



Human Rights in Russia: A Brief Review

In the Soviet Union, violations of human rights were endemic. The period of reforms that began in 1985 when Mikhail Gorbachev became General Secretary of the Communist Party saw some significant improvements, not least the release of prisoners of conscience, a great advance in freedom of expression, and the first competitive elections. Perhaps above all, in the Gorbachev era there was a new optimism that gave hope of future change. The early Yeltsin years saw further advances in protecting human rights. Not least, for the first time the right of association was enshrined in law and independent non-governmental organisations were born.

However, violations of human rights in the new Russia remained widespread in relations between the state bureaucracy and the public. This was particularly notable in relations between the police and the public and within the military (with regard to conscripts). In those first years of post-Soviet freedom, a myriad of new NGOs appeared, including many human rights NGOs, that sought to tackle these problems. Outstanding in this regard have been Memorial, the Moscow Helsinki Group, the Committee Against Torture, Public Verdict Foundation, Agora and Golos. For the first time in modern Russian history, Russian citizens were freely engaging in activities to protect human rights in legally recognised forms. However, all these groups faced a major problem in terms of funding. Given the lack of a tradition of philanthropy in the country, and the economic crisis that enveloped the Yeltsin years, it was extremely difficult for NGOs to find funding. Given Western interest in the changes in Russia, it was perhaps inevitable that the leading Russian human rights groups became dependent on Western sources of finance.

Since Putin came to power, in 2000 there has been a political retrenchment that has seen government policy favouring the state bureaucracy against the public. Human rights violations have tended to proliferate in this environment. Today in Russia freedoms of expression, assembly and association (including freedom of religion) are becoming increasingly restricted. At the same time, the anti-Western ideology pursued by Vladimir Putin has been used to depict Western countries as enemies, and westernising reformers within the country as a “fifth column” acting in Western interests. In this context, human rights groups have become a prime target for repression. Initial legislation imposing restrictions on NGOs adopted in 2006 has been followed by the so-called ‘foreign agent law’ of 2012 that targeted civil society groups receiving funding from abroad. This was followed in 2015 by a law designating as ‘undesirable’ a number of Western donors that had provided the life blood for Russian civil society groups for a number of years.

In this context, while human rights abuses have increased, the ability of Russian citizens to act as agents of change through organisations rooted in civil society has been restricted. What we have seen is a government assault on civil society, forcing civil society activists to either reduce their activities or to pursue them in other ways. However, it is wrong to depict this as a total victory for Vladimir Putin’s government. Civil society, albeit embattled, continues to exist. The freedoms born in Russia in the Gorbachev and Yeltsin years have profoundly

reshaped Russian attitudes and society. Today we witness a war of attrition where the power of state structures (the military, the police, the prosecutors, the courts) is virtually unchallengeable (certainly without huge personal risk), but individuals and civil society groups, including not least those working to advance human rights protection, continue to function. Above all, in the realm of ideas, in our view, this “counter-culture” has many of the winning cards. Certainly the Putin regime has shown itself very concerned about a potential loss of legitimacy among the younger generation.

Below, we focus, with links to our website provided, on thirteen particular aspects of human rights in contemporary Russia: *1 Council of Europe membership; 2 Right to Life – the death penalty; 3 Right to Life – suspected politically-motivated killings; 4 Fair Trial; 5 Incarceration conditions; torture; 6 Right of association; 7 Freedom of expression – media; 8 Anti-extremism legislation; 9 LGBT rights; 10 Punitive psychiatry; 11 Freedom of assembly; 12 Freedom of religion; 13 Human rights defenders.*

1 Russia’s entry into the Council of Europe (1996).

This was a symbolic moment for the new, post-Soviet Russia. The country took on a broad range of new obligations, not least accepting the jurisdiction (from 1998) of the European Court of Human Rights. In this context it is essential that other European states, such as the United Kingdom, show respect and commitment to the values of the Council of Europe, and in particular implement in exemplary fashion the decisions of the European Court of Human Rights. The rolling out of decisions of the ECtHR with regard to Russia is building up a case law that will be a source of inspiration for practical action when reformers once again enjoy political influence. However, Russia has recently adopted legislation that, it claims, allows it to ignore decisions of the European Court.

