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Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern - Russia

The negative trend in the human rights situation in Russia continued in 2013. Pressure on civil society increased with the implementation of the “foreign agent” NGO law. A number of opposition figures faced criminal and administrative charges in cases that were widely viewed as politically motivated. Regional elections in September were described by Russia’s main independent elections monitoring body Golos as freer than previous elections, but not fairer. The rise of nationalist and xenophobic sentiment, as seen during riots in Moscow in October, was a worrying development. A law banning the promotion of “non-traditional” sexual relations among minors was passed in June, and widely criticised by human rights organisations for its potential to encourage homophobia. Human rights abuses in the North Caucasus continued.

Throughout 2013, there were positive developments in the field of disability rights, including further progress on accessibility following Russia’s ratification of the UN Convention of the Rights of Persons with Disabilities. Towards the end of 2013, two members of Pussy Riot and a number of the Bolotnaya protestors (those arrested following the protests that took place on the 6 May 2012) were released under a prisoner amnesty. Mikhail Khodorkovsky received a presidential pardon and was released after ten years in prison. But this does not alleviate concerns about the independence of Russia’s judicial system.

Our human rights objectives for 2013 focused on civil society and democracy, freedom of expression, the North Caucasus, the rule of law, and equality and non-discrimination. UK-funded projects, run by Russian NGOs, totalling £1.3 million, contributed to gradual progress across the board.

In 2013, we spoke publicly on human rights in Russia, and engaged in high-level lobbying on a number of issues. The Prime Minister raised human rights concerns in meetings with President Putin in June and September. The Foreign Secretary did so when he met Foreign Minister Lavrov in September. Secretary of State for Culture, Media and Sport, Maria Miller, raised concerns about LGBT rights with Deputy Prime Minister Golodets at a meeting in Moscow in December. At the annual UK–Russia Human Rights Dialogue in London in May, senior officials discussed a wide range of subjects, including the negative trends around civil society and opposition figures, the North Caucasus, the rights of minority groups, and the Magnitsky and Khodorkovsky cases, as well as human rights in the UK. We also expressed support for the positive developments on the rights of disabled people. We made regular public statements of concern about human rights and democracy issues throughout the year, including on the inspection of NGOs, the posthumous conviction of Sergei Magnitsky, the law against the promotion of “non-traditional” sexual relations,

and the sentencing of opposition figure Alexei Navalny. We engaged regularly with human rights activists, and worked with the EU and other like-minded partners to deliver our human rights objectives.

Russia's human rights record was examined under the UN Human Rights Council's (UNHRC) Universal Periodic Review (UPR) process in April. A total of 231 recommendations were submitted to the Russian Federation as part of the UPR, of which 149 were accepted, 14 were partially accepted, and 68 were not accepted. Like the UK, Russia took up a seat on the UNHRC in 2013. We also engage with Russia on human rights issues through the Council of Europe and the Organisation for Security and Cooperation in Europe.

In 2014, the five priority themes for our human rights work will remain civil society and democracy, equality and non-discrimination, rule of law, North Caucasus, and freedom of expression. We will continue to focus on supporting civil society, including by encouraging greater links between UK and Russian civil society. We will continue to monitor the situation for LGBT people and other minority groups. The Winter Olympic and Paralympic Games take place in Sochi in 2014, increasing the international focus on human rights in Russia, and providing an opportunity to raise awareness of disability rights.

Elections

Regional and local elections took place in a number of regions across Russia on 8 September 2013. There was no official observation of the election process; however, Golos described the elections as freer than previous elections, but not fairer. Though political choice is increasing, political competition is still low. In the Moscow mayoral election, incumbent Sergei Sobyanin won with just over 51% of the vote. Opposition figure Alexei Navalny came second with 27%, and claimed there had been multiple violations. Voter turnout averaged 25-30% across the country. Russia's political rights are described by independent watchdog Freedom House as "not free".

