

# RUSSIA 2013 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Russian Federation has a highly centralized, weak multi-party political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and appointed upper house (Federation Council). Presidential elections in March 2012 featured accusations of government interference and manipulation of the electoral process. Security forces generally reported to civilian authorities; however, in some areas of the Northern Caucasus, civilian authorities did not exercise full control over security forces. Security forces throughout the country committed human rights abuses.

The most significant human rights problems during the year involved:

1. **Restrictions of Civil Liberties:** The government continued its crackdown on dissent that began after Vladimir Putin's return to the presidency. The government selectively employed the law on "foreign agents," the law against extremism, and other means to harass, pressure, discredit, and/or prosecute individuals and entities that had voiced criticism of the government, including nongovernmental organizations (NGOs), independent media outlets, and the political opposition. The Office of the Prosecutor General, Ministry of Justice, Federal Security Service, tax authorities, and other agencies carried out inspections of hundreds of NGOs suspected of being "foreign agents."
2. **Government Discrimination against Racial, Ethnic, Religious, and Sexual Minorities:** The country adopted several laws that discriminated against lesbian, gay, bisexual, and transgender (LGBT) persons, including a ban on the so-called propaganda of nontraditional sexual relations to minors, which effectively criminalizes public expression and assembly for anyone who would advocate LGBT equality. The government continued to use laws against extremism to prosecute some religious minorities and made "offending the religious feelings of believers" a criminal offense. Authorities in many cities also discriminated against ethnic minorities, arbitrarily detaining thousands of migrant workers amid a wave of anti-immigrant sentiment. Laws, actions, and official rhetoric restricting the rights of the LGBT community, migrants, and other minorities coincided with a marked increase in violent attacks against these groups.

3. Administration of Justice: Officials denied due process in politically motivated cases initiated by the Investigative Committee, including the continued detention and trial of protesters arrested following the May 2012 demonstration on Bolotnaya Square in Moscow; the sentencing of Bolotnaya demonstrator Mikhail Kosenko to indefinite psychiatric detention; the detention, trial, and sentencing of anticorruption blogger and opposition leader Alexey Navalnyy; and the searches of, and criminal cases opened against, several other political activists and human rights advocates. Two members of Pussy Riot, who were released two months before the end of their sentences, and five defendants in the Bolotnaya case were among the individuals authorities released in an amnesty in December. Authorities had yet to bring to justice the individuals responsible for the deaths of prominent journalists, activists, and whistleblowers, notably Sergey Magnitskiy.

Other problems reported during the year included: allegations of torture and excessive force by law enforcement officials, life-threatening prison conditions, interference in the judiciary and the right to a fair trial, restrictions on freedom of speech and press, restrictions on free assembly and association, restrictions on religious freedom of some religious minorities, electoral irregularities, widespread corruption, societal and official intimidation of civil society and labor activists, violence against women and limits on the rights of women in certain regions, trafficking in persons, and limitations on workers' rights.

The government failed to take adequate steps to prosecute or punish most officials who committed abuses, resulting in a climate of impunity. Rule of law was particularly deficient in the North Caucasus, where conflict among government forces, insurgents, Islamist militants, and criminal forces led to numerous human rights abuses, including killings, torture, physical abuse, and politically motivated abductions.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

There were several reports that the government or its agents committed arbitrary or unlawful killings. Each agency has its own regulations and procedures to examine whether a killing was justifiable. Any subsequent criminal investigations can fall under the jurisdiction of either the Ministry of Internal Affairs or the Investigative Committee, depending on the gravity of the crime. In the North Caucasus, both

authorities and local militants carried out numerous extrajudicial killings (see section 1.g.).

Prison officials and police subjected inmates and suspects in custody to physical abuse that occasionally resulted in death (see section 1.c.). When egregious cases of torture were punished, the punishment was often lax.

On June 6, Vladimir Bulkov fell into a coma and eventually died from his injuries in Penal Colony 6, near Bryansk, when a prison guard beat him for not turning over allegedly prohibited items. Human rights organizations had previously complained of systematic beatings within the penal colony. While prison officials originally claimed Bulkov fell down a flight of stairs, a preliminary investigation concluded that he died as a result of beating on the head and other parts of the body. As of September a criminal investigation was continuing, and an official was under house arrest pending the results of the investigation.

In many cases abuses went unpunished. On September 10, Tatarstan's Investigative Committee announced that it would not file charges against five police officers for the torture and death of Pavel Drozdov, arrested in 2012 for violating an administrative law. According to investigators the officers beat Drozdov, bound his arms and legs together behind his back in the "swallow" position with handcuffs, belts, and ropes, and then kicked him while he was lying on his stomach. After a medical examination, the Investigative Committee concluded that the use of physical force and "improvised means" against the detainee was lawful and warranted and that the officers' actions could not have led to Drozdov's death.

In February a military court ruled that the 2012 hanging death of Private Vladimir Slobodyannikov, a vocal opponent of harsh military hazing, was a suicide resulting from an inability to adapt to life in the army. The court further ruled that hazing was not a causal factor in Slobodyannikov's death. The day before his death, Slobodyannikov sent his sister a text message indicating his fear that his unit commander might kill him.

## **b. Disappearance**

Politically motivated disappearances in connection with the conflict in the Northern Caucasus continued (see section 1.g.). Security forces were also responsible for the kidnapping and disappearance of asylum seekers seeking

protection from persecution in Central Asia, particularly Uzbekistan and Tajikistan (see section 2.d.).

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the constitution prohibits such practices, there were numerous credible reports that law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects, and authorities generally did not hold officials accountable for such actions. If law enforcement officials were prosecuted, they were typically charged with simple assault or exceeding authority.

In 2012 the European Court of Human Rights (ECHR) found the state to have violated the ban on torture and inhuman or degrading treatment in 55 of 134 cases heard by the court. Government forces engaged in the conflict in the North Caucasus reportedly tortured and otherwise mistreated civilians and participants in the conflict (see section 1.g.).

Physical abuse of suspects by police officers was reportedly systemic and usually occurred within the first few days of arrest. Reports from human rights groups and former police officers indicated that police most often used electric shocks, suffocation, and stretching or applying pressure to joints and ligaments, as those methods are less prone to leave visible marks. In the North Caucasus, local law enforcement organizations as well as federal security services reportedly committed torture.

On April 30, Chelyabinsk Oblast Human Rights Ombudsman Aleksey Sevastyanov reported that the incidence of suicide, harassment, and torture in prisons and detention centers increased 250 percent in the region over 2012 levels. According to Sevastyanov, law enforcement personnel routinely used torture, including electrocution and beating, as a means of obtaining desired testimony from suspects.

On June 12, police in Sochi brutally beat and raped construction worker Martiros Demerchyan, according to human rights and media sources. Demerchyan and his brother-in-law had worked on a Sochi Olympic construction site and had complained to their employer about nonpayment of wages, after which police arrested him and attempted to force him to confess to stealing construction materials. When Demerchyan refused, police beat him for hours, knocking out his teeth, cracking his skull, breaking his ribs, and raping him with a crowbar. The

Investigative Committee of Sochi looked into the allegation but stated that they did not find sufficient evidence to indicate that torture had taken place, and they did not initiate a case against the officers allegedly involved. On July 27, the committee opened a case against Demerchyan, alleging that he wrongly accused police of the torture.

Police attacks on political and human rights activists, critics of government policies, and persons linked to the opposition continued. On May 19, St. Petersburg traffic police beat Grigoriy Kokorin, an activist from the “Blue Bucket” movement, which protested the use of flashing blue lights by prominent politicians and businessmen to bypass traffic laws. The beating caused Kokorin to be hospitalized with a concussion and kidney damage. The following week authorities dismissed six police officers who were determined to have taken part in the attack. Kokorin’s civil suit against them remained pending at year’s end.

During the year there were multiple reports of law enforcement officials attacking environmental activists. On May 9, according to human rights groups, undercover police officers beat Pervouralsk environmental activist Stepan Chernogubov, took him to a police station, and questioned him for more than four hours. Chernogubov had published evidence of environmental violations at a local chromium plant. The attack left Chernogubov with a fractured skull and three missing teeth. Of the three officers charged in the attack, none was detained and charges against two were dropped; the judge in the case opted not to pursue charges against the third officer.

Reports by refugees, NGOs, and the press suggested a pattern of beatings, arrests, and extortion by police when dealing with persons who appeared to be of Caucasus, Central Asian, African, or Romani ethnicity. On March 3, OMON (paramilitary police) troops in Surgut, Khanty-Mansiysk region, reportedly detained a group of approximately two dozen Azeri, Tajik, Kazakh, and Uzbek men and forced some to shave their beards at gunpoint. According to representatives of the Tajik diaspora in Khanty-Mansiysk, an OMON unit in combat gear approached the group as they were dining in a cafe, forced them to the floor, demanded their documents, and forced some to cut off their beards. OMON personnel threatened those who refused with having their beards burned off. Following the incident the chief of the Surgut police stated that his subordinates would publicly apologize if found to be at fault. On April 24, the Khanty-Mansiysk Investigative Committee declined to file a criminal case for lack of evidence.

There were multiple reports of authorities detaining defendants for psychiatric evaluations for up to 30 days and one report of psychiatric incarceration. On October 8, a Moscow court convicted Mikhail Kosenko of participating in a mass riot and attacking a police officer in the 2012 “Bolotnaya Case.” He was sentenced to indefinite detention in a psychiatric hospital; the court had previously declared him insane, citing his diagnosis years earlier of a mild mental disorder for which he was receiving outpatient treatment and self-medicating. Following his arrest Kosenko’s diagnosis was upgraded to “paranoid schizophrenia” after doctors affiliated with the prosecution interviewed and observed him for less than one hour; Kosenko’s doctor of 12 years was not consulted by prosecutors. Many human rights groups considered the case politically motivated and designed to deter citizens from exercising their free assembly rights to protest against the government.

Physical abuse and hazing continued to be a problem in the military. The Committee of Soldiers’ Mothers and the Chief Military Prosecutor’s Office reported that incidents of *dedovshchina* (a pattern of hazing) and other violence against conscripts increased during the year. The Committee of Soldiers’ Mothers received more than 15,000 complaints on behalf of conscripts, of which 20 percent involved violations of their rights, including hazing.

On January 2, a conscript from the Yelan military garrison jumped from a third-floor window in an attempt to either flee his alleged tormentors or commit suicide in response to their actions. According to news reports, higher-ranking military personnel severely beat him after he failed to complete exercises to their satisfaction while dressed in a flak jacket. The exercises were punishment for his failing to serve them tea quickly enough. The soldier apparently fled or jumped from the window in response to the beating and suffered numerous serious fractures and injuries to his face and limbs. The regional military prosecutor brought charges against three suspects and was investigating the case.

### **Prison and Detention Center Conditions**

Conditions in prisons and detention centers varied but were sometimes harsh and life threatening. Limited access to health care, food shortages, abuse by guards and inmates, inadequate sanitation, and overcrowding were common in prisons, penal colonies, and other detention facilities.

In March approximately 30 inmates of Penal Colony No. 7 in Mordovia went on a hunger strike to protest poor living conditions and abuse by colony personnel.

Physical Conditions: Detainees were held in five types of facilities: temporary police detention centers, pretrial detention facilities, correctional labor colonies (ITKs), prisons for those who violate ITK rules, and educational labor colonies for juveniles. According to the Federal Penitentiary System, as of December 1, the prison population was 680,200, compared with 701,900 at the end of 2012. This figure included 562,400 offenders held in 731 correctional colonies, 40,900 offenders in open colonies, 1,698 prisoners serving life sentences in five prisons, and 2,000 juveniles in 46 educational colonies. Approximately 114,500 detainees were held in 230 pretrial detention centers. “Unofficial” prisons, many of which were located in the North Caucasus region, continued to exist.

There were approximately 56,200 women in prison as of December 1, compared with 57,700 in 2012. Penal Reform International reported that conditions were generally better in women’s colonies than in men’s but remained substandard. On September 24, imprisoned Pussy Riot member Nadezhda Tolokonnikova announced a hunger strike to protest the conditions within the women’s penal colony where she was held. She accused prison officials of threatening and intimidating inmates and forcing them to work 17-hour days in a sewing shop, denying food and use of the bathroom to those who did not meet quotas, and forcing them to stand outside in the cold. The Presidential Council for Human Rights confirmed her accusations after a subsequent inspection.

Health, nutrition, ventilation, and sanitation standards were generally poor but varied among facilities. Access to potable water sometimes was rationed. The federal minimum standard of space per person in detention is 43 square feet, and facilities generally met the standard.

In January 2012 the ECHR issued a pilot judgment in the case of *Ananyev v. Russia*, which found that prison conditions in the country violated the European Convention on Human Rights’ prohibition against inhuman and degrading treatment. The ECHR uses pilot judgments as a means of dealing with large groups of identical cases that derive from the same underlying problem. In its judgment the ECHR noted that inadequate conditions of detention were a recurrent and systemic problem in the country. Applying pilot judgment procedures, the court held that the country had to improve conditions for pretrial detention by implementing a series of specific measures, which it detailed in the judgment. To that end the court ordered Russian authorities to draft a binding implementation plan. In October 2012 the government submitted an action plan for implementing the court’s decision, establishing a working group and laying out a proposed series

of draft laws and plans for construction of dozens of new detention centers. At year's end, however, the working group had not submitted the proposed draft laws on detention and there were no significant updates on the group's progress.

Access to quality medical care remained a significant problem in the penal system. Inmates often experienced delays in medical care due to bureaucratic procedures, and medicine was limited.

On February 28, a department head within the Prosecutor General's Office reported that 4,121 persons died in pretrial detention centers and prisons in 2012. Many of the deaths were a consequence of insufficient medical facilities and failure to execute the law on health care for prisoners properly.

On April 5, Moscow prison authorities released Margarita Charykova to a government health clinic after four months in pretrial detention where she was unable to receive treatment for chronic severe health conditions resulting from having been born without part of her lower intestine. While she was in pretrial detention, authorities denied her an adequate diet and proper medical care, and her health rapidly deteriorated. She repeatedly suffered from a blocked digestive system, infections, and intense chronic pain.