[Nils Muižnieks: 'Preventing the implementation of a judgment of the European Court of Human Rights threatens the very integrity and legitimacy of the system of the European Convention on Human Rights'](#)

[Karinna Moskalenko: Denunciation of the European Convention on Human Rights would be a step toward the isolation of Russia](#)

[Karinna Moskalenko: What will come of Russia’s decision to ignore a ruling issued by the European Court of Human Rights? \(Sobesednik.ru\)](#)

[Statement by Human Rights Defenders on Relations between the Council of Europe and Russia](#)

2 Right to life: death penalty.

Since 1996 when Russia joined the Council of Europe there has been a moratorium in Russia on the death penalty. Despite public debates in which many have spoken out against the moratorium, it remains in force today.

[Sergei Nikitin on the Death Penalty](#)

3 Right to life: suspicions of politically motivated killings; failure to effectively investigate.

Over the years a number of individuals critical of government and active in human rights work, opposition politics or investigative journalism have been victims of what appear to be contract killings. Examples are the killings of journalist Anna Politkovskaya (2006), rights defender Natalya Estemirova (2009), and opposition politician Boris Nemtsov (2012). Since summer 2006 Russia has had a law permitting the killing of those suspected of terrorism abroad. In 2006 Russian exile Aleksandr Litvinenko was killed in London. It is suspected that he was killed on orders of the Russian state.

[Remember the Date: 15 July 2009 - the murder of Natalia Estemirova](#)

[Who ordered Politkovskaya's murder?](#)

["Boris, you were right!" We salute Boris Nemtsov, a courageous democratic politician](#)

4 Right to fair trial.

Despite numerous reforms to the legal system, Russia has failed to achieve an independent justice system, free from political influence. Indeed, the dependence of the Russian judicial system on the top echelons of power is notorious. The use of trumped up charges and pressure on trial participants is widespread. The names of Mikhail Khodorkovsky and Sergei Magnitsky are widely known in the West. However, a significant number of less well-known individuals are also the victim of politically motivated legal processes, including figures such as the opposition politician Aleksei Navalny, the historian Yury Dmitriev, the human rights defender Oyub Titiev and the Ukrainian resident of Crimea, Oleg Sentsov.

[Mikhail Khodorkovsky walks free](#)

[Why Europe Needs a Magnitsky Law](#)

[OVD-Info analyzes official harassment of Navalny's campaign for president: Every Day - Navalny](#)

[Sergei Nikitin on the Navalny Trial: "What we have seen is a parody of a trial "](#)

[Zoya Svetova and Aleksandr Cherkasov on the case of Yury Dmitriev \[Radio Svoboda\]](#)

[Aleksandr Cherkasov on the case of Oyub Titiev: "It's reminiscent of the 1930s" \[Radio Svoboda\]](#)

[Russia Again Refuses to Transfer Sentsov and Kolchenko to Ukraine](#)

[Oleg Sentsov: "The desire for freedom and progress is unstoppable"](#)

[Film director Aleksandr Sokurov on the fate of political prisoner Oleg Sentsov](#)

5 Incarceration conditions; torture.

Conditions in Russian prisons and remand centres are widely reported as very poor, and often torturous. In addition, torture in police stations, pre-trial detention centres and prison colonies has been widely documented. One important step forward was the creation of regional Public Oversight Commissions, following the adoption of the requisite law, in 2008. These Commissions were initially staffed by volunteers, including many human rights defenders, and had access to places of detention. However, regrettably, there has recently been a tendency for human rights defenders to be excluded from these Commissions, and for their places to be taken by retired police officers and prosecutors.

