



BRIEFING: HUMAN RIGHTS IN RUSSIA

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Summary

President Putin's recent six-year term has led to a significant deterioration in the human rights situation. In the past 18 months alone, there have been further restrictions to the rights to freedom of expression, association and peaceful assembly. Harassment and intimidation of human rights defenders and independent NGOs has continued. Cultural rights have been reduced, including through reprisals and self-censorship. Religious minorities have continued to face harassment and persecution. The right to a fair trial has been frequently violated. Torture and other ill-treatment has persisted and the work of independent monitoring bodies for places of detention, further eroded. Serious human rights violations have continued in the North Caucasus. Russia has used its veto to block UN Security Council resolutions on Syria. Migrants and refugees have been denied protection of their rights. Some forms of domestic violence have been decriminalized. LGBTI people have continued to face discrimination and violence; gay men in Chechnya were targeted through a co-ordinated campaign of abduction, torture and killings by the Chechen authorities.

Amnesty International recommends as a priority that the UK:

1. **Strengthen UK support to civil society and human rights defenders.** This could include: increasing the capacity of UK in Russia to better monitoring and report on the human rights situation; enhancing flexible funding and capacity building initiatives tailored to the needs of NGOs; improving trial observation by ensuring appropriate follow up on findings; reinforcing and coordinating a flexible approach to issuing long-term multi-entry Schengen visas to Russian human rights defenders and their family members; promoting human rights education and human rights exchange among young people; and committing to publicly call on the Russian

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authorities to resolve cases involving human rights defenders, for example a call for the release of Oyub Titiev, head of Human Rights Centre Memorial (HRC Memorial) office in Chechnya, and other human rights defenders, and for the charges against them to be dropped;

2. **Urge the Russian authorities to demonstrate progress in carrying out prompt and effective investigations** into all threats and incidents of violence against human rights defenders in Chechnya, such as in the emblematic case of the killing of Natalia Estemirova and attacks against the Joint Mobile Group; and into the well-founded allegations of abduction and torture of gay men and reports of extrajudicial killings by members of law enforcement agencies in Chechnya; and clarify the status of investigation into the emblematic case of the survivor Maxim Lapunov.

Civil Society Space

Violations of the rights to freedom of expression, association and peaceful assembly are widespread as the authorities continue to impose undue restrictions through both law and practice. Over the past six years, the authorities have cracked down on and harassed and persecuted human rights defenders, civil society activists and independent media.

Given the current political climate and the forthcoming FIFA World Cup tournament, it is likely that further restrictive measures will be implemented to silence dissenting voices. Support to Russian civil society and human rights defenders is more crucial than ever as the Russian authorities seek to further tighten their control and restrict human rights and fundamental freedoms.

On several occasions, UK support to civil society, including its private and public pressure in support of human rights defenders, and through the EU¹, does have a positive impact on their situation. Trial observation, public statements, and the raising of individual cases in dialogues including through the EU can lend further legitimacy to defenders' work, offer them a degree of security and protection and, in cases of politically motivated prosecution, can lead to the dropping of trumped-up charges against them.

Some examples include the release of **Ildar Dadin**, the dropping of charges against **Valentina Cherevatenko**, and the granting of permission to **Ali Feruz** to travel to a third country. Amnesty International believes also that the UK's and others' vocal support of **Oyub Titiev** has reduced the risk that he would face physical harm in pre-trial custody and allowed for small but important improvements in his detention conditions, including access to medical care.² In 2017, UK and other 'like-minded' states' support contributed to a temporary suspension of Chechnya's anti-LGBTI purge. These examples illustrate the potential that the UK's implementation of the EU Guidelines on human rights defenders can have if implemented, while working closely with civil society actors.

Legislative restrictions on civil society

The so called "**foreign agents**" law and the law on "**undesirable organizations**", both signed into law by President Putin in July 2012 and May 2015 respectively, have led to a total of 170 organizations being declared "foreign agents"³, since 2012 and 14 organizations declared "undesirable"⁴. This repression has targeted the most active and vocal civil society actors in Russia and has significantly undermined their ability to carry out their work. Although most of the affected organizations re-grouped and continued their work, they have borne a significant cost. Meanwhile, many

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organizations listed as “foreign agents” were forced to shut down or stopped accepting foreign funding, which has depleted their budgets.

