational safety in food industry;

Regulation on occupational safety in production, installation and operation of machinery, equipment and technological installations;

Regulation on occupational safety in the timber, wood production and during harvesting;

Regulation on occupational safety in processing of mineral raw materials;

Regulation on occupational safety in operation of oil refineries, oil depots and filling stations;

Regulation on occupational safety in agriculture.

4. Improve the regulatory framework for the provision of personal protective equipment

In 2014, the Ministry of Labor continued to work on the preparation of model standards for free issue of certified special clothing, footwear and other personal protective equipment to workers engaged in work with harmful and (or) dangerous working conditions.

In 2014 the order of the Ministry of Labor of Russia № 997n dd December 9, 2014 "On approval of the model standards for free issue of special clothing, footwear and other personal protective equipment to workers of recurrent trades and positions of all economic activities engaged in work with harmful and (or) dangerous working conditions as well as in work performed in special temperature or pollution-related work " was approved and registered by the Ministry of Justice of Russia.

In order to improve procedures to provide workers with special clothes, special footwear and other personal protective equipment, the Ministry of Labor of Russia prepared a draft order "On Amendments to the Order of the Ministry of Health and Social Development of the Russian Federation № 290n dd June 1, 2009 "On approval of the inter-sectoral regulations to provide workers with special clothing, special footwear and other personal protective equipment " .

In order to encourage employers to use modern effective personal protective equipment the Federal Law № 426-FZ dd December 28, 2013 "On special assessment of working conditions" introduced a possibility to reduce working conditions class (subclass) if workers engaged in work with harmful and (or) dangerous working conditions use duly certified effective personal protective equipment.

Pursuant to the said standard the Ministry of Labor of Russia has developed and approved the "Methodology for reducing working conditions class (subclass) if workers engaged in work with harmful and (or) dangerous working conditions use effective personal protective equipment duly certified in accordance with technical regulation" (ordered of the Ministry of Labor № 976n dd December 5, 2014).

5. Education, training of workers and employers in OSH

Training of the OSH experts is performed in the educational institutions of higher education in a number of areas.

Education of workers and employers in the OSH is performed according to the decision of the Ministry of Labor of Russia and Ministry of Education of Russia № 1/29 dd January 13, 2003 «On approval of the Procedure for education and examination of workers in the OSH."

The total number of workers trained and passed the exams in the OSH in accredited organizations has been increasing constantly in recent years. According to the executive authorities of the subject of the Russian Federation 966 068 people were trained in 2014, it is higher than the corresponding figures for the previous years: 2013 - 931 487 people, 2012 - 880 667 people, 2011 - 815 220 people, 2010 - 542 672 people.

6. Adoption of administrative regulations of the state services

In 2014 the Federal Service for Labor and Employment, Social Insurance Fund approved the following administrative regulations in order to eliminate redundant administrative procedures and actions, to ensure a logical, transparent and clear process of public service:

Public service rendered by the Social Insurance Fund of the Russian Federation to adopt the decision on financial support for preventive measures to reduce accidents at work and occupational

diseases and sanatorium treatment of workers engaged in work with harmful and (or) hazardous production factors (order of the Ministry of Labor of Russia № 598n dd September 3, 2014);

Public service rendered by the Federal Service for Labor and Employment to inform and advise employers and workers on the enforcement of labor laws and other normative legal acts containing standards of labor law (order of the Ministry of Labor of Russia № 603n dd September 3, 2014).

7. Scientific and practical events dedicated to the OSH

Annually, there are scientific and practical events dedicated to the OSH when participants share experiences on improving methods for preventing accidents at work and occupational diseases in small and medium-sized enterprises.

8. Improving the conditions of OSH at the level of the subjects of the Russian Federation

The subjects of the Russian Federation are working in order to develop and improve regional regulatory and legal framework for OSH. As of the end of 2014 regional laws on labor protection act in 39 subjects of the Russian Federation; in the majority of the subjects of the Russian Federation issues on OSH are reflected in other laws regulating social and labor sphere in the region.

Events of the subjects of the Russian Federation in improvement of OSH conditions may be implemented in the form of a state program of the subject of the Russian Federation or a subprogram of the state program of the subject of the Russian Federation, the main activities and events as part of the main activities of government programs. According to information provided by the executive labor authorities of the subjects of the Russian Federation, in 2014 66 subjects of the Russian Federation take measures to improve working conditions and safety within state programs. 10 subjects of the Russian Federation continued to realize program documents of the regional format: 9 - regional OSH programs (Republic of Komi, Republic of Mordovia, Republic of Bashkortostan, Republic of Khakassia, Republic of Kabardino-Balkaria, Krasnoyarskiy kray, Tyumenskaya oblast, Ryazanskaya oblast, Tverskaya oblast), 1 - a separate section "Improving working conditions and OSH" of a long-term regional target program "Development of the system for social protection of population and improving labor relations in 2007-2015" (Kaliningradskaya oblast). Departmental target programs to improve conditions and labor protection were realized in five subjects of the Russian Federation (Vladimirskaaya oblast, Kostromskaya oblast, Tomskaya oblast, Nenets Autonomous Okrug and Yamalo-Nenets Autonomous Okrug). In 2014 two subjects of the Russian Federation implemented an Action plan to improve working conditions and OSH (St. Petersburg and Nizhegorodskaya oblast).

Funding for program activities is provided by budget (regional and municipal) and extra-budgetary resources (including SIF RF, including the financial support for preventive measures to reduce accidents at work and occupational diseases and sanatorium treatment of workers engaged in work with harmful and (or) dangerous production factors up to 20% of the amount of insurance contributions for compulsory social insurance against industrial accidents and occupational diseases received by workers from the SIF RF; employers' funds).

9. State examination of working conditions

There is a state examination of working conditions and quality examination of the special assessment of working conditions. In 2014 a new Procedure for state examination of working conditions (order of the Ministry of Labor of Russia № 549n dd August 12, 2014) and Guidelines for payment for quality examination of the special assessment of working conditions (order of the Ministry of Labor of Russia № 682n dd October 9, 2014) were introduced.

10. Information support for OSH, dissemination of best practices to improve working conditions and OSH.

In order to attract attention to the issues of OSH and disseminate best practices the subjects of the Russian Federation perform activities to promote the latest achievements in the sphere of occupational safety and health, use public awareness efforts with stakeholders and coverage of these events in the media and Internet.

11. State and public supervision of compliance with labor legislation and other standards containing norms of labor law.

There is a state and public supervision of compliance with legislation in the sphere of occupational safety and health. For additional information see the answer for paragraph 3 of Article 3 of the European Social Charter.

The European Committee of Social Rights in Conclusion 2013 requested information on policy measures that would be taken in coordination with social partners in order to increase access to health care with the help of enterprises.

Currently, the work is continuing to achieve the strategic goal of reforming of OSH management - the transition from the compensation, cost – based model for OSH management to a modern risk-oriented model to implement a proactive approach to conservation of health and lives of workers in manufacturing as well as to reduce all types of costs related to unfavorable working conditions.

A constant platform for discussion including occupational safety and health issues and access to health care is the Russian Tripartite Commission for Regulating the Socio-Labor Relations. (RTC). The objectives of the RTC are, in particular, the promotion of contractual regulation of social and labor relations at the federal level; counseling on issues related to the development of draft federal laws and other normative legal acts of the Russian Federation in the sphere of social and labor relations, federal programs in the sphere of labor and employment of population, of migrant workers, social security, etc; coordination of the parties' positions in key areas of social policy. A working group №5 is established within the RTC for protection of labor rights, OSH, industrial and environmental safety, it examines the issues related to occupational safety and health in details.

Each year, the Ministry of Labor of Russia plans events with the participation of social partners to discuss the issues in the sphere of occupational safety and health aimed at improving working conditions. For example, the order of the Ministry of Labor of Russia №1202 dd December 30, 2014 "On

approval of a Plan of scientific and practical activities of the Ministry of Labor and Social Protection of the Russian Federation in OSH in 2015" and to improve the OSH management system in the Russian Federation, to promote best practices in the sphere of OSH, approved a plan of scientific and practical activities of the Ministry of Labor and Social Protection of the Russian Federation in OSH in 2015. The plan envisaged 12 seminars, workshops and other activities in OSH including increasing access to health care.

The All-Russian Week of Labor Protection (ARWLP) has been held since 2015, it allows discussions including improvement of access to health care. The representatives of workers and employers participate actively developing a joint agenda of actions in the sphere of occupational safety and health (OSH).

Article 11.

With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organizations, to take appropriate measures designed *inter alia* :

to remove as far as possible the causes of ill-health ;

to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health ;

to prevent as far as possible epidemic, endemic and other diseases, as well as accidents.

In the report period, a fundamental regulation in the sphere of health was adopted - Federal Law № 323-FZ dd 21.11.2011, "On the basis of public health protection in the Russian Federation", according to which everyone has the right to protection of health.

At the same time the protection of health of citizens means a system of political, economic, legal, social, scientific, medical including sanitary and anti-epidemic (preventive), measures implemented by the public authorities the Russian Federation, public authorities of the subjects of the Russian Federation, bodies of local self-government and organizations, their officials and other persons, citizens in order to prevent disease, preserve and strengthen physical and mental health of every person maintaining its long and active life, providing him\her medical treatment (article 2 of the Law).

The Law (Art. 4) mentions the main principles of the protection of health including:

- respect for rights of citizens in the sphere of protection of health and ensure state guarantees related to these rights related;
- availability and quality of medical care;
- priority of prevention in the sphere of protection of health .

Thus, health protection covers various areas of state activity present in the health care system and other spheres. The right to protection of health is provided by the protection of environment, establishment of safe working conditions and favorable conditions of work, life, leisure, education and training of citizens, production and sale of food products of adequate quality, high-quality, safe and affordable medicines as well as provision of affordable and quality medical care (Art. 18).

On May 7, 2012 the President of the Russian Federation has adopted a number of decrees:

№ 596 "On a long-term national economic policy"

№ 597 "On measures to implement state social policy "

№ 598 "On improvement of state policy in the sphere of public health"

№ 606 "On measures to implement population policy of the Russian Federation."

In the Russian Federation there is a set of measures including within the Concept of a long-term socio-economic development of the Russian Federation until 2020 (Decree of the Government of the Russian Federation № 1662-r dd 17.11.2008).

The following state programs have been adopted during the report period:

- "Health development" until 2020 (Resolution of the Government of the Russian Federation № 294 dd 04.15.2014). This program is operating in order to ensure access to health care and improve the efficiency of health services, volume, type and quality of which must meet the level of morbidity and population needs, advanced achievements of medical science.

- "Environmental protection" for 2012-2020 (Resolution of the Government of the Russian Federation № 326 dd 15.04.2014). This program is operating in the sphere of sanitary and epidemiological welfare and aimed at improving the quality of environment, environmental conditions of life and public health.

- "Development of Physical Culture and Sports" until 2020 (Resolution of the Government of the Russian Federation № 302 dd 15.4.2014). The program is aimed at familiarizing with a healthy way of life of the broad masses of population and it will have a positive impact on improving the quality of life of the Russian citizens.

- "Fire and Catastrophe Protection of population and territories, fire safety and security on water bodies" (Resolution of the Government of the Russian Federation № 300 dd 15.04.2014);

- "Reproduction and use of natural resources" (Resolution of the Government of the Russian Federation № 322 dd 15.04.2014);

- "Development of forestry in 2013 - 2020 " (Resolution of the Government of the Russian Federation № 318 dd 15.04.2014);

- "Employment promotion" (Resolution of the Government of the Russian Federation № 298 dd 15.04.2014). The state program "Employment promotion" is aimed at encouraging employers to reduce the number of workplaces with harmful and dangerous working conditions, create jobs with secure working conditions.

- "Development of Education" (Resolution of the Government of the Russian Federation № 295 dd 15.04.2014), and others.

The Federal Law № 323 and the above-mentioned regulations pay special attention at prevention in health care at it is consistent with the Article 11 of the ESC. Thus, the prevention (Article 12) refers to a set of measures aimed at preservation and promotion of health and includes: promoting a healthy lifestyle, prevention of occurrence and (or) spread of disease, early detection, identification of causes and conditions of their emergence and development as well as addressing harmful effects of environmental factors on human health.

The State Program of the Russian Federation "Health Development" contains a subprogram 1 "Disease prevention and promotion of healthy lifestyles. The development of a primary health care", providing for a number of activities aimed at the implementation of preventive measures.

Regional and municipal programs of the corresponding direction are being developed at the level of regions and municipalities. For example:

The State program of Moscow "Moscow City Health Development (Capital Health)" 2012-2020 "(approved by the Decree of the Government of Moscow № 461-PP dd 04.10.2011.);

The State program of the Republic of Altai "Health Development" (approved by the Decree of the Government of the Republic pf Altai № 251 dd 28.09.2012);

The State program "Health Development of the Republic of Bashkortostan" (approved by the Resolution of the Government of the Republic of Bashkortostan № 183 dd 30.04.2013), etc.

