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RUSSIA: Tier 3

Russia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking remains the predominant human trafficking problem within Russia. Workers from Russia and other countries in Europe, Central Asia, and Southeast Asia – including Vietnam and Democratic People's Republic of Korea (DPRK) – are subjected to forced labor in Russia. Instances of labor trafficking have been reported in the construction, manufacturing, agricultural, textile, grocery store, maritime, and domestic service industries, as well as in forced begging, waste sorting, and street sweeping. Official and unofficial statistics estimate there are between five and 12 million foreign workers in Russia, of which the Federal Migration Service (FMS) estimates 1.5 million are irregular migrants. Foreign laborers work primarily in construction, housing, and utilities, and as public transport drivers, seasonal agricultural workers, tailors and garment workers in underground garment factories, and vendors at marketplaces and shops. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, or extremely poor living conditions. Subcontracting practices in Russia's construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. Organized crime syndicates from Russia sometimes play a role in exploiting labor migrants, and corruption among some government officials and within some state agencies creates an environment enabling some trafficking crimes. There are reports of Russian citizens facing forced labor abroad.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily Vietnam), Africa, and Central Asia are reportedly victims of sex trafficking in Russia. Forced prostitution occurs in brothels, hotels, and saunas, among other locations; certain traffickers advertised the sexual services of children over the internet. Russian women and children are reportedly victims of sex trafficking in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East.

In recent years, there were criminal cases involving Russian officials suspected of allegedly facilitating trafficking in Russia, for instance by facilitating victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. According to FMS, under a state-to-state agreement, the DPRK sends approximately 20,000 North Korean

citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East; reportedly many of these North Korean citizens are subjected to conditions of forced labor. A February 2016 agreement between Russia and DPRK may exacerbate these conditions by enabling FMS to repatriate North Koreans residing "illegally" in Russia, potentially even for those with refugee status.

The Government of Russia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, as in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters ceased operations during the reporting period due to lack of funding and the government's crackdown on civil society. Authorities lacked a process for the identification of victims and their referral to care, though some investigatory bodies reportedly referred an unknown number of victims on an *ad hoc* basis. Authorities routinely detained and deported potential forced labor victims without screening for signs of exploitation, and Russian courts prosecuted victims forced into prostitution for prostitution offenses. To reduce some migrant laborers' vulnerability, the government made it easier for citizens of some countries to obtain work permits, though it charged fees upfront that effectively excluded many of the most vulnerable from obtaining the permits. The government did not provide comprehensive information on law enforcement efforts, but the limited available data and media reports indicate prosecutions remained low compared with the scope of Russia's trafficking problem.

RECOMMENDATIONS FOR RUSSIA:

Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to trafficking victims; develop formal national procedures to guide law enforcement, labor inspectors, health workers, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals in prostitution; increase efforts to investigate and prosecute trafficking offenses and convict traffickers, respecting due process, including complicit government officials; create a national anti-trafficking action plan and establish a central coordinator for government efforts; take steps to investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps; implement a formal policy to ensure identified trafficking victims are not punished or detained in deportation centers for acts committed as a direct result of being subjected to trafficking; provide victims access to legal alternatives to deportation to countries where they face hardship or retribution; create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases; and increase efforts to raise public awareness of both sex and labor trafficking.

PROSECUTION

The Russian government did not collect and share information on trafficking cases or maintain comprehensive statistics about criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data reveal some details on trafficking cases investigated and prosecuted during the reporting period, although this limited number of cases reported did not appear to constitute an adequate law enforcement response compared to the estimated prevalence of trafficking in Russia. From the limited available information, authorities pursued trafficking suspects through articles 127.1 and 127.2 of the criminal code, which prohibit sex trafficking and forced labor, although they also cover non-trafficking offenses. These articles prescribe punishments of up to 10 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape.

