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RUSSIA 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Russian Federation has a highly centralized political system, with power increasingly concentrated in the president, and a weak multiparty political system. The bicameral Federal Assembly consists of a lower house (State Duma) and upper house (Federation Council). Presidential elections in March featured accusations of government interference and manipulation of the electoral process. Security forces generally reported to civilian authorities; however, in some areas of the Northern Caucasus, there were serious problems with civilian control.

The most significant human rights problems during the year involved:

1. **Restrictions of Civil Liberties:** Following increased mobilization of civil society and mass demonstrations in reaction to elections, the government introduced a series of measures limiting political pluralism. During the year Russia adopted laws that impose harsh fines for unsanctioned meetings; identify nongovernmental organizations (NGOs) as “foreign agents” if they engage in “political activity” while receiving foreign funding; suspend NGOs that have U.S. citizen members or receive U.S. support and are engaged in “political activity” or “pose a threat to Russian interests”; recriminalize libel; allow authorities to block Web sites without a court order; and significantly expand the definition of treason. Media outlets were pressured to alter their coverage or to fire reporters and editors critical of the government.
2. **Violations of Electoral Processes:** Domestic and international observers described the presidential campaign as skewed in favor of the ruling party’s candidate, Vladimir Putin. Procedural irregularities marred voting, with reports of vote fraud, administrative measures disadvantaging the opposition, and pressure on election monitoring groups. Several gubernatorial elections in October were likewise criticized.
3. **Administration of Justice:** Due process was denied during the detentions and trials of protesters arrested following the May 6 demonstration in Moscow in which a small group of the protestors engaged in violence; in the detention, trial, and sentencing of the members of the punk rock group Pussy Riot, who were charged with hooliganism motivated by religious hatred; and searches and criminal cases lodged against several political activists. Individuals responsible for the

deaths of prominent journalists, activists, and whistleblowers, notably Sergey Magnitskiy, have yet to be brought to justice.

Other problems reported during the year included: allegations of torture and excessive force by law enforcement officials; life-threatening prison conditions; interference in the judiciary and the right to a fair trial; abridgement of the right to privacy; restrictions on minority religions; widespread corruption; societal and official intimidation of civil society and labor activists; limitations on the rights of workers; trafficking in persons; attacks on migrants and select religious and ethnic minorities; and discrimination against and limitation of the rights of lesbian, gay, bisexual, and transgender (LGBT) persons.

The government failed to take adequate steps to prosecute or punish most officials who committed abuses, resulting in a climate of impunity. Rule of law was particularly deficient in the North Caucasus, where conflict among government forces, insurgents, Islamist militants, and criminal forces led to numerous human rights abuses, including killings, torture, physical abuse, and politically motivated abductions.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were several reports that the government or its agents committed arbitrary or unlawful killings. In the North Caucasus, numerous extrajudicial killings were carried out by both authorities and local militants (see section 1.g.).

In July the criminal investigation into the 2011 death of Private Ruslan Aiderkhanov, who was found dead after reportedly hanging himself in Chelyabinsk Oblast, was closed due to insufficient evidence. Although independent forensic examiner Aleksandr Vlasov reported that Aiderkhanov's body showed signs of torture, the Chief Military Investigation Committee concluded that he committed suicide and that his injuries were caused post mortem by an improperly conducted forensic medical examination. On January 29, a close friend of Aiderkhanov and probable witness to his killing, Private Danila Chaikin, was found shot to death at a Russian military base in Dushanbe, Tajikistan. While the military told human rights defenders that Chaikin's death was suicide, friends and relatives noted he was shot six times.

On July 25, Private Vladimir Slobodyannikov was found hanging from his belt outside military unit 28331 in Verkhnyaya Pyishma Camp, Sverdlovsk. He was known as a vocal opponent of dedovshchina (a system of harsh military hazing). The day before his death, Slobodyannikov sent his sister a text message indicating his fear of being killed by the unit commander. Officials insisted that the soldier hanged himself because of depression over family issues, which family and friends denied.

One journalist, Kazbek Gekkiyev, was killed during the year for reasons apparently related to his professional activities (see section 2.a.).

Prison officials and police subjected inmates and suspects in custody to physical abuse that occasionally resulted in death. On March 9, Sergey Nazarov died in a Kazan hospital from injuries inflicted by police during interrogation. Nazarov, who had been arrested on hooliganism charges, died of injuries inflicted by four police officers, who allegedly beat him severely and raped him with a champagne bottle. In response, six police officers were relieved of their duties and prosecuted. On September 25, two of the officers were sentenced to two and one-half years in a minimum-security labor camp. At year's end the other four officers were awaiting trial. Asgat Safarov, the minister of interior of Tatarstan, was fired after the Nazarov case but was appointed deputy prime minister of the republic two months later.

b. Disappearance

Politically motivated disappearances in connection with the conflict in the Northern Caucasus continued (see section 1.g.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits such practices. However, there were numerous credible reports that law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects, and authorities did not consistently hold officials accountable for such actions. There is no law defining torture, and prosecutors were able to bring charges only of simple assault or exceeding authority against police suspected of engaging in mistreatment. Government forces engaged in the conflict in the North Caucasus reportedly tortured and otherwise mistreated civilians and participants in the conflict (see section 1.g.).

Physical abuse of suspects by police officers was systemic and usually occurred within the first few days after arrest. Some of the methods reportedly used included beatings with fists, batons, or other objects. In the Caucasus torture was reportedly committed by local law enforcement agencies as well as in some cases by federal security services. Reports from human rights groups claimed that electric shocks and suffocation were used most often, as those techniques are less prone to leave evidence.

Multiple cases of alleged police torture in Tatarstan came to light after the death of Sergey Nazarov in Kazan (see section 1.a.), including the case of 21-year-old Irek Sharafiev, whom police arrested on suspicion of theft on March 1. Five police officers allegedly beat Sharafiev at a police precinct station over the course of two days and threatened to detain and abuse his pregnant wife. Sharafiev confessed to the crime after sustaining broken ribs, a broken nose, and internal injuries, and enduring threats to be raped with a broom. Two police officers were charged with abuse of power with violence, which carries a possible sentence of 10 years' imprisonment.

Attacks on political and human rights activists, critics of government policies, and persons whom the government considered supportive of the opposition continued. On February 3, two unknown men sought out and beat Phillip Kostenko, an activist with Human Rights Center "Memorial", as he was walking through a park. Kostenko suffered a concussion and a broken leg. He reported that, before an ambulance transported him to the hospital, police pressured him to sign a document stating that he refused to file a police report. Although a case was opened, no suspects had been arrested by year's end.

Reports by refugees, NGOs, and the press suggested a pattern of beatings, arrests, and extortion by police when dealing with persons who appeared to be of Caucasian, Central Asian, African, or Roma ethnicity. Memorial reported that officials often beat and harassed Roma in various regions. For example, an anti-Roma campaign that included entering and searching homes without warrants was launched in the Bryansk region in March following a suspicious disappearance of a baby.

There were multiple reports of illegal detentions in psychiatric hospitals. On February 26, Solidarity movement activist Nadezhda Nizovkina was arrested in Moscow after participating in a demonstration on Red Square with a placard stating, "Lubyanka (the headquarters of the Federal Security Service) Should Be

Demolished!” Police interrogated her at a police station and then took her to a psychiatric clinic where she was forced to undergo a psychiatric examination.

Physical abuse and hazing continued to be a problem in the military. However, the Committee of Soldiers’ Mothers reported that incidents of *dedovshchina* had declined due to increased access to mobile telephones and the Internet, which were not widely used until recently. As of October the committee had received 104 complaints, down significantly from 25,000 in 2011. In the first half of 2012, according to the Chief Military Prosecutor’s Office, the number of reported cases of military hazing declined by 37 percent compared with 2011.

Prison and Detention Center Conditions

Conditions in prisons and detention centers varied but were sometimes harsh and life-threatening. Limited access to health care, food shortages, abuse by guards and inmates, inadequate sanitation, and overcrowding were common in prisons, colonies, and other detention facilities. In August as many as 19 inmates at a correctional facility in Yakutia attempted mass suicide in response to harsh conditions. In November, at Kopeysk Prison #6 in Chelyabinsk, prisoners protested against prison conditions, which allegedly included extortion, beatings, and torture with electric shocks.

Physical Conditions: Detainees were held in five types of facilities: temporary police detention centers, pretrial detention facilities, correctional labor colonies (ITKs), prisons for those who violate ITK rules, and educational labor colonies for juveniles. According to the Federal Penitentiary System, at the end of the year, the prison population was 701,900, compared with 749,600 in 2011. This figure included 585,000 offenders held in 739 correctional colonies, 39,500 offenders in open colonies, 1,819 prisoners serving life sentences in five prisons, and 2,200 juveniles in 46 educational colonies. Approximately 113,600 detainees were being held in 230 pretrial detention centers, an increase of 1,495 over the previous year. “Unofficial” prisons, many of which were located in the North Caucasus region, continued to exist.

There were approximately 57,700 women in prison, compared with 62,200 in 2011. Penal Reform International reported that conditions were generally better in women’s colonies than in men’s.

According to a November 5 *Vlast* magazine article, 285 people died in pretrial detention centers during the year, compared with 50 in 2011.

Health, nutrition, ventilation, and sanitation standards were generally poor but varied among facilities. Access to potable water, which sometimes was rationed, also varied. The federal minimum standard of space per person in detention is 43 square feet, which was generally observed.

On January 10, the European Court of Human Rights (ECHR) issued a pilot judgment in the case of *Ananyev and Others v. Russia*, finding the government in violation of the provision of the European Convention on Human Rights prohibiting inhuman and degrading treatment. The ECHR noted that problems in the pretrial detention system were systemic and urged the government to improve conditions of detention by shielding toilets in cells, removing netting from cell windows, and increasing the frequency of showers. The ECHR also called on the government to change the applicable legal framework, as well as practices and attitudes; ensure that pretrial detention is only used when necessary; establish maximum capacity for each remand prison; and ensure that victims have the ability to lodge complaints effectively about inadequate detention conditions and that they obtain appropriate compensation.

Access to quality medical care remained a significant problem in the penal system. Medical care was often delayed due to bureaucratic procedures, and medicine was limited.

Penal Reform International reported that tuberculosis infection rates were lower in prisons than in previous years.

There were a number of significant developments during the year in the case of Sergey Magnitskiy, a lawyer who died of medical neglect and abuse while in pretrial detention in 2009. The former deputy head of Butyrka detention center, Dmitry Kratov, was charged with negligence resulting in the death of Magnitskiy but was acquitted on December 28. The acquittal came four days after President Putin stated at a press conference that Magnitskiy had died of natural causes, despite a July 2011 report by the Presidential Council on Development of Civil Society and Human Rights containing evidence that Magnitskiy was beaten before his death.

Reports continued of prison staff committing abuses against prisoners. On June 17, police officers in the Sverdlovsk region filmed a detainee sodomizing a fellow inmate in a pretrial detention center instead of stopping the violence. According to the Web site of the local branch of the Investigative Committee, the officers also

uploaded the video online. Regional police identified the officers as Vitaliy Pelevin and Aleksey Reshetov. Officials stated the two were fired from their jobs and that 12 of their superiors would face unspecified penalties over the scandal. At year's end there were no charges.

Abuse of prisoners by other prisoners also continued to be a problem. There were elaborate inmate-enforced caste systems in which certain groups, including informers, gay inmates, rapists, prison rape victims, and child molesters, were considered “untouchables” (the lowest caste). Prison authorities provided little or no protection to these groups.

