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RUSSIA 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Russian Federation has a highly centralized, authoritarian political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and an appointed upper house (Federation Council), both of which lacked independence from the executive. State Duma elections in September 2016 and the presidential election in 2012 were marked by accusations of government interference and manipulation of the electoral process.

Security forces generally reported to civilian authorities, except in some areas of the North Caucasus.

The occupation and purported “annexation” of Ukraine’s Crimean Peninsula continued to affect the human rights situation significantly and negatively. The government continued to arm, train, lead, and fight alongside, forces in eastern Ukraine. Credible observers attributed thousands of civilian deaths and injuries, as well as widespread abuses, to Russian-led forces in Ukraine’s Donbas region and to Russian occupation authorities in Crimea (see the *Country Reports on Human Rights* for Ukraine). Authorities also conducted politically motivated arrests, detentions, and trials of Ukrainian citizens in Russia, many of whom claimed to have been tortured. Human rights groups asserted that numerous Ukrainian citizens remained in Russia as political prisoners.

The most significant human rights issues included extrajudicial killings, including of LGBTI persons in Chechnya; enforced disappearances; torture that was systematic and sometimes resulted in death and sometimes included punitive psychiatric incarceration; harsh and life-threatening conditions in prisons; arbitrary arrest and detention; lack of judicial independence; political prisoners; severe interference with privacy; severe restrictions on freedom of expression and the media, including the use of “antiextremism” and other vague laws to prosecute peaceful dissent; and violence against journalists and bloggers; blocking and filtering of internet content and use of cyberattacks to disrupt peaceful internet discussion; severe restrictions on the rights of peaceful assembly; increasingly severe restriction on freedom of association, including laws on “foreign agents” and “undesirable foreign organization”; restrictions on freedom of movement of those charged with political offenses; refoulement; severe restriction on the right to participate in the political process, including restrictions on opposition candidates’

ability to seek public office and conduct political campaigns, and on the ability of civil society to monitor election processes; widespread corruption at all levels and in all branches of government; thousands of fatal incidents of domestic violence to which the government responded by reducing the penalty for domestic violence, and honor killings and other harmful traditional practices against women in parts of the North Caucasus; thousands of fatal incidents of child abuse; trafficking in persons; institutionalization in harsh conditions of a large percentage of persons with disabilities; and state-sponsored as well as societal violence against LGBTI persons, especially in Chechnya.

The government failed to take adequate steps to prosecute or punish most officials who committed abuses, resulting in a climate of impunity.

Conflict in the North Caucasus between government forces, insurgents, Islamist militants, and criminals led to numerous abuses of human rights, including killings, torture, physical abuse, politically motivated abductions, and a general degradation in the rule of law. Ramzan Kadyrov's government in Chechnya committed abuses with impunity. Virtually none of these abuses was credibly investigated or prosecuted by either the federal government or local Chechen authorities.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports the government or its agents committed arbitrary or unlawful killings, particularly in Chechnya. In the North Caucasus, both authorities and local militants reportedly carried out numerous conflict-related extrajudicial killings (see section 1.g.).

On April 1, the independent newspaper *Novaya Gazeta* reported that, during an “antigay purge” that took place from December 2016 through March, local Chechen security services kidnapped, held prisoner, and tortured more than 100 male residents in Chechnya based on their suspected sexual orientation, resulting in at least three deaths. Multiple independent human rights organizations, including Human Rights Watch, the Russia LGBT Network, and Memorial, subsequently confirmed *Novaya Gazeta*'s allegations. On April 19, following international condemnation, the government authorized a “preinvestigative check” of the allegations by the Investigative Committee. Chechen officials denied the killings had taken place, while simultaneously making statements that condoned

extrajudicial killings of LGBTI persons. In May Human Rights Ombudswoman Tatyana Moskalkova also began an investigation and requested the Investigative Committee to look into the fate of individual alleged victims, based on information provided to her by nongovernmental organizations (NGOs). On July 6, she received an interim response from the Investigative Committee that did not confirm any violence against the LGBTI community in Chechnya, citing a lack of specific information on the victims. She publicly noted her dissatisfaction with the response and traveled to Chechnya in September. According to *Novaya Gazeta* and credible NGO reports, during her visit to Chechnya, local authorities misled her and attempted to cover up the killings. On October 16, a surviving victim of the “antigay purge,” Maksim Lapunov, filed a complaint with the Investigative Committee in which he alleged torture and provided information about extrajudicial killings. On November 1, Moskalkova stated she would ensure that Lapunov’s allegations were properly investigated, stating, “I believe there are grounds to open a criminal case and provide state protection to Maxim Lapunov.” On December 27, *Novaya Gazeta* published a report that included interviews with 12 victims of the purge, describing in detail their arrests, imprisonment, and torture at the hands of authorities. According to *Novaya Gazeta*, by the end of the year, the Russia LGBT Network had evacuated 106 persons from Chechnya, all of whom left Russia.

Prison officials and police allegedly subjected inmates and suspects in custody to physical abuse that in some instances resulted in death. In one case, on September 27, police in Nizhny Tagil arrested Stanislav Golovko on suspicion of robbery and allegedly brutally beat him. As a result of his injuries, he died in a local hospital on September 30. According to media reports, the coroner’s report documented 26 injuries on his body, including nine broken ribs, three skull fractures, and broken fingers and toes on all four extremities. On October 25, a district court in Nizhny Tagil confirmed the detention of police investigator Dmitriy Panov and Senior Lieutenant Yegor Yalunin on charges of “causing fatal injuries” and “exceeding official authority” leading to Golovko’s death.