In the case of Sergey Magnitskiy, a lawyer who died of medical neglect and abuse while in pretrial detention in 2009, at year's end authorities had not brought those responsible for his death to justice, and the Investigative Committee closed its investigation of the circumstances of his death in March claiming to have found no evidence of wrongdoing.

The Federal Penitentiary Service's medical director reported that tuberculosis infection rates in prisons continued to decline, with approximately 28,500 affected prisoners.

Reports continued of prison staff abusing prisoners. On January 11, inmate Vitaliy Knyazyev complained that prison authorities at Yekaterinburg Detention Center #2 had subjected him to severe torture. He reported numerous injuries, including large burns on both legs. Knyazyev's cellmates confirmed that prison authorities had beaten him. Knyazyev's lawyer was also threatened with injury if he reported the abuse to the regional Investigative Committee. The regional prosecutor and human rights activists launched investigations that revealed numerous instances of abuse and other violations at the detention center.



Abuse of prisoners by other prisoners also continued to be a problem. There were elaborate inmate-enforced caste systems in which certain groups, including informers, gay inmates, rapists, prison rape victims, and child molesters, were considered “untouchables” (the lowest caste). Prison authorities provided little or no protection to these groups.

Administration: Prisoners had visitation rights, but access to visitors could be denied depending on the circumstances. Authorities allowed prisoners serving a regular sentence four three-day visits with their spouses per year. On occasion prison officials cancelled visits if the prison did not have enough space. A judge or investigator in a prisoner’s case could deny the prisoner visitation rights. Relatives deemed a security risk could also be prohibited from visiting prisoners. The number of visitors was limited, usually to two adults and two children on each visit.

Prisoners generally were permitted religious observance and access to religious ministry and literature.

Independent Monitoring: There were no prison ombudsmen. Prisoners could file complaints with public oversight commissions (POCs) or with the Human Rights Ombudsman’s Office, but inmates were often afraid of reprisal, leading to self-censorship. Complaints that reached the POCs often focused on minor personal requests. Prison reform activists reported that only prisoners who believed they had no other option risked the consequences of filing a complaint.

The law regulating public oversight of detention centers allows POC representatives to visit facilities. There were 712 members of 79 registered POCs in 43 regions. Authorities permitted only POCs to visit prisons regularly to monitor conditions. There were reports that prison officials, citing disease or danger, denied facility access to inspectors upon arrival. The law does not establish procedures for local authorities to respond to POC findings or recommendations, which are not legally binding.

The effectiveness of POC observation declined in some regions following their creation in 2008. New lists of POC members took effect in November, with new appointment and selection procedures preventing many human rights defenders from participating. At the same time, authorities increased appointments of former military, police, and prison officials to POCs, which effectively placed POCs under the control of law enforcement agencies.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention; however, problems remained.

#### **Role of the Police and Security Apparatus**

The Ministry of Internal Affairs, the Federal Security Service (FSB), the Federal Investigative Committee, and the Office of the Prosecutor General are responsible for law enforcement at all levels of government. The FSB is responsible for security, counterintelligence, and counterterrorism and also for fighting organized crime and corruption. The national police force under the Ministry of Internal Affairs is organized into federal, regional, and local levels.

#### **Arrest Procedures and Treatment of Detainees**

By law authorities may arrest and hold a suspect arrested at the scene of a crime for up to 48 hours without court approval, provided there is evidence of the crime or a witness; otherwise, an arrest warrant is required. After arresting them, police typically take detainees to the nearest police station, where they inform them of their rights. Police must prepare a protocol stating the grounds for the arrest, and both detainee and police officer must sign it within three hours of detention. Police must interrogate detainees within the first 24 hours of detention. Prior to interrogation a detainee has the right to meet with an attorney for two hours. No later than 12 hours after detention, police must notify the prosecutor. They must also notify the detainee's relatives unless a prosecutor issues a warrant to keep the detention secret. Police are required to release a detainee after 48 hours, subject to bail conditions, unless a court decides, at a hearing, to prolong custody in response to a police motion filed by police not less than eight hours before the 48-hour detention period expires. The defendant and his or her attorney must be present at the court hearing.

By law police must complete their investigation and transfer the case to a prosecutor for arraignment within two months of a suspect's arrest, although an investigative authority may extend a criminal investigation for up to 12 months. Extensions beyond 12 months need the approval of the head federal investigative authority in the Interior Ministry, Federal Drug Control Service, FSB, or Investigative Committee. According to some defense lawyers, these time limits were often violated.

There were a number of problems relating to defendants' ability to obtain adequate defense counsel. Federal law provides defendants' right to choose their own lawyer, but the investigator generally did not respect this provision, instead designating lawyers friendly to the prosecution. These "pocket" defense attorneys agreed to the interrogation of their clients in their presence while making no effort to defend their clients' legal rights. In many cases, especially in more remote regions, defense counsel was not available for indigent defendants. Judges usually did not suppress confessions of suspects taken without a lawyer present. Judges at times freed suspects held in excess of detention limits, although they usually granted prosecutors' motions to extend detention periods.

Authorities generally respected the legal limitations on detention except in the North Caucasus. There were reports of occasional noncompliance with the 48-hour limit for holding a detainee. At times authorities failed to write the official detention protocol within the required three hours after the actual detention and held suspects longer than the legal detention limits. During a roundup of migrants in Moscow in July, human rights advocates reported hundreds of cases of migrants illegally held in temporary makeshift camps well beyond the 48-hour limit prescribed by law.

Arbitrary Arrest: There were many reports of arbitrary detention. The practice was widespread in the North Caucasus (see section 1.g.) and was applied frequently to labor migrants of non-Slavic appearance (see section 6), as well as LGBT protesters (see section 6) and in a number of politically motivated cases (see section 1.e.).

Pretrial Detention: The 2012 ECHR pilot judgment in *Ananyev v. Russia* required Russia to take urgent action to address inhuman and degrading conditions of pretrial detention (see section 1.c.)

According to statistics released by the Supreme Court, domestic courts, relying on the arguments of the prosecution, granted more than 90 percent of applications for detention orders and nearly 100 percent of requests to extend the duration of detention orders.

Detention of Rejected Asylum Seekers or Stateless Persons: Authorities continued to detain many asylum seekers while their cases were pending, as well as all rejected asylum seekers prior to deportation or pending judicial review (see section 2.d.). Human rights NGOs reported that authorities regularly used protracted detention, including detention past the legal limit of 18 months, in such cases.

Amnesty: On July 2, the State Duma passed legislation providing amnesty to first-time offenders convicted of certain economic crimes. As of October 1, more than 300 prisoners were freed under the amnesty. The State Duma passed a second amnesty on December 18, in honor of the 20th anniversary of the constitution. It authorized the release of convicts and detainees charged under specific legal statutes, as well as those belonging to socially disadvantaged groups of the population, including juvenile criminal offenders, women with small children, pregnant women, women over 55 and men over 60, persons with disabilities, and persons who have done a service to the country. Among those released were two members of the punk rock group Pussy Riot, imprisoned since 2012, and five defendants in the Bolotnaya case.

### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, but judges remained subject to influence from the executive branch, the military, and other security forces, particularly in high-profile or politically sensitive cases. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Officials generally honored this requirement, although the process of obtaining judicial warrants was occasionally subverted by bribery or political pressure.

According to an April report by the ombudsman for human rights, Vladimir Lukin, almost 57 percent of the 24,930 complaints received by his office in 2012 related to violations of civil rights. Of these, more than 67 percent involved alleged violations of the right to a fair trial.

Judges routinely received calls from superiors instructing them how to rule in specific cases. The Presidential Council for the Development of Civil Society and Human Rights reported that “in practice [judges] do not possess genuine, as opposed to declaratory, independence. The powers of a judge who does not agree to carry out the requests may be prematurely terminated. In such a situation, the conscientious judge is subject to pressure from within the judicial system and has no chance of defending his or her own rights.”

A November report by the Council of Europe’s human rights commissioner on the protection of human rights in the country’s judicial system noted concerns that “perceptions persist that judges are not shielded from undue pressure, including from within the judiciary.”

During the year authorities initiated criminal proceedings against a deceased individual. On July 11, a court found whistleblower Sergey Magnitskiy guilty of tax evasion in the first posthumous trial in the country's history, in a case that human rights advocates believed was fabricated.

In many cases authorities did not provide adequate protection for witnesses and victims from intimidation or threats from powerful criminal defendants.

### **Trial Procedures**

A judge without a jury typically hears trials (bench trials). The defendant has a legal presumption of innocence. The law provides for the use of jury trials for a limited range of crimes in higher-level regional courts. Certain crimes, including terrorism, espionage, hostage taking, and mass disorder, must be heard by panels of three judges rather than by juries. Juries try approximately 600 to 700 cases each year, or 0.05 percent of all criminal cases. While judges acquit less than 1 percent of defendants, juries acquit an estimated 20 percent. Since 2008 the number of jury trials has continued to decline, which legal experts considered an effort to avoid acquittals in criminal cases. The law allows prosecutors to appeal acquittals, which they do in most cases. Prosecutors may also appeal what they regard as lenient sentences. Appellate courts reverse approximately 30 percent of acquittals and remand them for a new trial, although these cases often end in a second acquittal.

During trial the defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses, although judges can deny the defense this opportunity. Defendants who are in custody during the trial are confined to a caged area, which has been replaced by glass enclosures in some courts. Defendants have the right of appeal. Prior to trial defendants receive a copy of their indictment, which describes the charges in detail. They also have an opportunity to review their criminal file following the completion of the criminal investigation. The law provides for the appointment of an attorney free of charge if a suspect cannot afford one, although the high cost of competent legal service means that lower-income defendants often lacked competent representation. There were few qualified defense attorneys in remote areas of the country. Defense attorneys may visit their clients in detention, although defense lawyers claimed that informants electronically monitored their conversations and that prison authorities did not always provide them with access to their clients.

Plea bargaining was used in criminal cases, and the law allows a defendant to receive a reduced sentence for testifying against others. Plea bargains reduced defendants' time in pretrial detention in approximately half of cases, reduced the average prison term to no more than half of the otherwise applicable statutory maximum, and allowed courts and prosecutors to devote their resources to other cases.

### **Political Prisoners and Detainees**

Authorities detained and prosecuted individuals for political reasons. Human rights organizations believed there were at least 70 such individuals imprisoned during the year.

On June 24, the trial of 12 opposition protesters on charges of attacking police during a May 2012 protest of Putin's return to the presidency began in Moscow City Court. Human rights groups characterized the proceedings as a politically motivated show trial, and many supported the conclusions of an independent civil society inquiry, which found that police themselves instigated the clash with protesters that took place at Bolotnaya Square in Moscow. Human rights groups believed that the arrest, detention, and punishment of such a diverse group of individuals was meant to deter the general population from engaging in public protests. On October 3, Amnesty International added three of the "Bolotnaya defendants"--Vladimir Akimenkov, Artyom Savyolov, and Mikhail Kosenko--to its list of "prisoners of conscience." On December 19, a Moscow court dropped charges against five of the defendants, including Vladimir Akimenkov, as part of a broad amnesty adopted on the occasion of the 20th anniversary of the constitution.

On December 4, a Krasnodar court released university professor and civil activist Mikhail Savva and placed him under house arrest. Savva had been in pretrial detention without bail in Krasnodar since April 12 on charges of embezzling 366,000 rubles (\$11,300). The court extended his detention multiple times on the claim that, if released, he would pressure witnesses and hinder the investigation. Human rights groups believed the charges were politically motivated in response to Savva's vocal opposition to a wave of intrusive government inspections of NGOs conducted in the Krasnodar region in the spring (see section 5).

On December 23, authorities released Mariya Alekhina and Nadezhda Tolokonnikova, the two imprisoned members of the punk rock group Pussy Riot, convicted in 2012 of hooliganism motivated by religious hatred in connection with their protest performance on the altar of Christ the Savior Cathedral in Moscow.

During the year authorities twice denied parole to each of the two prisoners. Maria Alekhina was not allowed to be present during either parole hearing, while a judge denied Nadezhda Tolokonnikova's parole because she had not "sufficiently repented." In September, Tolokonnikova conducted a hunger strike in response to abusive prison conditions (see section 1.c.).

Aleksey Kozlov, the husband of prominent activist Olga Romanova, was released from prison on June 3 after the Supreme Court ruled one of the charges against him unfounded. Kozlov, who was originally convicted in 2008 of stealing company shares from a former business partner, won his first appeal in the Supreme Court in 2011 but was subsequently found guilty in district court of the same crime. Kozlov spent a total of four and one-half years in prison on charges that human rights defenders believed to be politically motivated.

On December 20, President Putin pardoned former Yukos tycoon Mikhail Khodorkovskiy, who was released from prison the same day. His associate, Platon Lebedev, remained in prison at year's end. On July 25, the ECHR ruled that it had insufficient evidence to declare that the 2004 case against Khodorkovskiy and Lebedev was politically motivated, although it identified a number of procedural violations in the case. The ECHR had yet to issue a ruling on a 2010 case in which they were convicted of additional offenses.

### **Civil Judicial Procedures and Remedies**

Although the law provides mechanisms for individuals to file lawsuits against authorities for violations of civil rights, these mechanisms often did not work well. For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. Human rights activists claimed that authorities avoided paying compensation through procedural means, such as leaving cases in pending status. Persons who believed their civil rights had been violated typically sought redress in the ECHR after the domestic courts had ruled against them.

### **Regional Human Rights Court Decisions**

Any person may file a complaint with the ECHR concerning alleged violations by the state of human rights under the European Convention on Human Rights, provided they have exhausted "effective and ordinary" appeals in the country's courts. According to the ECHR, there were more than 33,000 cases pending against the country, and the prosecutor general indicated the number of inmates

filing complaints with the ECHR continued to increase. In 2012 the ECHR found a violation of the European Convention on Human Rights in 91 percent of judgments involving the country.