Administration: Prisoners were given visitation rights, but access to visitors could be denied depending on the circumstances. Prisoners serving a regular sentence in a prison were allowed four three-day visits per year with their spouses. On occasion, visits were cancelled if the prison did not have enough space. A judge or investigator in a prisoner's case could deny the prisoner visitation rights. Relatives deemed a security risk could also be prohibited from visiting prisoners. The number of visitors was limited, usually to two adults and two children on each visit.

Prisoners generally were permitted religious observance and access to religious ministry and literature.

There are no prison ombudsmen. In theory prisoners are allowed to file complaints with Public Oversight Commissions (POCs) or with the Human Rights Ombudsman's Office, but this did not occur without censorship. Inmates were often afraid of reprisal, leading to self-censorship. Complaints that reached the POCs were often less serious and focused on minor personal requests, not the system itself. Prison reform activists reported that only prisoners who felt they had no other option risked the consequences of filing a complaint.

Monitoring: Authorities permitted some monitoring by independent nongovernmental observers. The government permitted the Council of Europe's Committee for the Prevention of Torture to visit at least 22 detention centers and prisons from May 21 to June 4. However, the results of that and of previous visits were not publicly released.

The law regulating public oversight of detention centers allows POC representatives to visit facilities. There were 78 registered POCs staffed by unpaid volunteers who worked in groups of up to 20 people. Only POCs were permitted

to regularly visit prisons to monitor conditions. There were reports that prison officials, citing disease or danger, denied facility access to inspectors upon arrival. The law does not establish procedures for local authorities to respond to POC findings or recommendations. Successful monitoring and implementation of reform, therefore, depended on prison directors, some of whom were cooperative, while others reportedly were obstructionist.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, problems remained.

Role of the Police and Security Apparatus

The Ministry of Internal Affairs, the Federal Security Service (FSB), the Investigative Committee, and the Office of the Prosecutor General are responsible for law enforcement at all levels of government. The FSB is responsible for security, counterintelligence, and counterterrorism and also for fighting crime and corruption. The national police force under the Ministry of Internal Affairs is organized at the federal, regional, and local levels.

On September 18, the Prosecutor General's Office initiated criminal proceedings against a senior police official and head of the Special Forces Center, Aleksandr Ivanov, on charges of hooliganism and beating two other police officers. During the year the Ministry of the Interior initiated a new procedure that holds police supervisors liable if officers under their command commit crimes.

Arrest Procedures and Treatment While in Detention

By law an individual may be held in custody for up to 48 hours without court approval if arrested at the scene of a crime, provided there is evidence of the crime or a witness; otherwise, an arrest warrant is required. After arrest, detainees are typically taken to the nearest police station, where they are informed of their rights. Police are required to document the grounds for detention. This document must be signed by the detainee and the police officer within three hours of detention. Police must interrogate detainees within the first 24 hours of detention. Prior to interrogation, a detainee has the right to meet with an attorney for two hours. No later than 12 hours after detention, police must notify the prosecutor. They must also notify the detainee's relatives unless a prosecutor issues a warrant to keep the detention secret. Police are required to release a detainee after 48 hours, subject to bail conditions, unless a court decides to prolong custody in response to a motion

filed by police no later than eight hours before the expiration of the 48-hour detention period. The defendant and his or her attorney must be present at the court hearing.

By law police must complete the investigation and transfer the case to a prosecutor for arraignment within two months of a suspect's arrest, although a court may extend a criminal investigation for up to six months. With the personal approval of the prosecutor general, a judge may extend that period up to 18 months. According to some defense lawyers, these time limits were often violated.

There were a number of problems relating to defendants' ability to obtain adequate defense counsel. There were reports of police occasionally obtaining defense counsel friendly to the prosecution. These "pocket" defense attorneys agreed to the interrogation of their clients in their presence while making no effort to defend their clients' legal rights. In many cases, especially in more remote regions, defense counsel was not available for indigent defendants. Judges usually did not suppress confessions of suspects taken without a lawyer present. They freed suspects who were held in excess of detention limits, although they usually granted prosecutors' motions to extend detention periods.

Legal limitations on detention were generally respected throughout the country, with the exception of the North Caucasus. There were reports of occasional noncompliance with the 48-hour limit for holding a detainee. At times authorities failed to write the official detention protocol within the required three hours after the actual detention and held suspects longer than the legal detention limits. In May Nikolay Lambin, an opposition leader from Tyumen, was detained on suspicion of drug abuse and distribution. Arrested on the day of his wedding, he confessed his guilt but later retracted his testimony. Friends and relatives of the detainee considered his confession to have been coerced, and Lambin later asserted that he had been forced to testify against himself under severe pressure. On May 14, Lambin was released on his own recognizance, but the criminal case against him remained open.

Arbitrary Arrest: There were some reports of arbitrary detention. In October opposition activist Leonid Razvozhayev was in the process of applying for political asylum through the Office of the UN High Commissioner for Refugees (UNHCR) in Kyiv, Ukraine, when he was seized by masked men and forcibly taken to Russia, where he was reportedly held in a basement for two days before being delivered to Moscow to face charges of plotting mass riots. Due to lack of evidence, the Investigative Committee refused to open a case against security

forces, whom Razvozzhayev accused of kidnapping him, torturing him, and forcing him to write a confession.

e. Denial of Fair Public Trial

The law provides for an independent judiciary. However, judges remained subject to influence from the executive branch, the military, and other security forces, particularly in high-profile or politically sensitive cases. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. This requirement was generally honored, although the process of obtaining judicial warrants was occasionally subverted by bribery or political pressure.

According to an April report by the ombudsman for human rights, Vladimir Lukin, more than 57 percent of the 26,000 complaints received by the country's human rights commissioner's office were filed in connection with violations of personal (civil) rights. Of these, 59 percent pertained to the violation of the right to a fair trial.

Judges routinely received telephone calls from superiors instructing them how to rule in specific cases. The Presidential Council for the Development of Civil Society and Human Rights reported that "in practice [judges] do not possess genuine, as opposed to declaratory, independence. The powers of a judge who does not agree to carry out the requests may be prematurely terminated. In such a situation, the conscientious judge is subject to pressure from within the judicial system and has no chance of defending his or her own rights."

In many cases authorities did not provide adequate protection for witnesses and victims from intimidation or threats from powerful criminal defendants.

Trial Procedures

Trials typically are conducted before a judge without a jury (bench trials). The defendant is presumed innocent. The law provides for the use of jury trials for a limited range of crimes in higher-level regional courts. Certain crimes, including terrorism, espionage, hostage taking, and mass disorder, must be heard by panels of three judges rather than by juries. Juries try approximately 600 to 700 criminal cases each year, a very small percentage of the total number. While judges acquit approximately 1 percent of defendants, juries acquit an estimated 20 percent. The law allows for prosecutorial appeal of acquittals. Approximately 30 percent of

acquittals are reversed on appeal and remanded for new trial, although these cases often end in a second acquittal.

During trial the defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses. Defendants who are in custody during the trial are confined to a caged area. Defendants have the right of appeal. Prior to trial defendants are provided a copy of their indictment, which describes the charges in detail. They are also given an opportunity to review their criminal file following the completion of the criminal investigation. The law provides for the appointment of an attorney free of charge if a suspect cannot afford one, although the high cost of competent legal service means that lower-income defendants often lacked competent representation. There were few qualified defense attorneys in remote areas of the country. Defense attorneys are allowed to visit their clients in detention, although defense lawyers claimed that informants electronically monitored their conversations and that prison authorities did not always provide them with access to their clients.

Plea bargaining is used in criminal cases, and the law allows a defendant to receive a reduced sentence for testifying against others. Plea bargains reduced defendants' time in pretrial detention in approximately 50 percent of cases, reduced the average prison term to no more than half of the otherwise applicable statutory maximum, and allowed courts and prosecutors to devote their resources to other cases.

Political Prisoners and Detainees

Authorities selectively detained and prosecuted members of the political opposition (see section 2.b.).

Aleksey Navalny, an anticorruption whistleblower and member of the opposition Coordination Council, had three criminal cases against him opened during the course of the year. He was charged in July with conspiring to steal timber in 2009 from a state owned entity, charges that had been dropped but resurrected following Navalny's public criticism of Investigative Committee chief Aleksandr Bastrykin. In December Navalny was charged with fraud and laundering 55 million rubles (\$1.81 million) in a case involving a shipping company he owned in 2008. Also in December investigators accused him of stealing funds from a political party, the Union of Right Forces, in 2007.

Taisia Osipova, an activist with the opposition Other Russia Party and the wife of Sergey Fomchenkov, a member of Other Russia's Executive Committee, remained

in prison for alleged drug sales. Her lawyers maintained that she was arrested and tried due to her husband's political activities.

On March 15, a Moscow district court sentenced businessman Aleksey Kozlov to five years in prison on charges of stealing company shares in 2006 from his former business partner Vladimir Slutskiy. Kozlov, husband of prominent activist Olga Romanova, was convicted of the same crime in 2008 and served two years in prison. In 2011 Kozlov won his case on appeal. In September 2011 the Supreme Court released Kozlov on his own custody and referred the verdict to the Presnenskiy District Court for review. The Presnenskiy court found the defendant guilty. During the year both an appeal and a request for parole were denied. He maintained his innocence, and human rights defenders believed the charges were politically motivated.

On February 21, several members of the punk rock group Pussy Riot, their faces covered by balaclavas, performed a punk protest song, "Virgin Mary, Redeem Us of Putin," in front of the altar inside the Christ the Savior Cathedral in Moscow. Authorities subsequently arrested group members Maria Alekhina and Nadezhda Tolokonnikova on March 4 and Ekaterina Samutsevich on March 15. The women were charged with hooliganism motivated by religious hatred, which carries a maximum sentence of seven years. During the trial, the court reportedly barred defense lawyers from calling most of the witnesses they wanted, such as experts and eyewitnesses. The lawyers were also reportedly given limited time to meet with the defendants. On August 17, the three women were sentenced to two years in prison. Samutsevich's conviction was overturned, and she was released on probation after she hired a new lawyer, who argued that she could not have engaged in the performance due to having been removed from the premises beforehand. Human rights advocates believed the charges and lengthy sentences were politically motivated, given the nonviolent nature of the crime.

Between December 2011 and February 2012, Mikhail Fedotov, chairman of the Presidential Council on Human Rights and Civil Society, submitted several reports to President Medvedev on the second (2010) convictions of former Yukos oil tycoon Mikhail Khodorkovskiy and his associate Platon Lebedev, who were serving 13-year prison sentences for embezzlement. Fedotov's reports concluded that their convictions had no legal basis. On March 5, President Medvedev ordered the general prosecutor to review the 2010 convictions. On May 15, the Supreme Court denied Khodorkovskiy's and Lebedev's appeals of their 2010 verdicts, leaving the lower court's decision in place. On July 24, the chairman of the Supreme Court, Vyacheslav Lebedev, canceled the decision and ordered a Moscow

City court council to review the second criminal conviction of Khodorkovskiy and Lebedev. On August 8, the Velsk District Court in the Arkhangelsk region reduced Lebedev's sentence from 13 years to nine years and eight months to conform to new sentencing guidelines. On September 21, the Arkhangelsk Regional Court reversed the district court's ruling, leaving the 13-year sentence in place. In December the Moscow City Court reduced the sentences for both Khodorkovskiy and Lebedev to 11 years.

Civil Judicial Procedures and Remedies

Although the law provides mechanisms for individuals to file lawsuits against authorities for violations of civil rights, these mechanisms often did not work well in practice. For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. Human rights activists claimed that authorities avoided paying compensation through procedural means, such as leaving cases in pending status. Persons who believed their civil rights had been violated typically sought redress in the ECHR after the domestic courts had ruled against them.

Regional Human Rights Court Decisions

Any person may file a complaint with the ECHR concerning alleged violations by the state of human rights under the European Convention on Human Rights, provided they have exhausted "effective and ordinary" appeals in Russia's own courts. As of November the ECHR had received more than 29,150 complaints involving Russia since 1996.