In the 2016 torture and extrajudicial killing of Magomed Daliyev, a suspect in police custody in connection with a robbery, authorities arrested three Ministry of Internal Affairs personnel, including Timur Khamkhoyev, the head of the local ministry’s counterextremism center (CCE). In May the Investigative Committee of Ingushetia combined five criminal cases of torture brought against CCE officials, including Daliyev’s case, into one criminal case.

Physical abuse and hazing, which in some cases resulted in death, continued to be a problem in the armed forces. The Main Military Investigative Department opened an investigation into the circumstances of the March 8 death of conscript Denis Khamidullin in Yekaterinburg. While his commanders asserted he had committed suicide, an examination of the body indicated that he had been beaten shortly before his death. A criminal case was initiated against the commander of the unit for alleged official misconduct.

In the 2015 killing of opposition politician Boris Nemtsov, who was deputy prime minister during the Yeltsin administration, a court on July 13 convicted Zaur Dadayev, Anzor Gubashev, Khamzat Bakhayev, Shadid Gubashev, and Temirlan Eskerkhanov of murder as part of an organized group and illegally purchasing, carrying, transporting, and storing firearms. The court sentenced the five to prison terms of between 11 and 20 years. Human rights activists and the Nemtsov family believed the court intentionally ignored the question of who ordered and organized the killing and noted that these individuals were still at large.

The country played a significant military role in conflicts in eastern Ukraine and Syria, where human rights organizations attributed thousands of civilian deaths as well as other human rights abuses to Russian-led forces and Russian occupation authorities in Crimea (see *Country Reports on Human Rights* for Ukraine). Since 2015 the country's forces have conducted military operations, including airstrikes, in the continuing conflict in Syria. According to human rights organizations, the country's forces took actions such as bombing urban areas during the conflict, including purposefully targeting civilian infrastructure (see *Country Reports on Human Rights* for Syria).

b. Disappearance

Enforced disappearances for both political and financial reasons continued in the North Caucasus (see section 1.g.). According to the 2016 report of the UN Working Group on Enforced or Involuntary Disappearances, there were 480 outstanding cases of enforced or involuntary disappearances in the country. Security forces were allegedly responsible for the kidnapping and disappearance of asylum seekers from Central Asia, particularly Uzbekistan and Tajikistan (see section 2.d.).

On August 8, singer Zelimkhan Bakayev disappeared in Chechnya. According to media sources, police detained him in the center of Groznyy, although Chechen authorities have denied the claim. On August 18, Chechen Press and Information

Minister Dzhambulat Umarov issued a public statement that Bakayev was safe and would “appear soon.” On September 18, Umarov claimed that he had information that Bakayev had secretly left the country. On September 24, a video surfaced online in which a man claiming to be Bakayev said that he was in Germany. Human rights activists maintained that the video was a fabrication, noting differences from Bakayev’s usual appearance and conduct and the fact that the video showed “Bakayev” drinking an energy drink not sold in Germany. According to human rights activists, German officials reported they had no record of Bakayev entering the country, and they believed he might have been detained because of his sexual orientation. In October LGBTI advocacy groups and some websites reported that an unnamed source alleged that Bakayev had been tortured to death on the same day he was allegedly detained. As of December, Bakayev’s whereabouts remained unknown.

There were reports Russian-led forces and Russian occupation authorities in Ukraine engaged in enforced disappearances (see *Country Reports on Human Rights* for Ukraine).

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

Although the constitution prohibits such practices, numerous credible reports indicated law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects, and authorities generally did not hold officials accountable for such actions. If law enforcement officers were prosecuted, they were typically charged with simple assault or exceeding their authority. According to human rights activists, judges often elected instead to use laws against abuse of power, because this definition better captures the difference in authority between an officer of the law and the private individual who was abused.

There were reports of deaths as a result of torture (see section 1.a.).

Physical abuse of suspects by police officers was reportedly systemic and usually occurred within the first few days of arrest. Reports from human rights groups and former police officers indicated that police most often used electric shocks, suffocation, and stretching or applying pressure to joints and ligaments because those methods were considered less likely to leave visible marks. In the North Caucasus, local law enforcement organizations as well as federal security services reportedly committed torture (see section 1.g.).

In one example the independent newspaper *Novaya Gazeta* reported that on August 1, police tortured one of the newspaper's employees, Uzbek journalist Khudoberdi Nurmatov (pen name Ali Feruz), while authorities detained him on charges of violating immigration law. The newspaper reported that police beat and used electric shocks on Nurmatov while transporting him to a detention center for foreign nationals. On the day of his detention, the Basmanny District Court in Moscow charged Nurmatov with violating immigration law and ordered his deportation. Nurmatov previously filed multiple asylum claims in the country. On June 6, Nurmatov filed an appeal, and on August 3, the Presidential Human Rights Council released a statement asserting his deportation would be against the constitution and the European Convention on Human Rights because his family members were Russian citizens. On August 8, the Moscow City Court ruled to suspend Nurmatov's deportation pending review of his case by the European Court of Human Rights (ECHR). Nurmatov's asylum case was pending, and he remained in a temporary detention facility.