While the government generally paid compensation to victims when ordered to do so, it did not fully implement judgments that called for conducting effective investigations and holding perpetrators accountable. The government generally failed to change systemic practices that the ECHR repeatedly criticized.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law forbids officials from entering a private residence except in cases prescribed by federal law or on the basis of a judicial decision. The law also prohibits government monitoring of correspondence, telephone conversations, and other means of communication without a warrant and prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While authorities generally complied with these provisions, there were allegations that government officials and others engaged in electronic surveillance without appropriate authorization and entered residences and other premises without warrants.

Law enforcement agencies require telecommunications service providers to grant the Ministry of Internal Affairs and the FSB 24-hour remote access to client databases, including telephone and electronic communication and records, enabling police to track private communications and monitor internet activity without the provider's knowledge. The law permits authorities to monitor telephone calls in real time. The Ministry of Information and Communication requires telecommunications service providers to allow the FSB to tap telephones and monitor information over the internet. The Ministry of Information and Communication maintained that no information would be accessed without a court order, even though the FSB is not required to show it to anyone.

In the North Caucasus, families continued to face retribution for the alleged offenses of their family members. Chechen leader Ramzan Kadyrov continued his anti-insurgency policy of collective punishment against families of suspected insurgents, including burning their homes (see section 1.g.).

On November 3, President Putin signed a new law that requires relatives of terrorists to pay the cost of damages caused by an attack, a measure human rights advocates criticized as collective punishment.



### **g. Use of Excessive Force and Other Abuses in Internal Conflicts**

Violence continued in the North Caucasus republics, driven by separatism, interethnic conflict, jihadist movements, vendettas, criminality, excesses by security forces, and the activity of terrorists in the country. Dagestan continued to be the most violent area in the North Caucasus, with more than 60 percent of all casualties in the region. According to online newspaper *Caucasian Knot*, the general level of violence decreased in the North Caucasus by almost 30 percent in the first eight months of the year compared with 2012.

Killings: *Caucasian Knot* reported that at least 330 deaths in the North Caucasus in the first eight months of the year resulted from the armed conflicts in the region.

One journalist was killed in the North Caucasus during the year (see section 2.a.).

There continued to be reports that security forces used indiscriminate force resulting in numerous deaths and that authorities did not prosecute the perpetrators. According to a December 18 report by *Novaya Gazeta*, President Putin fired Sergey Bobrov, the recently installed head of Chechnya's Investigative Committee. The newspaper reported that Bobrov had recently been investigating abduction and murder cases allegedly perpetrated by the security services of appointed Chechen leader Ramzan Kadyrov.

On February 13, Ingush security service members killed former deputy construction minister of Ingushetia Sultangeri Khashagulgov during a search of his home in Nazran. According to the victim's father, security personnel bound Khashagulgov and expelled relatives from the house. Authorities claimed that Khashagulgov resisted arrest, forcing them to shoot him.

During a special operation in the Makhachkala suburb of Semender from March 20 to March 23, Dagestani security services killed a police officer and a local city councilman whom they had sent into a house to negotiate with a small group of suspected militants. After losing contact with negotiators, security services stormed the house, resulting in the deaths of four militants and the negotiators. Security services claimed that they blew up the besieged house because it contained explosives, although they reportedly first looted the building and neighboring businesses. Caucasus experts suspected security services of using the explosion to cover up evidence of a mishandled operation.

On April 19, in broad daylight, an unmasked gunman shot Yusup Ajiev, the informal leader of the Kumyk ethnic group in the Khasavyurt district of Dagestan, 17 times. Police had detained Ajiev's bodyguard immediately prior to the shooting. Ajiev planned to run for the position of leader of the Khasavyurt, and many observers considered him a viable candidate. No arrests were made in this case.

Abductions: Government personnel, rebels, and criminal elements continued to engage in abductions in the North Caucasus. According to the prosecutor general, as of 2011 there were more than 2,000 unsolved disappearances in the North Caucasus region. On October 4, human rights defender Alexander Mukomolov announced that he had assembled a list of 7,570 known missing persons in the North Caucasus, although he and other human rights defenders estimated the actual number was much higher.

On July 6, two masked men abducted Khadizhat Elimkhanova in front of a store in Grozny, Chechnya, in the presence of many witnesses. A store security camera caught the incident as the men beat her, threw her into a car, and drove off. Police did not investigate the matter. According to the Memorial Human Rights Center, security forces may have been involved in the abduction. As of year's end, there was no further information on this case.

Physical Abuse, Punishment, and Torture: Armed forces and police units reportedly abused and tortured both rebels and civilians in holding facilities. On September 18, police arrested Shamil Salatgereev for theft in the Kazbek district of Dagestan. He was robbed, beaten, and tortured during his incarceration and attempted suicide afterwards. Lawyers for Salatgereev initiated an official complaint against police officers, but local officials claimed that both evidence and the initial complaint were lost.

Human rights groups noted that physical abuse of women was becoming increasingly common in the region (see section 6).

Burning the homes of suspected rebels reportedly continued. Ten homes were blown up and another 26 seriously damaged during a special forces operation in the Dagestani village of Gimry. Locals claimed that special forces removed the residents from the village, then looted and destroyed the houses as a form of collective punishment after they found insurgents in a nearby forest.

Although there were fewer incidents involving land mines than in previous years, landmine contamination remained a problem. On July 11, a land mine, a remnant of the Chechen wars, exploded in Dagestan near the Chechen border killing one man and injuring two. Two days later a land mine killed one soldier and injured two others in the course of a military operation.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press; however, government pressure on some media constrained coverage of certain controversial issues, resulting in numerous infringements of these rights.

While the government generally respected citizens' right to freedom of speech, some regional and local authorities used procedural violations and vague legislation to detain persons who criticized the government. State-controlled media frequently did not cover human rights, high-level corruption, opposition political views, and the conduct of federal forces in the North Caucasus. In other cases the government used direct ownership, or ownership by large private companies with government links, to control or influence major national media and regional media outlets, especially television. There were reports of self-censorship in the television and print media, particularly on issues critical of the government.

Freedom of Speech: The government at times restricted the ability of individuals to criticize the government publicly or privately or discuss matters of general public interest without reprisal. For example, on March 1, an Arkhangelsk court convicted Ivan Moseyev, a professor at Northern Federal University and member of the Pomor ethnic minority, for "insulting the dignity of the Russian ethnic group" and sentenced him to a fine of 100,000 rubles (\$3,100). Moseyev's conviction was based the inclusion in his work of the sentences, "What are you doing to us? You are millions of cattle while there are only 2,000 of us!" The court interpreted the term "cattle" to be an insult to Russians.

During the year the government instituted several laws that restrict freedom of speech. On June 30, President Putin signed two laws, one that prohibits the distribution of material that promotes nontraditional sexual relationships to minors and another that criminalizes the intentional or public offending of religious sentiments. The former, the so-called propaganda law, effectively criminalizes public assembly and expression in support of LGBT equality, provides heavy fines

for violations, and could also result in the suspension of activities of organizations or 15 days in jail (plus deportation) for foreign offenders. Human rights groups criticized the “blasphemy law” for being vague and ambiguous; violations of the law are punishable by heavy fines or a prison term of up to three years.

On December 30, President Putin signed a law criminalizing “calls for separatism.” Under the law violators face a fine of up to 306,700 rubles (\$9,500) or jail terms of up to five years for making public calls for action aimed against the country’s territorial integrity.

On December 5, an Archangelsk court convicted two LGBT activists, Nikolai Alexeyev and Yaroslav Yevtushenko, of violating the ban on so-called propaganda of nontraditional sexual relationships to minors and fined them 4,000 rubles (\$120). The activists had picketed a children’s library with a sign that stated, “Gay propaganda does not exist. People do not become gay, people are born gay.”

Press Freedoms: The government or state-owned or state-controlled companies directly owned more than 60 percent of the country’s 45,000 registered local newspapers and periodicals. The federal or local governments or progovernment oligarchs completely or partially owned approximately 66 percent of the 2,500 television stations, including all six national channels.

Independent news outlets running stories critical of the government often faced retaliation for such coverage. On April 30, the Omsk Oblast government suspended the accreditation of journalists of the Omsk Television Company and the regional news agency Omsk Inform after the outlets reported on disagreements between city and oblast governments. The regional government accused the journalists of “destabilizing the sociopolitical situation in the region.”

Many newspapers ensured their financial viability by agreeing to various types of “support contracts” with government ministries, in which the newspapers agreed to provide positive coverage of government officials and policies in news stories. Absent direct government support, independent news publications reported difficulty attracting advertising and securing financial viability, since advertisers feared retaliation if their brands became linked to publications that criticized the government. In one example, on June 8, REN TV, a privately owned and independently operated television outlet, ceased operations in Bashkortostan after the regional government-affiliated broadcaster terminated its contract with the station. Local representatives of REN TV’s owners claimed that authorities

ordered the shutdown after the outlet reported news stories unfriendly to the Bashkortostan regional government.

According to the Glasnost Defense Fund (GDF) and other NGOs, authorities used the media's widespread dependence on the government for access to property, printing, and distribution services to discourage critical reporting. They reported that approximately 90 percent of the print media relied on state-controlled entities for paper, printing, and distribution services and that many television stations were forced to rely on the government for access to the airwaves and office space. The GDF also reported that officials continued to manipulate the price of printing at state-controlled publishing houses to pressure private media rivals.

On December 11, President Putin signed a decree closing the country's largest government-owned news agency, RIA Novosti, which had been known for its balanced coverage. The decree replaced RIA Novosti with an organization called Russia Today, under the leadership of Dmitriy Kiselyov, whom observers noted had a strong progovernment bias.

Violence and Harassment: As of November 1, the GDF reported three killings of journalists during the year, 63 attacks on journalists, four attacks on media offices, 67 detentions of journalists by law enforcement, 24 prosecutions of journalists, 34 threats against journalists, and 19 politically motivated firings of journalists.

On July 9, unknown persons killed Akhmednabi Akhmednabiev, who was *Novoye Delo*'s deputy editor in chief and a *Caucasian Knot* correspondent, outside his home in Makhachkala. Akhmednabiev endured repeated threats and attempts on his life after his name appeared on an anonymous hit list distributed throughout Makhachkala in 2009. The list also included the names of eight other journalists. A second journalist on the list, Gadzhimurad Kamalov, was similarly killed in Makhachkala in 2011. As of November authorities had not made any arrests in the case.

During the year two journalists died from injuries sustained during attacks in previous years that rights groups believed to be retaliation for their work. On April 8, independent journalist and editor of the weekly *Khimkiskaya Pravda*, Mikhail Beketov, died. In 2008 unknown assailants seriously beat Beketov, who had frequently criticized local authorities for construction projects. On December 16, Sochi journalist Arkadiy Lander, beaten in 2010 by unknown assailants, died. He had been a frequent critic of city authorities and corruption.

There were reports of physical assaults against journalists during the year. In one instance assailants brutally beat two journalists in Novosibirsk within a week of each other in April. On April 1, an unidentified assailant beat unconscious Andrey Chelnokov, head of the Novosibirsk Journalists' Union. Chelnokov, who had previously received threats due to his reporting, was missing for 10 days before being found with a concussion, broken nose, and broken ribs. On April 8, two masked men attacked Boris Komarov, president of Uniton-Media, a company that owns several news media outlets, in his office parking lot. Komarov suffered a concussion and a broken jaw in the attack and was hospitalized for more than a month. Police did not make arrests in either of these cases.

On November 26, a court in Rostov-on-Don sentenced journalist Sergey Reznik to 18 months in prison on a series of unrelated charges: insulting a public official, bribery, and deliberately misleading authorities. The insult charges stemmed from blog posts in which Reznik accused a judge of corruption and nepotism. The other two other charges were that he falsely reported to police that he was the recipient of threats and that he bribed a mechanic in a car shop to obtain a vehicle inspection sticker. Since early 2012 Reznik had been receiving threats by telephone from anonymous individuals who demanded that he cease publishing his articles. On October 22, two unidentified men attacked Reznik with baseball bats and shot at him with a pistol. Although not hit by the bullets, he suffered head and neck injuries from the beating. The assailants fled after persons walking nearby responded to calls for help by Reznik's wife. At year's end authorities had not made any arrests in the case of the attack against him. Reznik was appealing his own conviction.

There was no progress in establishing accountability in a number of high-profile killings of journalists, including the 2004 killing of Paul Klebnikov and the 2009 killing of Natalia Estemirova.

On July 24, the trial of five suspects in the 2006 murder of journalist Anna Politkovskaya began. The suspects included Lom-Ali Gaitukayev, who allegedly arranged the killing by hiring three brothers--Rustam, Ibragim, and Dzhabrail Makhmudov--to kill her, and former police officer Sergey Khadzhikurbanov allegedly to provide logistical support for the killing. Despite the 2012 conviction of Dmitriy Pavlyuchenkov for organizing the murder, the identity of the person who ordered Politkovskaya's killing remained unknown.

On December 12, a Moscow appeals court overturned the conviction of two men accused of the 2012 attack on journalist Yelena Milashina. A court had earlier

sentenced the men to two years in prison. Milashina had appealed the verdict, as she continued to maintain that the convicted men did not commit the attack.

Journalists who uncovered various forms of malfeasance also faced harassment, either in the form of direct threats to their physical safety or threats to their security or livelihood, often through legal prosecution.

On May 23, police arrested Sochi journalist Nikolai Yarst on drug possession charges after a routine traffic stop. Many human rights groups and other local journalists believed that police planted the drugs in the car in retaliation for Yarst's critical reporting on a local scandal that implicated members of the Sochi police. Yarst claimed that he had previously received threats from police to stop his reporting on the story or face reprisals. As of October Yarst remained under house arrest, and no date had been set for his trial.

On January 25, the Investigative Committee for Karelia resumed its criminal extremism investigation into the 2012 case of blogger and activist Maxim Yefimov, requesting additional expert analysis of a blog post in which Yefimov criticized the Russian Orthodox Church. Yefimov remained outside the country at year's end, having fled threats of psychiatric incarceration in 2012.