While the government generally paid compensation to victims when ordered to do so, it did not fully implement judgments that called for conducting effective investigations and holding perpetrators accountable. The government generally failed to change systemic practices that the ECHR has repeatedly criticized.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law forbids officials from entering a private residence except in cases prescribed by federal law or on the basis of a judicial decision. The law also prohibits government monitoring of correspondence, telephone conversations, and other means of communication without a warrant and prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While these provisions were generally followed, there

were allegations that government officials and others engaged in electronic surveillance without judicial permission and entered residences and other premises without warrants.

Law enforcement agencies require telecommunications service providers to grant the Ministry of Internal Affairs and the FSB 24-hour remote access to their client databases, including telephone and electronic communication and records, enabling police to track private communications and monitor Internet activity. The law permits authorities to monitor telephone calls in real time. The Ministry of Information and Communication requires telecommunications companies and Internet service providers to allow the FSB to tap telephones and monitor information over the Internet. The Ministry of Information and Communication maintained that no information would be accessed without a court order.

In April Aksana Panova, the chief editor of the independent media agency Ura.ru was advised by the Sverdlovsk Oblast's deputy chief prosecutor to avoid covering police corruption scandals to minimize risks to her personal safety. The warning was made after a series of Ura.ru stories on corruption in the ranks of police. On August 18, Panova sued the cellular service provider MTS for alleged disclosure of personal conversations to third parties, after several were published online. In her suit, Panova asked for 10 million rubles (\$329,380) in damages.

Political leaders of the antigovernment street protests alleged that state security services were behind a campaign of telephone hacking and illicit video recordings targeting the opposition. Targets included Boris Nemtsov, Aleksey Navalny, Vladimir Ryzhkov, and Gennady Gudkov, all of whom alleged that recordings and transcripts of their conversations were published on the Internet by unknown individuals. In other cases activists reported their e-mail, social networking, and Skype accounts were hacked, allegedly by security services or groups associated with the government.

On the eve of a June protest event, investigators searched the home of Aleksey Navalny and seized cell phones and computers. They also searched the homes of his parents and parents-in-law.

In October the deputy director of the Moscow branch of Human Rights Watch, Tatyana Lokshina, received threats of violence via text messages prior to a planned trip to Dagestan in the North Caucasus. The threats included explicit references to intimate family details that could have been obtained only through technical surveillance, according to Lokshina.

In the North Caucasus, families continued to face retribution for the alleged offenses of their family members. Chechen leader Ramzan Kadyrov continued his anti-insurgency policy of collective punishment against families of suspected insurgents, including torching their homes.

According to Human Rights Watch, the government forcibly resettled approximately 1,500 families in preparation for the 2014 Sochi Olympics but failed to provide a transparent process for compensation. Many families were provided unfair compensation or inadequate housing. In one case Sochi authorities threatened to evict the family of Aleksey Kravets and demolish his home in the Adler region without due process or compensation. On October 15, a subcontractor of Russian Railways erected a metal fence topped with barbed wire around Kravets's house, forcing the family to crawl through a hole at the bottom of the fence or over the top to attend school or buy food.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Violence continued in the North Caucasus republics, driven by separatism, interethnic conflict, jihadist movements, vendettas, criminality, and excesses by security forces. Dagestan continued to be the most violent area in the North Caucasus. General levels of violence decreased in the North Caucasus by almost 10 percent in 2012 compared with 2011. Online newspaper *Caucasian Knot* reported significant drops in casualty rates in Chechnya and Kabardino-Balkaria in the third and fourth quarters of 2012.

Killings: Caucasian Knot reported there were at least 690 deaths during the year, compared with 750 in 2011.

One journalist was killed in the North Caucasus region during the year (see section 2.a.).

There continued to be reports that security forces used indiscriminate force resulting in numerous deaths and that the perpetrators were not prosecuted. Police officer Zaur Dzhililov from the District Interior Division shot 16-year-old Imadibir Makhiyev in the head on April 16 after reportedly attempting to break up a fight by opening fire with his gun. Makhiyev died on April 25 in Kerata, Akhuath District of Dagestan. Dzhililov was suspended from work during the investigation of his case.

Abductions: Government personnel, rebels, and criminal elements continued to engage in abductions in the North Caucasus.

Human rights groups alleged that security forces under the command of Chechen leader Ramzan Kadyrov played a significant role in abductions, either on their own initiative or in joint operations with federal forces, including abductions of family members of rebel commanders and fighters.

Human Rights Center “Memorial” reported that Alakhverdi Radzhabov was abducted from his car on March 25 in Makhachkala, Dagestan. His kidnappers, wearing masks and camouflage, grabbed him and threatened his female companion with violence. He was placed in one car while three other cars followed. On the same day, family members appealed to the Ministry of Interior Affairs of the Russian Federation in Dagestan, to the FSB in Dagestan, and to the Public Prosecutor’s Office, but none gave information regarding Radzhabov’s whereabouts. According to his uncle, Radzhabov worked as an accountant in a construction company and never had problems with the law.

Physical Abuse, Punishment, and Torture: Armed forces and police units reportedly abused and tortured both rebels and civilians in holding facilities. Human rights groups noted that physical abuse of women was becoming increasingly common in the region.

Memorial reported that on June 22, Ruslan Ismailov of Makhachkala, Dagestan, was detained by local police, tortured with electric shocks to his genitals and under his fingernails, then beaten at the Center for Combating Extremism before he signed a confession under duress.

Burning the homes of suspected rebels reportedly continued. Memorial reported that on April 22, two days after a special operation in the village of Komsomolskoye in the Gudermes District of Chechnya, armed men in camouflage burned the house belonging to the grandparents of Akhmed Bantaev, one of the men killed in the special operation. According to local residents, a firefighting vehicle was near the site of the arson, but security services commanded firefighters to spray water only on a neighboring house. Another house in the eastern outskirt of the village, which belonged to Akhmed Bantaev’s parents and which was leased to tenants, was also reportedly burned. The tenants were evicted and not allowed to remove their belongings before the house was set afire.

Memorial reported that the human rights ombudsman in Dagestan often advocated successfully for torture victims' rights.

Although there were fewer incidents involving landmines than in previous years, landmine contamination remained a problem. In July a land mine was found in a children's school camp in Stavropol, according to Caucasian Knot. According to monitor.org, the government deployed military engineers to Chechnya twice in the year to clear an unspecified number of mines in farmland.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press; however, government pressure on some media constrained coverage of certain controversial issues, resulting in numerous infringements of these rights.

While the government generally respected citizens' right to freedom of speech, state-controlled media frequently declined to cover the conduct of federal forces in the North Caucasus, human rights, high-level corruption, and opposition political views. Some regional and local authorities took advantage of procedural violations and vague legislation to detain persons who criticized the government. In other cases the government used direct ownership, or ownership by large private companies with government links, to control or influence major national media and regional media outlets, especially television. There were reports of self-censorship in the television and print media, particularly on issues critical of the government.

Freedom of Speech: The government on several occasions restricted the ability of individuals to criticize the government publicly or privately or discuss matters of general public interest without reprisal. For example, on May 30, a court in Cheboksary found activist Dmitriy Karuyev guilty of hooliganism for spitting on a portrait of President Putin during a solitary May 6 protest of the presidential inauguration. He was jailed for 15 days.

Freedom of Press: More than 60 percent of the country's 45,000 registered local newspapers and periodicals were owned directly by the government or by state-owned/state-controlled companies. Approximately 66 percent of the 2,500 television stations, including all six national news channels, were completely or partially owned by the federal and local governments or by progovernment oligarchs.

In the period preceding the March 4 presidential elections, international observers criticized the unequal access to the media, particularly television, for candidates in elections; these critics noted that, as in previous elections, presidential candidate and then prime minister Putin received favored media access. Observers also noted press freedom abuses, including harassment of media outlets, lack of equal access to information, and arbitrary application of media regulations. The Press Ministry of the Moscow region, according to Glasnost Defense Fund and odintsovo.info, sent messages to journalists covering pro-Putin rallies to instruct them to show the general goodwill atmosphere of the gathering and to report that citizens came voluntarily.

Violence and Harassment: On December 5, a television news anchor for state-run Vesti KBR, Kazbek Gekkiyev, was killed with a shot to the head in the North Caucasus republic of Kabardino-Balkaria. The Investigative Committee reported that the killers wanted to warn other journalists not to report on fighting between authorities and rebels. At the end of December, investigators named two suspects. In June Investigative Committee head Aleksandr Bastrykin informed the press that the perpetrator of the 2009 killing of journalist Natalia Estemirova was believed to be hiding in Belgium. Investigative Committee spokesman Vladimir Markin also said that Estemirova's case had been transferred from investigator Colonel Igor Sobol, who had been in charge of the investigation from the beginning, to a new investigator due to the former's "excessive workload." The case remained unsolved at year's end.

On December 14, the former police colonel and head of surveillance at Moscow's main Internal Affairs Directorate, Dmitriy Pavlyuchenkov, was found guilty of organizing the 2006 murder of investigative journalist Anna Politkovskaya by tracking her movements and providing a gun to the killer. He was ordered to pay three million rubles (\$98,814) to Politkovskaya's family and was sentenced to 11 years in prison as part of a plea bargain in which he named five other suspects to be tried separately at a later date. The named suspects included Lom-Ali Gaitukayev, who allegedly organized Politkovskaya's killing by hiring a criminal gang of three brothers--Rustam, Ibragim and Dzhabrail Makhmudov--and former police officer Sergey Khadzhikurbanov, who allegedly provided logistical support for the killing. The identity of the person who ordered Politkovskaya's killing remained unknown, and human rights activists expressed doubt about the thoroughness of the investigation.

There was no new information regarding investigations into the 2004 killing of journalist Paul Klebnikov.

Glasnost Defense Fund reported 94 attacks on journalists during the year, four attacks on media offices, and 153 detentions by law enforcement.

In June *Novaya Gazeta*'s deputy editor Sergey Sokolov reported that Investigation Committee head Bastrykin took him to a secluded forested area and threatened to kill him due to his inquiries into the committee's investigations. The International Federation of Journalists, the European Federation of Journalists, and the Russian Union of Journalists called for an investigation. On the day following Sokolov's report, Bastrykin offered a public apology to Sokolov and to *Novaya Gazeta*, characterizing his own behavior in the incident as an "emotional breakdown."

On April 5, *Novaya Gazeta* journalist Yelena Milashina, well known for her investigations of human rights abuses in the North Caucasus and her reporting on corruption in the Federal Narcotics Control Agency, was attacked by unknown assailants near her home in Moscow. She was kicked and punched in the head; the beating resulted in hematomas, a lost tooth, and a concussion. Although two suspects were arrested following a delayed investigation, Milashina and another eyewitness maintained the subjects arrested were not the perpetrators.

On May 12, the Petrozavodsk City Court charged blogger and activist Maxim Yefimov with inciting hatred against the Russian Orthodox Church after he criticized Russian Orthodox priests on his blog. The city court ordered he be placed in a hospital for mentally disabled persons. The Karelia Supreme Court subsequently overturned the city court's decision to force a psychiatric evaluation. Yefimov fled the country and remained wanted on charges of inciting hatred at year's end.

In May 105 deputies of the State Duma, drawn from all the main parties, supported a motion calling on the Investigative Committee to display greater vigor in its pursuit of those behind the 2011 killing of a prominent Dagestani journalist and public figure, Khadzhimurad Kamalov. At year's end no arrests had been made in the case.