Arrests and court decisions related to police torture continued to come from the Republic of Tatarstan. On October 19, Ilnaz Pirkin, a resident of Nizhnekamsk, Tatarstan, reportedly committed suicide after being detained on charges of theft. In a video message, Pirkin accused police of torture. Three police officials were arrested in the case. The Ministry of Internal Affairs of Tatarstan completed an investigation resulting in the dismissal of the head of the Nizhnekamsk Ministry of Internal Affairs, Robert Khusnutdinov.

Police and individuals who appeared to be operating with the tacit approval of authorities conducted attacks on political and human rights activists, critics of government policies, and persons linked to the opposition. For example, on March 18, officers of the Federal Security Service (FSB) detained, interrogated, and beat a Moscow State University student who hung a Ukrainian flag out his window.

Reports by refugees, NGOs, and the press suggested a pattern of police carrying out beatings, arrests, and extortions of persons whose ethnic makeup was assumed to be Romani, Central Asian, African, or of a Caucasus nationality.

There were multiple reports of authorities detaining defendants for psychiatric evaluations for up to 30 days or longer as a means exerting of pressure, or sending defendants for psychiatric treatment as a means of punishment them. A July report released by the Federation Global Initiative on Psychiatry described at least 12 cases of punitive psychiatric incarceration in the country since 2012 and noted that the phenomenon was likely underreported. On June 1, a district court in

Chelyabinsk ordered the release of activist Aleksey Moroshkin, who was forcibly committed to a psychiatric hospital in 2015 after making online calls for the establishment of an “Ural people’s republic.”

Nonlethal physical abuse and hazing continued to be a problem in the armed forces, although violations related to hazing in the military were fewer than in previous years. Activists reported suspicious military deaths were often tied to extortion schemes. The NGO Union of Committees of Soldiers’ Mothers confirmed a decrease in incidents of “dedovshchina” (a pattern of hazing) in 2015 continued into 2016, but that extortion of conscripts had become “the norm.” In February the news outlet *Media Zone* reported 306 criminal cases of hazing were initiated in the first half of 2016. In 2015 some 901 cases were initiated.

There were continued problems with recruits medically unfit for duty being forced to enter into the army. NGOs reported complaints from conscripts drafted into service despite their claims of poor health.

There were reports Russian-led forces and Russian occupation authorities in Ukraine engaged in torture (see *Country Reports on Human Rights* for Ukraine).

Prison and Detention Center Conditions

Conditions in prisons and detention centers varied but were often harsh and life threatening. Overcrowding, abuse by guards and inmates, limited access to health care, food shortages, and inadequate sanitation were common in prisons, penal colonies, and other detention facilities.

Physical Conditions: Prison overcrowding remained a serious problem. While the penal code establishes the separation of women and men, juveniles and adults, and pretrial detainees and convicts into separate quarters, there was anecdotal evidence that not all prison facilities followed these rules.

Penal Reform International reported conditions were generally better in women’s colonies than in those for men, but they remained substandard. Thirteen women’s facilities also contained facilities for underage children of inmates who had no options for housing them with friends or relatives.

On February 20, Minister of Justice Aleksandr Kononov asserted publicly that the overall mortality rate in the Russian penitentiary system declined by 9.6 percent in 2016, while deaths from diseases declined by 11.8 percent.

In 2016 some 99 persons died in police stations and pretrial detention or temporary detention facilities according to a tally maintained by the prison monitoring website *Russian Ebola*.

Physical abuse by prison guards was systemic. For example, on April 24, special forces police beat Ivan Nepomnyashchikh, a 26-year-old Bolotnaya Square defendant serving 2.5 years in a Yaroslavl prison colony. According to media reports sourced to Nepomnyashchikh's lawyer, special forces allegedly entered the prison and began beating inmates, including Nepomnyashchikh, for disobeying security search orders from prison guards. On April 21, authorities reportedly moved Nepomnyashchikh to a solitary confinement/punishment cell.

Prisoner-on-prisoner violence was also a problem. In some cases, prison authorities encouraged prisoners to abuse certain inmates. 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." Prison authorities provided little or no protection to these groups.

In the case of Sergei Magnitsky, a lawyer who died of medical neglect and abuse while in pretrial detention in 2009, as of year's end, authorities had not brought those reportedly responsible for his death to justice. The investigation into the circumstances surrounding his death remained officially closed.

Health, nutrition, ventilation, and sanitation standards varied among facilities but generally were poor. Potable water sometimes was rationed. Access to quality medical care remained a significant problem in the penal system. According to the NGO Torture Territory, 18 prisoners held in the LIU-3 prison (Therapeutic Corrective Institution 3) in Saratov went on a hunger strike in June to protest poor conditions in the prison. There were reports of officials beating the strikers. Torture Territory appealed to the Office of the Human Rights Ombudsman on behalf of the strikers.

In its annual report released in February, Amnesty International noted that during the year the ECHR found in 12 cases of prisoners being subjected to torture or other mistreatment through failure to provide adequate medical care in prisons and pretrial detention centers. On May 26, lawyers from the NGO Zona Prava appealed to the ECHR on behalf of Ivan Shaydullin, a prisoner at the Trans-Baikal prison. According to his lawyers, Shaydullin had advanced brain cancer that

required radiation therapy, but the prison lacked a staff oncologist or the license necessary to provide such treatment.

Tuberculosis and HIV among the country's prison population remained significant problems. In 2015 the Federal Penitentiary Services reported that nearly 4 percent of the country's prison population was infected with tuberculosis, while the HIV rate among prisoners increased 6 percent from 2014 levels (see section 6, HIV and Social Stigma).