Formation of a healthy way of life since childhood is provided by means of activities aimed at informing the citizens about health risk factors, at formation of motivation to healthy lifestyles and at creation conditions for a healthy lifestyle including physical culture and sports.

As a general rule, measures to promote healthy lifestyles aimed at children and teen category of the population and are part of the educational system.

The Decree of the President of the Russian Federation № 761 dd June 1, 2012 N "On the National Action Strategy for Children for 2012 - 2017" suggests the following measures to promote healthy lifestyles:

- Measures to promote the policy of healthy lifestyle of children and adolescents, in particular, the distribution of health saving learning technologies, technologies "School of Health" for all educational institutions including organizations for orphans and children left without parental care; ensuring the availability of physical culture, tourism and sport for all categories of children in accordance with their needs and capacities with a focus on formation of values of a healthy lifestyle; introduction of innovative health and fitness and sports technology in the work of educational institutions and organizations, and others.

- Measures to create a modern model of recreation and health improvement of children based on principles of public-private partnerships, in particular, the establishment of a federal system for coordination of relevant government agencies and organizations; develop a system of measures to support and develop infrastructure of rest and rehabilitation of children including normative programs funding in this sphere, etc .;

- Measures to promote culture of healthy nutrition for children and adolescents, quality and nutrition as the child's health pledge, in particular the implementation of measures to improve the quality of hot meals system for pupils of pre-school institutions and students in educational institutions and vocational schools; ensure a regular quality inspections of meals in the educational, therapeutic and prophylactic, sanatorium and rehabilitation centers, etc..

Article 36 of the Federal Law "On sanitary and epidemiological welfare of population" establishes that hygienic education and training of citizens is performed:

- in the process of education and learning in pre-school and other educational institutions;
- during vocational training or further vocational training by incorporating sections on hygiene knowledge;
- during vocation hygienic training and certification of officers and workers of organizations whose activities are related to production, storage, transportation and sale of food and drinking water, education and children's education, utilities and public services.

In order to promote a healthy lifestyle with the support of the State Duma of the Federal Assembly of the Russian Federation, Council of Federation of the Federal Assembly of the Russian Federation, scientific and public organizations, the Ministry of Health of the Russian Federation organizes various forums, conferences on various aspects of this issue annually.

In addition, in order to conduct an information campaign aimed at reducing morbidity and mortality by reducing the prevalence of major risk factors for chronic non-communicable diseases and by formation of healthy lifestyles among the population, the Ministry of Health of the Russian Federation approved the information and communication strategy for alcohol and tobacco control, prevention and control of non-medical use of narcotic drugs and psychotropic substances till 2020 "(hereafter referred to as the Strategy).

The strategy provides for the implementation of measures at the federal, regional and municipal levels. The measures are focused on reduction of prevalence of the major risk factors for chronic non-communicable diseases and on all ages and social groups, on implemented in cooperation with civil society organizations and business community, on informing citizens about the main risk factors of chronic non-communicable diseases and about possibilities for their correction, on motivating citizens to lead healthy lifestyles and strengthening preventive component in health care.

Various TV channels conducted an advertising campaign of materials (videos) about a healthy lifestyle.

There are "viral" videos on youtube.com.

There is a unified telephone reference service line "Healthy Russia" 8-800-200-0-200 providing round the clock free advice on Centers of health, healthy nutrition, physical activities, alcohol, tobacco and drugs users risks. The "hot line" receives about 6.8 thous. calls per month. The majority of calls dedicated to "Tobacco users' risks and prevention of tobacco addiction."

An Advisory Call Center (ACC) has continued its work. It assists in giving up tobacco. It was created on November 17, 2011 at the premises of the FBSI "St. Petersburg Research Institute of Phthisiopulmonology" of the Ministry of Health of the Russian Federation.

A multimedia Internet portal about healthy life www.takzdorovo.ru has continued its work.

The Concept of the state policy to reduce the abuse of alcoholic beverages and prevention of alcoholism among the population of the Russian Federation till 2020 approved by the Resolution of the Government of the Russian Federation № 2128-r dd December 30, 2009 is being implemented. For 2008 - 2014 it is possible to observed a gradual decline of average consumption of alcoholic beverages per capita in terms of absolute alcohol, in 2008 it was 16.2 liters per capita per year, 2013 - 11.87 liters, 2014 - 11.5 liters according to preliminary data .

In order to improve the state policy in the sphere of physical culture and sports even more, establish an effective system of physical education aimed at human development and health promotion, a sports complex "Ready for Labor and Defense "(RLD) has been introduces from September 1, 2014 in the Russian Federation. It is a program and regulatory framework of the physical education of the population with the following objectives:

a) increasing the number of citizens regularly engaged in physical culture and sports in the Russian Federation;

b) improving physical fitness of the population;

c) formation of population aware of the need for systematic physical training and sports, physical self-improvement and maintaining a healthy lifestyle;

d) increasing the overall level of public knowledge about the means, methods and forms of organization of self-study including the use of modern information technologies;

e) modernization of the system of physical education and development system for mass, youth, school and university sports in educational institutions including by increasing the number of sports clubs.

Also we work on prevention and early detection of diseases including t prevention of socially significant diseases and combat them. The Federal Law "On sanitary and epidemiological welfare of population" has a number of such events, it includes features of medical care provision to citizens suffering from socially significant diseases and individuals suffering from diseases dangerous to others. Medical assistance to thus categories of citizens is provided by clinical examination in the relevant medical institutions.

The Resolution of the Government of the Russian Federation № 715 dd December 1, 2004 approved the list of socially significant diseases and list of diseases that impose danger to others. These lists are consistent with the International Statistical Classification of Diseases and Related Health Problems (ICD-10).

All cases of infectious diseases and mass non-infectious diseases (poisoning) are subject to registration by health organizations at the place of detection of such diseases (poisoning), public accounting and reporting to Rospotrebnadzor.

In order to prevent, limit and eliminate the spread of infectious diseases there is a preventive vaccination (Art. 1 of the Federal Law "On immunoprophylaxis of communicable diseases").

Measures to prevent and combat the spread of communicable diseases are included in the Program of state guarantees of free provision of medical care to citizens for the relevant years.

In Russia there is a high level of immunization coverage included in the National calendar of immunization and timely coverage of children by vaccination against diphtheria, pertussis, tetanus, polio, measles and mumps in decreed periods: 97-98% and revaccination is 96-97 %.

For 12 months of 2015 compared with the same period in 2014 there is decrease of infections incidence controlled by means of specific immunization: rubella - 2.8 times, measles - 5,7 times, mumps - by 25.4%.

In order to prevent non-communicable diseases in the Russian Federation as well as to develop common methodological approaches in the implementation of preventive care and rehabilitation of the population there is A coordination center for prevention of noncommunicable diseases and risk factors of the Ministry of Health of the Russian Federation at the premises of the multi-prevention department of the State Research Center for Preventive Medicine, Ministry of Health of Russia.

Preventive measures against non-communicable diseases are carried out at three levels - for the entire population (population level), in respect of certain categories of people (workers in hazardous conditions, oncology patients, patients with diseases of the cardiovascular system, and others) (group level) and for a particular person (individual level).

An important step towards the prevention of non-communicable diseases in the Russian Federation was the adoption of the Federal Law № 15-FZ dd February 23, 2013 "On protection of health of citizens from exposure of tobacco smoke and consequences of tobacco use."

Medical examinations primarily contributes to the identification of disease among the population. There are several types of medical examinations depending on the reasons and category of the subject:

1) preventive medical examination for early detection of pathological conditions, diseases and risk factors for their development, non-medical use of narcotic drugs and psychotropic substances as well as to form health groups and make recommendations to patients.

The citizen attends a preventive medical examination at a medical institution he receives primary health care in with informed voluntary consent of the citizen or his legal representative.

In order to prevent emergence and spread of infectious diseases, mass non-infectious diseases (poisoning) and occupational diseases employees of certain professions, industries and organizations must attend preliminary examinations at the employment and periodic preventive medical examinations (hereafter referred to as the medical examinations) (Article 34 of the Federal Law "On sanitary and epidemiological welfare of population").

2) Clinical examination is a set of measures including medical examinations by doctors of several specialties and application of the necessary methods of examination in respect of certain groups of population in accordance with the legislation of the Russian Federation.

In contrast to the compulsory medical examinations workers of all professions may be involved in the clinical examination. Participating in the clinical examination is the right of worker and not an obligation.

Starting from 2015, all children and adolescents have to attend an annual mandatory free medical examinations and adults have to attend once in three years.

In addition to preventive measures, the State guarantees to all residents of the Russian Federation the right to medical care. The guaranteed size of the medical care is free of charge in accordance with the program of state guarantees of rendering free medical care to citizens.

Financial support for provision of medical care to citizens is realized at the expense of different sources depends on the types of medical care.

Financial support for provision of primary medical care is realized at the expense of federal budget allocations, budgets of the subjects of the Russian Federation (in terms of medical care not included in compulsory health insurance program).

The most important source of funding is the compulsory health insurance funds.

The most important benefits of the compulsory health insurance scheme include: 1) a high degree of coverage of health insurance; 2) the availability of guarantees for free care; 3) free choice of

health insurance funds (insurance companies) by public, employers; 4) separating the functions of financing and provision of medical services.

At the end of the report period, we can say that the main result of the health care system at all levels is the increase in life expectancy. Over the last decade, life expectancy has increased by more than 5 years and despite the current economic problems in the country it continues to grow. During 2015, according to preliminary estimates from Rosstat (March 16, 2016), life expectancy was 71.39 years (0.46 years more as compared to 2014 - 70.93 years old), male - 65.92 years.

The increase in life expectancy is associated largely with reduced mortality of working age population. According to preliminary data from Rosstat, the working-age population mortality in 2015 dropped by 4.5% as compared to 2014.

The difference in life expectancy between men and women is reducing consistently, in 2011 it was 11.6 years, in 2015 - 10.8 years. Since 2013, we have been observing a positive natural population growth. According to preliminary data for 2015, it amounted to 0.3 per 1000 population or growth for 32.1 thous. people. In addition, in 2015, Russia has reached historic lows in terms of maternal, infant and child mortality and has fulfilled the fourth and fifth Millennium Development Goals.

Thus, maternal mortality fell from 47.4 per 100 thous. born in 1990 to 10.8 in 2014 (according to operative data for 12 months of 2015, 11% less women died than in 2014). The infant mortality rate decreased from 17.4 per 1,000 live births in 1990 to 6.5 for 12 months of 2015 (by 12.2% compared with the same period in 2014) and continues to decline, in February 2016 it was - 6.1 per 1000 live births.

The Committee requested information on measures taken to combat the causes of death such as cardiovascular diseases, cancer, tuberculosis and road accidents.

In the Russian Federation pursuant to paragraph "a" of paragraph 1 of the Decree of the President of the Russian Federation № 598 dd May 7, 2012 "On improvement of state policy in the sphere of public health" the implementation of a set of measures aimed at reduction of mortality rated due to diseases of the circulatory system, neoplasms (in including malignant), tuberculosis, traffic accidents and infant mortality, has continued.

The Ministry of Health of the Russian Federation monitors incidence and mortality of the population in the Russian Federation in terms of the subjects of the Russian Federation by the main causes of death and their subsequent analysis, forecasting future trends in mortality and identification of causes of lack of growth or decline in mortality in some subjects of the Russian Federation.

During the report period the life expectancy continued to increase in the Russian Federation. The miracle did not happen but a clear trend for improvement can be traced.

Table 18. Life expectancy; mortality

	2012	2013	2014	2015
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Life expectancy at birth the entire population	70,24	70,76	70,93	71,39
Men	64,56	65,13	65,29	65,92
women	75,86	76,30	76,47	76,71
Deaths from all causes (100 thous. people.), including:	1331,2	1304,3	1305,8	631,8
circulatory diseases	737,1	698,1	659,5	335,1
including:				
atherosclerotic cardiovascular disease (I20-I25)	393,1	369,2	342,3	197,9
myocardial infarction (I21-I22)	47,1	46,2	44,4	112,3
cerebrovascular disease (I60-I69)	225,6	216,4	205,5	
external causes of death	135,3	129,2	129,9	
including:				
accidental alcohol poisoning (X45)	10,6	10,1	10,7	
all types of transport accidents (V01-V99)	21,1	20,3	20,0	12,1
growth (including malignant (C00-C97)	203,1	203,3	201,1	203,2

The Russian Federation has set a course for consolidation and improvement of the achieved results.

The state program "Health Development in the Russian Federation" includes sub-program 2 "Improving the provision of specialized, including high-tech, medical care, emergency, including emergency specialized, medical care, medical evacuation."

