

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	554
Land:	Rusland
Kilde:	US Department of State
Titel:	2019 Trafficking in Persons Report – Russia
Udgivet:	20. juni 2019
Optaget på baggrundsmaterialet:	27. juni 2019

Document #2010896

USDOS – US Department of State

2019 Trafficking in Persons Report: Russia

RUSSIA: Tier 3

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; therefore Russia remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by removing officials who may have been complicit in forced labor, facilitating the return of Russian children from Iraq and Syria, and identifying some victims, including foreign nationals. However, the number of victims identified by the government remained negligible and authorities routinely deported potential forced labor victims without screening for signs of exploitation and prosecuted sex trafficking victims for prostitution offenses. While estimates vary, the Russian government reported the number of North Korean workers in Russia declined from 30,000 to approximately 11,500 in 2018. It was not clear that the government screened laborers for trafficking indicators. Throughout 2018, the government maintained bilateral contracts with the Democratic People’s Republic of Korea (DPRK) under which the DPRK operated work camps in Russia and subjected thousands of North Korean workers to forced labor. The government offered no funding or programs for trafficking victims’ rehabilitation, while several privately run shelters remained closed 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. The government did not consistently provide comprehensive information on prosecution efforts, but the limited available data and media reports suggest prosecutions remained low compared with the scope of Russia’s trafficking problem. As in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies.

PRIORITIZED RECOMMENDATIONS

Investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps. • Screen for trafficking indicators before deporting migrants, including from the DPRK. • End all bilateral labor agreements with the DPRK that perpetuate forced labor and cease the issuance of work permits under these contracts. • Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to victims. • Develop formal national procedures to guide law enforcement, labor inspectors, 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, including complicit officials, respecting due process. • Create a national anti-trafficking action plan and establish a central coordinator for government efforts. • Ensure victim identification and protection measures are not tied to the prosecution of a trafficker and allow all first responders to officially identify potential trafficking victims and refer them to care. • Implement a formal policy to ensure identified trafficking victims are not punished or deported for unlawful acts their traffickers compelled them to commit. • Ensure screening among children returned from Iraq and Syria for child soldiering indicators and provide with rehabilitation and reintegration support. • 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. • Increase efforts to raise public awareness of both sex and labor trafficking, including among minors. • Amend the trafficking law to align the definition of trafficking with international standards.

PROSECUTION

The government maintained minimal law enforcement efforts. It did not report comprehensive data on trafficking criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data revealed some details on trafficking cases investigated and prosecuted, including some conviction information, during the reporting period, although the limited number of cases reported did not constitute an adequate law enforcement response compared to the scale of trafficking in Russia. From the limited available information, authorities prosecuted trafficking suspects through Articles 127.1 and 127.2 of the criminal code, which criminalized “trade in people” and “use of slave labor.” These articles prescribed punishments of up to five years of forced labor or up to six years of imprisonment for “trade in people” and up to five years’ imprisonment for “use of slave labor.” These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, these articles established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime.

Russia’s federal-level Investigative Committee publicly reported 14 investigations, 11 under article 127.1 and three under 127.2, a decrease from 19 reported in 2017. The Supreme Court publicly reported 18 convictions of persons under article 127.1 and three convictions under article 127.2, compared with 26 convictions under article 127.1 and one under 127.2 in 2017. The government published sentencing information for 2018 that included for article 127.1, three paroles, 11 prison terms, one compulsory labor, and one fine; and for article 127.2, five prison terms and one parole. The government reported three acquittals. Media reports about these investigations and prosecutions revealed several cases involving baby-selling, a crime that falls outside the international definition of trafficking. An NGO reported that tens of thousands of trafficking-related cases were reported to authorities, but the government processed most under different articles, which suppressed statistics and masked the scale of the problem.

Law enforcement training centers provided instruction on trafficking identification. NGOs conducted limited trafficking training for local officials. Russian authorities cooperated in some international investigations involving Russian nationals subjected to trafficking abroad and extradited some alleged traffickers wanted in their home country. The government maintained bilateral contracts with the DPRK government, which continued to operate work camps in Russia throughout 2018. Despite credible reports of forced labor and slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into those conditions. Media reported the dismissal of several officials, including the director, of prison IK-14 in Mordavia; the director was alleged to have engaged the female prisoners in forced labor for his personal benefit. The investigation of this case remained on-going. Corruption and official complicity remained significant concerns, inhibiting law enforcement action during the year.