Censorship or Content Restrictions: The government continued to use legislation and decrees to curtail media freedom. The law provides an expansive definition of extremism and gives law enforcement officials broad authority to suspend media outlets that do not comply with the law's restrictions. The Ministry of Justice

continued to expand its list of “extremist” materials to include 1,589 items as of December 31.

By law authorities have the right to close any organization that a court determines to be extremist, including media outlets. The organization in question cannot challenge the court’s decision. The Federal Service for Oversight of Communication and Information Technology (Roskomnadzor) routinely issued warnings to newspapers and Internet sources suspected of publishing extremist materials. Two warnings in one year were enough to file a closure lawsuit. Human rights groups reported the real impact of this practice was hidden because journalists and editors, although never prosecuted directly, tended to self-censor their articles. During the year the antiextremism law was used to censor the free expression of opinion by the political opposition, independent media outlets, and religious minorities and to intimidate these entities into self-censorship.

On December 6, a court in Nizhniy Novgorod held a hearing to ban a book by Stanislav Dmitriyevskiy, head of the human rights organization Russian-Chechen Friendship Society, that asserted top Russian officials should be held accountable for war crimes in Chechnya. Human Rights Watch’s Hugh Williamson said efforts to ban the book have no basis in international human rights law and appeared aimed at punishing Dmitriyevskiy for his human rights work.

Officials or unidentified individuals sometimes used force or took other extralegal measures to prevent the circulation of publications critical of government officials. The Glasnost Defense Foundation (GDF) reported that there were 23 attempts by officials to seize or prevent distribution of publications. There were multiple reports authorities prevented the distribution of independent and opposition publications and leaflets before the elections. On January 25, in Ufa, police seized the entire print run of the opposition newspaper, *The Voice of Ufa*. Police said the materials were insulting to presidential candidate Putin and sent the material to linguistic experts to evaluate whether the content was extremist. In February authorities in the city of Pervouralsk temporarily forbade the sale of independent newspapers *Novaya Yezhenedel'naya Gazeta* and *Vecherny Pervouralsk Svobodny* without official explanation. Editors believed the ban was related to their unflattering coverage of President Putin.

Government officials often influenced content on television, sometimes insisting that certain opposition figures not appear in television programs. There were regular meetings between government officials responsible for communications

strategy and the heads of state-run television channels to review past television coverage and decide on future coverage of political and social issues.

During the year the government took new steps to directly or indirectly control the editorial boards of major media outlets. On February 14, Gazprom-Media demanded the early resignation of the Ekho Moskvyy radio board of directors and a change in the board's composition. The changes came after then prime minister Putin publicly criticized Ekho Moskvyy editor in chief Aleksey Venediktov for "pouring diarrhea on my head from morning until night."

The GDF reported there were 46 attempts to censor the media during the year, compared with 52 in 2011. On February 6, on the First Channel's weekly live talk show *Pozner*, host Vladimir Pozner interviewed Russian television personality Tina Kandelaki. Their discussion on whether or not Pozner would be allowed to interview opposition leader Aleksey Navalny was watched by viewers in the far eastern part the country, eight time zones ahead of Moscow. However, viewers in European Russia were shown a shortened version of the interview that excluded the conversation about Navalny.

Libel Laws/National Security: Officials at all levels used their authority, sometimes publicly, to restrict the work of journalists who criticized them, including taking legal action for alleged slander or libel.

On July 13, the Duma passed a law recriminalizing and increasing the sanctions for libel, which had been decriminalized in 2011. The new law allows for imprisonment for up to five years and a fine for moral damages up to 500,000 rubles (\$16,469) for defamation.

On April 3, a Kemerovo court convicted blogger Dmitri Shipilov of "insulting a state official in public" and sentenced him to 11 months of community service, with 10 percent of his earnings garnished. Shipilov wrote two blog posts in November 2011 that lampooned the region's governor, Aman Tuleyev.

In November a law that broadens the definition of high treason came into effect. Under the law anyone possessing information deemed secret can be jailed for 20 years, even if the information was not passed into foreign hands. The previous law defined high treason as espionage or other assistance to a foreign state damaging to the country's external security. The new legislation broadens the definition of assistance to include financial, material, and technical assistance and excludes the word "external."

Publishing Restrictions: According to the GDF and other NGOs, authorities used the media's widespread dependence on the government for access to property, printing, and distribution services to discourage critical reporting. They reported that approximately 90 percent of print media organizations relied on state-controlled entities for paper, printing, and distribution services and that many television stations were forced to rely on the government for access to the airwaves and office space. The GDF also reported that officials continued to manipulate the price of printing at state-controlled publishing houses to pressure private media rivals.

Internet Freedom

The Internet and radio were more free and independent than print media and television. Despite increasing attempts by the government to monitor and control the Internet, it remained a space for free expression. Threats to Internet freedom included physical attacks on bloggers; politically motivated prosecutions of bloggers for "extremism," libel, or other crimes; blocking of specific sites by national and local service providers; distributed denial of service (DDoS) attacks on sites of opposition groups or independent media; and attempts by security services and some regional authorities to regulate content. The Internet was widely available to citizens in all parts of the country, although connection speeds varied by region. According to Internet World Stats, 44.3 percent of the population had Internet access.

On July 31, a law went into effect that creates a new federal blacklist of Internet sites. The law's stated aim is to protect children from offensive information on the Internet. Under the law the state mass communications watchdog agency Roskomnadzor requires Internet service providers (ISPs) to block access to Web pages that the agency finds offensive. This includes information that is already prohibited, such as items on the Federal List of Extremist Materials, but also holds blog owners responsible for the content in the comments section of their pages. The Pirate Party of Russia, an unofficial political party that monitored the blacklist, reported that 96 percent of the blocked sites (approximately 2,200) did not have illegal content.

In many regions, including Stavropol, Khabarovsk, Rostov, Ulan-Ude, St. Petersburg, Astrakhan, Saratov, and Omsk, local prosecutors' offices and courts ordered ISPs to block content on the Federal List of Extremist Materials. During the year select bloggers were prosecuted for content they published online. Maxim

Yefimov was charged with extremism after publishing an article on his blog in December 2011 entitled “Russia is Tired of Priests,” which sharply criticized the Russian Orthodox Church. During the investigation authorities demanded that Yefimov submit to psychiatric evaluation. Fearing forced psychiatric incarceration, Yefimov left the country, after which the government added him to the Interpol wanted list on July 31.

On July 23, the Leninskiy District Court in Ufa, Bashkortostan, concluded extremism and ethnicity-based hatred proceedings against five Ufa opposition bloggers. The accused, whose posts dating back to 2008 criticized the regime of the former president of Bashkortostan, Murtaza Rakhimov, received suspended sentences of one to four years. They denied the accusations and appealed the judgment. Bashkortostan opposition leaders believed the case to be politically motivated.

In the period surrounding the March presidential elections and President Putin’s inauguration, independent media and civil society groups experienced severe DDoS attacks on their sites that impaired the public’s ability to obtain and share information about important political developments, such as demonstrations. Sites that were repeatedly targeted included the radio station Ekho Moskvyy, the newspapers *Novaya Gazeta* and *Kommersant*, independent election monitoring organization Golos, the Internet television station Dozhd, and live-event broadcaster UStream.

During the October 19-21 online election for the Opposition Coordination Council, DDoS attacks prevented persons from voting. The extent of the attacks caused organizers to extend the voting period.

The government continued to employ a “system for operational investigative measures,” which requires ISPs to install, at their own expense, a device that routes all customer traffic to an FSB terminal. The system enables police to track private e-mail communications, identify Internet users, and monitor their Internet activity.

Academic Freedom and Cultural Events

The government generally did not restrict academic freedom. However, there were reports of pressure on teachers, academics, scholars, and students.

In June a St. Petersburg court sentenced two professors at the State Military Mechanical University, Svyatoslav Bobyshev and Yevgeny Afanayev, for treason and espionage. The pair lectured at a university in China in 2009 and were

accused of passing classified information and state secrets to Chinese security forces. Human rights groups maintained that the scientists were denied due process of law.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, but local authorities continued to restrict this right. The law requires notification for public meetings, demonstrations, or marches by more than one person. While numerous public demonstrations took place, on some occasions local elected and administrative officials selectively denied some groups permission to assemble or offered alternate venues that were inconveniently located. Police often broke up demonstrations that were not officially permitted. According to ovidinfo.org, approximately 2,000 persons were arrested at protests between March 6 and May 8. Many observers noted a consistent pattern of officials encouraging rallies friendly to the government while preventing politically sensitive demonstrations.

On June 8, a law went into effect that increases the penalties for engaging in unsanctioned protests and other violations of the law on public assembly. The law increased fines by 100-fold, up to 300,000 rubles (approximately \$9,881) for individuals, 600,000 rubles (\$19,762) for organizers, and one million rubles (\$32,938) for groups or companies. Observers saw this law as a reaction to the wave of public protests and renewed civic activism that began in December 2011, sparked by credible allegations of electoral fraud.

The country experienced an unprecedented number of public protests during the year. While some demonstrations were allowed to proceed peacefully, others were marked by police misconduct, mass detentions, and subsequent prosecutions and jail terms.

Opposition leaders such as Sergey Udaltsov, Aleksey Navalny, Ksenia Sobchak, Ilya Yashin, and Boris Nemtsov experienced searches of their residences and offices and were arrested and under investigation for public order violations. In June investigators raided the home of Ksenia Sobchak; they found and confiscated large amounts of cash hidden in envelopes that were returned to her in September. In May Ilya Yashin was arrested for disobeying police and served 10 days in jail following his participation in an antigovernment rally.

On September 27, the Supreme Court issued an opinion that stated that citizens have no right to self-defense against violence by police at protests. Although the opinion lacked force of law, lower courts generally followed such opinions in making their decisions.

In St. Petersburg and several other cities, the assembly rights of LGBT activists were violated under new local laws criminalizing the “propaganda of homosexuality to minors.” Such laws served as a pretext to arrest LGBT activists for participating in public protests. On July 20, the head of the city’s division of the Internal Affairs Ministry Sergey Umnov stated that more than 70 people had been convicted of spreading “homosexual propaganda” to children since the law’s passage in the city on February 29. On June 7, LGBT activist Nikolay Alekseyev paid a 5,000 ruble (\$166) fine after being found guilty of violating the city’s antipropaganda law. On April 12, Alekseyev was arrested for holding a sign reading, “Homosexuality is not an abomination. Field hockey and ice ballet are abominations.”

Freedom of Association

The law provides for freedom of association, and the government respected this right with a number of significant exceptions. Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. Restrictions were applied selectively to NGOs that were involved in issues of the political opposition or human rights monitoring. The finances of registered organizations were subject to investigation by the tax authorities, and foreign grants were required to be registered.

On July 21, a new law went into effect that requires NGOs that receive foreign funding and engage in political activity to register as “foreign agents.” Domestic and international observers saw the law as an attempt to stigmatize and deny funding to NGOs working on human rights and democracy. Civil society leaders were concerned that the law’s reference to “political activity” was loosely defined and that NGOs could not be sure if the law applied to them. In December the Dima Yakovlev Act went into effect, which bans NGOs that engage in political activity or any activity that “poses a threat to” the Russian Federation from receiving uncompensated financial or material assistance from any U.S. person or organization.

Some groups that opposed powerful business interests faced intimidation from government and private security forces. Local authorities routinely pressured

activists associated with the Khimki Forest Defense campaign, an environmental movement that seeks to protect the Khimki forest outside of Moscow from development. The group's demonstrations were violently dispersed on several occasions by both police and private security personnel working for the Vinci Corporation, which was building a highway through the forest. Activists associated with the campaign continued to be subject to harassment and intimidation. For example, on April 16, Aleksey Dmitriyev, an activist with Khimki Forest Defense, was attacked by unknown men as he was standing at the elevator outside his apartment, resulting in a concussion, head wounds, and a broken nose. Dmitriyev had planned to testify against two companies involved in cutting the forest. Police characterized the attack as a simple robbery without political motivations.

