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Freedom in the World 2017 - Crimea

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Freedom Status: Not Free

Aggregate Score: 9/100 (0 = Least Free, 100 = Most Free)

Freedom Rating: 6.5/7 (1 = Most Free, 7 = Least Free)

Political Rights: 7/7 (1 = Most Free, 7 = Least Free)

Civil Liberties: 6/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 2,300,000

Press Freedom Status: Not Free

OVERVIEW

In early 2014, Russian forces invaded the autonomous Ukrainian region of Crimea, which was then quickly incorporated into the Russian Federation through a referendum that was widely condemned as having been conducted in violation of international law. The occupation government severely limits political and civil rights, has silenced independent media, and employs antiterrorism and other laws against political dissidents. Some members of the peninsula's indigenous Tatar minority continue to vocally oppose the annexation, despite the risk of imprisonment.

Key Developments

- In November, the International Criminal Court stated in preliminary findings that the annexation of Crimea constituted a violation of Ukraine's territorial integrity and was "equivalent to an international armed conflict between Ukraine and the Russian Federation."
- In September, elections for the Russian State Duma were held in Crimea. Local rights activists reported that some residents were threatened with dismissal from their jobs if they failed to vote, or were pressured to attend a preelection rally for Russian president Vladimir Putin's United Russia party.
- Crimean Tatar activist Ervin Ibragimov was abducted in May, and his whereabouts were unknown at year's end.

Executive Summary

<http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=printdoc&docid=58ff3e264> 26-04-2017



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Civil Liberties: 6/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 144,300,000

Capital: Moscow

GDP/capita: \$9,093

Press Freedom Status: Not Free

Net Freedom Status: Not Free

OVERVIEW

In Russia's authoritarian government, power is concentrated in the hands of President Vladimir Putin. With loyalist security forces, a subservient judiciary, and a legislature dominated by his United Russia party, Putin is able to manipulate elections and inhibit formal opposition. The government also has strong control of the media environment, and has been able to retain domestic support despite an ongoing economic slump and strong international criticism. The country's rampant corruption is one notable threat to state power, as it facilitates shifting links among bureaucrats and organized crime groups.

Key Developments

- Amid historically low turnout, elections in September produced a supermajority for the ruling United Russia party in the State Duma, the lower legislative house.
- In July, Putin created the National Guard of Russia, a force devoted to maintaining public order; critics noted that the body is likely to be used to prevent unwanted public protests.
- Space for independent voices in the media continued to diminish, particularly after a series of politically motivated personnel changes at the RBC media group.

- The Levada Center, among many other organizations, was added to the list of "foreign agents" by the Justice Ministry during the year; the authorities continued requiring groups that receive foreign funding and engage in loosely defined political activities to adopt the label.

Executive Summary

Russia's economic downturn continued in 2016, and the Kremlin worked to preempt potential domestic discontent through several means, including focusing public attention on foreign interventions. Authorities continued incorporating Crimea into the administration of the Russian Federation, maintained support for separatist militants in eastern Ukraine, and expanded military support for Bashar al-Assad's regime in Syria.

Historically low turnout marked the Duma elections in September, in which United Russia captured 343 of 450 seats, solidifying its grip on the legislative branch of government. Voters also cast ballots in a number of regional races, which United Russia dominated. The restrictive political atmosphere – characterized by the state's grip on the flow of information, limitations on activism, and hostility to opposition – undercut competition and freedom of choice. In October, the Levada Center, a local independent research organization, published the results of its post-election polling, noting that approximately a third of respondents believed the elections to have been unfair. Nevertheless, half of those polled expressed satisfaction with the electoral results. Following the elections, legislators approved the nomination of Vyacheslav Volodin, a close Putin ally and his former first deputy chief of staff, to the position of Duma speaker. The move, part of a broader reshuffle of the political elite, was perceived to bolster executive control over the legislature in preparation for presidential elections in 2018.

In September, the Federal Antimonopoly Service reported that the state controls 70 percent of the economy either directly or through state-owned enterprises. Throughout the year, the Kremlin utilized its vast resources to pressure opposition entities and critical voices. Authorities continued to restrict the activities of civil society groups, increasing pressure on independent groups – including the Levada Center – by declaring them "foreign agents." The regime also intensified its grip on the country's media environment, saturating the landscape with nationalist propaganda while suppressing remaining sources of independent information. The editorial leadership of RBC came under fire in May in connection to reporting on the president's family and friends. Three editors at outlets owned by the media group were pushed out amid rumors of pressure from the Kremlin, and replaced in July by recruits from the state-owned TASS news agency; many RBC reporters resigned in protest.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 5 / 40 (-2)

A. Electoral Process: 0 / 12 (-1)

A1. Is the head of government or other chief national authority elected through free and fair elections?

A2. Are the national legislative representatives elected through free and fair elections?

A3. Are the electoral laws and framework fair?

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, and will be eligible for another in 2018.

