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Russia

Country:

Russia

Year:

2018

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

6

Aggregate Score:

20

Freedom Rating:

6.5

Overview:

Power in Russia's authoritarian political system is concentrated in the hands of President Vladimir Putin. With loyalist security forces, a subservient judiciary, a controlled media environment, and a legislature consisting of a ruling party and pliable opposition groups, the Kremlin is able to manipulate elections and inhibit genuine opposition. The country's rampant corruption is one notable threat to state power, as it facilitates shifting links among bureaucrats and organized crime groups.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 5 / 40

A: ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. Putin served two four-year presidential terms from 2000 to 2008, and remained the de facto paramount leader while working as prime minister until 2012, violating the spirit if not the letter of the constitution's two-term limit. In the 2012 presidential election, Putin benefited from advantages including preferential media treatment, numerous abuses of incumbency, and procedural irregularities during the vote count. He won an official 63.6 percent of

the vote against a field of weak, hand-chosen opponents. Communist Party leader Gennadiy Zyuganov took second place with 17.2 percent. Under a 2008 constitutional amendment, Putin is now serving a six-year term. In December 2017, he announced his decision to run for another term in the presidential election set for March 18, 2018, the fourth anniversary of the annexation of Crimea.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the 170-seat Federation Council. Half the members of the upper chamber are appointed by governors and half by regional legislatures, usually with strong federal input. Since 2011, only locally elected politicians have been eligible to serve in the Federation Council; the change was designed to benefit the pro-Kremlin United Russia, as most local officeholders are party members.

The 2008 constitutional amendment extended Duma terms from four to five years. Following the 2011 State Duma elections, when United Russia scored just less than 50 percent of the vote in flawed elections that sparked street protests, the Kremlin rewrote the electoral law; authorities restored the mixed system abandoned after the 2003 elections, under which half of Duma members are elected by proportional representation and half in single-member districts. The reform also moved elections from December to September.

The changes had the desired effect in September 2016, when United Russia won 343 seats in the 450-seat State Duma, gaining a supermajority that allows it to change the constitution without the support of other parties. Kremlin-approved parties won the bulk of all remaining seats. The Central Electoral Commission reported a turnout of 48 percent, the lowest in Russia's post-Soviet history. The Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights and the election monitoring group Golos cited numerous violations, including ballot stuffing, pressure on voters, and illegal campaigning. A number of opposition candidates were simply not permitted to register, so the outcome of many races was clear even before election day.

Regional and local elections are typically manipulated to ensure that the regime's favored candidates win. Pro-Kremlin candidates swept the 2017 gubernatorial races, in polls Golos described as "administratively controlled."

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Russia's electoral system is designed to maintain the dominance of United Russia. The authorities make frequent changes in the laws and the timing of elections in order to ensure that their preferred candidates will have maximum advantage. Opposition candidates have little chance of success in appealing these decisions, or securing a level playing field.

In its assessment of the 2017 regional elections, Golos noted that the membership of the electoral commissions in 22 districts did "not sufficiently take into account the interests of the nonparliamentary parties and civil society."

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Legislation enacted in 2012 liberalized party registration rules, allowing the creation of hundreds of new parties. However, none posed a significant threat to the authorities, and many seemed designed to encourage division and confusion among the opposition.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Opposition politicians and activists are frequently targeted with fabricated criminal cases and other forms of administrative harassment apparently designed to prevent their participation in the political process. Navalny, head of the technocratic Progress Party, was jailed several times in 2017 on various charges, including organizing an unauthorized gathering, and was ultimately barred from participating in the 2018 presidential election in connection with a past embezzlement conviction widely considered politically motivated. Authorities have also harassed Navalny's supporters, including by arresting them ahead of rallies. Navalny's brother was sentenced to three and a half years in prison on trumped-up fraud charges in 2014, and he remained behind bars in 2017, in an apparent attempt to limit Navalny's activities.