In a 2012 pilot judgment in the case of *Ananyev v. Russia*, the ECHR noted that inadequate conditions of detention were a recurrent and systemic problem in the country and ordered the government to draft a binding implementation plan to remedy the situation. In 2012 the government submitted an action plan for implementing the court's ruling. Since release of the action plan, however, there have been no significant indications of progress.

There were reports political prisoners were placed in particularly harsh conditions of confinement and subjected to other punitive treatment within the prison system, such as solitary confinement or punitive stays in psychiatric units.

Administration: Both convicted inmates and inmates in pretrial detention facilities had visitation rights, but authorities could deny access to visitors depending on the circumstances. Authorities allowed prisoners serving a regular sentence four three-day visits with their spouses per year. By law those prisoners with harsher sentences are allowed fewer visitation rights. On occasion prison officials cancelled visits if the prison did not have enough space to accommodate them. The judge in a prisoner's case could deny the prisoner visitation rights. Authorities could also prohibit relatives deemed a security risk from visiting prisoners.

While prisoners could file complaints with public oversight commissions or with the Human Rights Ombudsman's Office, they were often afraid of reprisal. Prison reform activists reported that only prisoners who believed they had no other option risked the consequences of filing a complaint. Complaints that reached the oversight commissions often focused on minor personal requests.

NGOs reported that many prisoners who alleged torture were subsequently charged with making deliberately false denunciations, which often resulted in additional prison time. For example, on July 17, the District Court of Kirov sentenced former inmate Alexey Galkin to two years in prison for making a deliberately false denunciation. Upon release in March 2016 from a penal colony in the

Omutninskiy District, Galkin appealed to the Investigative Committee, citing frequent torture and beatings while in prison. Galkin claimed that damage from one beating resulted in the removal of two of his ribs.

Independent Monitoring: There were no prison ombudsmen. The law regulating public oversight of detention centers allows public oversight commission representatives to visit facilities. According to the Russian Public Chamber, there were public oversight commissions in 81 regions with a total of 1,154 commission members. By law, there should be five to 40 members on each commission. Authorities permitted only the oversight commissions to visit prisons regularly to monitor conditions. Human rights activists expressed concern that several of the most active members of the commissions had been removed and replaced with individuals close to authorities, including many from law enforcement backgrounds. In one notable example, Dmitriy Komnov, who had overseen the prison where lawyer Sergei Magnitsky died in 2009, was elected to the Moscow public oversight commission in 2016. According to the NGO Committee for the Prevention of Torture, public oversight commissions were legally entitled to have access to all prison and detention facilities, including psychiatric facilities, but prison authorities often prevented such access. The law does not establish procedures for federal authorities to respond to oversight commission findings or recommendations, which are not legally binding.

d. Arbitrary Arrest or Detention

While the law prohibits arbitrary arrest and detention, authorities engaged in arbitrary arrest and detention with impunity. The law provides for the right of any person to challenge the lawfulness of his/her arrest or detention, but successful challenges were rare.

Role of the Police and Security Apparatus

The Ministry of Internal Affairs, the FSB, the Investigative Committee, the Office of the Prosecutor General, and the National Guard are responsible for law enforcement at all levels of government. The FSB is responsible for security, counterintelligence, and counterterrorism as well as for fighting organized crime and corruption. The national police force, under the Ministry of Internal Affairs, is organized into federal, regional, and local directorates. In 2016 President Putin established the Russian Federal National Guard Service under the direct control of the president. The National Guard secures borders alongside the Border Guard and the FSB, administers gun control, combats terrorism and organized crime, protects

public order, and guards important state facilities. The National Guard also participates in armed defense of the country's territory in coordination with Ministry of Defense forces.

Civilian authorities maintained effective control over security forces. While mechanisms to investigate abuses existed, the government generally did not investigate and punish rights abuses by law enforcement officers, and impunity was widespread. National-level civilian authorities had, at best, limited control over security forces in the Republic of Chechnya, which were accountable only to head of Chechnya, Ramzan Kadyrov. Authorities investigated and prosecuted numerous cases of corruption by law enforcement officials, but in many instances, corruption investigations appeared to be a means of settling political scores or turf battles among law enforcement entities.

Arrest Procedures and Treatment of Detainees

By law, authorities may arrest and hold a suspect for up to 48 hours without court approval, provided there is evidence of a crime or a witness; otherwise an arrest warrant is required. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Officials generally honored this requirement, although bribery or political pressure sometimes subverted the process of obtaining judicial warrants. After arrest, police typically take detainees to the nearest police station, where they inform them of their rights. Police must prepare a protocol stating the grounds for the arrest, and both detainee and police officer must sign it 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 give the detainee an opportunity to notify his or her relatives by telephone 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, at a hearing, to prolong custody in response to a motion filed by police not less than eight hours before the 48-hour detention period expires. The defendant and his or her attorney must be present at the court hearing.

By law, police must complete their investigation and transfer a case to a prosecutor for arraignment within two months of a suspect's arrest, although an investigative authority may extend a criminal investigation for up to 12 months. Extensions beyond 12 months need the approval of the head federal investigative authority in the Ministry of Internal Affairs, the FSB, or the Investigative Committee.

According to some defense lawyers, the two-month time limit often was exceeded, especially in cases with a high degree of public interest.