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 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 the ruling United Russia party scored just less than 50 percent of the vote in flawed elections that sparked street protests, the Kremlin rewrote the electoral law, restoring 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 (CEC) 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 noted that "democratic commitments continue to be challenged and the electoral environment was negatively affected by restrictions to fundamental freedoms and political rights, firmly controlled media and a tightening grip on civil society." The election monitoring group Golos deemed the elections "far from being truly free and fair." The group also noted that there were half as many independent election observers in 2016 as in 2011. Reported violations included 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. Statistical analysis of the results conducted by Sergei Shpilkin – a physicist and independent election monitor – suggested irregularities in the voting consistent with systematic cheating, with high turnout areas backing United Russia.

A 2012 law restored gubernatorial elections, ending a system of presidential appointments that dated to 2004. The new rules allowed federal and regional officials to screen the candidates for governor, and United Russia candidates have dominated almost every subsequent election. The party swept gubernatorial and regional legislative races in 2016. Ramzan Kadyrov won a reported 98 percent of the vote in Chechnya.

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 open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

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.

Opposition politicians and activists are frequently targeted with fabricated criminal cases and other forms of administrative harassment. Opposition leader Aleksey 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 2016 in an apparent attempt to limit Navalny's activities. In December, Navalny announced plans to challenge Putin in the 2018 presidential election, although a protracted embezzlement case – ongoing at the end of 2016 – could bar him from competing if it results in a conviction.

Five individuals went on trial in October for the February 2015 assassination of opposition leader Boris Nemtsov. The trial was ongoing at year's end, and it remained unclear who had ordered the killing.

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.

C. Functioning of Government: 2 / 12 (-1)

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

C2. Is the government free from pervasive corruption?

C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

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 – led by Putin – whose identities are often unclear, and announced to the population after the fact. Numerous structural and personnel changes within the government occurred in 2016 as Putin sought to preserve his power in an atmosphere of declining resources, as well as to plan ahead for the 2018 presidential race. The president broke with past practices and dismissed a number of loyal subordinates; among those affected was his chief of staff Sergei Ivanov, whom Putin replaced with Ivanov's own deputy, Anton Vaino.

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 September, Navalny's Anti-Corruption Foundation published an exposé of an extravagant country home tied to – but not directly owned by – Prime Minister Dmitry Medvedev, detailing a number of suspicious transactions involved in the compound's acquisition, expansion, and renovation.

In a shocking case in September 2016, authorities arrested Dmitry Zakharchenko, a senior anticorruption official in the Ministry of the Interior, after discovering that he possessed some \$120 million in cash and €300 million in foreign bank accounts; investigators reported that he had

hidden the cash at the home of his sister and used accounts registered in his father's name. Many political analysts suggested that the arrest was a reflection of infighting within the Russian elite, and a breach in the complex networks that support corrupt activities. Separately, in November, the arrest of Economy Minister Aleksey Ulyukayev on bribery charges signaled that even sitting ministers could now be prosecuted on corruption charges, breaking with a tradition of immunity. These events did little to change the extent of overall corruption in the system, however.

Civil Liberties: 15 / 60

D. Freedom of Expression and Belief: 3 / 16

D1. Are there free and independent media and other forms of cultural expression?

D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?

D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?

D4. Is there open and free private discussion?

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. These media effectively serve as vehicles for Kremlin propaganda, which vociferously backs Putin's actions in Ukraine and Syria and denounces foreign and domestic opponents.

Only a small and shrinking number of radio stations and print outlets with limited reach offer a diverse range of viewpoints. The government regularly pressures media houses and workers for investigating or reporting on corruption. In one such case, three top editors at RBC outlets – Roman Badanin, Yelizaveta Osetinskaya, and Maksim Solyus – were dismissed in May 2016 amid rumors of government pressure. Watchdogs and the independent media community noted that the dismissals were tied to articles about Putin's immediate family as well as a close friend of the president's whose offshore accounts appeared in the Panama Papers. Editors from TASS, the state news agency, were recruited as replacements.

Separately, in a case brought by Rosneft head Igor Sechin against *Novaya Gazeta*, a Moscow court ruled in favor of Sechin, who had filed the suit over an article linking his wife to a luxury yacht. The court ruled that the paper had improperly implied wrongdoing and ordered the offending article to be redacted, although *Novaya Gazeta* announced plans to appeal. Sechin also successfully sued the parent company of *Vedomosti* as well as a journalist working for the daily over a July article connecting Sechin to a luxury development outside of a Moscow. The court ordered the destruction of all remaining copies of *Vedomosti* containing the story.

In September, authorities detained Roman Sushchenko, a Paris-based correspondent for Ukraine's state news agency, and claimed that he was an intelligence officer collecting information on the Russian military – a claim that his employer denied. Sushchenko remained in custody at year's end. Also in September, award-winning journalist Denis Korotkov was arrested while investigating voter fraud during the parliamentary elections. A St. Petersburg court ultimately dismissed the case against him.