Censorship or Content Restrictions: The government continued to use legislation and decrees to curtail media freedom.

The GDF reported there were 32 attempts to censor the media through October, compared with 46 in all of 2012. On May 15, the entire journalistic staff of Zarechnyy TV, a local television channel in Zarechnyy City, Sverdlovsk Oblast, resigned in protest of the city mayor's demands on the channel. The mayor insisted that Zarechnyy TV limit its political news and reporting and instead lobby on behalf of the city's largest enterprise, the state-owned Beloyarsk Nuclear Power Plant. The journalists attempted to form a new outlet, but local authorities prohibited the sole local television provider from broadcasting its material.

The law provides an expansive definition of extremism and gives law enforcement officials broad authority to suspend media outlets that do not comply with the law's restrictions. The Ministry of Justice continued to expand its list of "extremist" materials to include 2,096 items as of October 4.

By law authorities may close any organization that a court determines to be extremist, including media outlets, and the organization cannot challenge the

court's decision. The Federal Service for Oversight of Communication and Information Technology (Roskomnadzor) routinely issued warnings to newspapers and internet sources suspected of publishing extremist materials. Two warnings in one year were enough to initiate a closure lawsuit. Human rights groups reported that the real impact of this practice was hidden, because journalists and editors, although never prosecuted directly, tended to censor themselves.

On July 2, the Nizhniy Novgorod court, after examining a book about human rights abuses by Russian forces during the Chechen Wars for extremism, ruled that the book was not extremist. The ruling on the book, whose author was human rights activist Stanislav Dmitriyevskiy, was confirmed on appeal.

During the year the government also used laws against obscenity to censor independent media. On October 31, Roskomnadzor stripped the Rosbalt news service, known for its independent coverage, of its mass media operating license. Roskomnadzor stated that Rosbalt had used inappropriate vocabulary on its website by posting a link to a YouTube video. The video in question contained an interview that contained profanity. Rosbalt removed the video less than 24 hours after being notified of the offending language.

Officials or unidentified individuals sometimes used force or took other extralegal measures to prevent the circulation of publications critical of government officials. The GDF reported that as of September 1, officials made 29 attempts to seize or prevent distribution of publications. On February 19, police in Perm Kray seized the entire 1,600-copy run of the regional newspaper *Perm Neighbors* due to its alleged inclusion of unfavorable reporting on local authorities and political parties. The newspaper's editors commented that the edition included information about all the candidates running in Perm's Duma elections in addition to analysis and predictions of how the outcome would affect the kray's governor.

Libel Laws/National Security: Officials at all levels used their authority, sometimes publicly, to restrict the work of journalists who criticized them, including taking legal action for alleged slander or libel. The law places limits on free expression on national security grounds, notably in statutes addressing antiextremism and treason.

On December 13, a Moscow court convicted the news magazine *The New Times* and one of its reporters of libel, for allegedly defaming two Moscow judges in an article claiming they had engaged in plagiarism in their academic dissertations. The court ordered the magazine to pay 500,000 rubles (\$15,500) to each judge in



damages, and journalist Zoya Svetova was fined 100,000 rubles (\$3,100). *The New Times* was appealing the ruling at year's end.

### **Internet Freedom**

The internet and radio were more independent than print media and television. Despite increasing attempts by the government to monitor and control the internet, it remained a space for free expression. Threats to internet freedom included physical attacks on bloggers; politically motivated prosecutions of bloggers for “extremism,” libel, or other crimes; blocking of specific sites by national and local service providers; distributed denial of service attacks on sites of opposition groups or independent media; monitoring by authorities of all internet communications; and attempts by security services and some regional authorities to regulate content. The internet was widely available to citizens in all parts of the country, although connection speeds varied by region. According to Internet World Stats, 47.7 percent of the country's population had internet access.

Under a 2012 law, the state mass communications watchdog agency Roskomnadzor maintained a federal blacklist of internet sites, and in August the law was expanded to include sites that hosted intellectual property infringing content such as films and television shows. The law's stated aim is to protect children from offensive information on the internet. Roskomnadzor required internet service providers (ISPs) to block access to web pages that the agency deemed offensive or illegal. This included information that was already prohibited, such as items on the Federal List of Extremist Materials, but it also held blog owners responsible for the content in the comments section of their pages. The Pirate Party of Russia, an unofficial political party that monitored the blacklist, reported that nearly 99 percent of the blocked sites--all but 450 of the 35,500 on the list--did not have illegal content.

On December 30, President Putin signed a law that gives the prosecutor general or the Ministry of Communications and Mass Media the authority to demand that internet providers block websites that promote “extremist” information or “mass public events that are conducted in violation of appropriate procedures.” The law was scheduled to come into effect on February 1, 2014.

On May 28, authorities placed VKontakte, the country's largest social network, on the federal internet blacklist, disrupting access to the site for approximately six hours. On September 19, they blacklisted Facebook and gave it three days to

remove unspecified “illegal content” hosted on its website. They removed Facebook from the blacklist after the offending pages were deleted.

On January 11, popular blogger Rustem Adagamov received a notice from Roskomnadzor threatening to blacklist his live journal blog if he did not delete a post about recent events in India, in which a Tibetan activist attempted self-immolation to protest the arrival of the president of China. Roskomnadzor found that the post constituted propaganda for suicide, prohibited in the country. Livejournal ultimately blocked the post’s accessibility from within the country but allowed it to be accessed from abroad.

In many regions local prosecutors’ offices and courts ordered ISPs to block content on the Federal List of Extremist Materials and the federal internet blacklist. In Chechnya press reports indicated that the site YouTube had been blocked since July 2012 on antiextremism grounds.

During the year authorities prosecuted bloggers for allegedly “extremist” content they published online. On August 15, the Murmansk Oblast Investigative Committee charged blogger Aleksandr Serebryanikov with extremism. Serebryanikov was the owner of the online news agency Blogger 51, which was critical of the Murmansk regional government. Authorities did not allow Serebryanikov to release information on his own case, and he denied all charges.

There were multiple reports that authorities fined libraries, schools, and internet clubs during the year for failing to block adequately content listed on the Federal List of Extremist Materials or covered under the law defending children from harmful information.

The government continued to employ a “system for operational investigative measures” (SORM), which requires ISPs to install, at their own expense, a device that routes all customer traffic to an FSB terminal. The system enables police to track private e-mail communications, identify internet users, and monitor their internet activity.

### **Academic Freedom and Cultural Events**

While the government generally did not restrict academic freedom, there were exceptions.

Authorities often censored or shut down cultural events or displays they considered offensive and in some cases initiated criminal proceedings against those responsible. On August 27, police raided the Museum of Power in St. Petersburg and seized satirical paintings of President Putin, Prime Minister Medvedev, Patriarch Kirill of the Russian Orthodox Church, Duma deputy Elena Mizulina, and St. Petersburg legislator Vitaliy Milonov. Two days later the artist sought asylum in France, fearing prosecution; on September 4, police detained the museum's director, releasing her after four hours. In a related case, Marat Guelman, head of the Museum of Contemporary Art in Perm, reported on June 20 that he had been fired the day after he opened an exhibit containing art featuring satirized caricatures of the 2014 Sochi Olympics.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The law provides for freedom of assembly, but local authorities continued to restrict this right. The law requires organizers of public meetings, demonstrations, or marches by more than one person to notify the government, although authorities maintained that protests must receive government permission, not just provide notification. While numerous public demonstrations took place, on some occasions local officials selectively denied groups permission to assemble or offered alternate venues that were inconveniently located.

The law provides heavy penalties for engaging in unsanctioned protests and other violations of the law on public assembly, up to 300,000 rubles (\$9,300) for individuals, 600,000 rubles (\$18,600) for organizers, and one million rubles (\$30,100) for groups or companies.

On August 23, President Putin signed a decree banning demonstrations and rallies in Sochi for two and one-half months at the time of the Winter Olympics. The decree bans all "gatherings, rallies, demonstrations, marches and pickets" that are not part of the Olympics or Paralympics between January 7 and March 21, 2014. On December 16, the International Olympic Committee announced that special protest zones would be designated. At year's end one such zone had been identified, located 9.5 miles from the Olympic venues and media center.

Police often broke up demonstrations that were not officially permitted and at times used disproportionate force when doing so. For example, on November 6,

Moscow police detained at least 14 persons on Manezh Square for conducting an unsanctioned demonstration in support of the defendants in the Bolotnaya case.

A national ban on the so-called propaganda of homosexuality to minors provides grounds to deny the assembly rights of LGBT activists and their supporters (see sections 2.a. and 6). For example, the Sochi city government prohibited a planned September 26 LGBT demonstration on the grounds that it might violate the ban on so-called LGBT propaganda.

During the year authorities took steps to deprive LGBT individuals and their supporters of free assembly rights. On October 12, St. Petersburg LGBT activists and supporters held an authorized rally to commemorate International Coming Out Day at St. Petersburg's Field of Mars. Approximately 200-300 counterdemonstrators shouting nationalist or religious slogans confronted the nearly 50 participants. Police did not set up separation barriers between the two sides, resulting in violence that had to be quelled by riot police and which led to the arrest of 23 LGBT activists and 44 nationalists.

On other occasions police failed to protect LGBT demonstrators from violence perpetrated by counterdemonstrators. In Moscow, during separate demonstrations on May 25 and June 11, authorities arrested approximately 60 LGBT activists protesting the so-called homosexual propaganda law after religious and nationalist vigilantes attacked them. Police did little to restrain the vigilantes, who threw eggs, nettles, and urine, and physically attacked the protesters.

### **Freedom of Association**

The law provides for freedom of association. During the year, however, the government instituted measures that stigmatized and otherwise raised barriers to membership in some organizations.

Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. Restrictions were applied to selected NGOs. The finances of registered organizations were subject to investigation by tax authorities, and foreign grants had to be registered.

The government used a 2012 law requiring NGOs that receive foreign funding and engage in political activity to register as "foreign agents" to harass, stigmatize, and in some cases halt the operation of NGOs. An April 29 decree by the Ministry of Justice stipulates that NGOs deemed to be "foreign agents" must report about their

activities every six months and must submit reports on the use of their foreign funds every three months. At year's end only one NGO had registered with the Ministry of Justice as a "foreign agent."

NGOs engaged in "political activities" or in activities that "pose a threat to the Russian Federation" that receive support from U.S. persons or organizations are subject to suspension under the "Dima Yakovlev" law, adopted in December 2012. The same law bars these NGOs from having dual Russian-U.S. citizen members.

According to Human Rights Watch, as of September 16, authorities inspected hundreds of NGOs for compliance with the "foreign agents" law. The Ministry of Justice ordered 18 NGOs to register as "foreign agents" and warned 63 to register as "foreign agents" if they wished to continue their "political activities" while receiving foreign funding. Nine NGOs had court cases pending, and two had operations suspended by court order. While authorities inspected a very wide range of civil society groups from nearly every region of the country, groups that were warned, fined, or prosecuted generally were those that were active in areas such as elections monitoring, human rights advocacy, anticorruption work, and environmental protection. During inspections law enforcement agencies typically brought representatives from as many as a dozen different agencies to issue citations to NGOs, including fire inspectors, tax inspectors, and health and safety inspectors.

Human Rights Watch and other observers noted that a very wide range of NGO activity was considered to be "political," including providing information to UN bodies, publishing public opinion poll results, providing legal advice to abuse victims, or holding roundtables or seminars to discuss policy matters. A court found the Kostroma Civic Initiatives Support Center to be in violation of the NGO "foreign agent" law. It fined the center 300,000 rubles (\$9,300) and its director, Aleksandr Zamaryanov, 100,000 rubles (\$3,100). Prosecutors based their case on a February 28 roundtable hosted by the NGO on U.S.-Russian relations, in which participants discussed the U.S. Magnitskiy Law. According to prosecutors the fact that this law was discussed proved that the NGO engaged in "political activity" in violation of the foreign agent law.

Some organizations the government deemed to be "foreign agents" reported experiencing the social effects of stigmatization, such as demeaning or intimidating incidents of vandalism, in addition to loss of collaborators and funding sources. For example, on June 6, in the city of Syktyvkar, a nationalist gang defaced the

doors of the residences of human rights defenders working at the local branch of the NGO Memorial with stickers that read, “Foreign Agent.”

Some groups that opposed powerful business interests faced intimidation from government and private security forces. Local authorities routinely harassed environmental activists and journalists who criticized or otherwise reported on issues associated with the preparations for the 2014 Sochi Olympics. Environmental and human rights activists were subjected to attacks, detention for peaceful protests, and police searches.

On March 27, a government inspection team visited the NGO Environmental Watch of the North Caucasus (EWNC). According to Human Rights Watch, officials urged the group not to publish its report on environmental consequences of the Olympic preparations in order “not to harm the country.” When the group refused, inspectors said they would examine the group’s computers for unlicensed software and inspect its e-mail account, threatening to fine the organization if anyone tried to hinder them. Following the inspection the prosecutor’s office issued the group a warning, stating that the EWNC should register as a “foreign agent” because its statutory goals showed that it was involved in “political activity” and received foreign funding.

Activists associated with the EWNC continued to report pressure from authorities. According to Human Rights Watch in October, authorities detained Andrey Rudomakha, the coordinator of the group, in connection with a year-old criminal libel case against him. Authorities also detained Dmitriy Shevchenko, the group’s deputy coordinator, for more than four hours, and detained Evgeniy Vitishko, another activist for the group, twice on the same day and searched his car. In a separate case, on December 23, a Sochi judge converted a suspended sentence for vandalism that Vitishko received in 2012 to three years in prison. On July 13, another activist convicted alongside Vitishko, Suren Gazaryan, received asylum in Estonia.