[Public Verdict launches campaign against torture](#)

[Professional ‘heart failure’: Committee for the Prevention of Torture on deaths in custody](#)

[Ildar Dadin: "My first mission is to fight the torture in Karelia. \[...\] I want Russia to be a law-abiding country not only on paper"](#)

[Political prisoner Ildar Dadin describes torture and beatings to members of Human Rights Council](#)

[Sergei Nikitin \(Amnesty International\): "We are urging Russian authorities to end the pattern of impunity for torture and other ill treatment and investigate Ildar Dadin’s appalling allegations."](#)

6 Right of association.

As outlined above, since 2012 Russian civil society organisations have faced increasing restrictions. Since the beginning of the Putin era, domestic Russian philanthropists have understood that funding human rights organisations is a no go (if they had any doubts, they need only think of the case of Mikhail Khodorkovsky who spent 10 years in jail). The 2012 ‘foreign agent’ law allowed the ministry of justice to designate as a ‘foreign agent’ any NGO that ‘engages in political activity’ and receives foreign funding. However, the definition of ‘political activity’ was so broad as to include virtually anything in which an NGO engages. Moreover, it should be noted that the term ‘foreign agent’ is a Stalin-era term for ‘spy’ (people were shot if found guilty of being a ‘foreign agent’). Under the law, an NGO that is designated a ‘foreign agent’ must comply with heavy additional reporting obligations, must publish the ‘foreign agent’ designation on its website and any publications it may produce; and furthermore, civil servants are effectively banned from working with ‘foreign agent’ NGOs. Particular targets of the law have been human rights organisations and environmental civil society groups. The 2015 law on ‘undesirable foreign organisations’ effectively cut off vital sources of Western funding for many of the largest and most professional Russian civil society and human rights organisations.

[Rights in Russia interviews Arseny Roginsky: "The authorities still do not understand what freedom of association means"](#)

[On the Registration Procedure for 'Foreign Agents'](#)

[New repressive action: 5 more NGOs declared to be “foreign agents”; one required to pay tax](#)

[The Foreign Agents Law – from induced coma to deathbed?](#)

[Sergei Nikitin comments on the law on 'undesirable foreign organizations' \(Radio Svoboda\)](#)

[Carl Gershman: "The latest move against Russian NGOs is the law on so-called 'undesirable foreign organizations,' which shows that the regime intends to continue ratcheting up pressure on independent civil society until nothing is left"](#)

[NGO Lawyers' Club: The new foreign-agent media law is an attempt by the authorities to stop the spread of information it considers undesirable](#)

[Tanya Lokshina: "The intended targets of this new legislation on foreign and international organisations are actually Russian activists and Russian groups"](#)

7 Freedom of expression: media.

Since Vladimir Putin assumed the presidency in 2000, the state has dramatically increased its control of the mainstream media, virtually returning the country to the situation that prevailed in the Soviet era. Television, which continues to be the main source of news for most Russians, was the first target, with print media following soon after. Since 2012, the authorities have sought to introduce restrictions on the Internet. This has been done partly by prosecuting individuals for postings on the web, and partly by increasing government oversight of web communications. Most recently, this has led to the banning of the Telegram messenger app, itself created by a Russian, Pavel Durov, who is now living in exile.

[Aleksei Simonov on freedom of speech, human rights, and the situation in Russia today](#)

["Telegram block leads to widespread assault on freedom of expression online" - Joint Statement by 26 international human rights organisations](#)

[Statement of Solidarity with Grigory Shvedov in Defence of Freedom of Expression in the Chechen Republic](#)

[International Memorial Society is protecting the right to freedom of expression](#)

8 Anti-extremism legislation

Russian legislation against extremism has been used to restrict freedom of speech. The two relevant articles of the Russian Criminal Code are Article 280 (‘Public incitement to engage in extremist activity’) and Article 282 (‘Inciting hatred or hostility, and the degrading of human dignity’). The vague definition of extremist activity, together with arbitrary application of the law, has left a very large number of people exposed to potential prosecution for extremism. Those prosecuted under the extremism laws have included, notably, bloggers and occasional Internet users, in particular those who express political dissent, traditional media, and various minority religions and their members. It should be pointed out that the definition of ‘extremism’ includes that of ‘separatism.’ Persons have been prosecuted under

this law for expressing criticism of the Russian annexation of Crimea (‘advocating separatism’).