A number of problems exist related to detainees' ability to obtain adequate defense counsel. Federal law provides defendants the right to choose their own lawyers, but investigators generally did not respect this provision, instead designating lawyers 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 taken without a lawyer present. Judges at times freed suspects held in excess of detention limits, although they usually granted prosecutors' motions to extend detention periods.

Except in the North Caucasus, authorities generally respected the legal limitations on detention. There were reports of occasional noncompliance with the 48-hour limit for holding a detainee. At times authorities failed to issue an official detention protocol within the required three hours after detention and held suspects longer than the legal detention limits. The practice was widespread in the North Caucasus (see section 1.g.) and unevenly applied.

Arbitrary Arrest: There were many reports of arbitrary arrest, often in connection with demonstrations. In one example, on June 12, police in St. Petersburg arrested attorney and human rights activist Dinar Idrisov after he attempted to provide legal assistance to protestors detained during anticorruption demonstrations. On June 14, the Dzerzhinskiy District Court in St. Petersburg found Idrisov guilty of petty hooliganism for allegedly swearing at police and sentenced him to 14 days of administrative detention.

There were reports that Russian-led forces and Russian occupation authorities in Ukraine engaged in arbitrary detention (see *Country Reports on Human Rights* for Ukraine).

Pretrial Detention: Observers noted that lengthy pretrial detention was a problem, but data on its extent was not available.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: According to the law, a detainee may challenge the lawfulness of detention before an investigator, prosecutor, or court. The challenge can take the legal form of a referral or complaint. The defense typically submits a referral to ask for a certain

procedural motion, be it with the prosecution or court, and a complaint is submitted with respect to action that was already taken. Using these instruments a detainee or his or her lawyer can cause the prosecution or court to change the type of detention used (from arrest in a detention facility to house arrest, for example) or complain that a certain type of pretrial restraint is unlawful. The investigator and the court have absolute discretion to impose limits on the type of detention used if they have sufficient grounds to believe that the defendant will escape from prosecution, continue criminal activity, threaten witnesses or other individuals connected with the criminal case, destroy evidence, or otherwise hamper the investigation. The judge typically agrees with the investigator's position and dismisses defense referrals or complaints on the problem.

Amnesty: In July, President Putin pardoned Annik Kesyan and Marina Dzhandzhgava, two women convicted of treason for sending text messages about the movement of Russian military equipment on the eve of the 2008 Russian invasion of Georgia.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judges remained subject to influence from the executive branch, the armed forces, and other security forces, particularly in high-profile or politically sensitive cases, as well as corruption. The outcomes of some trials appeared predetermined.

There were reports of pressure on defense attorneys representing clients being subjected to politically motivated prosecution. Human rights lawyer Mark Feygin stated in November that authorities were seeking to have him disbarred.

Judges were subject to pressures that could influence the outcome of cases. In a 2016 interview, former Supreme Court judge Tamara Morshchakova indicated judges were concerned by how their rulings would be seen by higher courts and often consulted with contacts in the higher courts to make a decision that would not cause them to lose favor or be later overturned. Morshchakova also indicated that the number of individuals instructing judges on rulings was expanding to include local officials, not just superiors.

Trial Procedures

The law provides for the right to a fair and public trial, but executive interference with the judiciary and judicial corruption undermined this right.

The defendant has a legal presumption of innocence and the right to a fair, timely, and public trial, but these rights were not always respected.

Defendants have the right to be informed promptly of charges and be present at the trial. The law provides for the appointment of an attorney free of charge if a defendant cannot afford one, although the high cost of legal service meant that lower-income defendants often lacked competent representation. There were few qualified defense attorneys in remote areas of the country. Defense attorneys may visit their clients in detention, although defense lawyers claimed authorities electronically monitored their conversations and did not always provide them access to their clients. Prior to trial defendants receive a copy of their indictment, which describes the charges against them in detail. They also have the opportunity to review their criminal file following the completion of the criminal investigation.

Non-Russian defendants have the right to free interpretation as necessary from the moment charged through all appeals, although the quality of interpretation is not always good. During trial the defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses, although judges may deny the defense this opportunity. Defendants also have the right not to be compelled to testify or confess guilt.

Defendants have the right of appeal. The law allows prosecutors to appeal acquittals, which they did in most cases. Prosecutors may also appeal what they regard as lenient sentences. Appellate courts reversed approximately 1 percent of sentences where the defendant had been found guilty. In 37 percent of trials where the defendant had been found not guilty, appellate courts remanded them for a new trial, although these cases often ended in a second acquittal.

Political Prisoners and Detainees

There were credible reports of political prisoners in the country and that authorities detained and prosecuted individuals for political reasons. Charges commonly applied to reported political prisoners included “terrorism,” “extremism,” “separatism,” and “espionage.” There were also reports political prisoners were placed in particularly harsh conditions of confinement and subjected to other punitive treatment within the prison system, such as solitary confinement or punitive stays in psychiatric units.

As of October, the Memorial Human Rights Center’s updated list of political prisoners included 117 names, including 70 individuals wrongfully imprisoned for their exercise of religious freedom. Those added to the list during the year included Vladimir Lapygin, a 77-year-old aerospace engineer sentenced to seven years in prison for treason for passing software to academic colleagues in China. According to Memorial and advocates in the scientific community, the software in question was publicly available and therefore could not be a state secret.

In the continuing, multiple political prosecutions of opposition leader Aleksey Navalny, on October 17, the ECHR ruled he had been unfairly convicted in the “Yves-Rocher” case. On February 7, a court reconvicted Navalny in the “Kirovles” case; in 2016 the ECHR issued a decision overturning the original “Kirovles” conviction. The court gave Navalny a five-year suspended sentence.