Freedom of expression and assembly

A range of laws passed since 2012 continue to have a negative impact on freedom of expression and assembly. Since penalties for participating in unsanctioned protests were dramatically increased in 2012, public interest in political protests has declined. A number of protesters, arrested on the eve of the presidential inauguration in Bolotnaya Square on 6 May 2012, remained in long-term detention in 2013, on charges of participation in mass unrest, or alleged violence against law enforcement agents. Nine of the protestors have been declared prisoners of conscience by Amnesty International, including Michael Kosenko, who has a mental health condition. Kosenko was found guilty of participating in mass riots and of using force against a representative of authority, and was sentenced to compulsory treatment in a psychiatric institution in October. He was the third "Bolotnaya" protestor to be found guilty. Many domestic commentators have questioned whether political motivation lies behind these cases. Allegations of excessive use of force by the police on 6 May 2012 have not been officially investigated.

The Moscow authorities denied permission for a Gay Pride march in May, as they have done for a number of years. The Russian authorities agreed that protests could take place in Sochi during the

Winter Olympic Games, though the decision to designate the protest area 18kms from the main games cluster has been criticised by some commentators.

Russia was ranked 148 out of 179 countries in Reporters Without Borders World Press Freedom Index for 2013, and categorised as “not free”; a fall of six places from the 2012 Index. On 9 December, it was announced that RIA Novosti, the principal state-owned Russian news agency, would be closed down, as well as radio station Voice of Russia. A new agency, “Russia Sevodnya”, was established. RIA Novosti noted that, “the move is the latest in a series of shifts in Russia’s news landscape, which appear to point toward a tightening of state control in the already heavily regulated media sector”. Senior officials raised concerns about freedom of assembly, including the case of the Bolotnaya protestors, during the most recent UK-Russia Human Rights Dialogue in May. We also raised the case through the EU, including at the 2013 EU-Russia Human Rights consultations. In 2013, we supported two projects which promoted internet media as a means of encouraging freedom of expression and cooperation between journalists and bloggers, particularly on human rights and democracy issues.

Human rights defenders and civil society

Concerns about the environment in which human rights defenders (HRDs) operate in Russia continued in the last year. Many were subject to harassment and violence. At particular risk are those who work on issues related to the conflict in the North Caucasus, elections, corruption, xenophobia and nationalism, and LGBT rights.

On 9 July, Akhmednabi Akhmednabiyev, deputy editor of the independent news outlet Novoye Delo, was shot dead outside his house in Dagestan. The Director General of the UN Educational, Scientific and Cultural Organisation (UNESCO), Irina Bokova, condemned the attack and called on the Russian authorities to bring the perpetrators to justice. There have been no serious attempts to investigate the murder. According to the Glasnost Defence Foundation, a Russian NGO, a total of four journalists were killed in Russia in 2013, and a further 71 were attacked. Impunity for past attacks on Russian human rights journalists remained a major problem in 2013. During the year, investigations continued into the murders of Natalia Estemirova (2009) and Anna Politkovskaya (2006), without producing conclusive results.

From March, the Russian authorities conducted inspections on more than 1,000 NGOs as part of the 2012 law requiring NGOs in receipt of foreign funding and engaged in (vaguely defined) “political activities” to register as “foreign agents.” This has made the operating environment for several key human rights NGOs more challenging. In June 2013, Golos (which played a prominent role in uncovering fraud in the 2011 Parliamentary and 2012 presidential elections) had its operations suspended as a result of its decision not to register. The organisation has since re-started its activities by working as a “movement”. In June, two LGBT organisations – the Side by Side Film Festival and Coming Out – were fined in St Petersburg for not registering as foreign agents. Side by Side later won its appeal against this fine, but has taken the decision to convert itself into a commercial organisation rather than an NGO. In December 2013, St Petersburg-based NGO, Memorial Anti-Discrimination Centre, became the first NGO to be officially declared a “foreign agent” by a St Petersburg court.