Mention should also be made of the 2013 law introducing the offence of ‘insulting the feelings of believers.’ This law has been used exclusively to ‘protect the feelings’ of people of Orthodox faith. The high-profile case of the Ruslan Sokolovsky, prosecuted under this law for playing Pokemon in a church, demonstrated to its detractors the absurdity of this law (Sokolovsky was finally given a suspended sentence). Application of the law demonstrates how in Russia the state does not treat all religions equally [*see below*]. It also illustrates how this law, like other anti-extremism legislation, is used to restrict freedom of expression.

[Aleksandr Verkhovsky and Ramil Akhmetgaliev on 'anti-extremism' in law and legal practice](#)

[OVD-Info Weekly Bulletin No. 15: This week, Russia’s anti-extremism legislation took another four casualties](#)

[Bashkortostan: Detainees Suspected of Extremism Tortured](#)

[Political prisoner Rafis Kashapov complains to Constitutional Court over Criminal Code article “On separatism”](#)

[Memorial recognizes ‘Urals separatist’ Aleksei Moroshkin as a political prisoner](#)

[Person of the Week: Darya Polyudova](#)

[Tanya Lokshina: 'The law on “offending religious feelings of believers” appears to be one of the tools created by the authorities specifically for the purpose of narrowing the space for free expression in Russia'](#)

[Zoya Svetova on the case of the vlogger Ruslan Sokolovsky: "A Feeling of Outrage" \[Radio Svoboda\]](#)

[Sverdlovsk Ombudsperson Tatyana Merzlyakova finds nothing to insult the feelings of believers in the case of 'Pokemon catcher' Ruslan Sokolovsky](#)

9 LGBT rights

The adoption in 2013 of the law banning what has become known as ‘gay propaganda’ marked a move by the authorities to legalise discrimination against LGBT people. While there have been only a small number of direct prosecutions, a far larger number of people have reported losing their jobs as a result of accusations of ‘gay propaganda.’ The authorities in numerous Russian cities have also banned gay prides. Moreover, assaults on LGBT people, whether at rallies or more widely in society, are rarely subject to effective investigation or prosecution. Anti-LGBT vigilantes even seem to be often acting with tacit official support. In Chechnya there has been a widely reported official policy of persecution of gay men that has seen instances of torture. Many men have been forced to flee the region.

[LGBT activists fear arrest and violence](#)

[Statement of the Russian LGBT Network's Board regarding the information on the kidnappings and murders of LGBT people in the North Caucasus](#)

[Rights Group of the Week: Russian LGBT Network](#)

[Igor Kochetkov: Human rights through the prism of the LGBT movement \[Cogita\]](#)

10 Punitive psychiatry

One of the great achievements of the Gorbachev era was to put an end to the abuse of psychiatry as a punitive measure. However, in Putin's Russia there have been cases in which detention in a psychiatric hospital seems to have been used as a punitive measure against individuals critical of the local or national authorities.

[OVD-Info Bulletin. Issue № 10: Punitive Psychiatry](#)

["Worse than prison": Russian political prisoner Alexei Moroshkin on punitive psychiatry \[OVD-Info\]](#)

[Health and Guilt: Interview with Vyacheslav Bakhmin on the Sentencing of Mikhail Kosenko](#)

11 Freedom of assembly

Freedom of assembly had been one of the great gains of the Gorbachev and Yeltsin years. Under Putin, since the protests against his return to the presidency in 2011-2, the law regulating freedom of assembly has been made increasingly restrictive. Today, public events such as protests can only be held with official permission. Publicising events that do not have official permission is punishable under administrative law and can result in many days in jail. Repeated violations of the law on public assemblies is liable to criminal prosecution and long-term incarceration, as was seen in the case of the protester Ildar Dadin.