Authorities continued to engage in selective investigations of intellectual property rights violations to confiscate computers and pressure opposition media and NGOs across the country.

On August 9, police raided the environmental NGO Perviy Svet in the city of Luchegorsk and seized nine computers on the grounds that they allegedly contained pirated software. The NGO attributed the raid to an ongoing dispute with city authorities. As of year's end, the computers had not been returned.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally cooperated, with some notable exceptions, with the UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Although the law gives citizens the right to choose their place of residence, all adult citizens must carry government-issued internal passports while traveling domestically and must register with local authorities after arriving at a new location. Authorities often refused to provide government services to individuals

without internal passports or proper registration, and many regional governments continued to restrict this right through residential registration rules that closely resembled Soviet-era regulations. Darker-skinned persons from the Caucasus or of African or Asian origin were often singled out for document checks. There were credible reports that police arbitrarily imposed fines on unregistered persons in excess of legal requirements or demanded bribes.

The law provides for freedom to travel abroad, and citizens generally did so without restriction. However, citizens with access to classified material needed to obtain police and FSB clearances to receive a passport for international travel. Starting in July, a new directive from the Transport Ministry required intercity travelers to show their domestic passports when buying transport tickets to travel via air, railroad, water, or road.

Internally Displaced Persons (IDPs)

The UNHCR Global Report 2011 placed the number of IDPs at 28,500. Statistics for 2012 were unavailable as the UNHCR no longer tracked IDPs in the country.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Refoulement: The government provided some protection against the expulsion or return of persons to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. However, the responsible agency, the Federal Migration Service (FMS), did not maintain a presence at airports or other border points, and the ability of asylum seekers to request access to the FMS was not well publicized. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials or face immediate return to their countries of origin, including in some cases to countries where a well-founded fear of persecution could be demonstrated.

By law the decision of an FMS official may be appealed to a higher-ranking authority or to a court. During the appeal process, the applicant receives the rights of a person whose application for refugee status is being considered. The

government rarely granted convention status to those who managed to present their asylum applications to the FMS.

Human rights groups continued to allege that authorities made improper use of international agreements that permitted them to detain, and possibly repatriate, persons with outstanding arrest warrants from other post-Soviet states. This system, enforced by informal ties between senior law enforcement officials of the countries concerned, permitted detention for up to one month while the prosecutor general investigated the nature of the warrants. The UNHCR and human rights groups noted with concern several cases of disappearances and extralegal return of persons of UNHCR concern, in which individuals (most commonly from Central Asia) were detained and returned to their country of origin clandestinely. Rights groups and UNHCR maintained that this could not have happened without the cooperation of several different federal organs.

Human rights groups alleged that Uzbek citizens may have been secretly extradited following release from jail and subsequent disappearance. Azamatzhon Ermakov disappeared on November 6; Yusup Kasymakhunov disappeared on December 14.

Refugee Abuse: The UNHCR and NGOs stated that asylum seekers at times faced detention, deportation threats, fines by police, and racially motivated assaults.

Access to Basic Services: For asylum seekers who were allowed into the country to pursue their claims, the refugee law provides the right to temporary accommodations. There were three reception facilities.

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of asylum seekers who lacked residential registration. However, when parents encountered difficulties enrolling their children in schools, authorities generally cooperated with the UNHCR to resolve the problem. Authorities frequently denied migrants the right to work if they did not have residential registration. Refugees also may not legally work if they are not registered and cannot obtain registration unless they have an employer or landlord willing to register them.

Temporary Protection: A person who did not satisfy the criteria for refugee status, but could not be expelled or deported for humanitarian reasons, could be granted temporary asylum after submitting a separate application.

Stateless Persons

Citizenship is derived both by birth within the Russian Federation's territory, with certain restrictions, and from one's parents. A child becomes a citizen at birth if both parents are citizens, if one parent is a citizen and the other one is stateless, if one parent is a citizen and the other is a foreigner and the child was born on the territory of the country, or if both parents are foreigners or stateless and the child was born on the territory of the Russian Federation and there is concern the child might otherwise become stateless.

The number of stateless persons in the country decreased considerably between 2003 and 2011, when 630,000 stateless persons were naturalized. The FMS reported that there were 30,000 stateless persons in the country in 2012. However, the UNHCR stated that the number may have been higher due to some stateless individuals not responding to the census.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully in regularly scheduled national and regional elections. However, citizens could not fully exercise this right as the government limited the ability of opposition parties to organize, register candidates for public office, access the media, or conduct political campaigns.

On May 2, Prime Minister Medvedev signed a law that restored direct popular gubernatorial elections; previously gubernatorial candidates were nominated by the president and approved by regional parliaments. Opposition parties criticized what they viewed as the government's attempt to delay the law's implementation by replacing or reappointing governors before their terms expired. Only five governorships were up for election in October. Twenty governors were appointed before the new legislation went into effect and will not face reelection for four or five years.

Elections and Political Participation

The law requires independent candidates to obtain voters' signatures and secure the support of 5 to 10 percent of local deputies (depending on the local legislature) or at least 75 percent of the heads of local administrations before they can run for office.

In September opposition activist Gennady Gudkov of the party A Just Russia was removed from the State Duma by a vote of 294 to 151 for allegedly engaging in direct commercial activity while serving in the Duma, which is illegal. Gudkov denied the charges and considered them to be politically motivated. This was the first time since 2000 that a State Duma member was deprived of his mandate without a court ruling.

In October A Just Russia State Duma member Ilya Ponomaryov, who used the phrase “party of crooks and thieves” to describe the ruling political party United Russia during an address to the Duma, was suspended from speaking for one month by the ethics committee.

Recent Elections: The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe documented fraud and irregularities in the presidential elections on March 4 in many regions, particularly in the North Caucasus.

Prior to the elections, independent observers, media, and opposition parties reported widespread irregularities, including abuse of administrative resources such as pressuring students, state budget employees, employees of state-owned companies, and others to vote for the ruling party, United Russia. According to ODIHR, all contestants that were on the ballot were able to campaign unhindered and had access to media, but then prime minister Putin was given advantage in the coverage. Various public institutions instructed their subordinate structures to organize and facilitate Putin’s campaign events. Local authorities also used official communication, such as their institutional Web sites or newspapers, to facilitate his campaign. There were multiple reports of stories, television infomercials, and radio programs commissioned to convince citizens the elections would be unbiased and impossible to falsify.

On election day, March 4, independent election monitors observed procedural irregularities in one-third of the polling stations they visited. The practice of adding voters to voter lists shortly before and on election day raised concerns. There were also reports of the last-minute establishment of special polling stations in a process that was not transparent and resulted in criticism from some political parties.

According to the Central Election Commission (CEC), the North Caucasus region cast the most votes for presidential candidate Putin and had the highest voter turnout. In Chechnya, where recorded turnout was 99.59 percent, Putin won 99.82

percent of the vote. In Dagestan, where recorded turnout was 91 percent, Putin won almost 93 percent of the vote. In Ingushetia, recorded voter turnout was 86 percent, and Putin garnered 92 percent of the vote. In Karachay-Cherkessia, Putin won 91 percent of the vote, while in neighboring Kabardino-Balkaria, Putin received 78 percent of the vote.

After the elections protests occurred in many cities throughout the country, most notably on May 6, when approximately 30,000 protesters rallied in Bolotnaya Square in Moscow. While initially peaceful, the demonstration turned violent when police restricted the movement of protesters across a narrow bridge leading to the square. More than 400 protesters were arrested, 16 of whom remained in detention more than seven months after their arrest. At year's end 16 other defendants awaited outcomes of investigations into their involvement in the May 6 protest, and dozens more were under investigation.

The independent election monitoring organization Golos experienced direct pressure as a result of its efforts to monitor the transparency and fairness of elections. Golos was evicted from its central office in Moscow when the landlord terminated its lease early. In January Roskomnadzor began monitoring Golos' newspaper. Several of Golos' regional divisions were subjected to unscheduled audits of their financial records. On January 18, Aleksander Kalashnikov, the head of the FSB in the Komi Republic, called Golos and Memorial "extremist organizations... directed from abroad, often financed by foreign NGO funding, and designed to transform the political system of the Russian Federation." He also asserted that Golos' main goal was to disrupt the presidential elections in the country.

Political Parties: On April 13, Prime Minister Medvedev signed a law that liberalized registration requirements for political parties. The law reduced the number of members required to register a party from 45,000 to 500 and abolished the requirement for parties to collect voter signatures to take part in elections. Democracy and human rights activists generally welcomed the law. At year's end 39 parties had obtained registration, up from seven registered parties in 2011. In July the Republican Party of Russia was reinstated and allowed to field candidates in October regional elections, following an ECHR decision in 2011.

While parties represented in the State Duma may nominate a presidential candidate without having to collect and submit signatures, prospective presidential candidates from parties without Duma representation must collect two million signatures from supporters throughout the country. These must be submitted to the

CEC for certification. An independent candidate is ineligible to run if the CEC finds more than 5 percent of the signatures to be invalid.

On March 28, court proceedings began against 13 members of the unregistered Other Russia Party for continuing the activities of the banned National Bolshevik Party. Prosecutors used court documents from the proceedings to impose administrative, noncriminal sanctions on participants of the Strategy 31 rallies. At year's end charges had been dropped against five of the activists, while the case proceeded against the others.

The law prohibits early voting and negative campaigning and provides criteria for removing candidates from the ballot, including for vaguely defined "extremist" behavior. The executive branch and the prosecutor general have broad powers to regulate, investigate, and disqualify political parties. Other provisions limit campaign spending, set specific campaign periods, and provide for restrictions on campaign materials.

Participation of Women and Minorities: There were 61 women in the 450-member State Duma and 11 women in the 166-member Federation Council, including Chairwoman Valentina Matviyenko. One of the seven deputy prime ministers was female, as was one of the 21 cabinet ministers and one of the 83 regional leaders. Three of the 19 judges on the Constitutional Court were women. Five political parties were led by women.

Information on the ethnic composition of the State Duma and the Federation Council was not available. National minorities took an active part in political life. However, ethnic Russians, who constituted approximately 80 percent of the population, dominated the political and administrative system, particularly at the federal level.

Section 4. Official Corruption and Lack of Transparency in Government

The Global Competitiveness Report 2012-13, compiled by the World Economic Forum, cited weak institutions as one of the most problematic factors for doing business in the country. Corruption was frequently cited by investor surveys as a reason investors perceived the country's investment risk as one of the highest among emerging markets. The law provides criminal penalties for official corruption, but the government acknowledged that it had difficulty enforcing the law effectively, and officials often engaged in corrupt practices with impunity.

Corruption was widespread throughout the executive, legislative, and judicial branches at all levels of government. Manifestations included bribery of officials, misuse of budgetary resources, theft of government property, kickbacks in the procurement process, extortion, and improper use of official position to secure personal profits. While there were prosecutions for bribery, a general lack of enforcement remained a problem. Official corruption continued to be rampant in numerous areas, including education, military conscription, healthcare, commerce, housing, pensions/social welfare, law enforcement, and the judicial system.

Prosecutors charged high-level officials with corruption during the year. However, most government anticorruption campaigns were limited in scope and focused on lower-level officials. Allegations of corruption were also used as a political tactic.