There were multiple reports of activists and human rights defenders receiving threats of physical violence in connection with their activity. On September 2, Valeria Prikhodko, an activist and member of the prison oversight committee in Chelyabinsk, reported to authorities that she received multiple threats to her life via telephone and text messages. Prikhodko stated her suspicion that regional prison officials upset with the committee’s efforts to shed light on poor prison conditions and implement prison reform made the threats.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://www.state.gov/j/drl/irf/rpt/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally cooperated, with some notable exceptions, with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Although the law gives citizens the right to choose their place of residence, all adult citizens must carry government-issued internal passports while traveling domestically and must register with local authorities after arriving at a new location. Authorities often refused to provide government services to individuals without internal passports or proper registration, and many regional governments continued to restrict this right through residential registration rules that closely resembled Soviet-era regulations. Officials often singled out darker-skinned persons from the Caucasus or of African or Asian origin for document checks. There were credible reports that police arbitrarily imposed fines on unregistered persons in excess of legal requirements or demanded bribes.

In-country Travel: Authorities continued to require intercity travelers to show their domestic passports when buying tickets to travel via air, railroad, water, or road.

Foreign Travel: The law provides for freedom to travel abroad, and citizens generally did so without restriction. The law on procedures for departing and entering the country stipulate, however, that a person who fails to fulfill duties imposed by a court has no right to leave the country. A court can prohibit a person from leaving the country for failure to satisfy debts as well as anyone suspected, accused, or convicted of a crime, or anyone with access to classified material.

Exile: There were many high-profile cases of self-imposed exile during the year, primarily involving leaders of political opposition movements, NGOs, environmental organizations, and protesters who feared reprisals for their participation in anti-Putin demonstrations or for their opposition activities.

In one example, on April 30, Sergei Guriev, prominent economist and former rector of the New Economic School, left the country. He stated he was motivated by increasing harassment by the Russian Federation Investigative Committee, including demands for e-mail records and access to personal property.

### **Internally Displaced Persons (IDPs)**

The UNHCR Global Report 2011 placed the number of IDPs at 28,500. Although the UNHCR no longer tracks IDPs in the country, the Internal Displacement Monitoring Center reported in March that there remained at least 29,000 IDPs due to armed conflict and violence in the North Caucasus and an unknown number of IDPs in Russia.

### **Protection of Refugees**

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The Federal Migration Service (FMS) publicly reported that since 2008, authorities approved 888 of 11,637 (or 7.6 percent) applications for asylum. Human rights organizations claimed this failed to include asylum seekers who were forcibly deported or extradited before exhausting their legal remedies. Many asylum seekers also chose not to make formal applications for asylum because doing so often led to criminal investigations and other unwanted attention from the FSB and other security services.

Refoulement: The government provided some protection against the expulsion or return of persons to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The responsible agency, the FMS, did not maintain a presence at airports or other border points, and the ability of asylum seekers to request access to the FMS was not well publicized. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials. Otherwise they faced immediate return to their countries of origin, including in some cases to countries where they faced a well-founded fear of persecution.

By law an applicant could appeal the decision of an FMS official to a higher-ranking authority or to a court. During the appeal process, the applicant receives the rights of a person whose application for refugee status is being considered. The



government rarely granted convention status to those who managed to present their asylum applications to the FMS.

Human rights groups continued to allege that authorities made improper use of international agreements that permitted them to detain, and possibly repatriate, persons with outstanding arrest warrants from other former Soviet states. This system, enforced by informal ties between senior law enforcement officials of the countries concerned, permitted detention for up to one month while the prosecutor general investigated the nature of the warrants. The UNHCR and human rights groups noted with concern several cases of disappearances and extralegal return of persons of UNHCR concern, in which officials detained individuals (most commonly from Central Asia) and returned them to their country of origin clandestinely. Rights groups and the UNHCR maintained that this could not have happened without the cooperation of several different federal organs.

On March 12, police in Orenberg arrested Ikromzhon Mamazhonov, a citizen of Uzbekistan, in response to an Uzbekistan request for extradition that the Russian Prosecutor General's Office granted. The ECHR suspended his extradition, and officials told Mamazhonov's lawyer he would be released on June 13. Mamazhonov specifically requested his lawyer be present at the time of his release due to his fear that he would be abducted upon his release and sent back to Uzbekistan. When the lawyer arrived, however, he was told that Mamazhonov had been released and had "departed in an unknown direction" the previous night. As of year's end, Mamazhonov's lawyer and family had heard nothing from him and believed that he had been illegally transferred to the custody of Uzbekistan.

Refugee Abuse: The UNHCR and NGOs stated that asylum seekers at times faced detention, deportation threats, fines by police, and racially motivated assaults.

Access to Basic Services: For asylum seekers allowed into the country to pursue their claims, the refugee law provides the right to temporary accommodations. There were three reception facilities.

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of asylum seekers who lacked residential registration. When parents encountered difficulties enrolling their children in schools, authorities generally cooperated with the UNHCR to resolve the problem. Authorities frequently denied migrants the right to work if they did not have residential registration. Refugees also may not legally work if they are

not registered and cannot obtain registration unless they have an employer or landlord willing to register them.

Temporary Protection: A person who did not satisfy the criteria for refugee status, but could not be expelled or deported for humanitarian reasons, could receive temporary asylum after submitting a separate application.

### **Stateless Persons**

Citizenship is derived both by birth within the country's territory, with certain restrictions, and from one's parents. A child becomes a citizen at birth if both parents are citizens, if one parent is a citizen and the other one is stateless, if one parent is a citizen and the other is a foreigner and the child was born on the territory of the country, or if both parents are foreigners or stateless and the child was born on the territory of the Russian Federation and there is concern the child might otherwise become stateless.

The number of stateless persons in the country decreased considerably between 2003 and 2011, when 630,000 stateless persons were naturalized. The FMS reported that there were 30,000 stateless persons in 2012. According to the UNHCR, however, there were approximately 178,000 stateless persons in the country.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

While the law provides citizens with the right to change their government peacefully in regularly scheduled national and regional elections, citizens could not fully exercise this right since the government limited the ability of opposition parties to organize, register candidates for public office, access the media, and conduct political campaigns.

### **Elections and Political Participation**

Recent Elections: A 2012 law restored direct popular gubernatorial elections, and in September voters directly elected seven regional chief executives. In some cases the president replaced or reappointed governors before their terms expired. In some regions, however, such as Ingushetia and Dagestan, regional legislatures took advantage of a law signed in April that allows a legislature, rather than the

public, to choose a regional leader from a list of three candidates selected by the president.

Although officials proclaimed the September 8 regional elections as the freest in the country's history, the government used restrictions on media access and other administrative resources to influence the outcome of elections across the country. To prevent opposition candidates from getting on the ballot in mayoral and gubernatorial races, authorities also used "municipal filters"--a requirement that a candidate gather the support of 5 to 10 percent of municipal lawmakers, who in many cases all belonged to the ruling United Russia party.

Leading up to the September elections, in June the Justice Ministry suspended independent election monitor GOLOS' registration as an NGO for failing to register as a "foreign agent." Authorities evicted GOLOS from its premises twice during the three-month period leading up to the elections. Human rights groups believed the harassment of GOLOS was intended to hamper the organization's efforts to prepare for election-day monitoring.

The government used tactics throughout the campaign to prevent a level playing field, such as denying applications for opposition rallies, controlling opposition candidates' mass media coverage, and distributing gifts to potential voters to assure the victory of government-backed candidates in nearly all regions. Independent election monitoring groups and political analysts found relatively little evidence of significant election-day fraud in Moscow in the September elections. On election day in other cities, including Yekaterinburg, there were reports of carousel voting (busloads of voters being driven around to cast ballots in multiple precincts), inflated absentee ballot tallies, and vote buying.

Access to media was a particular challenge for opposition candidates. For example, in August and September, regional authorities denied the leading opposition candidate in Yekaterinburg's mayoral election, Yevgeniy Roizman, access to print, television, and radio media. Agencies controlling billboard and other public banner advertising in the city were also not allowed to run materials for Roizman, who in the end won the election.

The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe documented fraud and irregularities in the March 2012 presidential elections in many regions, particularly in the North Caucasus. Prior to the election, independent observers, media, and opposition parties reported widespread irregularities, including abuse of

administrative resources, such as pressuring students, state budget employees, employees of state-owned companies, and others to vote for the ruling party, United Russia. According to ODIHR all contestants on the ballot were able to campaign unhindered and had access to media, but candidate Vladimir Putin, then the prime minister, had an advantage in the coverage. Various public institutions instructed their subordinate structures to organize and facilitate Putin's campaign events. Local authorities also used official communication, such as their institutional websites and newspapers, to facilitate his campaign. At the same time, there were multiple reports of stories, television infomercials, and radio programs commissioned to convince citizens the elections would be unbiased and impossible to falsify.

On February 22, Echo Moskvy radio reported that a St. Petersburg court had rejected Human Rights Ombudsman Vladimir Lukin's appeal for access to voting records from the 2012 presidential election. Lukin was seeking access to information about potential irregularities in the mobile ballot records. He stated he would appeal the court's decision.

Political Parties: A 2012 law liberalized registration requirements for political parties, reducing the number of members a party must have to register from 45,000 to 500 and abolishing the requirement for parties to collect voter signatures to take part in elections. At year's end 73 parties had obtained registration, up from 39 in 2012.

Municipal filters were used to prevent opposition candidates from competing in some regional elections. In August the Civil Initiatives Committee reported that 9.2 percent of the candidate lists submitted by parties for the September 8 elections were refused registration, compared with 2.4 percent in 2012; registration was most often denied on the basis of technicalities in registration paperwork. Press reports indicated that opposition party RPR-Parnas was removed from the ballot in the Siberian republic of Khakassia and that Civic Platform candidates were barred from running in the elections for the Yaroslavl city legislature as well as in gubernatorial elections in the Vladimir and Zabaykalskiy regions.

The Ministry of Justice denied registration to several parties that supported opposition leader Aleksey Navalnyy, including the People's Alliance Party and, on October 22, the December 5th Party. The People's Alliance Party's registration was suspended in May, supposedly due to concerns that the name was too similar to another organization's name (Alliance of the Greens--People's Party).

The law requires gubernatorial candidates to secure the support of 5 to 10 percent of local deputies, depending on the local legislature. These signatures must be collected in no fewer than 75 percent of municipal councils. Gubernatorial candidates nominated by registered political parties are not required to collect signatures from members of the public, but self-nominated candidates must do so.

While parties represented in the State Duma may nominate a presidential candidate without having to collect and submit signatures, prospective presidential candidates from parties without Duma representation must collect two million signatures from supporters throughout the country. The candidates must submit the signatures to the Central Electoral Commission for certification. An independent candidate is ineligible to run if the commission finds more than 5 percent of the signatures to be invalid. The law prohibits negative campaigning and provides criteria for removing candidates from the ballot, including for vaguely defined “extremist” behavior. The executive branch and the prosecutor general have broad powers to regulate, investigate, and disqualify political parties. Other provisions limit campaign spending, set specific campaign periods, and provide for restrictions on campaign materials.

Once elected, many opposition politicians reported efforts by the ruling party to undermine their work or remove them from office. According to press reports, in the period 2007-11 approximately 90 percent of mayors elected from parties other than United Russia (more than 20 individuals) were removed from office and prosecuted.

In July police detained Yaroslavl mayor Yevgeniy Urlashov, a member of the Civic Platform party who had previously resigned from the ruling United Russia party, and charged him with attempted bribery. Supporters claimed the charges were meant to undermine Urlashov’s popularity and sabotage the Civic Platform’s chances in the September 8 regional elections.

Leaders and members of opposition parties faced prosecution or other forms of retaliation. On May 21, a Vladivostok court required the Primorskiy Puppet Theater to fire sound operator Igor Popov because of his activism in the Other Russia party, which the government has labeled “extremist.” The court reasoned that Popov’s “extremist” views should bar him from working with children.

Participation of Women and Minorities: There were 60 women in the 450-member State Duma and 11 women in the 166-member Federation Council, including Chairwoman Valentina Matviyenko. One of the seven deputy prime ministers was

a woman, as was one of the 21 cabinet ministers and three of the 83 regional leaders. Three of the 19 judges on the Constitutional Court were women. Women led seven political parties, and two other parties had female cochair.

Information on the ethnic composition of the State Duma and the Federation Council was not available. National minorities took an active part in political life, but ethnic Russians, who constituted approximately 80 percent of the population, dominated the political and administrative system, particularly at the federal level.

#### **Section 4. Official Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, but the government acknowledged that it had difficulty enforcing the law effectively, and officials often engaged in corrupt practices with impunity. The *Global Competitiveness Report 2013-14* compiled by the World Economic Forum cited corruption as the most problematic, high-risk factor for doing business in the country.

Corruption was widespread throughout the executive, legislative, and judicial branches at all levels of government. Manifestations included bribery of officials, misuse of budgetary resources, theft of government property, kickbacks in the procurement process, extortion, and improper use of official position to secure personal profits. While there were prosecutions for bribery, a general lack of enforcement remained a problem. Official corruption continued to be rampant in numerous areas, including education, military conscription, health care, commerce, housing, pensions/social welfare, law enforcement, and the judicial system.

Corruption: Prosecutors charged high-level officials with corruption during the year, but most government anticorruption campaigns were limited in scope and focused on lower-level officials. Allegations of corruption were also used as a political tactic. On July 5, the former finance minister for the Moscow region was arrested in France, having been accused of embezzling 3.5 billion rubles (\$108 million) of public money through property fraud and 3.8 billion rubles (\$118 million) by obtaining the rights of debt repayment from 16 public companies through fraud and breach of trust.

Sergey Stepashin, then chairman of the Federal Accounting Chamber, the country's main auditing body, stated in September that more than one trillion rubles (\$31 billion)--the equivalent of one-fourteenth of the state budget--was being siphoned annually from the budget through the state procurement process.

On October 2, the Interior Ministry announced the theft of more than 100 million rubles (\$3.1 million) allocated by the government for the renovation of the Bolshoi and Malyy theaters in Moscow. The ministry alleged that contractors drew up false contracts of acceptance and were later paid from the federal budget for services that were never rendered.