PROTECTION

The government maintained negligible efforts to protect 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. NGOs provided all protection services, including shelter, food, legal services, language interpretation, facilitating the return of documents or wages, and assisting in the resettlement or repatriation of victims. The last dedicated trafficking shelters closed in 2015 due to lack of funding; however, government-funded homeless shelters could accommodate Russian and foreign victims. Authorities did not routinely screen potential victims seeking assistance at these shelters for trafficking indicators; in prior years, the shelter provided medical and psychiatric aid, and referred victims to international NGOs and other homeless shelters located in many of Russia's regions. There were no reports of victims assisted in these shelters in 2018. A shelter “for women in difficult life situations,” run by the Russian Orthodox Church, continued to accept victims and offered them food housing and psychological care, although not medical assistance; the government did not provide financial support for the shelter. Similar to the previous 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 also targeted those providing protective services for trafficking victims; the government continued to designate two locally registered NGOs working on trafficking issues as “foreign agents” and blocked one of these NGOs from a government-linked social media site in 2018. An unknown person attacked and stabbed the leader of an anti-trafficking NGO, inflicting non-fatal wounds. The “Yarovaya” package of anti-terror laws made it a crime for individuals or organizations to provide material assistance to people considered to be in Russia illegally; authorities could prosecute NGOs who assist unlawfully present victims of trafficking. There were limited examples of government cooperation with civil society. In July 2018, local authorities worked with NGOs to remove Nigerian sex trafficking victims from their exploiters; the victims had entered Russia with promises of employment and World Cup fan

identification documents from their exploiters. An NGO reported repatriating 40 Nigerian victims. NGOs reported law enforcement worked with NGOs to remove victims from brothels and slave labor situation, obtain documents, and help repatriate victims from Nigeria, Ukraine, and Uzbekistan. Authorities reportedly covered repatriation costs on a case-by-case basis.

The government reported the identification of 19 trafficking victims in 2018. According to law enforcement statistics, of these 19 identified victims, 16 were Russian and three were from unspecified Central Asian countries; five were female sex trafficking victims, one female and three males were victims of forced labor, and 10 were children, although many of these were baby-selling cases. An NGO assisted approximately 193 victims in 2018, but it estimated the number of victims to number in the thousands. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. NGOs reported a significant number of cases go unreported due to the lack of a formal referral mechanism, victims' fears, and the lack of government assistance to victims. Despite the lack of formal procedures, observers reported some working-level officials referred potential victims for assistance on an ad hoc basis. However, observers also noted other authorities often did not recognize foreign victims when they were unlawfully present in Russia, which resulted in the penalization of foreign victims rather than their referral to care. Frequently, authorities criminally charged victims with prostitution or unlawful presence in country. Authorities punished child victims of forced criminality. Authorities did not screen other vulnerable populations, such as migrant workers or foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking. In limited instances, Moscow city police informally provided “permit letters” valid for one year to individuals the police determined were trafficking victims. While the letters offered no official status to the migrants, they allowed victims to remain in the Moscow region without risk of deportation or prosecution while police investigated their trafficking case. Authorities reportedly prosecuted Russian citizens returning from Syria and Iraq, where some were subjected to trafficking, under anti-terror laws without being screened for indicators of trafficking. The government, after a temporary suspension of operations, resumed the repatriation of Russian minors, including potential trafficking victims, whose parents were alleged fighters with the Islamic State in Iraq and Syria (ISIS). ISIS was known to use child soldiers and perpetrate other forms of trafficking. The government did not report screening specifically for indicators of trafficking, but media reports indicated the children received counseling. An estimated 200 children had returned to Russia since this program first became public in 2017; the government estimated 1,400 remained in Iraq and Syria.

A February 2016 agreement between Russia and DPRK enabled Russian authorities to deport North Koreans residing “illegally” in Russia, possibly even for those with refugee status; this may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Moreover, DPRK authorities reportedly arrested, imprisoned, subjected to forced labor, tortured, and sometimes executed repatriated trafficking victims. In February 2018, government officials announced that in accordance with UNSCRs 2375 and 2397, Russia would cease issuing new work permits to North

Korean laborers and repatriate those workers whose contracts had expired. Media reports indicated Russia had begun to repatriate the laborers whose permits had expired. Russian government officials stated they were taking steps to fulfill its obligations under the relevant UN Security Council resolution to repatriate all of these workers by the end of 2019, and reported the number of DPRK workers in Russia declined steadily throughout 2018 from 30,023 to 11,490 by the end of 2018. Media reported the government continued to issue new work permits. Some government officials noted an allowance for the extension of contracts for North Korean laborers who had valid contracts as of September 11, 2017 and were still in Russia, while a government spokesperson stated new workers were arriving if authorities had finalized their work authorizations prior to the adoption of UNSCR 2375. Although government representatives publicly stated authorities asked DPRK workers to leave voluntarily, it was not evident that authorities screened workers for trafficking indicators or offered them options to legally remain in the country.