On April 2, the FSB apprehended the Sverdlovsk Oblast police officer responsible for investigating organized crime, Sergey Rakhmanov, as he was receiving the third tranche of a 14 million ruble (\$461,133) bribe. The bribe was intended for other high-ranking police officials, who in exchange had agreed to return 120 million rubles (\$4 million) seized at Yekaterinburg's Taganskiy Ryad flea market. The bribe was reportedly paid in three installments in March and April. According to FSB investigators and civil society activists, this was not an isolated case of corruption, and Rakhmanov was said to be just one element of a corrupt police clan led by high-ranking Sverdlovsk Oblast officers. The majority of the group had been transferred from Moscow, where they reportedly succeeded in closing the Cherkizovsky market, also known for illegal activities. Investigators also accused Vladimir Plaksin, head of the moral crimes division. The investigation was completed and referred to the prosecution for final definition of charges. Both Rakhmanov and Plaksin's chiefs have been reprimanded.

Sergey Stepashin, chairman of the Federal Accounting Chamber, the country's main auditing body, stated in November that one trillion rubles a year, approximately \$32.9 billion, was being siphoned from Russia's budget in the course of state procurement--an estimated one-fourteenth of the entire budget.

In November Defense Ministry officials, including Defense Minister Anatoliy Serdyukov, were under investigation for selling eight properties owned by the ministry below market value. Five criminal cases were opened, and investigators estimated losses of over 3 billion rubles (\$98.8 million). President Putin removed Serdyukov from office. By year's end no official charges were made against the former defense minister.

State television First Channel accused former minister of agriculture Yelena Skrynnik of nepotism and misappropriating 39 billion rubles (\$1.2 billion) of state funds. By year's end there were no official charges.

On December 3, President Putin signed a law that requires civil servants to declare large expenditures or face dismissal. These officials must also present information on the expenditures of their spouses and children if the expenditures involve acquisitions of land, vehicles, or securities. Expenditures that do not match the declared income will be investigated by law enforcement agencies. If an individual fails to prove the property in question was acquired legally, the property will be confiscated and turned over to the state. The law is scheduled to enter into force in 2013 and covers transactions carried out since January 1, 2012. The bill complements existing 2011 legislation requiring officials to declare their incomes.

The law requires government officials to submit financial statements, restricts their employment at entities where they had prior connections, and requires reporting of actual or possible corrupt activity. However, information officials provided did not always reflect their true income or that of close family members.

According to the Ministry of Internal Affairs, from January to October, the average size of a bribe in economic crimes increased to one million rubles (\$32,938), with evidence pointing to the involvement of 10,000 officials, including 25 deputies at different levels, five regional ministers, 48 district heads, 17 municipality heads and 15 local government heads. The ministry reported that the average bribe in the country amounted to approximately 60,000 rubles (\$1,976).

The Investigative Committee prosecuted for corruption 1,568 persons with special legal status, including 150 investigators of the Ministry of Internal Affairs, 21 investigators of the Federal Drug Control Service, 42 prosecutors, 41 members of electoral commissions, 509 officials of local government administrations, 589 elected heads of local government administrations, 34 deputies of regional legislatures, 116 lawyers, and 11 judges.

No specific anticorruption agency with competences to investigate and prosecute corruption had been established in the country. The FSB and the Prosecutor General's Office are responsible for fighting corruption. Almost all law enforcement agencies had their own internal departments to deal with corruption within their ranks. The Federal Finance Monitoring Service monitors financial transactions in Russia. The Federal Accounting Chamber oversees the handling of federal assets. The Ministry of Economic Development contributed to

anticorruption proposals and their implementation and conducted research on corruption and countermeasures. The Investigative Committee was the main federal investigating authority in the country.

Civil society took an active stance fighting corruption through anticorruption Web sites such as Rospil. However, when whistleblowers complained about official corruption, the government official who was the subject of the complaint was sometimes asked to investigate, which often led to retaliation against the whistleblower, generally in the form of criminal prosecution.

Yevgeniy Dushko, the mayor of Sergiyev Posad, accused several local officials and businessmen of corruption on a local television channel approximately one month before his murder, which remained unsolved.

Aleksey Navalny, an opposition figure and critic of government corruption, was arrested and charged with embezzlement (see section 1.e.).

The law authorizes public access to government information unless it is confidential or classified as a state secret. Legislation adopted in April requires placement of information regarding activities of federal executive agencies on the Internet. However, a great deal of government information was classified confidential, so access to government information was limited.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups operated in the country, investigating and publicly commenting on human rights problems. Official harassment continued, particularly against NGOs that focused on election monitoring or received foreign funding. NGO activities and international humanitarian assistance in the North Caucasus were severely restricted. Some officials, including Ombudsman for Human Rights Vladimir Lukin, regional ombudsman representatives, and the chairman of the Presidential Council for the Development of Civil Society and Human Rights, Mikhail Fedotov, regularly interacted and cooperated with NGOs.

The law regulating NGOs requires them to register with the Ministry of Justice. NGOs are required to submit periodic reports to the government that disclose sources of foreign funding and detailed information on how they used their funds.

On July 21, a law went into effect that requires NGOs that receive foreign funding and engage in political activity to register as “foreign agents” (see section 2.b.).

In December the Dima Yakovlev Act went into effect, which suspends NGOs engaged in “political activities” or in activities that “pose a threat to” the Russian Federation and receive support from U.S. persons or organizations. Under the law these NGOs are also suspended if they have dual U.S. citizen members.

Authorities continued to apply a number of indirect tactics to suppress or close domestic NGOs, including abusive application of various laws and harassment in the form of investigations and raids. Observers believed that the government would selectively apply the NGO law to target certain groups, such as human rights organizations, whose activities they regarded as hostile to the authorities. Laws on extremism and libel were also employed to restrict the activities of NGOs and criticism of the government. The law defines extremist activity to include public libel of a government official or his or her family as well as public statements that could be construed as justifying or excusing terrorism.

During the year authorities harassed and intimidated the staff of the NGO Committee against Torture (CAT), which spotlights abuses by security services, particularly in the North Caucasus. The chair, Igor Kalyapin, faced repeated interrogations by police in connection with the NGO’s involvement in protecting a high-profile victim of alleged torture, Islam Umarpashayev. In July authorities alleged that Kalyapin shared confidential details of the police investigation in the Umarpashayev case with the media. Kalyapin also faced similar charges on January 18, when he was informed Chechen authorities had requested a criminal case be opened against him for “disclosing state secrets,” an act that carries a prison sentence of three to seven years. CAT also reported vandalism of property and surveillance.

Authorities sometimes refused to cooperate with NGOs that were critical of their activities. In March authorities visited Mashr, an Ingush human rights NGO, asking questions about their records and surveillance cameras. Mashr’s head, Magomed Multsogov, was beaten and detained, according to *Caucasian Knot*. International human rights NGOs had practically no presence east of the Urals. A few local NGOs tried to address human rights issues in the region but often chose not to work on politicized topics to avoid retaliation by local authorities.

Government Human Rights Bodies: Some government institutions continued to promote the concept of human rights, challenge the activities of some local

governments that abused human rights, and intervene in selected abuse complaints. Human Rights Ombudsman Vladimir Lukin commented publicly on a range of human rights problems, such as police violence, prison conditions, the treatment of children, and hazing in the military. Lukin also criticized intolerance and a growing wave of ethnic and religious hatred. Lukin's office used its influence to draw attention to human rights problems in prisons, and many leaders of human rights NGOs continued to note that Lukin was generally effective as an official advocate for many of their concerns, despite his limited authority.

The Human Rights Ombudsman's Office includes several specialized sections responsible for investigating complaints. Of the country's 83 regions, 67 have regional human rights ombudsmen with responsibilities similar to Lukin's. Their effectiveness varied significantly.

Many observers did not consider the 126-member Public Chamber to be an effective check on the government. Some prominent human rights groups declined to participate in the chamber due to concern that the government would use it to increase control over civil society.

The Presidential Council for Civil Society and Human Rights expanded from 39 to 62 members. New members included Kalyapin, Pavel Chikov from the human rights association Agora, Liliya Shibanova of Golos, journalists Leonid Nikitinsky and Leonid Parfenov, television personality Maksim Shevchenko, and Public Chamber member Igor Diskin.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, language, social status, or other circumstances; however, the government did not universally enforce these prohibitions.

Women

Rape and Domestic Violence: Rape is illegal and the law provides the same punishment for a relative who commits rape as for a nonrelative. Rape victims may act as full legal parties in criminal cases brought against alleged assailants and may seek compensation as part of a court verdict without initiating a separate civil action. While members of the medical profession assisted assault victims and sometimes helped identify an assault or rape case, doctors were often reluctant to provide testimony in court.

The penalty for rape is three to six years' imprisonment for a single offender, and four to 10 years if the crime is committed by a group of persons. The perpetrator receives an eight- to 15-year sentence if a victim was underage and 12 to 20 years if a victim died or was under 14 years of age. According to NGOs, many law enforcement personnel and prosecutors did not consider spousal or acquaintance rape a priority and did not encourage reporting or prosecuting such cases. NGOs reported that local police officers sometimes refused to respond to rape or domestic violence calls until the victim's life was directly threatened.

According to Supreme Court data, 3,642 rape cases went to court in 2011, compared with 4,321 in 2010. No statistics were available for 2012. According to NGOs, many women did not report rape or other violence due to fear of social stigma and lack of government support.

Domestic violence remained a major problem. There is no significant domestic violence provision in the criminal code and no legal definition of domestic violence. The two statutes that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. Federal law prohibits battery, assault, threats, and killing, but most acts of domestic violence did not fall within the jurisdiction of the Prosecutor's Office. According to NGOs, police were often unwilling to register complaints of domestic violence and frequently discouraged victims from submitting them. The most recent statistics available from the Ministry of Internal Affairs were from 2008. According to this data, more than 14,000 women die each year due to violence by their husbands and relatives.

According to the Anna National Center for the Prevention of Violence in Russia, there were approximately 23 government operated women's shelters across the country.

The NGO Center for Women's Support asserted that a majority of cases filed were either dismissed on technical grounds or transferred to a reconciliation process conducted by a justice of the peace, whose focus was on preserving the family rather than punishing the perpetrator. Civil remedies for domestic violence included administrative fines and divorce. Physical harm, property, and family rights cases, such as divorce, asset division, and child custody, cannot be heard in the same case or the same court.

Harmful Traditional Practices: According to human rights groups, honor killings of women in Chechnya and elsewhere in North Caucasus region were on the rise. The practice was approved by Chechen leader Ramzan Kadyrov, who stated that women of “loose morals” should be killed by their male relatives.

In some parts of the North Caucasus, women continued to face bride kidnapping, polygyny, forced marriage, legal discrimination, and enforced adherence to Islamic dress codes. As part of his “modesty campaign,” Kadyrov required women to wear head scarves in public (including at schools, universities, and government offices) and advocated seizing cell phones from young women to prevent potential illicit contact with men. There were cases in some parts of the North Caucasus where men, claiming that kidnapping brides is an ancient local tradition, reportedly abducted and raped young women, in some cases forcing them into marriage. In other cases the young women were permanently “sullied” as they were no longer virgins and could not enter a legitimate marriage according to local custom.

Sexual Harassment: The law does not specifically prohibit sexual harassment in the workplace, which remained a widespread problem. Instead, the criminal code contains a general provision (article 133) against compelling a person to perform actions of a sexual character by means of blackmail, threats, or by taking advantage of the victim’s economic or other dependence on the perpetrator.

Reproductive Rights: The government officially recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. While there are no legal restrictions on access to contraceptives, the Russian Orthodox Church has historically opposed family planning initiatives, and access to family planning in Russia is limited, especially outside of big cities. Senior government leadership has explicitly encouraged women to have as many children as possible to counteract the country’s declining population. According to UN estimates, the maternal mortality ratio in the country was 16.2 deaths per 100,000 live births in 2011.