In 2013 -2020 this sub-program provides improving medical care delivery system to patients with vascular diseases. The Ministry of Health of the Russian Federation was instructed to reduce mortality from atherosclerotic cardiovascular disease and stroke (cerebrovascular disease).

In order to achieve this objective it is expected to:

- improve routing schemes of patients with vascular diseases in the subjects of the Russian Federation;

- develop a network of primary vascular departments and regional vascular centers;
- train and retrain medical personnel for primary vascular departments (PVD) and regional vascular centers (RVC).

In 2015, the number of RVC has reached 128, the number of PVD - 415 (an increase from 2012, 52.4% and 2.1 times, respectively). Thus, the number of percutaneous coronary interventions has increased from 75.4 thous. in 2012 to 124.9 thous. in 2015 (66%). One of the most important areas of the organization of care for patients with cardiovascular diseases is a clinical examination of population aimed primarily at early detection of diseases of the circulatory system, identification and correction of risk factors for circulatory diseases such as smoking, overweight and obesity, high blood pressure, physical inactivity. As part of the clinical examination citizens get preventive counseling on a wide range of topics dealing with the formation of a healthy lifestyle.

There is a special training for specialists within specialized programs for organization of help for patients with stroke.

The action plan to reduce mortality from coronary heart disease includes introduction of highly effective methods of treatment for patients with atherosclerotic cardiovascular disease including acute coronary syndrome providing an increase in the volume of surgical intervention, balloon angioplasty and coronary arteries stenting.

A large information campaign was organized as part of the Year of fight against cardiovascular disease (posters that encourage people to prevent cardiovascular disease, promotional materials in public places, special television programs and radio programs, more than 4 thous. events and more than 60 thous. information and educational activities). More than 67 thous. schools for patients with hypertension, atherosclerotic cardiovascular disease and stroke, schools for relatives of patients with stroke have been organized. More than 10 major scientific and practical activities including international participation, dedicated to the problems of cardiovascular disease were held.

Implementation of measures aimed at improving the provision of medical care to patients with cardiovascular diseases has significantly reduced the death rate from cardiovascular disease for 12 months in 2015 as compared to 2014, mortality from diseases of the circulatory system has decreased by 3.4%.

Fight against tuberculosis includes sub-program № 2 of the State program "Health development in the Russian Federation" and in 2013 – 2020 this sub-program provides improving medical care delivery system to patients with tuberculosis.

In order to reduce mortality from tuberculosis it is expected to:

- introduce modern cultural and molecular and biological methods for determining the susceptibility of tuberculosis mycobacterium to drugs, methods of timely adjustment of chemotherapy in a clinical experience;

- conduct personalized tuberculosis monitoring system (registration of TB patients including patients with multidrug-resistant tuberculosis and tuberculosis associated with HIV-infection).

The government of the Russian Federation adopted a Decree № 882 dd 01.09.2014 "On Approval of Rules of free provision to persons under medical supervision due to tuberculosis and TB patients drugs for medical use for treatment of tuberculosis on an outpatient basis in medical institutions under the jurisdiction of the federal executive authorities".

Measures to improve health care delivery to patients with tuberculosis were aimed at improving the epidemiological situation of tuberculosis in the Russian Federation due to the early detection of active TB patients and ensure the full course of treatment for these patients. In order to enable early detection of active TB cases measures were taken to improve the material and technical equipment of laboratories of medical institutions with TB profile. In addition, the subjects of the Russian Federation were provided with anti-bacterial drugs for the treatment of patients with multidrug-resistant pathogen. Financial support for the implementation of measures aimed at the population examination to identify TB, TB treatment as well as preventive measures at the expense of the federal budget in 2014 amounted to 4.7 billion rubles, including: 1.1 billion rubles. - subsidy for co-financing of expenditure obligations of the subjects of the Russian Federation relating to the implementation of these measures.

Significant results are achieved on reduction of mortality and morbidity from tuberculosis in recent years. From 2012 to 2014 it was possible to mark reduction in mortality from tuberculosis by 19.2%; mortality rate in 2014 was 10.1 per 100 thous. people, over 12 months in 2015 it decreased by 8.2% compared with the same period in 2014 and amounted to 9.0 per 100 thous. people.

The state program "Health development in the Russian Federation" also includes measures aimed at combating cancer.

Action plan to reduce cancer mortality includes implementation of measures aimed at improving the efficiency of health care organizations for the early detection of cancer including use of screening methods and forms of field work; replication of effective methods of diagnosis of malignant tumors (radiation diagnosis, immunophenotyping, molecular, cytogenetic studies, etc.), including on the basis of clinical guidelines (treatment protocols); implementation of high-radiological, chemotherapeutic and combined surgical methods of treatment using clinical protocols.

In addition, in order to reduce the death rate from cancer it is expected to strengthen the material and technical base of cancer care facilities of the subjects of the Russian Federation, elimination of personnel deficiency as well as training in various specialties

The subjects of the Russian Federation have a routing of patients with malignant tumors in accordance with the approved procedure of medical care, number of beds are optimized, beds for palliative care and beds for medical rehabilitation of patients after surgery are created.

The share of malignant tumors identified for the first time in the early stages (I-II stage) has increased by 3.0% since 2012 and amounted to 52% in 2014. One-year mortality of patients with cancer in 2014 has decreased from 26.1 to 24.8% as compared to 2012.

With regard to the reduction of mortality in road traffic accidents, the Russian Federation has been implementing a federal target program "Increase of traffic safety in 2006 – 2012" approved by the Resolution of the Government of the Russian Federation № 100 dd February 20, 2006.

The result of the implementation was a decrease on 18.9 per cent of the number of fatalities in road accidents.

The Resolution of the Government of the Russian Federation № 864 dd 03.10.2013 approved a new federal target program "An increase of traffic safety in 2013 - 2020".

In particular, activities include round the clock operation of medical institutions that provide medical care to victims of road traffic accidents (hereafter referred to as the medical institutions), optimization of patient routing scheme to provide timely medical care, provision of medical organizations in accordance with the Procedure for treatment of cases with combined, multiple and isolated injuries accompanied by a shock (the order of the Ministry of Health of Russia № 927n dd November 15, 2012) and Procedure to provide emergency medical care including emergency specialized medical care (the order of Ministry of Health of Russia № 388n dd June 20, 2013).

As a result of the activities a system of staged treatment of road traffic accidents cases has been established, treatment depends on severity of the injuries. The system allows medical treatment of traffic accident victims by qualified personnel at the place of traffic accident, during delivery and in medical institutions.

Since 2013, Injury care centers have continued to appear not only along the federal highways but also along public hard roads of regional and inter-municipal significance. In 2014, the number of injury care centers increased as compared to 2013 from 783 to 1251 (60%). According to the subjects of the Russian Federation, the total number of injury care centers for 2015 increased from 1 251 to 1 501 (20%). The share of emergency teams arrival at the place of road traffic accidents in 20 minutes has increased since 2012 by 1.7% and amounted to 91% in 2014.

The Regulations to change the procedure to obtain permission to drive were adopted in 2015 in order to deal with the road traffic accident. These changes have tightened requirements for persons passing qualifying exams in the traffic police (Order of the Ministry of Internal Affairs of Russia № 995 dd 20.10.2015).

The Committee requested information on the implementation of the reforms within the state program "Health Development" and their response to the needs related to health, their impact on medical care costs and whether they lead to a reduction in mortality rate.

The State program "Health development" involves achieving specific targets up to 2020 that can certify its successful implementation (table 21).

Table 21. The level of the main indicators for 2014 (in%):

	Plan. 2014	Act. 2014	Plan. 2015	Act. 2015
The number of nursing staff per 1 physician (pers.)	2,20	2,20	2,3	2,4
Consumption of alcoholic beverages (in terms of absolute alcohol) (per capita per year) (liters)	12,00	11,50	11,6	
All-cause mortality (per 1,000 population) (pers.)	12,80	13,10	12,5	13,1
Mortality from neoplasms (including from malignant) (100 thous. population) (pers.)	199,4	201,1	197,8	203,2
Registered patients with the diagnosis set for the first time in life, active tuberculosis (per 100 thous. population) (pers.)	65,45	59,40	65,4	57,7

Deaths from traffic accidents (per 100 thous. population) (pers.)	13,50	14,00	12,9	12,1
Deaths from diseases of the circulatory system (100 thous. population) (pers.)	706,6	653,7	691,7	631,8
Infant mortality rate (per 1,000 live births) (pers.)	8,10	7,40	8	6,5
Mortality from tuberculosis (per 100 thous. population) (pers.)	11,90	9,80	11,8	9
Doctors (10 thous. population) (pers.)	40,20	39,70	40,2	37,2

During the report period it is possible to observe a reduction in mortality (see. Answer to the 1st question). As for the cost of medical services, within the state guarantees of free medical care they are provided free of charge.

The Committee calls on the Government of the Russian Federation to give its comments about the constant lack of funds and practice of informal payments which seems to become a general one (Table 22).

Table 22. Expenses of the budget system of the Russian Federation on medical care

	2011	2012	2013	2014
	RUB bln			
The consolidated budget of the Russian Federation and budgets of the state non-budgetary funds	1933,1	2283,3	2318,0	2532,7
including:				
federal budget	499,6	613,8	502,0	535,5

budgets of the state non-budgetary funds	309,4	931,4	1048,0	1268,0
consolidated budgets of the subjects of the Russian Federation	1193,1	1358,4	1250,9	1316,2
budgets of territorial state non-budgetary funds	721,9	868,1	1196,8	1393,2
	As a percentage of total expenditure			
The consolidated budget of the Russian Federation and budgets of the state non-budgetary funds	9,7	9,9	9,2	9,2
including: federal budget	4,6	4,8	3,8	3,6

budgets of the state non-budgetary funds	5,7	13,5	13,1	15,8
consolidated budgets of the subjects of the Russian Federation	15,5	16,3	14,2	14,1
budgets of territorial state non-budgetary funds	81,7	83,7	98,8	95,7
	As a percentage of GDP			
The consolidated budget of the Russian Federation and budgets of the state non-budgetary funds	3,5	3,7	3,5	3,5
including: federal budget	0,9	1,0	0,8	0,7
budgets of the state non-budgetary funds	0,6	1,5	1,6	1,8
consolidated budgets of the subjects of the Russian Federation	2,1	2,2	1,9	1,8
budgets of territorial state non-budgetary funds	1,3	1,4	1,8	2,0

In 2013, the per capita quota of funding per 1 inhabitant amounted to 9032.5 rubles; in 2014 it rose to 10 294.4 rubles, in 2015 - 11 599.1 rubles.

A single-channel financing mechanism was launched during the report period. It means that funding comes only from the compulsory health insurance. As for the federal budget, its spending on health care is decreasing gradually.

According to the Ministry of Health of the Russian Federation reduction of financing for federal medical centers successfully is offset by increased funding from FCMIF (Federal Compulsory Medical

Insurance Fund). This, the fund uses additionally received money previously used for modernization of healthcare. As for the high-tech medical care, some of its types have been included in the program of state guarantees. According to the Ministry of Health, the changes to the funding system should not affect the payment to clinics for performed operation and, consequently, should not affect their availability.

If to talk about informal payments.

There is not any official statistics on informal payments. But performed surveys of this area indicate a slight decrease in this practice (Table 23).

The share of payment for tests and procedures increased from 8.8% in 1994 to a maximum value in 2006 - 27.4%, and then began to decline. In 2011, 17% of the patients applied for outpatient care fully or partially paid for medical services. This decrease reflected the obvious possibility of free examination due to the significant public investment in the purchase of new diagnostic equipment performed within the national project "Health" (2006-2013).

This may be due to the development of private healthcare options and possibility to receive almost every medical services free of charge officially .

Table 23. Payment for different types of care in 2014 (% by column)

	Outpatient care (doctor's appointment)	Diagnostic examination	Dental care	Inpatient care
Paid officially at the desk	9	19	55	5
Paid informally	2	2	11	13
Paid officially and informally	1	1	2	3
Did not pay	88	77	31	74
Refuse to answer	1	1	1	1

The sector of dental services, as a rule, more often involves paid services, since most of them are not included in the list of free services for CMI.

The Committee calls on the Government of the Russian Federation to give its comments on the country's satisfaction with the health system and on availability of medical care to villagers and the poor people.

Table 24. Assessment of the state of their health by type of settlements in 2014 (according to the Comprehensive monitoring for living conditions of the population, percentage)

	All respondents	urban areas	Including with a population of 1 mln. people or more	in rural areas
Total	100	100	100	100
assessed the state of their health as				
very good	3,5	3,8	5,0	2,7
good	35,6	37,2	42,6	30,7
satisfactory	49,0	47,7	43,1	52,9
bad	10,7	10,1	8,3	12,2
Very bad	1,2	1,1	0,9	1,4

According to the survey, the average numbers show positive assessment of changes in hospitals and clinics that have occurred during the year prior to the survey: 42% said that the work improved, and 29% saw the deterioration. Among different age groups most improvements are noted by the youth (49%). Respondents over 55, on the contrary, are less likely to talk about improvements in health care - only 35%. In addition, the improvements are often expressed by Moscow residents (50%) and people with higher education (46%). Thus, population with greater economic and social resources (inhabitants of large cities with high income, younger and more educated), in most cases provide a more favorable assessment of the situation. However, there are not any fundamental differences in the positions of the different groups of population (Table 25).