Authorities brought negligence charges in November against former defense minister Anatoliy Serdyukov. In the same month, he received a new position in a subsidiary of the state-run technology firm, the Federal Engineering Research and Testing Center.

According to the Ministry of Internal Affairs, from January to October, the average bribe in economic crimes decreased to 851,000 rubles (\$26,300), with evidence indicating that more than 11,000 officials had taken bribes. The ministry reported that the average bribe for all crimes was approximately 58,000 rubles (\$1,800). The ministry reported that corruption had caused 21 billion rubles (\$650 million) in damage to the economy.

In the first half of the year, the Federal Investigative Committee prosecuted for corruption 589 persons with special legal status, including approximately 400 municipal authorities, 14 regional deputies, two judges, 11 prosecutors, 68 lawyers, and 57 investigators of various departments, including eight employees of the Investigative Committee.

Human rights groups reported endemic corruption in the construction industry in preparation for the 2014 Winter Olympics in Sochi. The reported cost of the event more than quadrupled, from an initial estimate of \$12 billion to \$50 billion. A report by opposition politician Boris Nemtsov estimated that \$25 billion to \$30 billion of public money was pocketed by government officials and well-connected businessmen, with many contracts awarded without competition or public tenders.

There was no specific anticorruption agency with competence to investigate and prosecute corruption in the country. The FSB and the Prosecutor General's Office are responsible for fighting corruption. Almost all law enforcement agencies had departments to deal with internal corruption. The Federal Finance Monitoring Service monitors financial transactions in the country, while the Federal Accounting Chamber oversees the handling of federal assets. The Ministry of Economic Development contributes to anticorruption proposals and their implementation and conducts research on corruption and countermeasures. The Investigative Committee is the main federal investigating body in the country.

Whistleblower Protection: There is no legal procedure in place to protect whistleblowers who report corruption committed by other public officials. When whistleblowers complained about official corruption, the official who was the subject of the complaint was sometimes asked to investigate, which often led to retaliation against the whistleblower, generally in the form of criminal prosecution.

On July 18, the Kirov District Court found opposition leader Aleksey Navalnyy guilty of embezzlement resulting in the loss of 16 million rubles (\$495,000) to the state budget and sentenced him to five years in jail. Human rights groups viewed the trial as politically motivated and fraught with irregularities. The judge refused to hold a pretrial hearing. During the trial the judge refused to allow 13 defense witnesses to testify and did not allow the defense to present prepared economic evidence. Navalnyy was released on bail and permitted to run in the Moscow mayoral race. On October 16, a judge suspended Navalnyy's sentence. Navalnyy's appeal of the conviction was pending at year's end.

On July 11, a court posthumously convicted Sergey Magnitskiy of tax evasion. The retaliatory case against Magnitskiy was opened after he attempted to expose large-scale government tax fraud and was investigated in part by individuals whom he had accused. He later died in custody after prison authorities denied him medical treatment. Despite widely publicized, credible evidence of criminal conduct that resulted in Magnitskiy's death, authorities failed to prosecute those responsible.

Financial Disclosure: In August, President Putin signed a law that prohibits state officials and heads of state-owned enterprises from owning financial assets or bank accounts abroad. The law also requires all politicians to file extensive declarations of all foreign real estate owned. The new law complements laws adopted in 2011-12 that require civil servants to declare large expenditures involving land, vehicles, and securities, as well as their incomes. In response to these laws, several wealthy politicians, including billionaire Roman Abramovich (chairman of the legislature and former governor of the Chukotka Autonomous Region), resigned their posts.

The law requires government officials to submit financial statements, restricts their employment at entities where they had prior connections, and requires reporting of actual or possible corrupt activity. The information that officials provided did not always reflect their true income or that of close family members.



Public Access to Information: The law authorizes public access to government information unless it is confidential or classified as a state secret. Legislation requires placement of information regarding activities of federal executive agencies on the internet. According to the Open Knowledge Foundation, however, government agencies published less than half of the information that the law requires them to make available on the internet, and courts, despite the presumption of openness, denied citizens' requests for information on the ground that the information requested did not directly affect their interests.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Domestic and international human rights groups operated in the country, investigating and publicly commenting on human rights problems. Official harassment continued, particularly of NGOs that focused on election monitoring, uncovering corruption, addressing human rights abuses, or that were otherwise perceived by authorities to participate in "political activity." NGO activities and international humanitarian assistance in the North Caucasus were severely restricted. Some officials, including the ombudsman for human rights, Vladimir Lukin; regional ombudsman representatives; and the chairman of the Presidential Council for the Development of Civil Society and Human Rights, Mikhail Fedotov, regularly interacted and cooperated with NGOs.

The law regulating NGOs requires them to register with the Ministry of Justice. NGOs are required to submit periodic reports to the government that disclose sources of foreign funding and detailed information on how they used their funds. By law NGOs that receive foreign funding and engage in "political activity" must register as "foreign agents," a stigmatizing term that connotes espionage (see section 2.b.). NGOs engaged in "political activities" or in activities that "pose a threat to the Russian Federation" that receive support from U.S. persons or organizations are subject to suspension under the "Dima Yakovlev" law, adopted in 2012. The same law bars these NGOs from having dual-U.S. citizen members.

During the year the government used the law on foreign agents to justify inspections of hundreds of NGOs, as well as the selective warning, prosecution, conviction, or closure of certain groups (see section 2.b.).

High-ranking officials at times displayed a hostile attitude towards the work of human rights organizations and suggested that their work was unpatriotic and detrimental to the national security of the country. According to press reports, on

September 9, while speaking to the country's Security Council, President Putin called the activities of international human rights organizations in the North Caucasus "anti-Russian" and called on the government to "adequately respond" to them.

Authorities continued to apply a number of indirect tactics to suppress or close domestic NGOs, including application of various laws and harassment in the form of investigations and raids. They also employed laws on extremism and libel to restrict the activities of NGOs and criticism of the government.

On April 12, Mikhail Savva, the director of grant programs for the Southern Regional Resource Center (SRRC) in Krasnodar, was arrested on charges of theft of government funds, three days before he was scheduled to report to the Presidential Council on Human Rights about NGO inspections in Krasnodar Kray. In the days leading up to the arrest, the FSB conducted three intrusive inspections at the SRRC, confiscating computers and documents, including many documents regarding the organization's foreign contacts and projects completely unrelated to the grant money Savva was accused of stealing. Savva claimed that during his detention he received threats of additional prosecution and harsh prison conditions to pressure him to make a false confession that he collaborated with foreign intelligence services. He was transferred to house arrest on December 5.

Authorities generally refused to cooperate with NGOs that were critical of their activities. International human rights NGOs had almost no presence east of the Urals. A few local NGOs addressed human rights issues in these regions but often chose not to work on politicized topics to avoid retaliation by local authorities.

Authorities increased the amount of government funds available to support human rights NGOs. On December 5, the press reported that 250 million rubles (\$7.7 million) had been granted to NGOs to implement more than 350 projects. Some NGOs worried that accepting government funds would limit their operational independence and ability to voice criticism of government policies.

Government Human Rights Bodies: Some government institutions continued to promote the concept of human rights and intervene in selected abuse complaints, despite widespread doubt as to their effectiveness.

Many observers did not consider the 126-member Public Chamber to be an effective check on the government. Some prominent human rights groups declined

to participate in the chamber due to concern that the government would use it to increase control over civil society.

The Presidential Council for Civil Society and Human Rights is an advisory body to the president. Membership increased at the end of 2012 from 40 to 65 members, with the president selecting the new members by decree. Human rights advocates expressed concern that the additions were made to increase progovernment membership and weaken the council. At year's end the council had 61 members.

Human Rights Ombudsman Vladimir Lukin commented publicly on a range of human rights problems, such as police violence, prison conditions, the treatment of children, and religious freedom. Lukin also criticized intolerance and a growing wave of ethnic and religious hatred. Lukin's office used its influence to draw attention to human rights problems in prisons, and many leaders of human rights NGOs continued to note that Lukin was generally effective as an official advocate for many of their concerns, despite his limited authority. During the year Lukin filed appeals contesting the second trial of, and reimbursement order against, Mikhail Khodorkovskiy, the continued detention of the Bolotnaya Square protesters, and the vague language of the NGO "foreign agent" law.

The Human Rights Ombudsman's Office includes several specialized sections responsible for investigating complaints. Of the country's 83 regions, all but six had regional ombudsmen with responsibilities similar to Lukin's. Their effectiveness varied significantly, and their independence was often undermined on the local level. In April a no-confidence vote by the local Duma forced the ombudsman in the Tomsk region to resign shortly after the Duma passed a law giving itself the power to dismiss the incumbent.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The law prohibits discrimination based on race, gender, language, social status, or other circumstances, but the government did not universally enforce these prohibitions.

During the year the government conducted a campaign of raids on migrant workplaces and homes and introduced anti-LGBT laws. Hostile rhetoric and propaganda against some groups spread through state-run media outlets contributed to discrimination and xenophobia. The escalation in anti-immigrant and anti-LGBT rhetoric created an atmosphere in which nationalist groups could

attack LGBT persons with impunity and could attack migrants at their workplaces and hostels, sometimes with police collusion.

## Women

Rape and Domestic Violence: Rape is illegal and the law provides the same punishment for a relative, including the spouse, who commits rape as for a nonrelative. Rape victims may act as full legal parties in criminal cases brought against alleged assailants and may seek compensation as part of a court verdict without initiating a separate civil action. While members of the medical profession assisted assault victims and sometimes helped identify an assault or rape case, doctors were often reluctant to provide testimony in court.

The penalty for rape is three to six years' imprisonment for a single offender and four to 10 years if a group of persons commits the crime. The perpetrator receives an eight- to 15-year sentence if a victim was 14 to 18 years old and 12 to 20 years if a victim died or was under 14 years of age. According to NGOs many law enforcement personnel and prosecutors did not consider spousal or acquaintance rape a priority and did not encourage reporting or prosecuting such cases. NGOs reported that local police officers sometimes refused to respond to rape or domestic violence calls until the victim's life was directly threatened.

According to the Russian Federal State Statistics Service, 2,200 rapes were reported in the first half of the year, approximately 6 percent fewer than in the same period in 2012. According to NGOs many women did not report rape or other violence due to fear of social stigma and lack of government support.

Domestic violence remained a major problem. There is no significant domestic violence provision in the criminal code and no legal definition of domestic violence. The two statutes that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. Federal law prohibits battery, assault, threats, and killing, but most acts of domestic violence did not fall within the jurisdiction of the Prosecutor's Office. According to NGOs police were often unwilling to register complaints of domestic violence and frequently discouraged victims from submitting them. According the Russian Federal State Statistics Service, 21,400 women were victims of domestic violence in 2011.

The NGO Center for Women's Support asserted that a majority of domestic violence cases filed were either dismissed on technical grounds or transferred to a

reconciliation process conducted by a justice of the peace, whose focus was on preserving the family rather than punishing the perpetrator. Civil remedies for domestic violence included administrative fines and divorce. Physical harm, property, and family rights cases, such as divorce, asset division, and child custody, cannot be heard in the same case or the same court.

According to the ANNA National Center for the Prevention of Violence in Russia, the government operated approximately 23 women's shelters across the country.

Harmful Traditional Practices: According to human rights groups, honor killings of women in Chechnya and elsewhere in North Caucasus region were increasing. Chechen leader Ramzan Kadyrov stated that women of "loose morals" should be killed by their male relatives.

In some parts of the North Caucasus, women continued to face bride kidnapping, polygyny, forced marriage (including child marriage), legal discrimination, and enforced adherence to Islamic dress codes. As part of his "modesty campaign," Kadyrov required women to wear head scarves in public (including at schools, universities, and in government offices) and advocated seizure of cell phones from young women to prevent potential illicit contact with men. There were cases in some parts of the North Caucasus where men, claiming that kidnapping brides is an ancient local tradition, reportedly abducted and raped young women, in some cases forcing them into marriage. In other cases the young women were permanently "sullied" as they were no longer virgins and could not enter a legitimate marriage according to local custom.

Sexual Harassment: The law does not specifically prohibit sexual harassment in the workplace, which remained a widespread problem. Instead, the criminal code contains a general provision against compelling a person to perform actions of a sexual character by means of blackmail, threats, or by taking advantage of the victim's economic or other dependence on the perpetrator.

Reproductive Rights: The government recognizes the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. While there are no legal restrictions on access to contraceptives, the Russian Orthodox Church continued its opposition to family planning initiatives, and access to family planning in the country was limited, especially outside of big cities. Senior government leadership explicitly encouraged women to have as many children as possible to counteract the country's declining population.

Discrimination: Women encountered discrimination in employment, although the constitution and law provide that men and women enjoy the same legal status and rights under family law, labor law, property law, inheritance law, and in the judicial system. Men and women have an equal right to obtain a bank loan, but women often encountered significant restrictions. There was no government office devoted to the protection of women's legal rights.

Discrimination based on gender in compensation, professional training, hiring, and dismissal were characteristic of the labor market. Employers often preferred to hire men to save on maternity and childcare costs and avoid the perceived unreliability associated with women with small children. Such discrimination was often very difficult to prove.

The labor code specifies that female labor is limited in jobs with "harmful or dangerous conditions or work underground except in nonphysical jobs or sanitary and consumer services" and forbidden in "manual handling of bulk weights that exceed the set limits for their handling." According to the NGO Peterburgskaya Egida, this law resulted in a list of 456 occupations from which it was legal to exclude women, including those of diver, gas rescue worker, paratrooper, and firefighter. The International Labor Organization (ILO) documented a widespread gender pay gap and noted that women predominated in low-paying jobs.

Only July 2, President Putin signed a law prohibiting discrimination in job vacancy information. The bill prohibits employers from requesting workers with specific gender, race, nationality, address registration, age, and other factors unrelated to personal skills and competencies. Notwithstanding the law, vacancy announcements continued to specify gender and age requirements, and some also specified a desired physical appearance and preference for applicants who were open to intimate relations with their prospective supervisors.