Discrimination: Women encountered discrimination in employment, although the constitution and law provide that men and women enjoy the same legal status and rights under family law, labor law, property law, inheritance law, and in the judicial system. Men and women have an equal right to obtain a bank loan, but women often encountered significant restrictions. There was no government office devoted to the protection of women’s legal rights.

The labor market was characterized by gender discrimination in compensation, professional training, hiring and dismissal, and career promotion. However, such discrimination was often very difficult to prove. Job advertisements often specified gender and age requirements for a position. Some even specified desired physical appearance and preference for applicants who were open to intimate relations with their prospective supervisors. Employers often preferred to hire men to save on maternity and childcare costs and avoid the perceived unreliability associated with women with small children.

The labor code specifies that female workers should not perform “hard physical jobs and jobs with harmful or dangerous labor conditions or work underground except in nonphysical jobs or sanitary and consumer services.” According to the NGO Peterburgskaya Egida, this law resulted in a list of 456 occupations that legally exclude women, including those of diver, gas rescue worker, paratrooper, and firefighter. The International Labour Organization (ILO) documented a widespread gender pay gap and noted that women predominated in low-paying jobs.

The law upholds equal ownership rights for women and men. The civil code provides equal rights to access to land and access to other property for men and women. All property acquired during a marriage is the couple’s joint property; unless their marriage contract states otherwise, it is split into two equal shares in the event of divorce. Each spouse retains ownership and management of property acquired before marriage or inherited after marriage. Traditional legal practices in the North Caucasus award the husband custody of children and all property in divorce cases, with the result that women in the region were often unwilling to seek divorce, even in cases of abuse.

The 2010 census indicated that 15,585,074 women (out of 76,979,071) and 11,248,872 men (out of 66,457,074) had higher education.

Children

Birth Registration: By law citizenship is derived from parents at birth or from birth within the country’s territory if the parents are unknown or if the child cannot claim the parents’ citizenship. As a rule all newborns are registered at the local civil registry office where the parents live. One of the parents must apply for registration within a month of birth. Birth certificates are issued on the basis of the medical certificate of the hospital where a baby was born.

Education: Education was free through grade 11 and compulsory until age 15 or 16. Regional authorities frequently denied school access to the children of persons not registered as residents of the locality, including Roma, asylum seekers, and migrant workers.

Child Abuse: Child abuse was a widespread problem. In 2011 Pavel Astakhov, federal ombudsman for children's rights, noted the rate of reported child abuse had grown "30-fold" since 2003 but that "most nonviolent offenders get off with a suspended sentence." The online news source news24.ru reported in 2010 that there were 9,500 sexual crimes against children. An estimated 20,000 minors were missing at the end of the year, including 5,000 small children. Astakhov reported approximately 1,500 juveniles between the ages of 15 and 19 commit suicide annually, the primary reasons being "conflict with the surrounding world and psychological violence against them."

According to a 2011 report published by the NGO Foundation for Assistance to Children in Difficult Life Situations, established by the Federal Ministry of Health and Social Development, approximately 2,000 to 2,500 children died annually as a result of domestic violence. According to a 2011 UNICEF report, 2,000 children committed suicide in 2010.

Child Marriage: The minimum legal age for marriage is 18 for both men and women. Local authorities can authorize marriage from the age of 16--and even earlier in some regions--if it is considered justified.

Sexual Exploitation of Children: Children, particularly the homeless and orphans, were exploited for child pornography. While authorities viewed child pornography as a serious problem, the law does not define child pornography, criminalize its possession, or provide for effective investigation and prosecution of cases of child pornography. The law prohibits the manufacture, distribution, and possession with intent to distribute of child pornography. Courts often dismissed criminal cases because of the lack of clear standards.

During the year authorities registered 550 cases of child pornography distribution, compared with the 2010 total of 569. The minister of internal affairs reported that, as of April 1, police had shut down 130 child pornography Web sites in the country.

There were two federal resources to respond to child pornography on the Internet: the Russian Safer Internet Center and the Friendly Runet Foundation, both of

which had hotlines to receive information on illegal Internet activity. From January to July, the Friendly Runet Foundation hotline processed 18,705 reports and identified 2,728 sites with child pornography. As of June 21, information gathered through the hotline had resulted in the opening of 24 criminal cases related to the manufacture or distribution of child pornography. The State Duma passed legislation to block the Internet protocol addresses of offending sites. The law caused freedom of expression concerns (see section 2.a., Internet Freedom).

Displaced Children: Citing Ministry of Internal Affairs statistics in 2011, a Public Chamber representative stated that each year nearly 120,000 children were orphaned and each day an average of 200 children were taken from neglectful parents. The representative estimated that 600,000 children were located in various types of institutional and foster care. In a 2008 report, the NGO Children's Rights estimated that approximately 40,000 children ran away from home annually to escape abuse and neglect and that 20,000 orphans fled similar conditions in orphanages.

Homeless children often engaged in criminal activities, received no education, and were vulnerable to drug and alcohol abuse. Some children on the streets turned to, or were forced into, prostitution. According to a 2010 report by the Foundation for Assistance to Children in Difficult Life Situations, juveniles committed 94,700 crimes in 2009, a decrease from 116,100 committed in 2008. Law enforcement officials reportedly abused street children, blamed them for unsolved crimes, and committed illegal acts against them, including extortion, detention, and psychological and sexual violence.

Regional ombudsmen for children operated in 83 regions with the authority to conduct independent investigations relating to the violation of children's rights, inspect any institutions and executive offices dealing with minors, establish councils of public experts, and conduct an independent evaluation of legislation affecting children. A number of schools in the Moscow and Volgograd oblasts had school ombudsmen to deal with children and families and identify potential conflicts and violations of the rights of children.

International Child Abductions: The country acceded to the 1980 Hague Convention on the Civil Aspects of International Child Abduction effective October 1, 2011. For information see the Department of State's report on compliance at travel.state.gov/abduction/resources/congressreport/congressreport_4308.html as

well as country-specific information at travel.state.gov/abduction/country/country_5826.html.

Anti-Semitism

The 2010 census estimated the number of Jews at 150,000. According to the Federation of Jewish Communities of Russia, the Jewish population could be as high as 750,000.

Synagogues and cemeteries continued to be targets of desecration by vandals. The SOVA Center, an NGO that seeks to combat extremism and nationalism, registered six acts of anti-Semitic vandalism during the year. In March assailants threw firebombs at a synagogue in St. Petersburg; there were no injuries. The government investigates anti-Semitic crimes, and some courts placed anti-Semitic literature on the Ministry of Justice's list of banned extremist materials. The Federation of Jewish Communities reported that there were no official acts of anti-Semitism at the federal level. However, in November authorities in Zmiyevskaya Balka removed a memorial plaque that had referred to the Holocaust and the killing of 27,000 Jews by Nazis. The new plaque replaced the word "Holocaust" with "mass killing by the fascists of captured Soviet citizens" and did not mention Jews specifically as victims.

Anti-Semitism on television or in other mainstream media was infrequent and more likely to appear in low-circulation newspapers, pamphlets, or on the Internet. During the November 12 Russian March, 25 men wearing swastikas were arrested in Moscow.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

Several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of state services. However, the government generally did not enforce these laws.

There are no laws to prohibit discrimination in air travel. Citizens with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. According to information provided by the NGO Perspektiva, persons with mental disabilities were severely discriminated against in both education and employment. In addition the conditions of guardianship imposed by courts deprived them of practically all personal rights. Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, who were frequently confined to the institutions and sometimes restricted in their movement within the institutions themselves.

Federal law on the protection of persons with disabilities requires that buildings be made accessible to persons with disabilities, but authorities did not enforce the law, and many buildings were not accessible.

While public transport has historically been inaccessible to passengers with disabilities, a newly built metro station in Moscow, Novokosino, includes an elevator to the train platform and an audible warning system for train departure and arrival. However, underground travel for wheelchair users remained limited since only 16 of 186 stations--none of which were in the city center--had elevators. The St. Petersburg metro had two stations with elevators, but usage had to be coordinated with staff ahead of time. The Sapsan (speed train) between Moscow and St. Petersburg offered one wheelchair space on just one car. In Ekaterinburg newer stations had lifts. In Vladivostok city authorities purchased new wheelchair-accessible buses. However, sidewalk repairs in the downtown area resulted in higher curbs that were inaccessible to those in wheelchairs.

There are laws establishing employment quotas for persons with disabilities at the federal and local levels. However, some local authorities and private employers continued to discourage such persons from working, and there was no penalty for failure to honor quotas. According to Perspektiva, only 9 percent of persons with disabilities held a permanent job. Many of them worked at home or in special organizations. In Moscow several dozen companies were equipped to employ physically disabled persons.

Because only 3 percent of schools accommodated children with special needs, most children with disabilities could not study in the communities where they lived and were isolated from other community members.

Authorities generally segregated children with disabilities from mainstream society through a system that institutionalized them until adulthood. Observers concluded that the welfare of such children was often ignored, and there were few means of addressing systemic problems and abuse. Human rights groups alleged that children with disabilities in state institutions were poorly provided for and, in some cases, physically abused by staff members. Graduates of state institutions also often lacked the necessary social, educational, and vocational skills to function in society.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities by categories of disability often followed them through their lives. The designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at the age of three, signify that a child is uneducable and were almost always irrevocable. The designation “debil” (slightly retarded) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

Election laws contain no special provisions concerning the accessibility of polling places, and the majority of poll stations were not accessible to persons with disabilities. However, mobile ballot boxes were generally brought to the homes of the disabled to allow them to vote. In the months leading up to the 2012 presidential elections, commercials on television instructed disabled citizens on their rights and voting procedures.

In 2011 the government adopted the State Program on Accessible Environment for 2011-15 with a total budget of 47 billion rubles (\$1.5 billion). The goal of the pilot program was to provide access to services in health care, culture, transport, information and communications, education, social protection, sports, and housing facilities for persons with disabilities. During the year the program continued under supervision of the newly formed Ministry of Labor and Social Development. The mandates of government bodies charged with protecting human rights include the protection of persons with disabilities. These bodies carried out a number of inspections in response to complaints from disability organizations and, in some cases, appealed to the responsible agencies to remedy individual situations. Inspections by the Ombudsman’s Office of Homes for Children with Mental Disabilities continued to disclose severe violations of children’s rights and substandard conditions.

During the year the Constitutional Court declared unconstitutional the civil code provisions on plenary guardianship as the only measure of protection of persons with mental disabilities.

National/Racial/Ethnic Minorities

The law prohibits discrimination based on nationality. However, government officials at times subjected minorities to discrimination. There was a steady rise in societal violence and discrimination against minorities, particularly Roma, persons from the Caucasus and Central Asia, dark-skinned persons, and foreigners. The number of reported hate crimes increased during the year, and skinhead groups and other extreme nationalist organizations fomented racially motivated violence. Racist propaganda remained a problem, although courts continued to convict individuals of using propaganda to incite ethnic hatred.

According to the SOVA Center, racist violence resulted in the death of at least 18 persons in 2012, while 171 others were injured and two received death threats. Incidents were reported in 30 regions. Violence was concentrated in Moscow, St. Petersburg, and the Republic of Bashkortostan. The main targets of attack continued to be Central Asians (seven killed and 28 injured), leftist and youth “subculture” activists (one killed and 53 injured, up from only 14 injured in 2011), and natives of the Caucasus region (three killed and 14 injured). There were 94 acts of ideologically motivated vandalism recorded in 39 regions during the year. Skinhead violence continued to be a serious problem. Skinheads primarily targeted foreigners, particularly Asians and individuals from the North Caucasus, although they also expressed anti-Muslim and anti-Semitic sentiments. Membership claims by these organizations were difficult to verify.

Human rights organizations expressed concern that Romani children in schools experienced discrimination. According to Memorial, a number of schools refused to register Romani students on the grounds that they lacked documents, while others segregated Romani students or placed them in classes designed for children with learning disabilities because of their ethnicity.