In Moscow's 2017 municipal elections, opposition candidates from various parties won just over 15 percent of seats, providing a symbolic shakeup on an otherwise predictable election day.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

Russia's leadership is closely intertwined with powerful economic oligarchs who control the most lucrative parts of the economy, and frequently benefit from exclusive access to government procurement contracts. The Russian Orthodox Church has established a mutually beneficial alliance with Putin, and works to support the status quo.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The formation of parties based on ethnicity or religion is not permitted by law. In practice, many ethnic minority regions are carefully monitored and controlled by federal authorities. Most republics in the restive North Caucasus area and some autonomous districts in energy-rich western Siberia have opted out of direct gubernatorial elections; instead, their legislatures choose a governor from candidates proposed by the president. Women are underrepresented in politics and government. They hold less than a fifth of seats in the State Duma and the Federation Council. Only 3 of 32 cabinet members are women.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Russia's authoritarian president dominates the political system, along with powerful allies in the security services and in business. These groups effectively control the output of the parliament, which is not freely elected. The federal authorities have limited ability to impose policy decisions in Chechnya, where Chechen president Ramzan Kadyrov has gained unchecked power in exchange for keeping Chechnya within the Russian Federation.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption in the government and business world is pervasive, and a growing lack of accountability enables bureaucrats to act with impunity. Many analysts have argued that the political system is essentially a kleptocracy, in which ruling elites plunder public wealth to enrich themselves.

In March 2017, Navalny posted to YouTube a video implicating Prime Minister Dmitry Medvedev in an extensive corruption scheme involving the use of companies and purported charitable foundations to accept over \$1 billion in illicit payments. Oligarch Alisher Usmanov sued, claiming that Navalny's charge that he had given Medvedev a \$50 million mansion as a gift was not true. A court ruled in favor of Usmanov in May, and ordered removal of the video, though at year's end it remained online and had more than 25 million views.

C3. Does the government operate with openness and transparency? 1 / 4

There is little transparency and accountability in the day-to-day workings of the government. Decisions are adopted behind closed doors by a small group of individuals whose identities are often unclear, and announced to the population after the fact.

CIVIL LIBERTIES: 15 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Although the constitution provides for freedom of speech, vague laws on extremism grant the authorities great discretion to crack down on any speech, organization, or activity that lacks official support. The government controls, directly or through state-owned companies and friendly business magnates, all of the national television networks and many radio and print outlets, as well as most of the media advertising market.

Attacks, arrests, and threats against journalists are common. Two investigative reporters were killed in 2017. Andrushchenko of the *Novy Peterburg* weekly, who was known for reporting on corruption and police brutality, died in April in a St. Petersburg hospital, weeks after he was beaten by unidentified assailants. His death was the first killing of a journalist recorded by CPJ since 2013. Popkov, editor of the online investigative news outlet *Ton-M*, was shot to death in the eastern Siberian city of Minusinsk in May; he was similarly known for investigations of government officials and criticism of United Russia. CPJ classified the killings of both Andrushchenko and Popov as having been carried out in connection with their work. Investigative journalist Yuliya Latynina, who wrote for *Novaya Gazeta* and hosted a radio program on Ekho

Moskvy, fled the country in September after a series of threats and an arson attack at her home.

Meanwhile, RBC, a respected news service that had published articles critical of business owners close to Putin, was sold to a Putin ally in June, a development that prompted the resignation of a number of its journalists. Later, in August, RBC special correspondent Aleksandr Sokolov was convicted of extremism and sentenced to three-and-a-half years in prison on claims he was involved with a banned nationalist group, though there was widespread speculation that he was in fact jailed in connection with his research and reports on mismanagement in Russia's state corporations. In November, Putin signed legislation allowing Russia to designate media outlets as "foreign agents," and soon afterward, the Justice Ministry declared Voice of America and Radio Free Europe/Radio Liberty to be foreign agents. The move came after the Russian outlet RT, which promotes the Kremlin's views and interests, registered under the U.S. Foreign Agents Registration Act (FARA) after coming under pressure to do so from the U.S. Justice Department.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Freedom of religion is respected unevenly. A 1997 law on religion gives the state extensive control and makes it difficult for new or independent groups to operate. The Russian Orthodox Church has a privileged position, working closely with the government on foreign and domestic policy priorities. In 2009, the president authorized religious instruction in public schools.