Table 25. Changes in and expectations of the work of hospitals and clinics, hopes to receive the necessary assistance, 2014 (% by column)

In your opinion, how has the work of hospitals and clinics changed over the past year?	
improved (a lot + some)	42
deteriorated (a lot + some)	29
ratio of positive and negative assessments	1,4
To what extent do you agree or disagree with the fact that the health care system in Russia will improve over the next few years?	

agreed (completely + rather)	48
disagreed (completely + rather)	36
ratio of agreed and disagreed	1,3

If to talk about medical care in rural areas, in order to improve the organization of primary medical care, improve its accessibility and quality including for rural population, the Ministry of Health of the Russian Federation issued an order providing for the organization of the network of medical and obstetrical stations and other health centers in the village affiliated with medical institutions depending on the population size and distance from other medical institutions. In order to provide primary medical care to residents of sparsely populated and remote areas with less than 100 inhabitants it is offered to use field forms of work including mobile medical complexes using cross-country transport and in some cases water and railway transport.

A geoinformation portal was established in 2015. It contains information about all settlements of the subjects of Russian Federation and medical organizations of all forms of ownership and departmental affiliation involved in the implementation of regional programs of state guarantees of rendering free medical care to citizens. The analysis of the health infrastructure of the Russian Federation aimed at determining the settlements with population of more than 100 people without medical institutions or their structural units is being performed as well as analysis of settlements with population of less than 100 people outside the service areas of medical institutions. The models of medical care to the inhabitants of these settlements are being under development.

In accordance with the Resolution of the Government of the Russian Federation the milestone activities to raise the level of the rural population provision with quality medicinal drugs and medical devices by increasing the number of rural drugstores are being monitored.

The management bodies of the health of the subject of the Russian Federation adopted normative legal acts regulating the procedure and conditions of delivery of medicinal drugs to a particular region. Thus, within the organization of work to provide this service to citizens there is an interaction of social workers with medical institutions to make a doctor's appointments for citizens, to make doctors (medical assistants) prescriptions to supply medicinal drugs and products, to get results of citizens' examinations and medical certificates, to call in the local doctor, to search for the necessary medicinal drugs and products in pharmacies based on prescription made by physicians (medical assistants), acquisition and delivery to citizens including in rural areas. In addition, now the majority of subjects of the Russian Federation signed an agreement governing the interaction and collaboration between health care institutions, pharmacies and bodies of social protection for inter-agency cooperation to provide medicinal drugs to low mobile groups of citizens including those living in rural areas.

The system of primary medical care to rural population includes: number of medical and obstetric centers and feldsher's stations in 2015 as compared to 2013 (36 225) increased by 82 and amounted to 36 307; number of centers, offices of general practitioners (family doctors) increased by 688 and reached 6801; number of doctors in rural areas increased from 51.7 per thousand in 2013 to

52.4 thousand in 2014 and 54.4 per thousand in 2015; medical doctors availability increased from 13.8 to 10 thous. of rural population in 2013 to 14.1 in 2014 and 14.3 in 2015.

9373 house-economy that can provide first aid are organized in sparsely populated areas with population of less than 100 people without medical and obstetric centers.

The Committee requested information on the applicable rules in relation to queues (waiting lists) as well as statistical data on waiting time for medical care.

The critical waiting period to see a doctor is determined in the regional programs of state guarantees of free medical care to the citizens of the Russian Federation.

If a medical institution (usually it is a district clinics) can not deliver medical care service in a timely manner, it must send the patient to another medical institution included in the list of medical institutions involved in the implementation of the Territorial program. The alternative is possible, if the patient agrees (signed a written consent) to receive certain types of medical care in breach of the waiting period.

Doctors appointment (Table 26).

Immediate appointment. In the case of emergency the doctor should examine the patient and provide first aid.

On the day of reference to doctor - in the case of acute illness or exacerbation of chronic diseases without urgent indications.

Seven days. Without acute illness and exacerbation of chronic diseases, the routine medical care services of general practitioners, pediatricians, general practitioners (family doctors), obstetricians should be rendered in a period not exceeding a week.

Fourteen days - waiting period for planned specialist consultations and diagnostic tests in hospitals.

One month - waiting period for planned consultations in consulting and diagnostic centers.

Three months. The critical waiting period for medical care in day patient facility (including medical rehabilitation).

Four months - the duration of the magnetic resonance and positron emission tomography.

Six months – The critical waiting period for planned inpatient care (except for high-tech type of medical care and rehabilitation treatment). "

For example, due to the development of medical care and integration of high-tech neurosurgical care in the CMI system in 2015 we managed to reduce the waiting period for surgical treatment of patients with hormone-active tumors of the hypothalamic-pituitary region from 6.4 months to 3.6 months.

E-record is widely spread. This practice is widely used in metropolitan areas: in Moscow and St. Petersburg it reaches 90%. The majority of people using e-recording system to make a doctor's

appointment (60%) said that it was very convenient. E- record has to ensure: timely doctor's appointment; provide patients with the current timetable; organize the optimal distribution of patient flows; eliminate unjustified visits to medical institutions and long waiting period in queues.

The most developed and in demand recording methods at the moment are regional portal of public services, unified regional contact center, mobile applications, interactive kiosks. The services are constantly being improved in terms of use. In addition, services such as doctors load monitoring, scheduling patients flows, calculation of actual waiting period allow managers to make decisions to optimize processes in medical institutions.

The system of subsidized pharmaceutical provision is being implemented at the regional level. 79% of medical institutions and 74% of pharmaceutical companies work with subsidized e-prescriptions.

In 2015, the Ministry of Health of the Russian Federation has begun the establishment of a telemedicine subsystem of the Unified state information system in the health sector through which it is planned to build a system of remote service delivery at all levels from medical and obstetric centers to medical institutions at the federal level.

Table 27. Time spent for doctor's appointment

	All respondents	urban areas	Including with a population of 1 mln. people or more	in rural areas
Average time spent in the outpatient treatment institutions, minutes to make doctor's appointment				
waiting for appointment or medical examination	18,62	18,53	15,25	18,90
	45,54	45,87	43,27	44,50

The Committee asked a general question about the availability of rehabilitation services for drug addict as well as about all types of institutions and methods of treatment.

It is not possible to specify the exact number of drug addicts (using regularly). It is possible to talk about the statistics of persons officially registered with the police and the psycho-neurological clinic (Table 28).

According to official statistics of the Ministry of Health of the Russian Federation during the report period, the number of annually registered drug addicts has decreased. At the same time we recorded the reduction of total number of registered persons suffered from drug addiction.

Table 28. Number of registered drug addicts in medical institutions

	2010	2011	2012	2013	2014
Registered (dispensary observation) for the first time					
Total thous. people	24,9	21,9	19,8	18,1	21,2
Per 100 000 population	17,4	15,3	13,9	12,6	14,5
The number of patients registered at the end of the report year					
Total thous. people	330,9	320,2	315,5	308,3	300,7
Per 100 000 population	231,6	223,82	220,1	214,6	205,6

Drug medical treatment of the population of the Russian Federation is performed in the specialized public drug treatment facilities. In recent years, the number of non-governmental organizations that provide medical and rehabilitation services to drug addicts has increased.

The procedure for provision of medical care by profile "Drug Addiction", providing the development of rehabilitation unit of the Drug Service of the subjects of the Russian Federation was adopted in 2012.

In 2012 - 2014 the regions was developing medical rehabilitation for patients suffering from drug addiction intensively: rehabilitation beds, patient rehabilitation technology. During this period, the number of drug rehabilitation beds has increased by 85.7%, the population need in drug rehabilitation beds was fully satisfied.

In the report period, 3 independent rehabilitation centers operated in the Russian Federation.

At the same time, 85 rehabilitation centers and 8 rehabilitation departments with the status of rehabilitation centers functioned at the premises of specialized drug treatment and psychiatric institutions.

New rehabilitation centers (offices) in the structure of the specialized institutions were opened in 14 subjects of the Russian Federation.

In 2014, the Ministry of Health of the Russian Federation approved the concept of modernization of the Russian Federation Drug Service until 2016.

In accordance with the Concept, the main purpose of modernization of the Drug Service was to increase the efficiency of its operation on the basis of a unified organizational and technological process of drug treatment.

July 10, 2014 the Decree of the President of the Russian Federation № 507 gave the Service the power to coordinate the activities of federal authorities, the authorities of the subjects of the Russian Federation and local authorities in the sphere of rehabilitation and re-socialization of drug users as well as on to organize support for socially oriented non-governmental organizations engaged in this activity.

Within the modernization of the Drug Service of the Russian Federation there was a consolidation of the material and technical base of the drug treatment clinics of the subjects of the Russian Federation and their structural subdivisions (major overhaul of buildings, supply of new medical equipment). Many professionals working in drug treatment facilities were trained and retrained.

Consistent implementation of stages of treatment and rehabilitation process with mandatory laboratory confirmation of sobriety has improved the efficiency of the drug service: from 2010 to 2014 the number of drug addicts taken from dispensary observation in connection with the recovery (long-term, more than 5 years, remission) increased by 24.2% (from 6608 to 8209 people per year).

The major problem was the lack of interaction between drug treatment agencies and non-governmental rehabilitation centers, it was hampering the continuity between the treatment and rehabilitation process and subsequent social rehabilitation. In 82.5% of non-governmental rehabilitation centers patients do not receive adequate medical care due to substance abuse disorders and due to comorbidities.

In this regard, it was decided to provide subsidies from the federal budget to socially oriented non-profit organizations (hereafter referred to as - NCOs) operating in the sphere of complex rehabilitation and resocialization of persons engaged in the illicit use of narcotic drugs or psychotropic substances.

Medical professional non-profit organization - professional community of narcologists of Russia "Association of narcologists of Russia" approved federal clinical recommendations for diagnosis, treatment and rehabilitation of substance abuse.

The Committee had received comments on the report from the International Lesbian and Gay Association (of ILGA) for Europe stated that "in the Russian Federation, transgender persons, for legal recognition of their gender identity, in practice, are forced to treatment (sterilization)." In addition, the association claimed that "the authorities do not provide the necessary equipment needed for medical procedures at gender reassignment (or the possibility of such treatment abroad) and do not ensure that the health insurance fully or partially cover this treatment is necessary from a medical point of view based of the principle of non-discrimination."

Medical Services for gender reassignment are not included in the program of state guarantees of free medical care for the citizens of the Russian Federation financed by compulsory medical insurance funds and budgets of the federal and regional levels. A certain amount of medical services available within the provision of high-tech medical care to the citizens of the Russian Federation at the expense of the federal budget. The system documents do not have direct references to transsexuality. In most cases, almost all of the costs associated with the gender reassignment are paid by transgenders independently.

According to Chairman of the State Duma Committee on Health Protection, "Restrictions on the inclusion of the services required in the diagnosis of transsexualism and free medical care programs

are not caused by discriminatory solutions but caused by the fact that the surgical methods and hormone therapy for gender reassignment are not essential types of medical care ".

Medical sterilization in accordance with Article 57 of the Federal Law № 323-FZ "On citizens' health fundamentals» as a special medical intervention for depriving a person of the ability to reproduce offspring or as a method of contraception can only be performed with a written request from the citizen over the age of thirty-five or the citizen with at least two children, and in case of medical indications and informed consent of the citizen regardless of age and children.

The list of medical indications for medical sterilization is determined by order of the Ministry of Health of the Russian Federation № 121n dd 18.03.2009 "On approving the list of medical indications for medical sterilization." Transgender persons are not mentioned in the list.

The Committee requests to mention in the next report, whether health education is mandatory, how it was included in the school curriculum (as a separate subject or as part of other subjects) as well as to demonstrate the contents Health education.

In accordance with the federal state standard for the primary education, the school curriculum includes such subject as a Physical culture

The main general education includes Physical culture and Health and safety. The secondary education includes: Physical culture, ecology and Health and safety.

The content of the program (5 - 9 classes).

I. Health and safety of society and state.

Personal safety in daily life

Safety during active holiday outside

Emergency situations of natural and man-made disasters, public safety

Modern complex of safety problems

Safety of the population of the Russian Federation in emergency situations

II. Fundamentals of medical knowledge and healthy lifestyle

Healthy lifestyle fundamentals

Fundamentals of medical knowledge and first aid.