The law upholds equal ownership rights for women and men. The civil code provides equal rights to access to land and access to other property for men and women. All property acquired during a marriage is the couple's joint property; unless their marriage contract states otherwise, it is split into two equal shares in the event of divorce. Each spouse retains ownership and management of property acquired before marriage or inherited after marriage. Traditional legal practices in the North Caucasus award the husband custody of children and all property in divorce cases, with the result that women in the region were often unwilling to seek divorce, even in cases of abuse.

## Children

Birth Registration: By law citizenship derives from parents at birth or from birth within the country's territory if the parents are unknown or if the child cannot claim the parents' citizenship. Generally newborns are registered at the local civil registry office where the parents live. A parent must apply for registration within one month of the birth. Birth certificates are issued on the basis of the medical certificate of the hospital where a baby was born.

Education: Education is free through grade 11 and compulsory until age 15 or 16. Regional authorities frequently denied school access to the children of persons not registered as residents of the locality, including Roma, asylum seekers, and migrant workers.

Child Abuse: Child abuse was a widespread problem. The online news source news24.ru reported that in 2010 that there were 9,500 sexual crimes against children. An estimated 20,000 minors were missing at the end of the year, including 5,000 small children. Ministry of Interior statistics included 3,185 rapes and other sexually violent acts against children in 2012, up more than 30 percent from 2011.

According to a 2011 report published by the NGO Foundation for Assistance to Children in Difficult Life Situations, approximately 2,000 to 2,500 children died annually from domestic violence. According to a 2012 UN Children's Fund report, the suicide rate for 15- to 19-year-olds in the country was high, approximately 30 per 100,000 children.

On August 15, the Chelyabinsk Oblast Children's Ombudsman reported that a nine-year-old girl residing at a regional orphanage was severely abused during her eight-month stay there. Beginning in December 2012, other children allegedly subjected the girl to physical and psychological abuse, and orphanage staff failed to come to her aid. In July the girl was bound and placed in a trash bag filled with broken glass and other debris and thrown into a dumpster. The child escaped and reported the incident, but orphanage staff reportedly refused to take action. The ombudsman compared the orphan's treatment to that expected in prisons. The regional investigative committee took up the case.

Forced and Early Marriage: The minimum legal age for marriage is 18 for both men and women. Local authorities can authorize marriage from the age of 16

under certain circumstances--and even earlier in some regions--if it is considered justified.

Sexual Exploitation of Children: The age of consent is 16. Children, particularly the homeless and orphans, were exploited for child pornography. While authorities viewed child pornography as a serious problem, the law does not define child pornography, criminalize its possession, or provide for effective investigation and prosecution of cases of child pornography. The law prohibits the manufacture, distribution, and possession with intent to distribute of child pornography. Manufacture and distribution of pornography involving children under 18 is punishable by two to 10 years in prison, or three to 15 years in prison if involving children under 14. Courts often dismissed criminal cases, however, because of the lack of clear standards or definitions. Authorities registered 554 cases of child pornography distribution in 2012.

Two federal organizations responded to child pornography on the internet: the Russian Safer Internet Center and the Friendly Runet Foundation, both of which had hotlines to receive information on illegal internet activity. In 2012 the Friendly Runet Foundation hotline processed more than 27,000 reports and identified 10,679 sites with child pornography. Information gathered through the hotline resulted in the opening of 319 criminal cases related to the manufacture or distribution of child pornography.

Displaced Children: According to 2011 statistics from Ministry of Internal Affairs, nearly 120,000 children were orphaned annually, each day an average of 200 children were taken from neglectful parents, and 600,000 children were located in various types of institutional and foster care. In a 2008 report, the NGO Children's Rights estimated that approximately 40,000 children ran away from home annually to escape abuse and neglect and 20,000 orphans fled orphanages to escape similar conditions.

Homeless children often engaged in criminal activities, received no education, and were vulnerable to substance abuse. Some children on the streets turned to, or were forced into, prostitution. Law enforcement officials reportedly abused street children, blamed them for unsolved crimes, and committed illegal acts against them, including extortion, detention, and psychological and sexual violence.

Regional ombudsmen for children operated in 83 regions. They had the authority to conduct independent investigations relating to the violation of children's rights, inspect any institutions and executive offices dealing with minors, establish



councils of public experts, and conduct independent evaluations of legislation affecting children. A number of schools in the Moscow and Volgograd oblasts had school ombudsmen to deal with children and families and identify potential conflicts and violations of the rights of children.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html) as well as country-specific information at [travel.state.gov/abduction/country/country\\_5826.html](http://travel.state.gov/abduction/country/country_5826.html).

### **Anti-Semitism**

The 2010 census estimated the number of Jews at 150,000. According to the Federation of Jewish Communities of Russia, however, the Jewish population could be as high as 750,000.

On July 24, a Chabad rabbi, Ovadia Isakov, was shot and seriously wounded in the predominantly Muslim province of Dagestan. Officials were considering "religious motivations" behind the attack. On September 27, Russian security forces shot and killed the alleged shooter, Sherif Akhmedov, along with four other suspected militants during a raid in Dagestan.

Synagogues and cemeteries continued to be targets of desecration by vandals. The SOVA Center, an NGO that seeks to combat extremism and nationalism, registered five acts of anti-Semitic vandalism through December 14. The government investigated anti-Semitic crimes, and some courts placed anti-Semitic literature on the Ministry of Justice's list of banned extremist materials.

The Federation of Jewish Communities reported that there were no government acts of anti-Semitism at the federal level. On March 9, two unknown persons attempted to set fire to the Jewish Community Center in Perm with a Molotov cocktail. The center's guard extinguished the small fire with minimal damage, and no one was reported harmed. The local Jewish community considered the arson attempt to be a hate crime related to a public event to mark the introduction of a new Torah to the center. Regional police discounted the act, characterizing it as hooliganism.

Anti-Semitism on television or in other mainstream media was infrequent and more likely to appear in low-circulation newspapers and pamphlets or on the internet. The presence of Neo-Nazi symbolism during the year's Russian March increased but was less direct than in previous years. While obvious Nazi symbols such as swastikas and SS uniforms were less evident, xenophobic, racist, and neo-Nazi sloganeering increased, highlighted by the approved theme of the 2013 march--"14 words"--referring to a similar phrase coined by prominent American neo-Nazi leader David Lane.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/](http://www.state.gov/j/tip/).

### **Persons with Disabilities**

While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of state services, the government generally did not enforce these laws.

There are no laws to prohibit discrimination in air travel. Persons with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. Persons with mental disabilities were subject to severe discrimination in education and employment. Additionally the conditions of guardianship imposed by courts deprived them of almost all personal rights. For example, under the family code, individuals with mental disabilities at times were prevented from getting married without their guardian's consent.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, whom they frequently confined to the premises and whose movements they sometimes restricted within the institutions themselves.

Federal law on the protection of persons with disabilities requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings were not accessible. In its August report, Human Rights Watch noted that in apartment buildings constructed before 2001, i.e., prior to the development minimum accessibility standards for new construction, doorways and elevators were too narrow for wheelchairs or lacked elevators or appropriate

ramps. In some cases buildings constructed after 2001 lacked these accommodations as well. This lack of building access was an insurmountable barrier to employment, education, and social engagement for the vast majority of wheelchair-bound persons interviewed in the report. The report also noted that critical public facilities and emergency services remained largely inaccessible to persons with disabilities.

While public transport has historically been inaccessible to passengers with disabilities, there were a handful of examples of increased accessibility. New subway stations in Moscow include elevators to the train platform and an audible warning system for train departure and arrival. Nevertheless, subway travel for wheelchair users remained limited, since only 19 of 189 stations--none of which were in the city center--had elevators. The St. Petersburg subway had two stations with elevators, but their use had to be arranged with staff ahead of time. The Sapsan (speed train) between Moscow and St. Petersburg offered one wheelchair space on just one car. In Yekaterinburg newer train stations had elevators. In Vladivostok the city government purchased several minibuses for free use by individuals with disabilities, but renovations in preparation for the Asia-Pacific Economic Cooperation conference included installation of sidewalks that lacked ramps for wheelchair access, making it impossible for wheelchair-bound citizens to access the buses. Human Rights Watch underscored the difficulties facing blind users of commuter trains, noting the example of one man who fell three times from Moscow commuter train platforms due to the lack of tactile strips or other markers that indicate the end of the platform. Furthermore, in areas where authorities do not effectively and regularly clear snow and ice from public spaces, they can become a long-lasting barrier to the movement of persons with disabilities.

As of July federal law allows regional governments to set quotas for employment of persons with disabilities. Firms with 35-100 employees have a quota of 1-3 percent, while firms of more than 100 employees have a 2-4 percent quota. Some local authorities and private employers continued to discourage persons with disabilities from working, and there was no penalty for failure to honor quotas.

Because only 3 percent of schools could accommodate them, most children with disabilities could not study in their communities and were isolated from other community members.

Authorities generally segregated children with disabilities from mainstream society through a system that institutionalized them until adulthood. Observers concluded that the welfare of such children was often ignored, and there were few means of

addressing systemic problems and abuse. Human rights groups alleged that the staff of state institutions for children with disabilities took poor care of, and in some cases, physically abused children in their charge. Graduates of such institutions also often lacked the necessary social, educational, and vocational skills to function in society.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities to categories of disability often followed them through their lives. The designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at the age of three, signify that authorities consider a child to be uneducable. These designations were almost always irrevocable. The designation “debil” (having slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

Election laws do not specifically mandate that polling places be accessible to persons with disabilities, and the majority of polling stations were not. Election officials generally brought mobile ballot boxes to the homes of voters with disabilities. In the months prior to the 2012 presidential elections, television commercials instructed citizens with disabilities on their rights and voting procedures.

In 2011 the government adopted the State Program on Accessible Environment for 2011-15 with a total budget of 47 billion rubles (\$1.5 billion). The goal of the pilot program was to provide access to services in health care, culture, transport, information and communications, education, social protection, sports, and housing facilities for persons with disabilities. During the year the program continued under the supervision of the newly formed Ministry of Labor and Social Development. Groups such as Human Rights Watch criticized the program, however, noting that it did not address individuals with psychosocial, developmental, and intellectual disabilities and that it funded only those regions that were willing to allocate their own resources as well.

On June 28, a group of wheelchair users staged a protest in the center of Yekaterinburg to draw attention to the absence of accessibility features in city infrastructure. Activists highlighted nonfunctioning call bells, lack of ramps, and the failure of the State Program on Accessible Environment to improve conditions.

Inspections by the Ombudsman's Office of Homes for Children with Mental Disabilities continued to identify severe violations of children's rights and substandard conditions.

### **National/Racial/Ethnic Minorities**

The law prohibits discrimination based on nationality, but government officials increasingly subjected minorities to discrimination. There was a steady rise in xenophobic societal violence and discrimination against minorities, particularly persons from the Caucasus and Central Asia, dark-skinned persons, Roma, and foreigners. The number of reported hate crimes against LGBT persons and minority religious groups increased during the year, and skinhead groups and other extreme nationalist organizations fomented racially motivated violence. Racist propaganda remained a problem, although courts continued to convict individuals of using propaganda to incite ethnic hatred.

According to the SOVA Center, as of December racist violence resulted in the death of at least 20 persons, while 173 others were injured and nine received death threats. Incidents were reported in 32 regions. Violence was concentrated in Moscow and St. Petersburg. The main targets of attack continued to be Central Asians and natives of the Caucasus region.

Skinhead violence continued to be a serious problem. Skinheads primarily targeted foreigners, particularly Asians and individuals from the North Caucasus, although they also expressed anti-Muslim and anti-Semitic sentiments. Membership claims by these organizations were difficult to verify. The country's neo-Nazi subculture once again "celebrated" the birthday of Adolf Hitler (April 20) with numerous attacks against members of ethnic minorities. SOVA observers recorded banners featuring portraits of Hitler at soccer matches, as well as a video portraying an attack against a street sweeper. SOVA reported that racist or neo-Nazi attacks injured 15 persons during April.

Police and migration officials began a wave of anti-immigrant raids in markets, factories, the subway, and city streets in Moscow in late July, arresting thousands of individuals and detaining them in unsanitary temporary camps. The raids, which human rights groups claimed were racially and politically motivated and exploited xenophobia for political gain immediately prior to mayoral elections, spread to other cities, targeting persons of Caucasian and Central Asian descent.

In St. Petersburg in July, August, and September, Russian Nationalist Nikolay Bondarik organized a series of raids on marketplaces that employed migrant vendors from Central Asian countries. Bondarik and his supporters gathered outside the marketplaces, often dressed in black paramilitary-style uniforms, and began asking vendors for their identifying documents and other required paperwork. Police personnel accompanied many of the vigilante raids, did nothing to stop them, and often arrested individuals who were unable to produce their documents. On October 16, authorities arrested Bondarik and charged him with fomenting interethnic hatred.

On October 13, riots broke out at the Biryulyovo Market in Moscow in response to the alleged murder of Yegor Shcherbakov, an ethnic Russian, by an Azeri migrant worker. An estimated 3,000-5,000 protesters, made up of local residents and members of nationalist organizations, participated in the riots, destroying storefronts, overturning cars, and ransacking a vegetable market. Authorities charged only three of the 380 protesters detained following the event while detaining more than 1,200 migrant workers in the days following the riots.

Human rights organizations expressed concern that Romani children in schools experienced discrimination. According to Memorial, a number of schools refused to register Romani students on the grounds that they lacked documents, while others segregated Romani students because of their ethnicity or placed them in classes designed for children with learning disabilities.

### **Indigenous People**

The law provides for support of indigenous ethnic communities, permits them to create self-governing bodies, and allows them to seek compensation if economic development threatens their lands. Groups such as the Buryats in Siberia and ethnic groups in the far north (including the Enver, Tatarli, Chukchi, and others) continued to work actively to preserve and defend their cultures as well as their right to benefit from the economic resources of their regions.

Most members of indigenous communities asserted that they received the same treatment as ethnic Russians, although some groups claimed that they were unrepresented, or underrepresented, in regional governments.