Regional authorities continue to harass nontraditional groups, such as Jehovah's Witnesses and Mormons. The so-called Yarovaya Law, approved in 2016, ostensibly targets terrorism but includes powers that the authorities can use to repress religious groups on the grounds of fighting extremism. In April 2017, the Supreme Court upheld the Justice Ministry's decision to deem the Jehovah's Witnesses an extremist organization and ordered the confiscation of the group's property; by year's end a number of its facilities had been seized. There are an estimated 175,000 members of the group in Russia.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The education system is marred by bureaucratic interference, international isolation, and increasing pressure to toe the Kremlin line on politically sensitive topics, though some academics continue to express dissenting views. In March 2017, authorities revoked the education license granted to European University in St. Petersburg, which has about 250 students and is considered to be among the best universities in Russia in the social sciences and humanities. The decision forced the university to cancel classes for the fall term and put the institution's future in doubt. The university was also forced to move from its building.

Separately, schools in the Tatarstan region were compelled to reduce Tatar language instruction under federal pressure in 2017, from a mandatory six hours a week to an optional two hours.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Pervasive, hyperpatriotic propaganda and political repression since 2014 have had a cumulative impact on open and free private discussion, and the chilling effect is exacerbated by growing state efforts to control expression on the internet.

The government's surveillance capabilities have increased significantly in recent years, and authorities are thought to monitor the activities of activists, journalists, and opposition members, according to the human rights organization Agora. The monitoring includes domestic and foreign travel, telephone conversations and messaging, covert recordings of activities, capturing online communications, and collecting biometrical data. In July 2017, Putin signed a law forcing all instant messaging service providers to keep records connecting users with their telephone numbers, effectively prohibiting anonymous use of the services. A separate law approved around the same time blocked the use of internet proxy services, such as virtual private networks (VPNs). Like many legal measures permitting surveillance, the new regulations were justified on security-related grounds.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

The government restricts freedoms of assembly and association. Overwhelming police responses, the use of force, routine arrests, and harsh fines and prison sentences have discouraged unsanctioned protests, though pro-Kremlin groups are able to demonstrate freely. Despite an inability to secure permits for high-visibility locations and frequent police harassment, Navalny and his team organized a number of demonstrations during 2017, mobilizing tens of thousands of people across Russia—notably, large numbers of young people. Over a thousand people were detained at a March protest in Moscow, while at least nine people were charged with attacking the police during simultaneous protests in other cities. By year's end, eight of the nine were convicted and handed sentences ranging from roughly one-and-a-half to three-and-a-half years in prison.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

The government continued its relentless campaign against nongovernmental organizations (NGOs) in 2017. One way authorities impede their activities is by requiring groups that receive foreign funding and which are deemed to engage in political activity to register as “foreign agents.” This designation, which is interpreted by much of the Russian public as denoting a foreign spying operation, mandates onerous registration requirements, mandates that groups tag their material with a “foreign agents” label, and generally makes it extremely difficult for them to pursue their objectives. In 2017, authorities removed the “foreign agent” designation from a number of groups that stopped accepting funding from abroad after being deemed as such.

Separately, at year's end, there were 11 groups that had been deemed “undesirable organizations” on grounds that they threaten national security; the designation gives authorities power to issue a range of sanctions against such groups. In April, the general prosecutor's office ruled Open Russia, an online foundation launched by opposition figure Mikhail Khodorkovsky, an undesirable organization. Additionally, the state telecommunications agency, Roskomnadzor, forbid Russian media from including any hyperlinks to material posted by these organizations. Since early 2016, it has filed

charges against 11 organizations that have linked to material on the undesirable organizations' websites.

Legal harassment also hinders groups' activities. Olga Romanova, head of Jailed Russia, which provides assistance inmates and their families, fled the country in 2017 after police raided her office and later filed embezzlement charges against her.

Like journalists, activists also risk being the targets of violence. In December, Andrey Rudomakha, head of the Environmental Watch of the North Caucasus, suffered severe injuries at the hands of unknown assailants, who beat him after he had filmed an allegedly illegal construction project on the Black Sea coast, which the group suspected of being constructed for the use of a senior government official.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests have occurred in prominent industries, such as automobile manufacturing, but antiunion discrimination and reprisals for strikes are not uncommon, and employers often ignore collective-bargaining rights. The largest labor federation works in close cooperation with the Kremlin, though independent unions are active in some industrial sectors and regions.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary lacks independence from the executive branch, and career advancement is effectively tied to compliance with Kremlin preferences. In April 2016, a Russian court ruling on a dispute over prisoners' voting rights was the first to use a 2015 law that allows the Russian judiciary to reject international court decisions; in this case, the international ruling had come from the ECHR.