In addition, the All-Russia conferences were dedicated to a healthy way of life of children and they were held jointly by the Ministry of Health and Ministry of Education and Science of the Russian Federation. In 2015 there was the All-Russia competition among schools promoting health. The contest was organized by the Russian Society for Development of School and University Medicine and Health, National Support Center for Network "Schools of health in Europe," Research Institute of hygiene and health of children and adolescents FSBSI "Scientific Center of Children Health", Federal Institute of Education Development of the Ministry of Education and Science of Russia.

The Committee requests to provide information about the progress of projects currently implemented in the sphere of maternal and newborn health.

The Federal Law № 323-FZ "On the fundamentals of health protection of population» p. 4 Art. 7 established the priority of health protection of children. Special programs are developed and implemented for health protection of children, they are aimed at prevention, early detection and treatment of diseases, reducing maternal and infant mortality, formation the motivation for a healthy lifestyle in children and their parents, and take corresponding measures to provide children with the necessary medicines, specialized products of clinical nutrition, medical devices.

In addition, during pregnancy, during labor and after birth each woman is provided with assistance in medical institutions within provision of state guarantees of free medical care to citizens.

Within this program, a pregnant women receives following medical services free of charge:

- Primary medical care - pre-medical, medical and specialized (monitoring of pregnancy). This type of care is performed on outpatient basis and in a day patient facility, in a planned and urgent manner;

- Specialized medical care (inpatient and day patient facility) provided by medical specialists including prevention, diagnosis and treatment of diseases and conditions during pregnancy, labor and postpartum period requiring the use of special techniques and sophisticated medical technology and medical rehabilitation;

- High-tech medical care as part of a specialized care, it involves the use of new and complex and (or) the unique treatment methods as well as intensive treatment with scientifically proven efficacy;

- Emergency medical care in an emergency or urgent medical form outside the institution as well as in outpatient and inpatient facilities for diseases and other conditions requiring urgent medical intervention.

Medical evacuation is provided in cases of emergency medical care if necessary.

The Law also guarantees adequate nutrition for pregnant women, nursing mothers and children up to 3 years including special food and trade organizations by the conclusion of physicians in accordance with the legislation of the Russian Federation. The quality of food and catering services has to comply with sanitary and epidemiological rules and norms.

Integrated prenatal (antenatal) diagnosis of disorders of child development is aimed at early detection of hereditary and congenital diseases (developmental disability) before birth.

Neonatal screening for 5 hereditary and congenital diseases was performed in all subjects of the Russian Federation in 2014. All children with congenital hereditary diseases registered and receive the necessary treatment.

Modern medical equipment for intensive care unit for newborns and departments of pathology of newborn of the federal state budgetary institution allows the introduction of innovative technologies of nursing and rehabilitation for premature babies born with low and extremely low birth weight thereby reducing perinatal and infant morbidity and mortality including infants born with extremely low birth weight.

The activities for the development of neonatal surgery equipping some of the federal state budget institutions were performed in 2014 in order to improve access to medical care of newborns with developmental disabilities and to improve medical care quality for children.

In order to reduce the infant mortality rate the Ministry of Health of the Russian Federation is working together with the executive authorities of the subjects of the Russian Federation in the sphere of health protection in the following areas: strengthening of primary medical care, increasing promotion of healthy lifestyles, qualitative medical examination of children, and if necessary, implementation of therapeutic recreational activities, implementation of vaccination in accordance with the national vaccination calendar (advanced); development of a three-level system of medical care and routing of pregnant women, maternity patients, newborns and children in accordance with the Procedures for medical care for pregnant women, maternity patients and children; training of professionals (obstetricians, neonatologists and anesthesiologists-resuscitation) in simulation training centers.

The leading federal health agencies in the sphere of obstetrics and gynecology, neonatology and paediatrics interacts with the subjects of the Russian Federation with a high infant mortality rate for monitoring of medical care for mothers and children including counseling using telemedicine technologies, providing organizational and methodical and medical care, for development a set of measures aimed at reducing of infant mortality.

In 2014, the Russian Federation has started the event as part of the regional programs for healthcare modernization programs in terms of design, construction and commissioning of 32 perinatal centers in 30 subjects of the Russian Federation. The programs are developed and training and retraining of medical personnel have been started to work in perinatal centers.

In 2015, the infant mortality rate in the Russian Federation dropped to 6.5 per 1 000 live births (12.2%) compared with the same period in 2014 - 7.4 per 1 000 live births. In February 2016 it was 6.1 per 1000 live births.

Paragraph 1 of Article 12

The right to social security

With a view to ensuring the effective exercise of the right to social security, the Contracting Parties undertake :

to establish or maintain a system of social security .

According to article 12 of the Charter (revised) the right to social security includes the right to benefits and to maintain those benefits at a satisfactory level without any discrimination, in order to guarantee:

affordable medical care;

provision of benefits in case of absence of income the source of which is work due to

illness, lack of work, old age, industrial accident, injury or maternity;

family benefits, in particular on dependent children and adult.

Social risks covered by the social security system in the Russian Federation are in full conformity with international standards. These include loss of earnings or other income due to the age of retirement, disability, survivor, illness, injury, accident at work or occupational disease, maternity, childbirth and childcare, unemployment.

In the Russian Federation there are two basic forms of social security: social security, addressed to everyone as a member of society at the expense of the federal budget, and social security of insured due to compulsory social insurance.

The compulsory social insurance system is organized and regulated by the state, it sets the size of tariffs on insurance contributions for each type of insurance and in case of failure of the main source of financing it is subsidiary liable extracting the missing funds from the federal budget. The insuring party is all employers who pay compulsory insurance contributions. Insurers are three state extra-budgetary funds: Pension Fund of the Russian Federation, Social Insurance Fund of the Russian Federation, Federal Compulsory Medical Insurance Fund.

The means of compulsory social insurance finance the following types of social security: old age insurance pensions, disability pension, survivors pension, temporary disability benefits, maternity benefit, a monthly child care allowance for children aged under 1.5, employment accidents benefit and occupational disease pension, medical care.

The budgetary funds accumulated in the federal state budget and budgets of the regions finance the following types of social security: state pensions for civil servants, military personnel and other persons engaged in law enforcement activities; social pensions to disabled citizens without qualifying period and rights to certain types of pensions; social surcharge to pension; child care allowance and other social benefits in connection with maternity and minor children; unemployment benefit; subsidies and compensation payments; medical and medicinal aid not covered by the system of compulsory medical insurance, health resort treatment; various types of social services and benefits.

The European Committee of Social Rights in the Conclusions 2013 requested information on the types of medical care covered by medical insurance, and asked if these types were covered by the insurance outside the scope of the employment relationship. The Committee requested the percentage of the insured persons in relation to the total population in order to obtain medical care.

The priorities of the Russian state activities include the protection of public health and it is reflected in the Concept of a Long-Term Socio-Economic Development of the Russian Federation till 2020

The Compulsory medical insurance is part of the state social insurance and provides all Russian citizens with equal opportunities in obtaining medical and medicinal care provided at

the expense of the compulsory medical insurance in amounts and on terms consistent with the program of compulsory medical insurance.

In accordance with Art. 10 of the Federal Law № 326-FZ dd November 29, 2010 "On Compulsory Medical Insurance in the Russian Federation" [37] the insured persons covered by compulsory medical insurance include:

1) working under an employment contract including the heads of the companies being the only participants (founders), members of the companies, owners of their property, or civil contract, the subject of which is the execution of works, provision of services under the custom work contract as well as authors works receiving payments and other remuneration under the contract on alienation of the exclusive right to works of science, literature, art, under license contracts for use works of science, literature, arts;

2) self-employed (individual entrepreneurs engaged in private practice, notaries, lawyers, arbitration managers);

3) members of peasant (farmer) economy;

4) members of the family (clan) of indigenous people of Siberia and the Far East of the Russian Federation residing in the regions of the North, Siberia and Far East of the Russian Federation, engaged in traditional economies;

5) unemployed citizens:

- children from the birth until the age of 18 years;
- unemployed pensioners regardless of the basis for pension;
- citizens enrolled in full-time training in vocational educational institutions and educational institutions of higher education;
- unemployed persons registered in accordance with employment legislation;
- a parent or guardian taking care of child until the age of three years;
- working age citizens involved in care for disabled children, disabled persons with the I group of disability, persons under the age of 80 ;
- other not employed under employment contract and not mentioned above except for military men and similar persons with equal status in the medical care institutions.

According to the Federal Compulsory Medical Insurance Fund the number of persons insured under the compulsory medical insurance as of April 1, 2015 amounted to 146.5 million. people, including 61.5 mln of employed and 85 mln of unemployed citizens.

According to Art. 32 of the Federal Law № 323-FZ "On the Fundamentals of Health Protection in the Russian Federation " medical institutions render the following medical services to citizens:

1) primary medical care;

- 2) specialized including high-tech medical care;
- 3) emergency including emergency specialized medical care;
- 4) palliative medical care.

Provision of medical care in the Russian Federation is regulated by the Federal Law № 326-FZ dd November 29, 2010 "On Compulsory Medical Insurance in the Russian Federation", Federal Law № 326-FZ dd November 21, 2011 "On the Fundamentals of Health Protection in the Russian Federation". Every year the Government of the Russian Federation approves the Program of state guarantees for rendering free medical care to citizens. In 2016 the Resolution of the Government of the Russian Federation № 1382 dd December 19, 2015 "On the program of state guarantees for free medical care for citizens in 2016" was adopted. The program of state guarantees for free medical care to citizens establishes a list of types, forms and conditions of care provided free of charge. In addition, the program establishes a list of diseases and conditions due to which provision of medical care is free of charge as well as categories of citizens, medical care is free of charge for. The program includes: average standards of medical care, average ratios of financial costs per unit of medical care, average financing standards per capita; procedure and structure of tariffs for medical care and means of payment; requirements for the territorial program of state guarantees for free medical care to citizens regarding procedure, conditions of medical care, criteria of availability and quality.

Thus, section IV of the program of state guarantees for rendering free medical care to citizens in 2016 establishes the provision at the expense of the compulsory medical insurance within the basic program of compulsory medical insurance the following types of care to the insured persons:

1) primary medical care including incidental medical service, primary and primary medical specialized. This type of care includes measures of prevention, diagnosis, treatment of diseases and conditions, medical rehabilitation, monitoring of pregnancy, health promotion and health education of the population;

2) emergency including specialized medical care. Emergency including specialized, medical care (including medical evacuation except for sanitary and air evacuation) provided to citizens in acute or urgent form outside the medical institution as well as in outpatient and inpatient facilities for diseases, accidents, injuries, poisonings and other conditions requiring urgent medical intervention;

3) specialized medical care (except for sexually transmitted diseases, diseases caused by the human immunodeficiency virus, AIDS, tuberculosis, mental and behavioral disorders), including high-tech medical care requiring the use of special techniques and complex medical technologies.

4) measures for health examinations and preventive medical examination of certain categories of citizens, medical rehabilitation in medical institutions, audiologic screening as

well as on use of assisted reproductive technologies (IVF) including the provision of medicines in accordance with the Russian legislation.

The European Committee of Social Rights in Conclusions 2013 asked for clarification of the term "suitable job" as well as whether the Russian legislation provides for an initial period during which the unemployed can reject a job offer that does not suit him.

The law of the Russian Federation № 1032-1 dd April 19, 1991 «On employment in the Russian Federation" defines the legal, economic and organizational basis of state policy to promote employment including state guarantees for implementation of the constitutional rights of citizens of the Russian Federation on labor and social protection against unemployment.

One of the social guarantees for unemployed citizens is unemployment benefit including during the period of temporary disability.

Unemployment benefit is paid to citizens recognized unemployed in the prescribed manner including first job seekers (never worked before). There is not a concept of "partial unemployment" in the Russian legislation, ie, persons working part-time as well as working seasonally or temporary can not be considered as unemployed.

If the employment services can not provide citizens with suitable work within 10 days from the date of registration in order to find a suitable job, these citizens are recognized as unemployed from the first day of submission of the mentioned documents. The unemployment benefit is calculated from the first day citizens recognized as unemployed.

The unemployment benefits may be suspended for up to three months in some cases including in case of refusal from two options of suitable work during unemployment.

Suitable job includes temporal work which corresponds to professional suitability of the worker, taking into account the level of his\her qualification, terms of the last place of work (except for paid public works), health, transport accessibility of the workplace. A job can not be considered suitable if: it is associated with a change of residence without the consent of the citizen; working conditions do not comply with the rules and regulations on labor protection; proposed salary is lower than the average wage of the citizen calculated over the past three months of the last place of work. This provision does not apply to citizens with the average monthly earnings exceeding the value of the subsistence level of working population in the subject of the Russian Federation. In this case, the job can not be considered a suitable one if offered wages is below the subsistence minimum calculated in the subjects of the Russian Federation.

The European Committee of Social Rights asked for clarification of percentage of the insured persons in the pension system in relation to the number of economically active population in the next report., The Committee also asked for clarification in the next report whether fixed basic pension were supplemented so that they reached the subsistence minimum .