The “undesirable organizations law” exclusively targets foreign and international organizations and has particularly affected donor organizations, forcing many to cease operations in Russia altogether. What is more, any cooperation, or even association with these organizations, however tentative, is illegal in Russia. As the cases of prominent NGOs, **SOVA Centre** and the **Centre for Independent Sociological Research (CISR) and nine other NGOs** illustrated in late 2017, even having hyperlinks to “undesirable” organizations on one’s website is considered illegal and can lead to prosecution and steep fines.

These repressive legislative measures have been accompanied by an unprecedented **smear campaign** waged against NGOs and civil society activists in the Kremlin-affiliated media. At the same time, foreign-registered independent media and Russian-language media registered abroad are targeted by the “**foreign agents**” **media law**, signed by President Putin in late November 2017. Similar to measures previously taken against independent NGOs, the law enables the government to impose onerous reporting requirements on media outlets and “information distributors” considered to be “foreign agents” and obliges them to mark their outputs in Russia with this toxic branding. This represents yet another assault on media pluralism: a situation where almost all media outlets are effectively state controlled, or feel compelled to self-censor.

Intimidation and reprisals

Critical journalists, human rights defenders and civil society activists are often subjected to intimidation, harassment and attacks, yet such cases almost never lead to an effective investigation. Amnesty International is especially concerned that nine years on, the abduction and murder of prominent human rights defender, **Natalia Estemirova**, remains unsolved and that those suspected to be responsible have not been brought to justice. Similarly, there has been no effective investigation into the multiple attacks against the **Joint Mobile Group** and its leader **Igor Kaliapin**.

Those who perpetrated these crimes have enjoyed complete impunity, and the involvement of Chechen law enforcement officials or individuals acting on their instructions cannot be ruled out. The failure of the Russian authorities to respond amounts to their complicity and allows such acts to continue. Indeed, this was once again illustrated by the recent attacks against environmental activist **Andrey Rudomakha** and Memorial’s Dagestan director, **Sirazhutin Datsiev**.

Another worrying trend observed in the past years has been trumped-up **charges** against human rights defenders and civil society activists. The case of **Oyub Titiev**, Head of the Memorial’s office in Grozny, is a prime example. In January 2018, he was arrested on trumped up drug charges, clearly intended to silence him and disrupt the activities of Memorial. The **violations of the right to a fair trial** reported by independent trial monitors at criminal and administrative hearings, leave little hope that these and other cases will receive a fair hearing in court.⁵

Restrictions on freedom of expression and peaceful assembly

The Russian authorities have introduced restrictive measures to crack down on **freedom of expression online**, including the blocking of websites, banning Internet resources from “spreading information about or calls to unsanctioned mass events” and banning anonymizers and VPN. Recent

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laws require government agencies to retain communications data and require websites to store in Russia, user data on Russian citizens. **Anti-extremism legislation** with overly broad provisions was further expanded and used to undermine the right to freedom of expression. **Artistic expression** was restricted on occasions under pressure from conservative groups that regard specific artistic productions as an offence to their religious belief.

In an attempt to silence critical voices and smother dissent, the Russian authorities have increasingly restricted the right to **freedom of peaceful assembly**. The authorities demonstrate little tolerance of any public assembly that conveys messages that openly defy government authorities, proclaims views they do not support, or takes place without express permission. **In the run up to the 2018 presidential elections** many peaceful protests were disrupted while bystanders and journalists were arrested. Among those arrested, many were subjected to cruel, inhuman or degrading treatment, prolonged arbitrary detention, and unfair trials resulting in heavy fines and “administrative detention” for several days.

With the forthcoming **FIFA World Cup** placing Russia in the spotlight of the international media, it is likely that the coming months will see an increasing number of people attempting to exercise their right to freedom of peaceful assembly. In light of this, the Russian authorities have tightened their control by routinely denying authorization for public protests, using excessive force and reprisals against “offenders” and restricting access to information about such gatherings. Beyond this, the authorities have also pursued extra-legal measures to deter protesters and have further tightened legislation on street protest, including by expanding the powers and discretion of law enforcement agencies.⁶

Freedom of religion and belief

Religious minority groups continued to be harassed, including by banning, blocking of their websites, and the inclusion of their publications on the Federal List of Extremist Materials.