After the country’s attempted “annexation” of Crimea in 2014, judicial authorities in 2015 began to transfer court cases to Russia from occupied Crimea for trial.

Civil Judicial Procedures and Remedies

Although the law provides mechanisms for individuals to file lawsuits against authorities for human rights violations, these mechanisms often did not work well. For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. While this legal mechanism exists in principle, in practice it was very cumbersome to use. Persons who believed their human rights had been violated typically sought redress in the ECHR after domestic courts had ruled against them. A 2015 law enables the Constitutional Court to review rulings from international human rights bodies and declare them “nonexecutable” if the court finds that the ruling contradicts the constitution. In April 2016 the Constitutional Court for the first time declared a ruling by the ECHR, in which the ECHR found the country’s absolute ban on the voting rights of prisoners was in violation of the European Convention on Human Rights, to be nonexecutable under this law.

Property Restitution

The country is a signatory to the Terezin Declaration on Holocaust Restitution but declined to endorse the 2010 Guidelines and Best Practices. The government has laws in place providing for the restitution of cultural property, but according to the law’s provisions, claims can only be made by states and not individuals.

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

The law forbids officials from entering a private residence except in cases prescribed by federal law or when authorized by a judicial decision. The law also prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While the law previously prohibited government monitoring of correspondence, telephone conversations, and other means of communication without a warrant, these legal protections were significantly weakened by the "Yarovaya package" of amendments to antiterrorism laws that came into effect in July 2016. The "Yarovaya" amendments grant authorities sweeping powers and require telecommunications providers to store all electronic and telecommunication data, including telephone calls, text messages, images, and videos, for six months and to make them available to the security services upon request. Metadata on all communications must be stored for three years and be provided to law enforcement authorities upon request. The telecommunications provisions were scheduled to come into effect in July 2018. NGOs, human rights activists, and journalists alleged that authorities routinely employed surveillance and other active measures to spy on and intimidate citizens.

Law enforcement agencies required telecommunications service providers to grant the Ministry of Internal Affairs and the FSB continuous remote access to client databases, including telephonic and electronic communications, enabling police to track private communications and monitor internet activity without the provider's knowledge. The law permits authorities to monitor telephone calls in real time, with a warrant. The Ministry of Information and Communication requires telecommunications service providers to allow the FSB to tap telephones and monitor information over the internet. The Ministry of Information and Communication maintained that authorities would not access information without a court order, although the FSB is not required to show it upon request.

In an August report *Russia under Surveillance*, the human rights NGO Agora described the development in recent years of a system of "total oversight targeted at civic activists, independent journalists, and representatives of the political opposition." According to Agora, since 2007 authorities, in the name of national security, vastly increased surveillance of telephone calls and online messages, increased the use of hidden audio and video recordings, and expanded the use of biometric data gathering.

There were reports authorities in the Republic of Chechnya routinely punished family members for alleged offenses committed by their relatives.

g. Abuses in Internal Conflict

Violence continued in some North Caucasus republics, driven by jihadist movements, interethnic conflict, personal and clan-based vendettas, and excesses by security forces. According to statistics compiled by the *Caucasian Knot*, the total number of deaths and injuries during the year resulting from armed the conflict decreased to 173 (125 deaths, 48 injured) from 280 (198 deaths, 82 injured) in 2016 across the North Caucasus. Dagestan remained the most violent area in the North Caucasus, accounting for approximately 32 percent of all casualties in the region during the year, although according to the *Caucasian Knot*, the overall number of casualties in Dagestan decreased by 73 percent. Local media described the level of violence in Dagestan as the result of Islamic militant insurgency tactics dating back to the Chechen conflict as well as of the high level of organized crime in the region. Chechnya was a close second, accounting for 25 percent of all casualties in the region.

Killings: The *Caucasian Knot* reported that at least 125 deaths in the North Caucasus resulted from armed conflicts in the region. With 46 and 35 deaths from armed conflict through December 2017, Dagestan and Chechnya, respectively, were the most deadly regions. Of the deaths in Chechnya, 18 were militants, five were civilians, and 12 were law enforcement officers. The independent newspaper *Novaya Gazeta* alleged in a July report that between 27 and 56 individuals detained as a result of counterterrorism operations were summarily executed by Chechen law enforcement authorities, although the government denied the allegations and remains of those allegedly executed were not produced. Of the deaths in Dagestan, 35 were militants, five were civilians, and six were law enforcement officers.

There continued to be reports that use of indiscriminate force by security forces resulted in numerous deaths or disappearances and that authorities did not prosecute the perpetrators.

In the wake of a December 2016 terror attack in Grozny, Chechen security forces conducted broad “counterterror” operations in December 2016 and January in which they claimed to have detained “hundreds” of suspected militants. On July 9, *Novaya Gazeta* reported that on January 27, Chechen security services summarily executed 27 individuals detained in the raids. When Human Rights Ombudswoman Tatyana Moskalkova investigated the allegations, Chechen

authorities claimed that several of the alleged victims were either alive, had died of “natural causes,” or had left to fight in Syria. Authorities sought to disprove the deaths of two individuals allegedly executed by ostensibly presenting them in person to Moskalkova on her visit to Chechnya’s capital. The Memorial Human Rights Center reported, however, that the two young men presented to Moskalkova were in fact the brothers of those allegedly killed. On July 27, the *BBC Russian Service* reported authorities forced the relatives of the 27 missing Chechens to sign documents saying the missing persons fled Chechnya to Syria or simply had left home. *Novaya Gazeta* reported intense pressure on the families to cease their cooperation with investigators, the human rights ombudswoman, and the press.