The pension system in the Russian Federation covers all citizens and it complies with international standards in full. In accordance with clause 1, Article. 7 of the Federal Law № 167-FZ dd 15 December 2001 "On Compulsory Pension Insurance in the Russian Federation" [34] the insured persons covered by the compulsory pension insurance are citizens of the Russian Federation, permanently or temporarily residing or temporarily staying on the territory of Russian Federation, foreign citizens or stateless persons "(except for highly qualified specialists in accordance with the Federal law № 115-FZ dd July 25, 2002 "On legal status of foreign citizens in the Russian Federation"):

- working under an employment contract including the heads of the companies being the only participants (founders), members of the companies, owners of their property;

- working under civil contract the subject of which is the execution of works, provision of services under the custom work contract as well as authors works receiving payments and other remuneration under the contract on alienation of the exclusive right to works of science, literature, art, under license contracts for use works of science, literature, arts;

- self-employed (individual entrepreneurs, lawyers, arbitration managers, notaries engaged in private practice and other persons engaged in private practice and are not individual entrepreneurs);

- members of peasant (farmer) economy;

- working outside the territory of the Russian Federation in the case of voluntary payment of insurance contributions unless otherwise provided by international treaty;

- members of the family (clan) of indigenous people of Siberia and the Far East of the Russian Federation residing in the regions of the North, Siberia and Far East of the Russian Federation, engaged in traditional economies;

- clergy;

- other categories of citizens who have relations regarding compulsory pension insurance in accordance with the Federal Law № 167-FZ dd December 2001.

In accordance with the Federal Law № 166-FZ dd 15.01.2001 "On State Pensions Scheme in the Russian Federation" the federal budget provides pensions to:

- 1) federal civil servants (long-service pension);

- 2) army conscripts (disability pension, survivors pension);

- 3) participants of the Great Patriotic War (disability pension);

- 4) citizens awarded badge "Resident of blockaded Leningrad" (disability pension);

- 5) citizens suffered from radiation or man-made disasters (old-age pensions, disability pension, survivors pension);

- 6) citizens among astronauts (long-service pension, disability pension, survivors pension);

- 7) citizens among test-flight personnel (long-service pension;
- 8) disabled citizens.

The pension system is based on the principle of solidarity but combines the mechanisms of compulsory pension insurance and funded system element. Since 2002, old-age pensions funded by the compulsory pension insurance has been consisted of two mandatory components: insurance and funded. The insurance component of the pension is formed for all insured, funded - for persons born in 1967 and younger.

In order to supplement the budget of the Pension Fund of the Russian Federation as well as due to introduction of voluntary funded component of the pension scheme element in late 2013 the decision was made regarding a moratorium on the transfer of insurance contributions to the funded component of the pension. In 2014, the entire amount of contributions (22%) was transferred to the insurance component of the pension.

From 1 January 2015, the date when the Federal Law № 400-FZ dd December 28, 2013 "On Insurance Pensions" entered into force the funded component of the pension has been transformed into an independent type of pension. The Federal Law № 424-FZ dd December 28, 2013 "On funded pensions", entered into force on January 1, 2015, introduced the concept of "funded pension", as an independent pension with voluntary insurance contributions to form it made at the request of the insured person. The amount of contributions paid by the insured did not change and amounts to 22% of salary, but it is transferred to insurance pension in full or distributed between the insurance and funded pension (16% and 6% respectively).

Old-age pensions, disability and survivors pensions depend on pension capital consisting of insurance contributions to the Pension Fund paid by the employer for worker after January 1, 2002, and the value of pension rights acquired by that time. Since January 1, 2015, the amount has been made dependent on the value of individual pension coefficient (IPC) accumulated during qualifying period. The value of IPC is determined for each calendar year and separately for qualifying periods occurred prior to January 1, 2015., and since January 1, 2015. This value is determined on the basis of annual insurance contributions to the Pension Fund. The value of IPC is determined on the day of admission to pension and is the sum of IPC for periods of service. Starting from 2021 and in subsequent years the maximum individual pension coefficient may not be higher than 10 for insured persons without generated pension savings, and not more than 6.25 for persons with generated pension savings.

The amount of appointed insurance pension is determined by multiplying the cost of one pension coefficient by their value. As of January 1, 2015, the cost is 64 rubles. 10 kopecks. The cost of the retirement coefficient after 1 January 2015 is set annually by the federal law on the budget of the Pension Fund of the Russian Federation for respective year.

The structure of insurance pension includes fixed payment which amount is set by law and differentiated depending on type of pension, it does not depend on length of service and

does not depend on earnings, it is indexed annually. In 2014, the fixed basis pension was 3,935 rubles, the amount of fixed payments in 2015 was 4383.59 rub., in 2016 - 4559 rubles.

The amount of funded pension is determined based on the amount of pension savings divided by the number of months of the expected repayment period for funded pension (19 years up to 2016). In case of insured death his\her pension savings are paid to his\her successors.

Article 12.1 of the Federal Law № 178-FZ dd 17.07.1999, "On government social assistance" (ver. dd 25.12.2009) [59] stipulates that non-working pensioners pensions may not be less than the minimum subsistence level in the subject of the Russian Federation. If the amount of material support for pensioners is below the subsistence level, he\she will be appointed federal social additional payments (supplement) to pensions to the subsistence level of the Russian Federation as a whole (Table 29) and regional social additional payments to pensions to the subsistence level in the subject of the Russian Federation. On January 1, 2015 according to the data of the Pension Fund of the Russian Federation federal supplement to the pension is received by 2,859,085 people, regional supplement - 2,424,224 people.

The European Committee of Social Rights asked to specify the minimum amount of sickness and maternity benefits.

The payment of temporary disability benefits is governed by Art. 183 of the Labor Code of the Russian Federation and Federal Law № 255-FZ dd December 29, 2006 "On Compulsory Social Insurance in case of temporary disability and maternity".

For the first three days of temporary disability of the insured person benefit is paid by the employer. Starting from the fourth day, the benefit is paid by the Social Insurance Fund.

The size of temporary disability benefits depend on duration of qualifying period and amount of previous wage. If qualifying period is 8 years and more the amount of benefit is 100% of average earnings of the insured person, 5 - 8 years - 80% of average earnings, less than 5 years - 60% of average earnings. The benefit is calculated based on the average earnings of the insured person calculated for two calendar years preceding the year of the event.

If the insured person had no earnings for two calendar years and if the average salary calculated for these periods calculated for a full calendar month is below the minimum wage (Table 31), the average salary being the base for temporary disability benefit is considered equal to the minimum wage. This rule of calculation of average earnings is also used in the calculation of maternity benefits, monthly child care allowance for child care, temporary disability benefits due to an accident at work or occupational disease.

For the insured person with qualifying period less than 6 months, temporary disability benefit is paid at a rate not exceeding minimum wage per full calendar month.

Table 31 - Minimum wage (2012-2016.)

Year	Minimum wage (RUB)
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2012	4611
2013	5205
2014	5554
2015	5965
2016	7500

The maximum size of temporary disability benefit, maternity benefit is limited to a maximum limit of earnings insurance contributions are paid for.

Maternity benefit is paid to insured women in total for the entire period of maternity leave for a minimum of 70 calendar days before childbirth and 70 calendar days after delivery. Maternity benefit is 100% of average earnings of the insured person. For insured women with the qualifying period less than six months, maternity benefit is paid at a rate not exceeding minimum wage per full calendar month

In addition to maternity benefits the legislation of the Russian Federation has provided a state-guaranteed material support for motherhood, fatherhood and childhood, and other benefits to citizens with children. In particular, the Federal Law № 81-FZ dd May 19, 1995 "On State benefits for citizens with children" establishes the following state benefits:

- Maternity benefit;
- Lump sum benefit to women registered in the medical organizations at the early stages of pregnancy;
- Lump sum at birth;
- Monthly childcare allowance;
- Child Benefit;
- Lump sum at the transfer of the child to grow up in a family;
- Lump sum to a pregnant wife of a conscript;
- Monthly childcare allowance for a conscript's child.

Payment of benefits not established by the compulsory social insurance is financed by the budget.

The subjects of the Russian Federation establish additional types of material support for families with children including the use of need criteria.

Monthly childcare allowance is paid to insured persons and persons not subject to compulsory social insurance in case of temporary disability and maternity (mother, father, other relatives, guardians) actually caring for the child up to the age of 1.5 years. The right to a monthly childcare allowance is preserved if a person on childcare leave is working part-time or at home and continues to care for the child. Monthly childcare allowance is paid to the insured persons in the amount of 40% of average earnings but not more than 21 554.82 rubles in 2016.

If the persons are not subject to compulsory social insurance the benefit is set at a fixed amount. In 2016, the fixed allowance was 2 908.62 rubles. / 5 817.24 rub. (For the first child / for the second child and subsequent child).

Temporary disability benefit due to an accident at work or occupational disease is paid for the whole period of temporary disability of the insured till his\her recovery or establishment of permanent occupational disability in the amount of 100% of average earnings. The maximum size of the benefit can not exceed fourfold maximum amount of monthly insurance benefit.

In case of persistent occupational disability person suffered at work or from an occupational disease is paid a lump sum and monthly insurance benefits. The lump-sum insurance benefit is paid to the insured persons in accordance with occupational disability on the basis of the maximum amount set by the federal law on the budget of the Social Insurance Fund for the next fiscal year. In 2016 the maximum size of a lump-sum insurance benefit amounted to 90 401.9 rubles. Since 2014 in the case of insured person death citizens with the right to receive insurance benefit have received it in the amount of 1 mln. Rub.

Monthly insurance benefit amount is determined as a percentage of the average monthly earnings of the insured person calculated in accordance with the degree of occupational disability. The maximum amount of monthly insurance benefit is established by the federal law on the budget of the Social Insurance Fund for the next fiscal year. In January 2016 it was 65,330 rubles, in February and December 2016 - 69 510 rubles.

The European Committee of Social Rights in Conclusions 2013 asked for clarification on percentage of sickness and maternity benefits of the insured persons in relation to the number of economically active population.

Compulsory social insurance in case of temporary disability and maternity in accordance with Art. 2 of the Federal Law № 255-FZ dd December 29, 2006 "On compulsory social insurance in case of temporary disability and maternity" [35] applies to:

- 1) persons working under an employment contract including the heads of the companies being the only participants (founders), members of the companies, owners of their property;
- 2) civil servants and municipal workers ;
- 3) persons holding public office of the Russian Federation, public offices of the subjects of the Russian Federation as well as municipal offices, acting on a regular basis;
- 4) members of production cooperative with personal labor participation in its activities;
- 5) clergy;
- 6) persons sentenced to imprisonment and involved in paid work.

Lawyers, individual entrepreneurs, members of peasant (farmer) households, individuals not recognized as individual entrepreneurs (notaries engaged in private practice, other persons involved in private practice according to the established legislation of the

Russian Federation), members of the family (clan) of indigenous people communities can voluntarily enter into a relations regarding compulsory social insurance in case of temporary disability and maternity.

The types of insurance coverage for compulsory social insurance in case of temporary disability and maternity are:

- temporary disability benefits;
- maternity leave;
- lump sum benefit to women registered in the medical organizations at the early stages of pregnancy;
- lump sum at birth;
- monthly childcare allowance;
- social burial allowance.

These allowances and benefits are paid by means of compulsory social insurance.

The cases of temporary disability benefits according to the Federal Law № 255-FZ (Article 5) are:

- 1) Occupational disability due to illness or injury including in connection with the operation of abortion or implementation of in vitro fertilization;
- 2) need to take care of a sick family member;
- 3) quarantine of the insured person as well as the child's quarantine under the age of 7 attending pre-school educational institution or another family member duly recognized as incapable;
- 4) implementation of prosthetics for medical reasons in the stationary institutions;
- 5) follow-up care according to the established procedure in health resort institution located in the territory of the Russian Federation, immediately after the provision of medical care in a hospital.

In 2016 the average number of insured according to compulsory social insurance in case of temporary disability and maternity was 51,897,076 people from 76,588,000 of population at the ages from 15 to 72.

Compulsory social insurance against industrial accidents and occupational diseases in accordance with the provisions of p. 1, Art. 5 of the Federal Law № 125-FZ dd July 24, 1998 "On compulsory social insurance against industrial accidents and occupational diseases" [36] covers individuals performing work under an employment contract concluded with the insuring party and sentenced to imprisonment and and involved in paid work. Individuals performing work under a civil contract the subject of which is the execution of works and (or) provision of services as well as authors works contract shall be subject to compulsory social insurance

against industrial accidents and occupational diseases, if in accordance with the mentioned contracts the customer is obliged to pay contributions to insurer.