Violations of media freedom, including violence against journalists, generally go unpunished. Although five men were sentenced in 2014 for the 2006 killing of journalist Anna Politkovskaya, the identity of those responsible for arranging her murder remained unclear in 2016.

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, ostensibly targeting terrorism, includes new powers that the authorities can use to repress religious groups in Russia on the grounds of fighting extremism.

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. The appointment of Olga Vasilyeva to the post of minister of education and science in August raised worries from critics, particularly regarding her strong support for the Russian Orthodox Church and her claim that estimates of the number of people who suffered under Stalinism have been exaggerated.

Pervasive, hyperpatriotic propaganda and political repression over the past two years 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. More than 70 percent of Russians have internet access, and penetration continues to increase. Discussion on the internet had been largely unrestricted until 2012, but following large antigovernment demonstrations in 2011 and 2012, the Kremlin adopted a series of laws that gave it more power to shut down critical websites. The independent research group Roskomsvoboda reported that by year's end, more than a million websites had been blocked through unlawful means. The Kremlin also employs numerous "trolls" to disrupt online discussions and intimidate users.

Individuals continued to face legal repercussions for exercising freedom of expression online, particularly under anti-extremism legislation. In December 2016, a court in Tyumen sentenced Aleksei Kungurov to two years in a penal colony for "justifying terrorism" in a blog post in which Kungurov criticized Russia's actions in Syria. In a separate case, Sochi resident Oksana Sevastidi received a seven-year sentence in March for texting about the location of Russian military equipment in the lead-up to the 2008 Russo-Georgian war. Sevastidi was only arrested in 2015 and tried in a secret court in the southern Krasnodar region without adequate counsel, raising serious questions about the nature of the charges as well as due process.

E. Associational and Organizational Rights: 3 / 12

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

The government has consistently reduced the space for 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. In July, Putin signed the Yarovaya Law, two pieces of counterterrorism legislation that strengthen punishments for terrorism and extremism, increase Russia surveillance capabilities, criminalize withholding information about certain crimes from the authorities, and ease state monitoring of phone and internet communications. Critics claimed that the law would make it easier for the authorities to stifle dissent.

The government continued its relentless campaign against nongovernmental organizations (NGOs) in 2016. By the end of 2016, the Justice Ministry had included 154 Russian organizations on its list of "foreign agents." On the eve of the State Duma elections, the authorities added the

Levada Center, Russia's most prominent independent pollster, to the roster. Among other prominent additions in 2016 were Memorial International and the Environmental Watch on North Caucasus, both of which conduct independent research about Russian policies. Among others, the Justice Ministry also gave the label to volunteer firefighters in Krasnodar. The designation and related requirements – such as marking all published works with the "foreign agent" label – makes it extremely difficult for groups to pursue their objectives.

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?

F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?

F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?

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

The judiciary lacks independence from the executive branch, and career advancement is effectively tied to compliance with Kremlin preferences. A 2014 law merged the Supreme Arbitration Court, which headed the system of courts handling commercial disputes, into the Supreme Court, which oversees courts of general jurisdiction and will now also supervise the arbitration courts. The Supreme Arbitration Court had been widely respected as one of the most independent of Russia's courts. 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 European Court for Human Rights. In November, Putin withdrew Russia from the International Criminal Court 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.

Ildar Dadin, an activist sentenced in 2015 to two and a half years in prison for participating in multiple unsanctioned protests within a period of 180 days, claimed that he was being tortured and beaten while in custody. A letter detailing Dadin's experiences, smuggled out of the penal colony housing him, caused national and international uproar when it was picked up by the media in November 2016, and focused attention on numerous other cases of severe mistreatment in Russian prisons.

In April, Putin ordered the creation of a new force devoted to maintaining public order, the National Guard. After its establishment under the formal control of the presidency in July, Putin appointed his former chief bodyguard, Viktor Zolotov, as head of the new force, which is set to have a membership of 350,000–400,000 individuals, many of them former security personnel. Although the National Guard is ostensibly devoted to combatting terrorism and extremism, critics fear that it could be used to block popular protest and serve as a tool for disciplining the Russian elite.

Parts of the country, especially the North Caucasus area, suffer from high levels of violence. Hundreds of officials, insurgents, and civilians die each year in bombings, gun battles, and assassinations. In Chechnya, Kadyrov imposes tight control over his republic with the support of a

militia and a flow of generous subsidies from Moscow. The result is superficial peace and prosperity that mask personalized and arbitrary rule, fierce repression and intimidation, economic inequality, and impunity for abuses.

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 are subject to considerable discrimination as well. A 2013 law banned dissemination of information promoting "nontraditional sexual relationships," putting legal pressure on LGBT activists and encouraging harassment.

G. Personal Autonomy and Individual Rights: 7 / 16

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

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.

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.

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. Domestic violence against women continues to be a serious problem, and police are often reluctant to intervene in what they regard as internal family matters.

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

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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