Local militants engaged in isolated violent acts against local security forces, at times resulting in deaths. On August 28, two police officers in Dagestan were killed by militant retaliatory fire and one was injured.

Abductions: Government personnel, militants, and criminal elements continued to engage in abductions in the North Caucasus. According to the prosecutor general, as of 2011 there were more than 2,000 unsolved disappearances in the North Caucasus District. According to data from *Caucasian Knot*, the official list of missing persons in the North Caucasus contained 7,570 names. Local activists asserted that the number of missing persons in Chechnya was much higher than officially reported, potentially up to 20,000 individuals.

According to independent observers, Chechnya saw a marked increase in disappearances of citizens during the year. Independent observers and journalists believed that in most cases in which individuals disappeared they had been detained or abducted by government forces or law enforcement officials and had been imprisoned or killed. The *Caucasian Knot* news website reported that since the beginning of the year, relatives of at least 43 persons reported their abduction or disappearance. In many cases relatives of missing persons who informally or publicly appealed to regional or federal authorities for help ultimately recanted their pleas and apologized for making “false statements.”

On November 17, Amnesty International issued a statement of concern about the welfare of Chechen asylum seeker Imran Salamov, whom authorities forcibly returned to the country from Belarus on September 5. Although Salamov’s wife and lawyer met with him at the Grozny City Police Headquarters on September 11, Salamov subsequently disappeared and authorities claimed that he was not in their custody. On October 6, Salamov’s wife and lawyer lodged a complaint with the prosecutor’s office of the Chechen Republic and subsequently received threats

from members of the Ministry of Internal Affairs warning them of future problems for Imran Salamov if they failed to withdraw their complaint. At year's end, Salamov's whereabouts remained unknown.

Physical Abuse, Punishment, and Torture: Armed forces and police units reportedly abused and tortured both militants and civilians in holding facilities.

On April 1, *Novaya Gazeta* reported that Chechen security services kidnapped, secretly held prisoner, and tortured more than 100 male residents in Chechnya based on their suspected sexual orientation, resulting in at least three deaths (see section 1.a.).

The law requires relatives of terrorists to pay the cost of damages caused by an attack, which human rights advocates criticized as collective punishment. The Memorial Human Rights Center reported Chechen Republic authorities upheld the principle of collective responsibility by punishing the relatives of alleged members of illegal armed groups.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

While the constitution provides for freedom of expression, including for the press, the government increasingly restricted those rights. The government instituted several new laws restricting both freedom of expression and of the press, particularly in regards to online expression. Regional and local authorities used procedural violations and restrictive or vague legislation to detain, harass, or prosecute persons who criticized the government. The government exercised editorial control over media, creating a media landscape in which most citizens were exposed to predominantly government-approved narratives. Significant government pressure on independent media constrained coverage of numerous problems, especially the situation in Ukraine and Syria, LGBTI problems, the environment, elections, criticism of local or federal leadership, as well as problems of secessionism or federalism. Censorship and self-censorship in television and print media, and on the internet was increasingly widespread, particularly regarding points of view critical of the government or its policies. 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.

Freedom of Expression: Government-controlled media frequently used terms such as “traitor,” “foreign agent,” and “fifth column” to describe individuals expressing views critical of or different from government policy, leading to a climate intolerant of dissent.

Authorities continued to misuse the country’s expansive definition of extremism as a tool to stifle dissent. As of November 13, the Ministry of Justice expanded its list of extremist materials to include 4,294 books, videos, websites, social media pages, musical compositions, and other items, an increase of nearly 300 items from 2016. According to the Investigative Committee, detectives referred more than 500 extremism cases to prosecutors in 2015, a number of which included charges of “extremism” levied against individuals for exercising free speech on social media and elsewhere. According to the SOVA Center, as of August courts issued eight inappropriate verdicts against 27 individuals for participating in activities of an organization declared extremist and issued seven inappropriate verdicts against seven persons for inciting hatred.

On August 11, the Tverskoy District Court of Moscow found journalist Aleksandr Sokolov of the independent news company RBK guilty and sentenced him to three and one-half years in a penal colony on charges of organizing an extremist group and attempting to overthrow the government. Authorities arrested Sokolov in 2015 on a charge of participating in the activities of the People’s Will Army, which the Moscow City Court declared an extremist organization. Sokolov maintained he simply provided professional services to the group, such as registering its website. Sokolov had previously reported on state corruption and embezzlement in connection with the construction of the Vostochnyy space center. In 2015 the Memorial Human Rights Center recognized Sokolov as a political prisoner and called for the court to drop its prosecution of him.

Several persons, including in some instances minors, were charged with extremism under the criminal code for comments and images posted in online forums. On March 16, a municipal court in Cheboksary fined Dmitriy Semyonov 1,000 rubles (\$17) for “distributing extremist materials” by posting information about his 2014 conviction for “distributing extremist materials.” The first case began in 2013 when Semyonov posted a photograph on VKontakte (a social media platform) of former St. Petersburg lawmaker Vitaliy Milonov wearing a shirt with an Orthodox slogan that authorities ruled extremist.