PREVENTION

The government maintained limited efforts to prevent trafficking. The government continued to operate regional migration centers where migrants could obtain work permits directly from the government; however, the permits contained large upfront fees and sometimes required multiple time-consuming trips to the center to obtain. An NGO reported some hospitals began to issue birth certificates to all children born in the country, regardless of the parents' immigration status. In October 2018, the government signed an agreement with Uzbekistan on the organized recruitment of Uzbek citizens for temporary employment in Russia. In February 2019, the government agreed to allow the Kyrgyz Republic Ombudsman to appoint five special representatives in Russia to monitor for violations of human rights of Kyrgyz citizens, including trafficking. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws—with penalties in the form of revoking foreign worker permits. While these raids took place with some regularity, the use of undocumented or forced labor remained widespread due to complacency and corruption. Russia did not have a national action plan, nor was there a designated lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework continued to languish at the highest 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 made no efforts to develop public awareness of forced labor or sex trafficking and provided no funds to NGOs to carry out prevention and awareness campaigns. Prevention campaigns were hampered by a law that made it a crime to talk to children younger than 16 about sexual issues and exploitation. Authorities denied an NGO's request to put up billboards advertising hotlines in advance of the World Cup. There were two media reports of government-compelled labor of civil servants for snow removal; in one of them the government decided to investigate the issue. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Russia, and victims from Russia are exploited abroad. Although labor trafficking remains the predominant human trafficking problem within Russia, sex trafficking continued. Traffickers subject workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and DPRK—to forced labor in Russia. Instances of labor trafficking have been reported in construction, manufacturing, logging, saw mills, agriculture, sheep farms, brick factories, textile, grocery stores, maritime industries, and domestic service, as well as in forced begging, waste sorting, and street sweeping. There are between five and 12 million foreign workers in Russia, of which the government estimates 2 million are irregular migrants. 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, lack of safety measures, or extremely poor living conditions. According to press reports, 2.3 million Ukrainians resided in Russia, including more than 1 million who went east to escape Russian aggression in Ukraine. International organizations estimate up to 40 percent of these migrants were working unofficially and vulnerable to both forced labor and sex trafficking. 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. There are reports of Russian citizens facing forced labor abroad. Traffickers lure minors from state and municipal orphanages to forced begging, forced criminality, child pornography, and sex trafficking, and use by armed groups in the Middle East.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily China and the Philippines), Africa (particularly Nigeria), and Central Asia are victims of sex trafficking in Russia. During the 2018 World Cup, Russia relaxed its visa requirements, allowing visa-free entry for all Fan ID holders to enter and exit Russia without a visa through December 31, 2018. According to official government statistics, nearly 5,000 foreigners who entered on Fan IDs remained unlawfully in Russia at the beginning of 2019, including 1,863 Nigerians. Sex trafficking occurs in brothels, hotels, and saunas, among other locations. Homeless children are exploited in sex trafficking. 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. Russian criminal groups threaten family members in order to coerce women into prostitution in Russia and abroad. Women from Russia’s North Caucasus region as well as women from Central Asia residing in Russia were recruited to join ISIS through online romantic relationships and subjected to exploitation once they arrived. Wives and children of foreign fighters were sold after their spouse or father was killed in action.

The ILO Committee of Experts noted its deep concern in 2016 that some provisions of the Russian criminal code, which included compulsory labor as possible punishment, are worded broadly enough to lend themselves to application as a means of punishment for the expression of views opposed to the government. Corruption among some government officials and within some state agencies creates an environment enabling trafficking crimes. In recent years, criminal cases have involved Russian

officials suspected of allegedly facilitating trafficking by enabling 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. Prior to 2018, the DPRK sent approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East—an estimated 11,490 North Korean citizens are believed to be present in Russia; many of these North Korean citizens are subjected to conditions of forced labor.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2018 to March 2019)



Country:

Russian Federation

Source:

USDOS – US Department of State [\(/en/source/11558.html\)](/en/source/11558.html)

Original link:

<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/russia/> (<https://www.state.gov/reports/2019-trafficking-in-persons-report-2/russia/>)

Document type:

Periodical Report

Language:

English

Published:

20 June 2019

Document ID:

2010896

Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