Indigenous People

The law provides for support of indigenous ethnic communities, permits them to create self-governing bodies, and allows them to seek compensation if economic development threatens their lands. Groups such as the Buryats in Siberia and ethnic groups in the far north (including the Enver, Tatarli, Chukchi, and others)

continued to work actively to preserve and defend their cultures as well as their right to benefit from the economic resources of their regions.

Most members of indigenous communities asserted that they received the same treatment as ethnic Russians, although some groups claimed that they were not represented, or were underrepresented, in regional governments.

Founded in 1990, the Russian Association of Indigenous People of the North (RAIPON) was the country's largest NGO for indigenous people, representing 41 groups (approximately 300,000 people) and was a Permanent Participant of the Arctic Council. The organization's activities were temporarily suspended by the Ministry of Justice in November for a period of six months for administrative reasons, but RAIPON and ministry officials were negotiating a solution to restore the organization's legal status by year's end.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

LGBT communities continued to suffer from societal stigma and discrimination. Gay rights activists asserted that the majority of LGBT persons hid their orientation due to fear of losing their jobs or their homes as well as the threat of violence. Medical practitioners reportedly continued to limit or deny LGBT persons health services due to intolerance and prejudice. Gay men faced discrimination in workplace hiring. Openly gay men were targets of skinhead aggression, and police often failed to respond. Transgender individuals faced difficulties changing their names and gender classifications on government documents. Although the law allows such changes, the government had not established a standard procedure for doing so, and many civil registry offices denied these requests. When their documents failed to reflect their gender accurately, transgender persons often faced discrimination in accessing health care, education, housing, and employment.

St. Petersburg, Ryazan, Archangelsk, Kostroma, Bashkortostan, Samara, Krasnodar, Novosibirsk, and Magadansk had laws that criminalize the "propaganda of homosexuality" to minors, which limits the rights of free expression and assembly for citizens who wish to publicly advocate for LGBT rights.

In St. Petersburg a public rally to celebrate the International Day against Homophobia on May 17 was met with violence from skinheads and antigay

protesters, although the city government had sanctioned the demonstration. A police unit assigned to the demonstration was unable to protect the protesters from participants in a large homophobic counter-demonstration that broke the police line.

In Moscow authorities refused to allow a gay pride parade for the seventh consecutive year, despite an ECHR ruling that the denial violated the rights to freedom of assembly and prohibition of discrimination. Activists' attempts to hold pride rallies were routinely broken up by police. Moscow city authorities, reportedly without recognizing that the request came from an LGBT group, granted permission for activists to hold a rally on June 2 against all forms of discrimination, which included LGBT rights.

On June 12, several young men attacked 12 to 14 LGBT rights activists leaving the site of an officially sanctioned opposition rally in St. Petersburg. Several persons were injured. Five activists filed complaints to the police and were registered as victims. On June 18, police opened a criminal investigation and arrested one suspect three days later. The investigation continued at year's end.

Other Societal Violence or Discrimination

The lack of an internal passport prevented homeless citizens from fully securing their legal rights and social services. Homeless persons faced barriers to obtaining legal documentation.

Persons with HIV/AIDS often encountered discrimination. A federal AIDS law includes antidiscrimination provisions, but those provisions frequently were not enforced. Human Rights Watch reported that HIV-positive mothers and their children faced discrimination in accessing health care, employment, and education. Persons with HIV/AIDS were alienated from their families, employers, and medical service providers. The government no longer requires HIV tests for visitors who apply for short-term tourist visas or business visas valid for one year or more as long as their total stay in the country is not greater than three months per year.

Prisoners with HIV/AIDS were regularly abused and denied medical treatment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, protects the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively. By law the Federal Registration Service must consider a union officially registered once it has submitted the requisite documents. By law labor unions must be independent of government bodies, employers, political parties, and NGOs.

The law establishes the right to strike and prohibits reprisals against strikers. It requires the provision of a minimum level of essential services if a strike could affect the safety or health of citizens. The labor code prohibits strikes in the military and emergency response services. It also prohibits strikes in essential public service sectors, including utilities and transportation, and strikes that would threaten the country's defense and safety or the life and health of its workers. Solidarity strikes and strikes on issues related to state policies also are prohibited. In addition courts may confiscate union property to cover employers' losses in the event that a declared strike continues after it is ruled illegal.

The law places several restrictions on the right to collective bargaining. For example, only one collective bargaining agreement is permitted per enterprise, and bargaining must be carried out by a union or group of unions representing at least half of the workforce. The law prohibits antiunion discrimination but does not provide for reinstatement of workers fired for such discrimination.

Government policy limited the exercise of freedom of association and collective bargaining. State agencies responsible for overseeing the observance of labor legislation frequently failed to fulfill their responsibilities, and violations of labor law were common. Registering unions, for example, was often a cumbersome process. The 2012 International Trade Union Confederation (ITUC)'s annual survey on the violation of trade unions rights noted that there was not an effective system for the defense of trade union rights.

Discrimination against employees and trade union leaders due to their trade union membership was common, as was pressuring workers to leave unions or to prevent them from joining. There were no dedicated mechanisms to prevent discrimination based on union membership and union activities in the country. Labor activists reported that police regularly used widespread intimidation techniques against union supporters, including subjecting them to detention and extensive interrogations and provoking physical confrontations with them.

In spite of laws defending the right to strike, the majority of strikes were considered illegal because they failed to meet the complex definition of a legal strike. Strikers frequently faced reprisals, including pressure and termination of employment. The courts upheld most employers' requests to declare a strike illegal. According to the Federation of Independent Trade Unions of Russia, the legal preparation for a strike takes at least 40 days. Employers and government officials often pressured, threatened, or intimidated trade unions from going on strike. ITUC noted that employers, prosecutors, officials of the Ministry of Internal Affairs, and others used various tactics including pressure, intimidation, and threats to prevent workers and trade unions from accessing dispute resolution mechanisms and from going on strike.

In the Committee of Freedom of Association's November report, the ILO also noted with grave concern that a local court had declared trade union leaflets with slogans such as, "fight substandard employment" to be extremist material. The ILO regarded this decision an unacceptable restriction on trade union activities and urged the government to remove the leaflets from the list and ensure such incidents did not happen again.

In practice employers were slow to recognize newly formed unions. In addition they often accepted union requests for collective bargaining reluctantly and failed to provide union representatives with financial reports. For example, company management at an automobile factory in Kaluga initially showed no reluctance about entering into collective bargaining talks with workers, yet negotiations dragged on for nearly six months before an agreement was signed. In contradiction to labor law norms, some companies claimed to have financial difficulties to avoid concluding new agreements, or as an excuse for disregarding an existing agreement.

Employers frequently engaged in reprisals for union activity, including threatening workers with assignment to night shifts, denying benefits, and blacklisting or terminating the workers. Although unions were occasionally successful in courts, in most cases the managers of companies engaged in antiunion activities were not penalized.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor; however, the government did not effectively enforce such laws.

Men, women, and children were subjected to conditions of forced labor in sectors including the construction industry, textile shops, and agriculture. Guest workers in the far eastern part of the country were subjected to conditions of debt bondage and forced labor, including in the agricultural and fishing sectors. In particular reports surfaced throughout the year of North Koreans working in forced labor camps on the territory. Experts believed that the number of migrant workers in the country was between eight and 12 million, with an estimated two to four million in Moscow alone. Men, women, and children from countries such as Belarus, Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, Moldova, and Vietnam were subjected to substandard living and working conditions, exploitation, and pressure from government authorities, including withheld wages and passports, unsafe working conditions, excessively long working hours, overcrowded housing, insufficient meals, and eventual deportation. Incidents during the year included the death by fire of Vietnamese workers locked in a textile factory and, separately, the discovery of an illegal factory where 150 Vietnamese workers were held and subjected to forced labor.

The governments of Russia and North Korea have labor agreements that permit North Koreans to work in the country. North Korean migrant workers are selected by North Korean authorities and their wages garnished by their government.

Also see the Department of State's Trafficking in Persons Report at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children under the age of 16 in most cases and regulates the working conditions of children under the age of 18, including prohibiting dangerous nighttime and overtime work. The law permits children to work at the age of 14 under certain conditions and with the approval of a parent or guardian. Such work must not threaten the child's health or welfare; the labor code lists occupations that are restricted for children under the age of 18, including work in unhealthy and/or dangerous conditions, underground work, as well as jobs the execution of which might endanger a child's health and moral development. Authorities did not effectively implement laws and policies prohibiting child labor.

The Federal Labor and Employment Service (RosTrud) is responsible for inspecting enterprises and organizations to identify violations of labor and occupational health standards for minors. RosTrud reported 3,400 child labor violations in 2011. The most common violations included the absence of an

obligatory medical check, absence of written labor agreements, involvement of minors in harmful and/or unsafe work environment, and excessive hours. In urban areas, children were employed primarily in the informal sector, engaging in retail services, selling goods on the street, washing cars, and making deliveries. In rural areas children worked in agriculture.

Also see the Department of Labor's Findings on the Worst Forms of Child Labor at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The national minimum wage for all sectors was 4,611 rubles (approximately \$152) per month. The subsistence minimum income used by the government for calculating benefits was set by the government at 6,643 rubles (approximately \$219) per month in the third quarter of 2012. According to the Federal Statistics Service, in the first three quarters of the year, 12.1 percent of the population had incomes below the subsistence minimum, compared with 14.3 percent in the first three quarters of 2011.

The labor code requires equal pay for equal work and contains provisions for standard work hours, overtime, and annual leave. The standard workweek cannot exceed 40 hours. Employers are not permitted to request overtime work from pregnant women, workers under age 18, and other categories of employees specified by federal laws. Standard annual paid leave is 28 calendar days. Additional annual paid leave is granted to employees who perform work involving harmful or dangerous labor conditions and to employees in the Far North regions. Organizations have discretion to grant additional leave to employees. The labor code stipulates that overtime shall be paid in the amount of at least 150 percent for the first two hours and not less than 200 percent after that. At an employee's request overtime may be compensated by additional holiday time. Overtime work cannot exceed four hours in two days and 120 hours in a year for each employee.

The law establishes minimum conditions for workplace safety and worker health. The law entitles foreigners working legally in the country to the same rights and protections as citizens. The Federal Service of Labor and Employment noted that state labor inspections were understaffed and more professional training needed for labor inspectors.

Although no official data were available, experts estimated the size of the workforce in the informal economy was significant and growing. The largest share

of the informal labor market was concentrated in trade, construction, and agricultural sectors. Such workers were more vulnerable to exploitative working conditions.

The most vulnerable group to mistreatment remained labor migrants, mostly concentrated in low quality jobs in construction, but also in housing and utilities, agriculture, and retail trade. Many workers suffered from nonpayment of wages, wage arrears, lack of medical insurance and proper medical treatment, poor working conditions, as well as persistent anti-immigrant sentiments in society. Press reports during the year cited multiple claims by workers of poor housing and nutrition as well as 13-hour workdays on construction sites associated with the September 2012 Asia-Pacific Economic Cooperation Forum (APEC) summit in Vladivostok. Poor working conditions and failure to respect labor code and labor safety rules were common on 2012 APEC construction sites in Vladivostok. In May approximately 300 Turkish workers on Russkiy Island, site of the summit, held a strike demanding payment of delayed wages. In July 150 Uzbek workers went on strike to demand wages three months in arrears.

Labor and human rights activists continued to advocate for the proper treatment of thousands of migrant workers involved with significant construction projects for the APEC summit and the 2014 Olympic Games in Sochi. Reports of abuses were widely circulated, including withholding of passports, lack of contracts, nonpayment of wages, and threats of retaliation against those who complained.