On 20 April 2017, the Supreme Court banned the Jehovah’s Witnesses’ central organization and all its affiliates in Russia, ruling that the group comprising 395 local organizations and over 170,000 followers was “extremist”. Jehovah’s Witnesses who continue to manifest their beliefs risk being criminally prosecuted and face up to 12 years’ imprisonment.

Restrictions on missionary activities introduced in 2016 have been indiscriminately applied, ranging from the attempted prosecution of a yoga instructor in St Petersburg in January 2017 for giving a public lecture, to the confiscation of copies of the Salvation Army’s Bible in Vladivostok as they did not feature the prescribed official marking of the distributing organization.

On 11 May 2017, a court in Yekaterinburg imposed on blogger **Ruslan Sokolovsky** a three-and-a-half-year conditional prison sentence, reduced to two years and three months on appeal, for “inciting hatred” and “offending believers’ feelings” by posting a video in which he played the reality game Pokémon Go in a cathedral.

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Women and girls

In February last year, a law was enacted decriminalizing domestic violence committed by “close relatives” that caused pain but no injury or loss of ability to work. This prompted an increase in violent incidents mainly targeting women in several regions.

Lesbian, gay, bisexual, transgender and intersex people⁷

State-sponsored discrimination and persecution of LGBTI people continues, and the homophobic “propaganda law” has been actively enforced. On 18 October, activist **Evdokia Romanova** was found guilty of the administrative offence of “propaganda of non-traditional sexual relationships among minors using the Internet”. She was fined 50,000 roubles (USD871) by a court in Samara, for the links to the international Youth Coalition for Sexual and Reproductive Rights website she had shared on social media in 2015 and 2016.³

In April 2017, independent **Novaya Gazeta** newspaper reported that over 100 men in Chechnya who were believed to be gay were abducted, tortured and otherwise ill-treated in secret prisons, and that some were killed. Escaped survivors report a campaign of violence co-ordinated by the authorities. Eyewitnesses have stated that a number of captives have been killed, and some handed over to their families for “honour killings” under local “traditions”.

The federal investigative authorities have been slow to respond to these reports. They refused to open a formal investigation after a protracted pre-investigation failed to recognize the allegations as well founded, despite the efforts by the federal Ombudsperson to establish and check the relevant facts. No investigation is known to have been initiated.

North Caucasus

Reports continue of serious human rights violations, including enforced disappearance, unlawful detention, torture and other ill-treatment of detainees, and extrajudicial executions in the North Caucasus. The situation in Chechnya was further deteriorating. Impunity remained for past violent incidents against human rights defenders in Chechnya.

In January 2017, Magomed Daudov, speaker of the Chechen Parliament, issued personal threats through his Instagram account against **Grigory Shvedov**, editor-in-chief of the independent online news project Caucasian Knot.⁴ In April, *Novaya Gazeta* journalists received threats from Chechnya for their coverage of the anti-gay campaign in Chechnya. **Radio Ekho Moskvyy** journalists received such threats also for expressing solidarity with *Novaya Gazeta* journalists.⁵

Novaya Gazeta has reported the unlawful detention of dozens of people, starting in December 2016, and secret execution of at least 27 captives by the security forces on 26 January 2017. No one is known to have been investigated or held accountable for these incidents.

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Unfair trials

Independent trial monitors report systematic violations of the right to a fair trial at criminal and administrative hearings, including in the cases brought against peaceful protesters. Most administrative trials rely heavily on widely disputed police reports as sole evidence. The trials have resulted in lengthy detentions and hefty fines. Trials have often been swift; after the 26 March 2017 protest, Tverskoi District Court in Moscow considered 476 cases in 17 working days.

On 22 August 2017, **Aleksandr Eivazov**, former Secretary of the October District Court in St Petersburg and also a whistle-blower, was arrested for purportedly “interfering in the work of the court”, on account of his refusal to sign and backdate records of a court hearing that someone else had compiled. He was witness to numerous violations of court procedures, judicial ethics and workers’ rights in the court, and had sent complaints about all violations to the authorities and shared this information on social media. Aleksandr Eivazov’s complaints are not known to have been addressed. He is reportedly still in detention despite his asthma.⁶

Torture and other ill-treatment

Reports of torture and other ill-treatment in prisons and detention centres across Russia persist. The conditions during prisoner transports amount to torture and other ill-treatment, and in many instances, to enforced disappearance.⁷ Some prisoners face journeys lasting a month or more, while being transferred in overcrowded train carriages and vans, and spending weeks in transit cells at various stages on their way to remote prison colonies. Their families and lawyers have had no information about their fate and whereabouts.