Insurance coverage is provided:

1) in the form of temporary disability benefits awarded in connection with the event insured and paid at the expense of the compulsory social insurance against industrial accidents and occupational diseases;

2) in the form of insurance benefits:

lump-sum insurance benefit to the insured or to persons entitled to receive such benefits in the event of his death;

monthly insurance benefits to the insured or to persons entitled to receive such benefits in case of his/her death;

3) in the form of payment for additional expenses associated with medical, social and occupational rehabilitation of the insured in case of direct consequences of the event insured.

In 2016 the average number of insured persons according to social insurance against industrial accidents and occupational diseases was 51,627,551 people from 76,588,000 of population at the ages from 15 to 72 years.

Article 14.

The right to benefit from social welfare services.

With a view to ensuring the effective exercise of the right to benefit from social welfare services, the Contracting Parties undertake:

- to promote or provide services which, by using methods of social work, would contribute to the welfare and development of both individuals and groups in the community, and to their adjustment to the social environment;
- to encourage the participation of individuals and voluntary or other organisations in the establishment and maintenance of such services.

Article 39 of the Constitution of the Russian Federation stipulates that everyone shall be guaranteed social security at the expense of the State in old age, in case of illness, disability, loss of the bread-winner, for bringing up children and in other cases established by law (p. 1); state pensions and social allowances shall be established by law (p. 2).

Legal regulation of social services provision is performed by several legal acts. So, the main federal law came into force on January 1, 2015, Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation." This law replaced the federal law N 122-FZ dd August 2, 1995 "On social services for senior citizens

and persons with disabilities" and N 195-FZ dd December 10, 1995 "On the fundamentals of the public social services in the Russian Federation."

Also social services are regulated by the federal laws № 181-FZ dd November 24, 1995 "On social protection of disabled persons in the Russian Federation" [], № 159-FZ dd December 21, 1996 "On additional guarantees for social support of orphans and children left without parental care " [], № 5-FZ dd January 12, 1995 " On veterans ".

The Federal law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" defines the basic principles of social services, clarifies the meaning of some basic concepts used in the sphere of social service, determines the forms of social services, types of social services and terms, principles of financial provision for social service institutions.

Social service is based on the following principles:

- equal and free access of citizens to social services regardless of their sex, race, age, nationality, language, origin, place of residence, attitude to religion, convictions and membership in public associations;

- targeting of social services - this principle implies the provision of social services not to a separate category of citizens but to a specific person in need for according to his\her application in view of his\her material and social status;

- proximity of social services providers to the place of residence of recipients of social services, adequate number of social services providers for citizens in need of social services, adequate amount of financial, material, technical, human and information resources from social service providers;

- preservation of habitual residence of a citizen in a supportive environment - conditions in social service institutions must comply with sanitary requirements. Recipients of social services should receive an adequate care, ability to use communication services, free visits of their relatives and other persons. Spouses residing in the organization of social services should be given an isolated space to live together.

- voluntary - social services are provided by the personal application of the citizen. The right to apply for a social service or to abandon it at any time is given to the person applying for it only. In exceptional cases expressly specified in the law, for example, if a person is recognized legally incompetent in accordance with established procedure the application may be filed by his\her legal representative;

- Privacy - workers of institutions providing social services shall not disclose personal confidential information or proprietary information about the recipients of social services became known to them during the period of professional activity. For disclosure of such information without the consent of the citizen, not in his\her interests or in cases not provided by law, these workers are duly liable.

Social service is based on a declarative principle. Provision of social services and rejection can only be based on the will of the recipient. A person himself\herself directly or at his\her request other citizens, public authorities, local governments, public associations can apply for social services to the authorized body of state authority of the subject of the Russian Federation or directly to the provider of social services with a written or electronic statement to provide social services (article 14 of the Law). The application form is approved by the Ministry of Labor of the Russian Federation (Article 7 of the Law).

The Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" establishes that social services are provided for free, for a fee or for partial fee. Every citizen can receive various services by entering into one or another social relation paying a certain cost. The difference between social services lies in the fact that they are provided to a certain category of people (disabled, children, etc.) to meet their specific needs (for example, means of transportation, vocational rehabilitation, etc.) free of charge or with partial payment at the expense of the institution.

Free social services in the public system of social services are provided to: 1) minor children, and; 2) persons who have suffered in emergency situations, armed ethnic (ethnic) conflict.

Other categories of citizens can apply for free social services, if their per capita income is less than or equal to a per capita income threshold for the provision of social services free of charge established by the legislation of the subject of the Russian Federation.

Social services are provided to recipients in the form of social service at home, in a semi-stationary form, or stationery.

The bodies of state power of subjects of the Russian Federation in the field of social services in accordance with the sample procedure of social services provision approved by the authorized federal executive body establish a procedure for social services provision by and types of social services. The procedure of social services provision includes a standard of social services, terms and documents required, requirements for activities of social service providers, and others. The standard of social services should include a description, terms and conditions, capitation standard rate of funding, quality indicators and evaluation results of provisions and other provisions.

The Federal Law "On the fundamentals of social services in the Russian Federation" establishes types of social services provided in kind only. The law includes the following social services (Art. 20):

1) social and domestic aimed at maintaining vital functions of recipients of social services in everyday life;

2) social and medical aimed at maintaining and preserving the health of recipients through the organization of care, assistance in recreational activities, systematic monitoring of recipients for detection of abnormalities in their health status;

3) social and psychological means assistance in the correction of the psychological state of the recipients in order to adapt to the social environment including psychological support, using anonymous telephone hotline;

4) social and educational aimed at preventing deviations in behavior and development of the recipients' personality, formation of their positive interests (including in the sphere of entertainment), organization of their leisure time, assistance in raising children;

5) social and labor aimed at assistance in employment and other problems related to the labor adaptation;

6) social and legal aimed at assistance in legal services including free of charge to protect the legitimate rights and interests of recipients;

7) services in order to improve the communicative potential of the recipients with disabilities including children with disabilities;

8) urgent social services (free hot meals or set of products, clothing, shoes and other essentials, assistance in temporary accommodation etc.).

The content of social services by type is established by the Resolution of the Government of the Russian Federation № 1236 dd November 24, 2014 "On approval of a sample list of social services by type".

Provision of urgent social services for emergency care is performed in terms of needs without an individual program and without conclusion of a contract for social services provision. The basis for the provision of urgent social services is the application of the recipient as well as information received from medical, educational or other organizations outside the system of social services, about citizens in need of urgent social services.

The Federal Law 442-FZ dd December 28, 2013 № "On the fundamentals of social services in the Russian Federation" provides the possibility of involvement of non-state sector in provision of social services among which are socially oriented non-profit organizations. There is a corresponding state financial support for those organizations .

The procedure of social services provision includes a standard of social services, terms and documents required, requirements for activities of social service providers, and others. The standard of social services should include a description, terms and conditions, capitation standard rate of funding, quality indicators and evaluation results of provisions and other provisions.

The grounds and procedure for social services provision are established by the executive authorities of the subjects of the Russian Federation. In this regard, the subjects issue laws implementing the legal regulation of social services in the territory of each subject.

Financial provision for social services to non-governmental organizations and individual entrepreneurs providing social services and socially oriented non-profit organizations providing social services is performed with the help of grants from the

respective budgets of the budgetary system of the Russian Federation in accordance with the budget legislation of the Russian Federation, with the help of procurement in accordance with the legislation of the Russian Federation on contract system in the procurement of goods, works and services for state and municipal needs as well as at the expense of the recipients in provision of social services for payment or partial payment.

If a citizen applies to a different provider which is not included in the individual program but is in the register of providers in the subject of the Russian Federation, the provider is reimbursed the cost of social services in accordance with the cost of an individual program designed for capitation standard rate of social services financing.

One of the types of social services provided to citizen is the funeral services. Provision of funeral services is regulated by the Federal Law № 8-FZ dd January 12, 1996 "On burial and funeral business". The cost of the services provided under the guaranteed list of burial services is determined by local authorities in consultation with the relevant offices of the Pension Fund, Social Insurance Fund as well as authorities of the subjects of the Russian Federation and shall be reimbursed to specialized agency for funeral business in ten days from the date of application of this agency at the expense of the Pension Fund of the Russian Federation, Social Insurance Fund, federal budget and budgets of the RF subjects.

Provision of social services to people with disabilities is regulated by the Federal Law № 181-FZ dd November 24, 1995 "On social protection of disabled persons in the Russian Federation" too. This law defines the state policy in the sphere of social protection of disabled persons in the Russian Federation, its purpose is to provide people with disabilities with equal possibilities to exercise their rights and freedoms, it establishes measures of social protection of disabled persons including in the sphere of social services which are still guaranteed and funded at the federal level.

Independent type of social services - social services for families with children, orphans and children left without parental care including children in child care centers. The Federal Law № 124-FZ dd July 24, 1998 "On basic guarantees of children's rights in the Russian Federation" establishes the basic guarantees of rights and legitimate interests of the child in order to create legal, social and economic conditions for the realization of rights and legitimate interests of the child. The law provides for measures to protect the child's rights in the sphere of education and training, health, vocational guidance, training and employment. Article 15 of the law pays special attention at the need to protect the rights of children in difficult situations. The Federal Law № 159-FZ dd 21 December 1996 "On additional guarantees for social support of orphans and children left without parental care" was adopted in order to strengthen the social protection of orphans and children left without parental care. This law establishes additional guarantees of rights of children to education, health care, property and premises, right to work.

The Federal Law № 5-FZ dd January 12, 1995 "On veterans" establishes additional measures aimed at creating conditions for economic and moral welfare of veterans of the Great

Patriotic War, military service veterans, veterans of labor and provides them with additional rights including on social services such as the extraordinary acceptance to nursing homes for elderly and disabled people, social assistance at home, and others. The measures of social support for veterans are performed at the expense of the federal budget with the exception of persons who worked in the rear from June 22, 1941 till May 9, 1945, and veterans of labor. Provision of social assistance to these categories is regulated by laws and other normative legal acts of subjects of the Russian Federation and at the expenses of budgets of the relevant entities of the Russian Federation.

The Federal Law "On the fundamentals of social services in the Russian Federation" provides social guarantees for citizens released from prison which are in accordance with the Russian legislation administratively supervised and are partially or completely lost the ability to self-service. Such persons in the absence of medical contraindications and according to their personal application are accepted to residential social service organizations with special social services in accordance with the procedure established by regulatory legal acts of the Russian Federation.

The Committee of Experts asked to confirm in the next report the adoption of draft law that shall replace the Federal Law № 195-FZ and, if it is so, please, provide specific data on its implementation.

The Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" came into force on 1 January 2015, and replaced the federal law № 122-FZ dd August 2, 1995 "On social service for elderly and persons with disabilities " and № 195-FZ dd December 10, 1995 "On the fundamentals of the public social services in the Russian Federation. "

The law is aimed at the development of social services in the Russian Federation, increase of its quality and efficiency.

The law defines basic principles of social services, clarifies the meaning of some basic concepts used in the sphere of social services, defines forms of social services, types of social services and conditions of their provision, principles of financial provision for social service organizations.

The Law updated the list of authorities of the bodies of state power of the subjects of the Russian Federation including: legal regulation and organization of social services in the subjects of the Russian Federation within the authorities defined by law, definition of the authorized body of the Russian Federation including the recognition of citizens as being in need of social services, individual program for the implementation of the regional state control (supervision) in the sphere of social services.

As a tool of the legal regulation and organization of social services the bodies of state power of the subjects of the Russian Federation, in particular, statutory approve the list of services provided by social service providers taking into account the sample list of social

services by type approved by the Government of the Russian Federation, procedure of regional state control (supervision) in the sphere of social services, amount of payment for social services and its administration, range of social service organizations in the subject of the Russian Federation, food standards in the social services organizations of the subject of the Russian Federation and others.

Social services are provided based on the contract concluded between the provider of social services and the citizen or his\her legal representative, on the basis of an individual program of social services within twenty-four hours of submission of the individual program to the social service providers (Article 17 of the Law). The contract defines provided social services that are listed in the individual program, their value if they are provided for a fee (partial payment). The form of contract is approved by the Ministry of Labor of Russia (Article 7 of the Law).

Suppliers are required to provide social services in accordance with the individual program and terms of the contract as well as procedure of social services provision (Article 12 of the Law).

The subjects of the Russian Federation form and make a register of social service providers and register of recipients (Articles 24 - 26 of the Law). The register of social service providers is located in the public domain on the official website of the competent public authority of the subject of the Russian Federation in the Internet in accordance with the requirements of the legislation of the Russian Federation. Recommendations on the register of social service providers and recipients of social services are approved by the Ministry of Labor of Russia (Article 7 of the Law).

The Committee of Experts asks you to specify access criteria to social services applying to the persons in need of these services.