[Yuri Dzhibladze on freedom of assembly](#)

[A Road Not Taken: Putin Signs Into Law Bill That Restricts Right of Assembly](#)

[Aleksei Gaskarov: "The right to free assembly is a basic right and you can't turn your back on it"](#)

[OVD-Info: The Russian authorities' clampdown on activism and freedom of assembly continues](#)

[OVD-Info Bulletin No. 11: Russian authorities take aim at supporters of opposition politician Alexei Navalny](#)

[OVD-Info Weekly Bulletin No. 54: A Raccoon, a Police Officer's Tooth and an Arrest During a Live Broadcast](#)

[OVD-Info Weekly Bulletin No. 53: May Day arrests, banned protests, and a case of alleged torture](#)

12 Freedom of religion

Today in Russia Jehovah's Witnesses have been designated an extremist organisation, thereby subjecting the church's members to prosecution for extremism and the organisation subject to confiscation of funds and property. The Islamic organisation Hizb ut-Tahrir has been designated as terrorist, as a result of which members have been sentenced terms exceeding ten years in prison. The Church of Scientology has been charged with extremism, and its members prosecuted. These are three outstanding examples of the way in which freedom of conscience in Russia has been gradually eroded in recent years.

[Legal Case of the Week: Jehovah's Witnesses](#)

[Memorial recognizes Dennis Christensen, a Jehovah's Witness from Denmark, as a political prisoner](#)

[Halya Coynash: Russia reinstates darkest Soviet days by banning the Jehovah's Witnesses](#)

[Russia's Pursuit of "Extremism" Targets Religious Believers, Civic Dissenters, and Artists](#)

[Memorial Human Rights Centre: Eight defendants in the Hizb ut-Tahrir trial in Kazan are political prisoners](#)

[Memorial recognizes five members of Hizb ut-Tahrir, convicted in Kazan, as political prisoners](#)

[Memorial Human Rights Centre: Five persons from Tajikistan convicted of membership of Hizb ut-Tahrir are political prisoners](#)

[Memorial Human Rights Centre: Five residents of Bashkiria, convicted of membership of Hizb ut-Tahrir, are political prisoners](#)

[Legal Case of the Week: Scientology \(1\)](#)

[Legal Case of the Week: Scientology \(2\)](#)

[Legal Case of the Week: Scientology \(3\)](#)

[St. Petersburg Scientologists are political prisoners, Memorial says](#)

13 Human rights defenders

Human rights defenders, journalists and civil society activists in Russia have been killed and have been victims of physical assaults. They have also been victims of politically motivated prosecutions. It is vital that Russia comply with its international obligations and international standards of good practice to ensure that such instances are effectively investigated and those responsible brought to justice.

[15 July: Presentation of the Film "Who Killed Natasha?" on the Second Anniversary of Natalya Estemirova's Death](#)

[Remember the Date: 7 October 2006 - the murder of journalist Anna Politkovskaya](#)

[Dunja Mijatović: 'Anna Politkovskaya's death is a grim reminder that journalists' safety should be adequately addressed in the Russian Federation'](#)

[Karina Moskalenko on the investigation into Anna Politkovskaya's murder \(from Radio Svoboda\)](#)

[Lana Estemirova: "We could not save my mother. But we can save Oyub and we can save Memorial"](#)

[Person of the Week: Oyub Titiev, head of Memorial's office in Chechnya, arrested](#)

[Memorial Human Rights Centre: Chechen human rights defender Oyub Titiev is a political prisoner](#)

[International Memorial Society: An appeal to the Russian and international public in the case of Oyub Titiev](#)

[Person of the Week: Lev Shlosberg \(1\)](#)

[Person of the Week: Lev Shlosberg \(2\)](#)

Recommendations

Recommendations to the UK government would include:

- Supporting the Council of Europe in its efforts to ensure human rights protection in Russia, a Member State.
- Ensuring compliance with, and full implementation of, the rulings of the European Court of Human Rights.
- Supporting civil society organisations in Russia, in particular human rights organisations.
- Enabling Russian human rights defenders to travel to the UK to inform the UK public and explain their work.
- Focus attention on certain laws in the Russian Federation that prima facie would seem to violate Russia's international obligations, fail to meet international standards and promote human rights violations at home and abroad, including:
 - The 2006 law which allows the Russian government to kill abroad
 - The laws of 2012 and 2015 regulating the right of association
 - Laws on extremism that restrict freedom of expression and freedom of conscience
 - Legislation discriminating against LGBT people
 - The abuse of legislation when it is used in politically-motivated prosecutions of human rights defenders, journalists and civil society activists; combined with the failure to conduct effective investigations in these cases to bring those responsible to justice.

Rights in Russia

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