The Minister for Europe, David Lidington, urged the Russian authorities not to place advocacy groups under special scrutiny, and the Minister of State for Justice, Lord McNally, the Foreign Secretary, and Mrs Miller also raised concerns about the NGO law with Russian officials in 2013.

We have regular direct contact with HRDs, provide support to those who are subject to harassment, and raise their cases with the Russian authorities. We support projects to improve the situation for HRDs in Russia, including a project aiming to improve journalists' safety and security in the North Caucasus, and we continue to support the development of civil society in Russia.

Access to justice and the rule of law

The rule of law in Russia remained inconsistent and arbitrarily applied. Concerns about the impartiality of courts were ongoing, and prison conditions remained poor. In July, a Moscow Court found the late Hermitage Capital lawyer Sergei Magnitsky, who died in pre-trial detention in 2009, guilty of tax evasion. Commenting on the guilty verdict, Mr Lidington, described the conviction of a man who could not defend himself as an “exceptional step” that would “add to negative perceptions of judicial process in Russia”. Opposition figures, including Alexei Navalny, continued to face pressure from the authorities. Navalny was sentenced to five years in prison for embezzling £300,000 from timber firm KirovLes in 2009 (later commuted to a suspended sentence). In a separate and ongoing case, Navalny and his brother have been accused of defrauding the Russian operation of French cosmetics company Yves Rocher of US\$1.8 million in 2008. Some observers have suggested that this case is politically motivated.

Mikhail Khodorkovsky received a presidential pardon and was released from prison on 20 December. Mr Lidington welcomed his release, and called upon the Russian authorities to strengthen the rule of law and promote independence of the judiciary. On 19 December, the Russian Duma approved a prisoner amnesty to mark the 20th anniversary of the Russian Constitution. Pussy Riot activists Nadezda Tolokonnikova and Maria Alyokhina were released from prison under the amnesty, as were four of the Bolotnaya protestors. Amnesty International criticised the amnesty for not covering “political prisoners”, and described it as “no substitute for an effective, independent justice system”.

In December, Transparency International published its annual Perceptions of Corruption Index, which rates countries according to how corrupt their public sector is perceived to be. Russia was ranked joint 127th out of the 177 countries surveyed. Russia received 129 violation judgements at the European Court of Human Rights in 2013, more than any other State Party to the European Convention on Human Rights.

The UK and Russian Justice Ministries continued a programme of cooperation in 2013 to share expertise and improve standards. On 10 September, the Attorney General, Dominic Grieve, met Russian Justice Minister Konovalov, and discussed a range of rule of law issues and cases of concern. In 2013, we funded a number of practical projects focused on developing the rule of law in Russia.

Torture

Torture and deaths in police custody in Russia remain of great concern. In 2013, we continued to support the Russian NGO Committee against Torture, who work to expose torture by law enforcement officials and ensure that they are prosecuted. We also supported a project in Ekaterinburg through Legal Basis, a Russian NGO, which worked to reduce acts of torture and violence in prisons and educate prison staff and prisoners on human rights.

Conflict and protection of civilians

The situation in the North Caucasus region remained unstable and tense, with ongoing violence. According to the independent news agency Caucasian Knot, 529 people were killed and 457 injured in 2013 as a result of the conflict; 104 of those killed and 145 of those injured were civilians. Throughout the year, there were also reports of grave human rights violations committed by state security forces, including allegations of extrajudicial killings, torture and disappearances. We have expressed concern about the low success rate in investigating and bringing to justice those responsible. We have called for Russia to implement fully key European Court of Human Rights judgments, and have called for action on individual cases through the Council of Europe's Committee of Ministers.

In 2013, we supported a range of conflict prevention projects in the North Caucasus. They focused on educating communities on conflict prevention issues and monitoring human rights violations. With our support, the Chechen Human Rights Centre provided legal education to law enforcement personnel and legal support to victims of human rights violations, and the NGO Genesis created civic education centres to promote conflict prevention and resolution in local communities in Chechnya and Ingushetia. UK officials visited the republics of Chechnya and Ingushetia in April and met representatives of the regional governments and NGOs.