The decision on provision of social services is made by the authorized body of the subject of the Russian Federation on the basis of the circumstances that impair or may impair the citizen's living conditions. Article 15 of the Federal Law № 442-FZ names these circumstances:

- 1) total or partial loss of the ability or possibility of self-service, to move independently, to provide basic necessities of life due to illness, injury, age or disability;
- 2) presence of a person or persons with disabilities in the family including child or children with disabilities in need of permanent home care;
- 3) presence of a child or children (including under guardianship) with difficulties in social adaptation;
- 4) impossibility to provide care (including temporary) for a disabled person, child, children, and lack of care for them;

5) presence of intra-conflict including drug or alcohol addiction, persons with addiction to gambling, persons suffering from mental disorders, presence of domestic violence;

6) lack of defined residence including a person under the age of 23 and completed a stay in the institutions for orphans and children left without parental care;

7) lack of job and livelihoods;

8) presence of other circumstances recognized as deteriorative or capable to deteriorate citizens' living conditions by the regulatory legal acts of the subjects of the Russian Federation.

The Law also defines the conditions of social services provision for free and on a paid basis as well as categories of citizens social services are provided for free at home, semi-stationary and stationary form.

Social services are provided free of charge if at the date of application per capita income of the recipient calculated in accordance with the regulations of the Russian Federation is less than or equal to the per capita income threshold for the provision of free social services established by the legislation of the subject of the Russian Federation. The per capita income threshold for free social services provision may not be less than three-quarter of the subsistence minimum established in the subject of the Russian Federation for the main social and demographic groups. Procedure for determining the average per capita income is approved by the Decree of the Government of the Russian Federation № 1075 dd October 18, 2014 "On approval of rules determining the per capita income for the provision of social services for free."

The Committee of Experts asked you to specify the size of subsistence minimum in order to form an opinion about the reality of access to social services.

Table 32 - The minimum subsistence level in the Russian Federation (rubles) as a whole.

quarter / year	Per capita	Working-age population	Pensioners	Children
III / 2016	9889	10678	8136	9668
II / 2016	9956	10722	8163	9861
I / 2016	9776	10524	8025	9677
IV / 2015	9452	10187	7781	9197
III / 2015	9673	10436	7951	9396
II / 2015	10017	10792	8210	9806
I / 2015	9662	10404	7916	9489
IV / 2014	8234	8885	6785	7899
III / 2014	8086	8731	6656	7738

II / 2014	8192	8834	6717	7920
I / 2014	7688	8283	6308	7452
IV / 2013	7326	7896	6023	7021
III / 2013	7429	8014	6097	7105
II / 2013	7372	7941	6043	7104
I / 2013	7095	7633	5828	6859
IV 2012	6705	7263	5281	6432
III / 2012	6643	7191	5229	6387
II / 2012	6385	6913	5020	6146
I / 2012	6307	6827	4963	6070
IV / 2011	6209	6710	4902	5993
III / 2011	6287	6792	4961	6076
II / 2011	6505	7023	5141	6294
I / 2011	6473	6986	5122	6265

The size of the subsistence minimum in the subject of the Russian Federation is set by the subject itself and may not be less than the amount set at the federal level.

The Committee of Experts asked, in particular, whether the term "permanent residence" refers to the citizens of other member-states of the Charter legally residing and working in Russia, and if not, please name the applied restrictions.

The Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" covers Russian citizens, foreign citizens and stateless persons permanently residing in the territory of the Russian Federation, the refugees. A foreign citizen permanently residing in the Russian Federation is a person who received a residence permit (Article 4 of the Federal Law №115-FZ dd July 25, 2002 "On the legal status of foreign citizens in the Russian Federation"). At the same time the law does not make social services dependent on gender, race, nationality, language, origin, attitude to religion, convictions, membership in public associations or other circumstances.

In case of recipient's change of residence the individual program drafted at the former place of residence remains in force within the scope of the list of social services established in the subject of the Russian Federation for a new residence till the preparation of the individual program for a new residence.

The Committee of Experts asked for information on the fact that the solutions of social services should be taken as close as possible to the users.

The Federal law ensuring citizen's access to social services as one of the fundamental principles.

So, Article 4 of the Federal Law provides:

- equal and free access to social services,
- proximity of social services providers to the place of residence of recipients of social services;
- adequate number of social services providers for citizens in need of social services;
- adequate amount of financial, material, technical, human and information resources from social service providers.

One of the conditions for ensuring access to social services for citizens is the lack of priority to receive them.

In the form of social services at home it is directly related to the number of social workers providing these services and load per social worker.

With regard to the availability of social services in remote areas and in rural areas it is necessary to note a positive trend for an annual increase in the number of mobile teams providing such accessibility. According to the subjects of the Russian Federation, 1074 mobile teams were organized to work in the countryside in 2011. About 10 ths. were working in 2013 , In 2014 there were 14 thous. teams.

In the in-patient form of social services one of the conditions of access to social services is the availability of places in in-patient social service institutions and appropriate material and technical basis of these institutions.

The most popular form of social services is the provision of social services at home.

Every year, this type of social services is received by about 1.2 mln people, as this form of social service is the closest to citizens' needs and cost effective, it allows you to incorporate the lack of related care and ensures that people live in familiar surroundings.

So, there is a need for development of various technologies for home delivery of social services.

The Committee of Experts requested statistical data on forms of support the state and local government bodies provide to voluntary organizations offering social services.

The Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" for the first time in the sphere of social services introduced a framework for public financial support for socially oriented non-profit organizations operating in the sphere of social services (hereafter referred to as - SONO).

The legal mechanisms established in the Federal law № 442-FZ dd December 28, 2013 enhanced the possibility of involving non-state sector in providing social services.

This Federal law created conditions allowing NGOs to operate in the market of social services:

legal entities, irrespective of their legal form of organization and individual entrepreneurs may be social service providers

social services providers have a right to be included in the register of social services providers of the Russian Federation (registration is voluntary);

There is a mechanism of financial support for provision of social services to non-governmental institutions and individual entrepreneurs operating in sphere the of social services by:

1) subsidies from the budget of the corresponding budgetary system of Russian Federation in accordance with the budget legislation of the Russian Federation;

2) procurement of social services in accordance with the legislation of the Russian Federation on the contract system;

3) at the expense of the recipients of social services in the provision of social services for payment or partial payment;

4) payment of compensation in the amount and in the manner determined by the regulations of the Russian Federation.

The above-mentioned federal law includes a favorable tax regime for institutions engaged in social services by analogy with medical and educational institutions .

The law provides the possibility of applying a zero percent tax rate for income tax of institutions engaged in social services for citizens.

Pursuant to the Federal Law № 464-FZ dd December 29, 2014 "On Amendments to Part Two of the Tax Code of the Russian Federation," approved by the Resolution of the Government of the Russian Federation № 638 dd June 26, 2015 "On approval of the list of social services by type provided by organizations providing social services to citizens in order to apply a zero percent tax rate for income profit".

As of the beginning of 2016, the subjects of the Russian Federation included into the register of social services providers about 300 non-governmental providers including socially-oriented non-profit organizations (hereafter referred to as - SONO) in 63 regions.

The non-governmental organizations provide social and medical, social and psychological, social and domestic, social, educational, social and economic, social and labor, social and legal services as well as services to improve the communicative potential.

Analysis of the data shows that in the majority of regions the inclusion into the register of social service providers, including SONO, is performed on a voluntary basis.

In order to attract SONO to provide social services, the subjects of the Russian Federation take steps for informational and methodological support of these organizations. In

this connection, there are conferences, meetings, seminars, round tables and working meetings with the heads of SONO, there is a preparation of relevant background material, unified social telephone counseling for social service providers and citizens.

Thus, the executive authorities of Lipetskaya oblast give SONO property support, executive authorities of Cheliabinskaya oblast provide SONO with additional tax benefits.

The regions with the best regional experience in providing social services to the population with non-governmental organizations are Moscow, St. Petersburg, Permskiy kray, Novosibirskaya oblast.

The Committee of Experts requested information on control mechanisms to monitor the quality of services provided by individuals, voluntary and other organizations, and to guarantee the rights of users as well as respect for human dignity and fundamental freedoms.

The whole legal framework for an independent quality assessment of service delivery by organizations of the social sphere was formed in 2014-2015. It determines the procedure for an independent evaluation, duties of the executive authorities, functions of public councils, general criteria for quality assessment and performance indicators.

The Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" contains rules for implementation of the control (supervision) in the sphere of social services including social control. The presence of this control allows to prevent violations in the provision of social service as well as remove them in case of violation of rights of recipients.

In addition, the Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" provides state control (supervision) in the sphere of social services. The provisions of the Federal Law N 294-FZ dd December 26, 2008 "On protection of rights of legal entities and individual entrepreneurs in the implementation of state control (supervision) and municipal control" apply to the relations arising from the implementation of state control (supervision) in the sphere of social services, organization and inspections of social service providers. Also, there is a regional state control in the sphere of social services performed by an authorized body of the subject of the Russian Federation according to the procedures established by the public authorities of the subjects of the Russian Federation. The law also established public control in the sphere of social services performed by citizens, public and other institutions in accordance with the legislation of the Russian Federation on consumer protection. The bodies of state power of the subjects of the Russian Federation within the limits of competence provide assistance to citizens, public and other institutions in the implementation of public control in the sphere of social services.

The Committee of Experts asked for a detailed description of the measures to implement projects to promote or provide social services agencies in the next report (in 2011-2013 more than 1,000 bln rubles (22.7 bln Euros) will be allocated for the implementation of all these projects).

In 2014 the budgets of the subjects of the Russian Federation set 229,570,983, 68 thous. rub to ensure social services. In 2015 - 226 668 014.09 thous. rub.

According to the regional information the reduction of financial support for 2015 in a number of the subjects of the Russian Federation occurred due to the reduction of tax and non-tax revenues of budgets of the subjects of the Russian Federation; changes in funding established by the state programs of the subjects of the Russian Federation; reduction in the cost of procurement of goods, works and services; reduction in the number of workers of social services institutions, and others.

At the beginning of 2015 (the Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" entered into force) services in the sphere of social services in the stationary form were provided to more than 269 thous. people (in the Russian Federation there are about 1.4 thous. stationary social service institutions), in semi-stationary form - more than 2.2 mln. people, in the form of social services at home - more than 1.2 mln. people.

The Committee of Experts requested information whether there is a legislation on protection of personal data in the Russian Federation.

If to talk about protection of personal data of recipients, the paragraph 5 of Part 1 of Article 12 of the Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation" imposes an obligation on social services providers to use information about the recipients in accordance with the requirements of protection of personal data stipulated by the Federal law № 152-FZ dd July 27, 2006 "On personal data". This federal law regulates the relations connected with the processing of personal data carried out by federal authorities, state authorities of the subjects of the Russian Federation, other state bodies, local self-government, other municipal bodies, legal entities and individuals with the use of automation in order to protect the rights and freedoms of man and citizen in the processing of personal data including protection of the rights to privacy, personal and family privacy.

The Committee of Experts requested information on the available methods to deal with services users complaints.

In case the authority providing social services makes the decision to refuse social services, the applicant applying for social services has the right to appeal this decision in court (part 3 of article 15 of the Federal Law № 442-FZ dd December 28, 2013 "On the fundamentals of social services in the Russian Federation").

However, it should be borne in mind that protection of the rights and freedoms of man and citizen in the Russian Federation including the protection of the right to social services is performed by all public authorities (Part 1 Article 45 of the Constitution).

These authorities include not only the public authorities and their officials, but local governments which are not included in the organizational system of governmental power.

The authorities exercising state protection should include the following:

- the President of the Russian Federation according to the Constitution as the head of state shall be the guarantor of the rights and freedoms of man and citizen in the Russian Federation (Part 1 and 2 of Article 80 of the Constitution.);

- representative (legal) authorities of the Russian Federation and its subjects designed to regulate legal relations connected with the recognition, promotion and protection of the rights and freedoms of the Russian citizens;

- The government of the Russian Federation (federal ministries and other federal agencies as well as their territorial bodies regulated by the Government) taking the executive measures to ensure and protect the rights and freedoms throughout the country;

- The judiciary power is executed by two federal judicial authorities, the Constitutional Court is a judicial authority of constitutional control, independently exercise judiciary power through constitutional proceedings, the Supreme Court of the Russian Federation shall be the supreme judicial body for civil, criminal, administrative and other cases under the jurisdiction of regular courts, shall carry out judicial supervision over their activities according to procedural forms envisaged in federal law and provide explanations on issues of court proceedings (Art. 126 of the Constitution).

- The Prosecutor's Office of the Russian Federation, its function is to supervise the observance of the rights and freedoms of man and citizen;

- Human Rights Commissioner for the Russian Federation and its subjects, is to ensure guarantees of state protection of the rights and freedoms of citizens, their observance and respect in the country by state authorities, local governments and officials;

- the Public Chamber of the Russian Federation.

Thus, in case of violation of the rights of the person applying for social services he\she has a possibility of appeal (complaints, lawsuit) to the above-mentioned authorities.