Prisoner of conscience **Ildar Dadin** was forcibly disappeared for a month while being transferred to another prison; his whereabouts became known in January 2017. He made allegations of torture in Segezha prison colony in October 2016 and as a consequence, the authorities transferred him to another prison colony. During his transfer, the authorities refused to provide any information on his whereabouts to his family and lawyers until after his arrival at the colony.

In May 2017, the European Court of Human Rights (ECtHR) ruled on the cases of eight applicants from Russia, that the condition of their transport by the penitentiary service amounted to inhuman and degrading treatment. This included the cases of **Anna Lozinskaya** and **Valery Tokarev** who were repeatedly transported in single-person van compartments measuring 0.3m².

The role and effectiveness of Public Oversight Commissions, an independent monitoring mechanism for places of detention, has been further eroded, including through continued under-funding. The rules governing the nomination of their members by Public Chambers – consultative bodies consisting of state-appointed members of civil society organizations – have been changed. This has led to a reduction in the membership of some of the Commissions, which in some cases has had an impact on their independence, by effectively precluding certain human rights defenders from becoming members.

There have been reports of independent monitors, including members of Public Oversight Commissions and of the Presidential Human Rights Council, being arbitrarily denied access to prison colonies by prison administrations.

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Refugees' and migrants' rights

Russia continues to return asylum-seekers and refugees to countries where they were at risk of torture and other ill-treatment.

On 1 August 2017, a court in Moscow ruled that Uzbekistani national and journalist **Khudoberdi Nurmatov** (also known as Ali Feruz) was violating Russia's immigration laws and should be deported to Uzbekistan. Khudoberdi Nurmatov had fled Uzbekistan years earlier to avoid persecution by security services for refusing to act as a secret informer. He would also be subject to prosecution under Uzbekistani law which criminalized homosexuality. Following the ECtHR's decision granting Khudoberdi Nurmatov urgent interim measures, the Moscow City Court on 8 August 2017 stayed his deportation but remanded him in a detention centre for foreign nationals, where he reportedly remains. In December, the ECtHR communicated his complaint.

Registration with local police at the place of residence remains a precondition for labour and other migrants to access health care and education. But the registration has been routinely refused by many landlords, required to consent to it.

In September 2017, human rights defender **Tatiana Kotlyar** was convicted of fictitiously registering 167 migrants at her address to enable them to comply with immigration regulations and to be able to access essential services. The court sentenced Tatiana Kotlyar to a fine of 150,000 roubles (USD2,619). The fine was waived on account of the expiration of the statute of limitations for this crime.

¹ See for example, UK FCO, Human Rights Council 37: Item 4 statement on Russia

<https://www.gov.uk/government/news/human-rights-council-37-item-4-statement-on-russia> and HRC 37 - EU Statement - Item 4: Human Rights situation that require the Council's attention https://eeas.europa.eu/headquarters/headquarters-homepage/41294/hrc-37-eu-statement-item-4-human-rights-situation-require-councils-attention_en

² <https://www.gov.uk/government/news/minister-for-europe-statement-on-human-rights-in-russia>

³ See the Russian Minister of Justice Alexander Konovalov quoted in the Rossijskaia Gazeta at:

<https://rg.ru/2018/02/16/minjust-vkliuchil-v-reestr-nko-inoagentov-16-organizacij.html>

⁴ See the list on the Russian Ministry of Justice website: <http://minjust.ru/ru/activity/nko/unwanted>

⁵ Amnesty International Urgent Action Update: HUMAN RIGHTS DEFENDER'S DETENTION EXTENDED, 13 March 2018 <https://www.amnesty.org/download/Documents/EUR4680372018ENGLISH.pdf>

⁶ See: Amnesty International Public Statement "Russian federation: The Right to Freedom of Peaceful Assembly – Freedom in All but Name", 15 March 2018, Index number: EUR 46/8027/2018 at:

<https://www.amnesty.org/en/documents/eur46/8027/2018/en/>

⁷ Amnesty International, Russia: One year after 'gay purge' in Chechnya, still no justice for victims, 4 April 2018

<https://www.amnesty.org/en/latest/news/2018/04/russia-one-year-after-gay-purge-in-chechnya-still-no-justice-for-victims/>

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