The Russian Association of Indigenous People of the North (RAIPON) was the country's largest NGO for indigenous people, representing 41 groups (approximately 300,000 persons.) The organization's charter was reinstated in

March, following a six-month suspension by the Ministry of Justice for administrative reasons. In April the organization's congress elected Grigoriy Ledkov, a Duma deputy from the ruling United Russia party, as its new president. Observers concluded that the government had "imposed" Ledkov in order to make RAIPON less likely to object to plans for the development of petrochemical and mineral resources in areas, such as the Russian Arctic, inhabited by indigenous groups.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

On June 30, President Putin signed a law that criminalizes the so-called propaganda of nontraditional sexual relations to minors. The law effectively limits the rights of free expression and assembly for citizens who wish to publicly advocate for LGBT rights or express the opinion that homosexuality is normal (see sections 2.a. and 2.b.). On December 2, Roskomnadzor issued a list of clarifying criteria and examples of so-called LGBT propaganda, which includes materials that "directly or indirectly approve of people who are in nontraditional sexual relationships." LGBT persons reported dramatically heightened societal stigma and discrimination, which some attributed to increasing official promotion of intolerance and homophobia. Gay rights activists asserted that the majority of LGBT persons hid their orientation due to fear of losing their jobs or their homes as well as the threat of violence. Medical practitioners reportedly continued to limit or deny LGBT persons health services due to intolerance and prejudice. Gay men faced particular discrimination in workplace hiring. Openly gay men were targets of skinhead aggression, and police often failed to respond. Vigilante groups also used social media to pursue and bully LGBT teenagers and in some cases lure them to encounters where they would torture them and subject them to degrading treatment, which they would sometimes record and post on the internet.

On September 1, a schoolteacher in Magnitogorsk resigned after a student reportedly discovered that she had posted to a number of LGBT-related Vkontakte (social network) groups. A parent complained to the regional prosecutor that the child had been "propagandized" by viewing the teacher's Vkontakte profile. Press reports suggest the resignation was triggered by a request from the school's principal that the teacher disassociate herself from the LGBT groups.

Although the law allows transgender individuals to change their names and gender classifications on government documents, they faced difficulties because the government had not established a standard procedure for doing so, and many civil

registry offices denied these requests. When their documents failed to reflect their gender accurately, transgender persons often faced discrimination in accessing health care, education, housing, and employment.

Local activists reported an increase in violence against LGBT individuals coinciding with the adoption of the June 30 law.

During the year there were multiple killings of individuals that were reportedly motivated by their sexual orientation. On May 23, friends of Vladislav Tornovoy raped him with beer bottles and beat him to death after he reportedly told them that he was gay. Authorities arrested two, one of whom confessed that the attackers raped and killed Tornovoy because his homosexuality “offended the patriotic feelings of the group.” LGBT rights groups monitoring the case reported that the judge had determined that the defendants would not be charged with a hate crime.

LGBT activists often experienced threats and attacks in public, with police unwilling to assist. On June 10, Daniil Grachyov was attacked during his one-man picket in St. Petersburg. Police stood by, refusing to detain the attackers.

Soon after its inspection of two prominent LGBT rights groups, Side by Side and Coming Out, the prosecutor’s office of St. Petersburg filed administrative charges against both groups for failing to register as “foreign agent” organizations in accordance with a November 2012 law targeting groups that receive foreign funding and engage in “political activity.” Both groups were subsequently given the maximum fine of 400,000 rubles (\$12,400) specified under the law in connection with campaigns to fight LGBT discrimination. In October the St. Petersburg city court overturned the decisions against both organizations due to procedural errors.

In Moscow authorities refused to allow a gay pride parade for the eighth consecutive year, despite an ECHR ruling that the denial violated the rights to freedom of assembly and freedom from discrimination (see section 2.b.).

In August authorities in Murmansk arrested four Dutch LGBT rights advocates who were filming a documentary about gay life in the country under the new so-called homosexual propaganda law. They were later charged with violating the terms of their visas and banned from entering the country for three years.

### **Other Societal Violence or Discrimination**



The lack of an internal passport often prevented homeless citizens from fully securing their legal rights and social services. Homeless persons faced barriers to obtaining legal documentation.

Persons with HIV/AIDS often encountered discrimination. A federal AIDS law includes antidiscrimination provisions, but they frequently were not enforced. Human Rights Watch reported that HIV-positive mothers and their children faced discrimination in accessing health care, employment, and education. Persons with HIV/AIDS were alienated from their families, employers, and medical service providers. The government no longer requires HIV tests for visitors who apply for short-term tourist visas or business visas valid for one year or more if their total stay in the country is not greater than three months per year.

Prisoners with HIV/AIDS experienced regular abuse and denial of medical treatment.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutory instruments, provides for the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively. The law does not specify that groups other than unions may be given authority to bargain collectively in an enterprise only when there is no trade union in that enterprise. The Federal Registration Service considers a union officially registered once it has submitted the requisite documents. The law requires labor unions to be independent of government bodies, employers, political parties, and NGOs.

The law establishes the right to strike and prohibits reprisals against strikers. A minimum level of essential service workers are required if a strike could affect the safety or health of citizens. The labor code prohibits strikes in the military and emergency response services. It also prohibits strikes in essential public service sectors, including utilities and transportation, and strikes that would threaten the country's defense and safety or the life and health of its workers. The law also prohibits some nonessential public servants, such as railway, postal, and municipal workers, as well as other public servants who do not exercise authority in the name of the state, from striking and imposes compulsory arbitration in those services. Solidarity strikes and strikes on issues related to state policies also are illegal.

Additionally courts may confiscate union property to cover employers' losses in the event that a declared strike continues after it is ruled illegal.

The law places several restrictions on the right to collective bargaining. For example, only one collective bargaining agreement is permitted per enterprise, and bargaining can be undertaken only by a union or group of unions representing at least half of the workforce. The law prohibits antiunion discrimination but does not provide for reinstatement of workers fired due to such discrimination.

Government policy limited the exercise of freedom of association and collective bargaining. State agencies responsible for overseeing the observance of labor legislation frequently failed to fulfill their responsibilities, and violations of labor law were common. Registering unions, for example, was often a cumbersome process.

Discrimination against employees and trade union leaders due to their union membership was common, as was pressure against workers to leave, or not to join, unions. No specific laws prevent discrimination based on union membership and activity. The Federal Labor Inspectorate supervised employers for their compliance with labor legislation. Labor activists reported that police regularly used intimidation techniques against union supporters, including subjecting them to detention and extensive interrogations and provoking physical confrontations with them.

In spite of laws providing for the right to strike, the majority of strikes were considered illegal because they failed to meet the complex requirements for a legal strike. Strikers frequently faced reprisals, including pressure and termination of employment. The courts upheld most employers' requests to declare a strike illegal. According to the Federation of Independent Trade Unions of Russia, the legal preparation for a strike takes at least 40 days. The International Trade Union Confederation noted that employers, prosecutors, officials of the Ministry of Internal Affairs, and others used various tactics including pressure, intimidation, and threats to prevent workers and trade unions from accessing dispute resolution mechanisms and from going on strike.

In a report by its Committee of Freedom of Association, the ILO continued to express grave concern about a 2012 local court decision that declared trade union leaflets with slogans such as "Fight substandard employment" to be extremist material. The ILO regarded this decision an unacceptable restriction on trade union activities.

Employers were slow to recognize newly formed unions. In addition they often accepted union requests for collective bargaining reluctantly and failed to provide union representatives with financial reports. For example, company management at an automobile factory in Kaluga initially showed no reluctance about entering into collective bargaining talks with workers but allowed negotiations to drag on for nearly six months before an agreement was signed. In contradiction of labor-law norms, some companies claimed to have financial difficulties to avoid concluding new agreements or as an excuse for disregarding an existing agreement.

Employers frequently engaged in reprisals against workers for union activity, including threatening to assign them to night shifts, denying them benefits, and blacklisting or firing them. Although unions were occasionally successful in court, in most cases company managers who engaged in antiunion activities did not face penalties.

#### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor; however, the government did not effectively enforce such laws.

Men, women, and children were engaged in forced labor in the construction industry, textile shops, and agricultural sector. Guest workers in the far eastern part of the country were subjected to debt bondage and forced labor, including in the agricultural and fishing sectors. In particular, reports surfaced throughout the year of North Koreans and Vietnamese working in forced labor camps. The governments of Russia and North Korea have labor agreements that permit North Koreans to work in Russia. North Korean migrant workers were selected by North Korean authorities and their wages garnished by their government.

Although the Federal Migration Service reported in March that there were five million migrant workers in the country, experts believed that the number was between 10 and 12 million, two to four million of whom were in Moscow. Business ombudsman Boris Titov declared in September that 15.88 million migrants entered the country in 2012 but only 1.34 million received work permits. Authorities subjected men, women, and children from countries such as Vietnam, Belarus, Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, and Moldova to substandard living and working conditions, exploitation, and pressure, including withheld wages and passports, unsafe working conditions, excessively long working hours,

overcrowded housing, insufficient meals, and eventual deportation. There were reports that approximately 700, primarily Vietnamese, migrants were engaged in forced labor in garment factories in the Moscow region.

Labor and human rights activists documented evidence of forced labor of migrant workers involved in construction projects for the 2014 Olympic Games in Sochi. Reports of abuses were widespread and included nonpayment, or severely delayed payment, of wages, excessively long hours, and withholding of passports and identity documents (see section 7.d.).

Also see the Department of State's Trafficking in Persons Report at [www.state.gov/j/tip/](http://www.state.gov/j/tip/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the employment of children under age 16 in most cases and regulates the working conditions of children under age 18, including the prohibition of dangerous nighttime and overtime work. The law permits children to work at the age of 14 under certain conditions and with the approval of a parent or guardian. Such work must not threaten the child's health or welfare. The labor code lists occupations that are restricted for children under age 18, including work in unhealthy or dangerous conditions, underground work, or jobs that might endanger a child's health and moral development. Authorities did not effectively implement laws and policies prohibiting child labor.

The Federal Labor and Employment Service (RosTrud) is responsible for inspecting enterprises and organizations to identify violations of labor and occupational health standards for minors. RosTrud reported 3,400 child labor violations in 2011. The most common included the absence of an obligatory medical check, absence of written labor agreements, involvement of minors in harmful and/or unsafe work environments, and excessive hours. In urban areas children worked primarily in the informal sector, engaging in retail services, selling goods on the street, washing cars, and making deliveries. In rural areas children worked in agriculture.

Also see the Department of Labor's Findings on the Worst Forms of Child Labor at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

### **d. Acceptable Conditions of Work**

The subsistence minimum income used by the government as the official poverty line was 7,911 rubles (\$245) per month in the third quarter of the year. The national minimum wage for all sectors was 5,205 rubles (\$160) per month, which was two-thirds of the subsistence minimum. As a result the minimum wage did not function as social protection for workers. According to the Federal Statistics Service, in the first three quarters of the year, 11 percent of the population had incomes below the subsistence minimum, compared with 12.1 percent in the first three quarters of 2012.

The labor code requires equal pay for equal work and contains provisions for standard work hours, overtime, and annual leave. The standard workweek cannot exceed 40 hours. Employers may not request overtime work from pregnant women, workers under age 18, and other categories of employees specified by federal laws. Standard annual paid leave is 28 calendar days. Employees who perform work involving harmful or dangerous labor conditions and employees in the Far North regions receive additional annual paid leave. Organizations have discretion to grant additional leave to employees. The labor code stipulates that overtime must be at least 150 percent for the first two hours and not less than 200 percent after that. At an employee's request overtime may be compensated by additional holiday time. Overtime work cannot exceed four hours in two days and 120 hours in a year for each employee.

The law establishes minimum conditions for workplace safety and worker health. It entitles foreigners working legally in the country to the same rights and protections as citizens. The Federal Service of Labor and Employment, the agency that enforces these provisions, noted that state labor inspections were understaffed and inspectors needed additional professional training.

Although no official data were available, experts estimated that the workforce in the informal economy was significant and growing. The largest share of the informal labor market was concentrated in the trade, construction, and agricultural sectors, where workers were more vulnerable to exploitative working conditions.

The group most vulnerable to mistreatment remained labor migrants, who were concentrated primarily in low-quality jobs in construction but also worked in housing and utilities, agriculture, and retail trade. During the year, as part of a crackdown on illegal immigration, authorities raided locations where large numbers of illegal immigrants lived or worked. The raids also revealed the poor conditions illegal immigrants faced (see section 6). Many migrant workers experienced nonpayment of wages, wage arrears, lack of medical insurance and

proper medical treatment, poor working conditions, and persistent anti-immigrant sentiments in society.

Labor and human rights activists continued to advocate for the proper treatment of tens of thousands of migrant workers involved with significant construction projects for the 2014 Olympic Games in Sochi. There were widespread reports of abuses, including nonpayment or severe delays in wages, illegal deductions from wages, excessive working hours, withholding of passports and identity documents, inadequate housing and food, nonprovision of employment contracts, and retaliation against those who protested abuse.

On April 11, police detained Husein Nurberdiev, a migrant worker from Uzbekistan, as he attempted to enter the Sochi offices of the Memorial Migration and Law Network. Nurberdiev was working with Memorial to file a lawsuit against his employer, an Olympic subcontractor, for nonpayment of wages and had previously given an interview to Voice of America regarding the problems faced by migrant workers in Sochi. Police alleged that they arrested him for not showing his documents and demanding to see the officer's official identification, which is specifically allowed under the Law on Police. Memorial recorded more than 400 cases of nonpayment of wages in the first quarter of the year alone.

Beginning in September, shortly after calls from the governor of Krasnodar to form "raid brigades" to "clean up Sochi's streets," authorities began raiding the workplaces and homes of migrant workers, detaining hundreds. Those detained were put in overcrowded temporary holding cells and police courtyards. Human Rights Watch reported authorities denied some detainees access to an attorney, and police often denied that anyone was being held in custody.