Freedom of religion or belief

The Russian Constitution provides, in theory, for freedom of religion or belief, yet ties between state and the Russian Orthodox Church remain close. The most prominent religious groups (the Russian Orthodox, Muslim, Buddhist and Jewish faiths) are able to operate and worship freely, albeit with some restrictions. For example, in Moscow, a city with approximately two million Muslim citizens, there are no more than six official mosques. But non-recognised religions, such as Protestantism and Jehovah's Witnesses, continue to face bureaucratic obstacles in a range of areas, including in acquiring legal status, establishing places of worship or distributing religious literature.

Women's rights

Violence against women remains a cause of concern. According to official figures, 10,000 women are killed annually in Russia as a result of domestic violence. The Anna Centre, a Russian NGO working on domestic violence, reports that in Russia a woman is killed every 40 minutes at the hands of her husband or partner. In the North Caucasus, women continued to face threats, including marriage by abduction and so-called "honour" killings. We hope to see long-awaited legislation on domestic violence introduced in 2014.

In 2013, we raised women's rights with Russia through the EU. We engaged with NGOs working on this issue, including during the Mrs Miller's visit in December.

Minority rights

Throughout 2013, there has been a rise in nationalist and xenophobic sentiment in Russia. Anti-migrant riots took place in October following the murder of a Russian national by an Azeri migrant. On 4 November, the Russia March had a strong nationalist tone, and in St Petersburg the day was marked by violence. In a report published on 15 October, the Council of Europe highlighted that radical nationalism was on the rise in Russia.

In 2013, the FCO's Human Rights and Democracy Programme Fund supported a project through Media Diversity Institute, which equipped journalists in several Russian regions with the skills to report ethically and responsibly on ethnic and racial diversity.

LGBT rights

The situation for LGBT rights deteriorated significantly in 2013. In June, the Russian government passed a law which imposes penalties on the promotion of "non-traditional" sexual relations among minors. We have strong concerns about this law, which in effect could prevent the LGBT community in Russia from fully enjoying the right to freedom of expression and peaceful assembly. The Prime Minister set out these concerns with President Putin in a meeting in St Petersburg on 6 September. The Foreign Secretary and Mrs Miller also raised concerns with the Russian authorities in 2013.

The law has the potential to legitimise homophobia and encourage violence against LGBT people. The Sova Centre reported an increase of attacks against the LGBT community in 2013, with one person killed and 25 injured. The operating environment for LGBT NGOs became more difficult in 2013. The Side by Side LGBT film festival in St Petersburg in November was described by organisers as their most challenging festival ever. Screenings were disrupted by bomb alerts, and guests were subjected to intimidation outside venues. The Queerfest in St Petersburg in September also encountered difficulties.

Russian officials have expressed the view that homosexuality is contradictory to Russia's traditional values. In early July, a law was passed which bans the adoption of Russian children by same-sex couples, and unmarried and single people in countries where same-sex marriage is legal. The Sochi Olympic Games have increased the international attention on LGBT rights in Russia. In October, President Putin told the head of the International Olympics Committee that LGBT athletes and supporters would feel comfortable at Sochi.

Other issues

Disability rights

Following Russia's ratification of the UN Convention on the Rights of Persons with Disabilities, Russia has taken some important steps to strengthen the rights of people with disabilities. Some serious challenges remain, but the Olympic Games in Sochi are an opportunity for Russia to raise awareness of disability rights. Russia has pledged to create a barrier-free environment at the games, ensuring that games venues will be accessible. With our support, disability NGO Perspektiva

worked in three Russian cities to challenge the barriers, physical and otherwise, that people with disabilities face through education, advocacy and legal support.

This publication is part of the [2013 Human Rights and Democracy Report](#).