In November 2016, Putin withdrew Russia from the International Criminal Court (ICC) after the body issued a report of preliminary findings calling the fighting in Crimea and eastern Ukraine an "international armed conflict" between Ukraine and Russia.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Russian courts are subordinate to the political authorities, and access to due process is not guaranteed, particularly for those who oppose or are perceived as threatening to authorities. In December 2017, a Moscow court sentenced former economy minister Alexey Ulyukayev to prison for eight years for allegedly trying to solicit a \$2 million bribe from Igor Sechin, the head of the state-owned oil company, Rosneft. The case was widely seen as a way for Sechin to remove Ulyukayev, who, in contrast with Sechin, was among figures advocating for less state involvement in Russia's economy, as well as to send a warning to other economic liberals not to interfere with his activities. Sechin ignored court summons to testify in the trial on several occasions, despite being central to the alleged crime.

In June, a court in Moscow found Natalya Sharina, the former director of Moscow's Ukrainian Literature Library, guilty of inciting hatred and embezzlement, and issued a four-year suspended sentence against her. The charges were based on the finding that her library contained books considered extremist by Russian law, including works by

Ukrainian ultranationalist Dmitro Korchinskiy. The human rights group Memorial considers her a political prisoner because she was under house arrest during the trial, while Amnesty International argued that the case reflected “utter contempt for the rule of law.”

In 2017, the Constitutional Court rejected a decision by the ECHR ordering Russia to pay \$1.9 billion to the owners of the Yukos oil company, the assets of which were expropriated in the 2000s. The Russian court, invoking the relevant 2015 legislation, said the ECHR decision violated Russian law.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Use of excessive force by police is widespread, and rights groups have reported that law enforcement agents who carry out such abuses have consciously employed electric shocks, suffocation, and the stretching of a detainee’s body, so that the abuse is less likely to leave visible wounds. Prisons are overcrowded and unsanitary, and inmates lack access to health care and are subject to abuse by guards.

Parts of the country, especially the North Caucasus area, suffer from high levels of violence; victims include officials, insurgents, and civilians. In Chechnya, Kadyrov imposes tight control over his republic with the support of a militia and a flow of generous subsidies from Moscow. In December 2017, the U.S. government imposed sanctions on Kadyrov, saying he was “responsible for extrajudicial killing, torture, or other gross violations of internationally recognized human rights” against anticorruption and rights activists, among others.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Immigrants and ethnic minorities—particularly those who appear to be from the Caucasus or Central Asia—face governmental and societal discrimination and harassment.

LGBT (lesbian, gay, bisexual, and transgender) people remain subject to considerable discrimination. In April, *Novaya Gazeta* published reports that police in Chechnya had detained and tortured dozens of men suspected of being gay. The federal authorities did not take significant action in response to the allegations. In June, the ECHR ruled that a 2013 federal law that effectively made it illegal to talk about homosexuality in public was discriminatory and violated freedom of expression.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The government places some restrictions on freedoms of movement and residence. Adults must carry internal passports while traveling and to obtain many government services. Some regional authorities impose registration rules that limit the right of citizens to choose their place of residence, typically targeting ethnic minorities and migrants from the Caucasus and Central Asia. More than four million employees tied to the military and security services were banned from traveling abroad under rules issued during 2014.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Power and property are intimately connected, with high office often making it possible to gain access to vast property holdings. State takeovers of key industries and large tax penalties imposed on select companies have illustrated the precarious nature of property rights in the country, especially when political interests are involved.

The city of Moscow is currently engaged in a redevelopment project in which it is forcing approximately one million residents to relocate from some five-story buildings into taller more modern ones.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is a problem, but receives little attention from the authorities. In February 2017, Putin signed a law that decriminalized violent acts that only caused pain, and did not result in permanent physical harm.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Migrant workers are often exposed to exploitative labor conditions. Both Russians facing economic hardship and migrants to Russia from other countries risk becoming subject to sex and labor trafficking.

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