In 2015, Russia's federal-level investigative committee reported 14 investigations under article 127.1 and four investigations under 127.2. The government did not provide any information about initiated prosecutions. The Supreme Court released statistics showing authorities obtained 48 convictions under article 127.1 and 10 convictions under article 127.2. Forty-seven of these convictions resulted in a prison sentence, although one sentence was suspended. Russian authorities may have charged some sex trafficking cases under articles 240 and 241, which criminalize the inducement to and organization of prostitution, but the government provided no public information on whether any of these cases involved force, fraud, or coercion.

As in the previous reporting period, the government sought an amendment to article 151 (Involvement of a Minor in the Commission of Antisocial Actions) to close a legislative loophole that allowed adults to avoid criminal liability for exploiting children for begging – a common practice throughout Russia. Law enforcement training centers provided lectures and courses on trafficking for investigators and prosecutors. Russian authorities cooperated in some international investigations involving foreign nationals trafficked in Russia. The DPRK government continued to send workers to Russia under bilateral contracts with Russia and other foreign governments. Despite credible reports of slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into such situations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government generally did not undertake efforts to protect human trafficking victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they had neither the means nor authority to provide assistance programs specifically for trafficking victims. In Moscow, a shelter run by the Russian Orthodox Church and an international organization ceased operations due to lack of funding; the shelter cared for 19 victims during the reporting period before closing. An international NGO referred 46 victims in 2015 to a Moscow City homeless shelter, based on a memorandum of understanding; however, this program ceased operations in January 2016 when foreign funding for the NGO ended. Additionally, an eight-bed shelter for trafficking victims, run by the Russian Red Cross with foreign funding in a space granted by the St. Petersburg municipal government, suspended many of its operations; it did not serve any victims in 2015, though it continued to run a hotline. A similar shelter established by an international organization in cooperation with Vladivostok authorities went unfunded and was not operating at the close of the reporting period. In addition, during the reporting period the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government's efforts to exert pressure on NGOs through the implementation of restrictive laws aimed at suppressing their activities also targeted those providing protective services for trafficking victims and at least one locally registered NGO was designated as a "foreign agent."

The government did not make available official statistics on the number of victims identified or assisted by its authorities. Experts estimated more than 5,000 cases of trafficking in 2015. An international organization identified 144 sex trafficking victims and 94 victims of forced labor or begging. A second NGO assisted 40 victims, who were primarily subjected to sex trafficking. According to media reports, authorities provided assistance in at least one case after a Russian embassy assisted in repatriating a trafficking victim. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. An NGO reported Russian authorities occasionally prosecuted sex trafficking victims for prostitution offenses. Authorities routinely detained and deported possible victims with no effort to identify them as victims or refer them to care. Observers reported FMS did not differentiate

between victims and individuals illegally residing in Russia, and thus continued its practice of frequently deporting victims rather than extending protective services. The government did not report any formal policy for deportation relief for foreign victims. A February 2016 agreement between Russia and DPRK enables FMS to repatriate North Koreans residing "illegally" in Russia, potentially even for those with refugee status. By potentially removing the protections associated with refugee status, the new agreement may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Civil society observers reported some working-level officials within Russia's investigative agencies referred victims to protective services on an *ad hoc* basis. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. Authorities did not screen vulnerable populations, such as foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking.

PREVENTION

The Russian government demonstrated limited efforts to prevent trafficking during the reporting year. In 2015, the government created regional offices to issue work permits for citizens of select countries who can travel to Russia without a visa. Through legalizing migrant laborers' work, the system may reduce the vulnerability of some migrant workers; however, the permits were unaffordable to some due to the upfront fees charged by the government and the time required to make multiple trips to a center. New legislation effective January 2016 limited the amount of time an employer can send employees to work for other firms and required these outsourced employees to earn the same amount as permanent employees. These regulations may reduce the vulnerability of temporary workers loaned to other companies, a practice known as "outstaffing" in Russia. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws. Despite these efforts, the national government demonstrated unwillingness to design and implement a comprehensive response to human trafficking. The government made no efforts to develop public awareness of forced labor or sex trafficking. Russia did not have a national action plan, nor have authorities designated a lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework has been stalled at the highest political levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or make periodic assessments measuring its performance. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government reportedly provided anti-trafficking training to its diplomatic personnel.

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