On August 17, the Vyborg City Court ruled that a Jehovah’s Witness publication, the *New World Translation of the Holy Scriptures*, a translation of the Bible, and

three Jehovah's Witness brochures were extremist. The court relied on the findings of an "expert panel" that determined the book was not a Bible. The case against the publication dated to 2015, when customs officials stopped and impounded a shipment of the books from Finland at the border on suspicion of extremism. On December 20, the Leningrad Regional Court upheld the ruling. On April 20, the Supreme Court banned the Jehovah's Witnesses as an extremist organization (see section 2.c.).

By law, authorities may close any organization that a court determines to be extremist, including media outlets and websites. Roskomnadzor, the country's media oversight agency, routinely issued warnings to newspapers and internet sources suspected of publishing extremist materials. Three warnings in one year sufficed to initiate a closure lawsuit.

During the year authorities invoked a 2013 law prohibiting the "propaganda" of nontraditional sexual relations to minors to restrict the free speech of LGBTI persons and their supporters. On July 26, authorities charged LGBTI activist Evdokia Romanova of Samara under the law. According to Human Rights Watch, Romanova was accused of sharing information on Facebook in 2015 and 2016 about the Youth Coalition for Sexual and Reproductive Rights, an international group that advocates for young persons' access to accurate information about health and sexuality. On October 18, a Samara court convicted Romanova and fined her 50,000 rubles (\$857), making her the seventh LGBTI activist convicted under the "propaganda" law.

During the year authorities prosecuted individuals for speech allegedly violating a 2013 law that prohibits "offending the feelings of religious believers." In one such case, on August 2, a Sochi court fined Viktor Nochevnov 50,000 rubles (\$857) for posting satirical images of Jesus Christ on his social media pages.

During the year authorities prosecuted individuals for speech that allegedly violated a 2013 law prohibiting the "rehabilitation of Nazism." In June a Trans-Baikal regional court convicted a 36-year-old citizen of Krasnokamensk for justification of Nazism. On his personal page in social networks the man posted comments justifying the Holocaust, Nazism, and Hitler. He received two years' imprisonment with a probation period of two years, as well as a fine of 350,000 rubles (\$6,000).

The law bans the display of Nazi symbols and the symbols of groups placed on the government's list of "extremist" organizations. There was no official register or list of banned symbols.

Press and Media Freedom: The government continued to restrict press freedom. As of 2015, the latest year for which data was available, the government and state-owned or state-controlled companies directly owned more than 60 percent of the country's 45,000 registered local newspapers and periodicals. Most other outlets were owned by government-friendly oligarchs. The federal government or progovernment individuals completely or partially owned all of the so-called federal television channels, the only stations with nationwide reach. The 29 most watched stations together commanded 86 percent of television viewership; all were owned at least in part by the federal or local governments or by progovernment individuals. Government-owned media outlets often received preferential benefits, such as rent-free occupancy of government-owned buildings. At many government-owned or controlled outlets, the state increasingly dictated editorial policy. In January 2016 a law came into effect that restricts foreign ownership of media outlets to no more than 20 percent. Another provision of the ambiguously worded law seemingly bans foreign ownership entirely. The government used these provisions to consolidate ownership of independent outlets under progovernment oligarchs and to exert pressure on outlets that still retained foreign backers. In its annual report on freedom of the press, Freedom House rated the country "not free."

Violence and Harassment: Journalists continued to be subjected to arrest, imprisonment, physical attack, harassment, and intimidation as a result of their reporting. The Glasnost Defense Fund reported numerous such actions against journalists. As of September incidents of violence and harassment included three killings, 40 attacks, 82 detentions by law enforcement officers, 14 prosecutions, 42 threats against journalists, 21 politically motivated firings, and one attack on media offices. Journalists and bloggers who uncovered various forms of government malfeasance or who expressed criticism of the government often faced harassment, either in the form of direct threats to their physical safety or threats to their security or livelihood, frequently through legal prosecution.

On March 9 in St. Petersburg, unknown assailants severely beat journalist Nikolay Andrushchenko. He was found several hours later and placed in a medically induced coma. He never regained consciousness and died on April 20. Andrushchenko had been subjected to two prior attacks, in 2007 and 2016. Independent reporting connected the attacks to Andrushchenko's investigations

into local government corruption and links between St. Petersburg city officials and organized crime networks. Authorities opened an investigation but did not identify any suspects as of year's end. Andrushchenko's colleagues expressed doubts about the rigor and objectivity of the investigation.

On October 23, an assailant broke into the studios of the independent radio station Ekho Moskvyy and stabbed journalist Tat'yana Felgengauer in the neck with a knife. Authorities detained the assailant; a government newspaper reported that investigators believed the assailant to be psychologically unstable and saw no other motivation for the attack, although state television directly linked his alleged psychosis to his extensive listening to Echo Moskvyy. Weeks earlier Felgengauer had been targeted in a series of reports on a state-run news channel alleging she took money from a foreign government to train bloggers and citizen journalists opposed to the government.

On September 9, independent journalist Yuliya Latynina announced she had left the country after suffering a string of attacks. On September 3, unknown individuals set fire to her car. On July 20, unknown individuals sprayed an unidentified noxious-smelling poisonous substance through the windows of her home in the suburbs of Moscow, sickening her and her family members. In August 2016 an unknown attacker threw feces at her as she left the radio station where she worked. Authorities opened investigations into the attacks, but no arrests were made as of year's end.

Journalists reporting on the North Caucasus remained particularly vulnerable to physical attacks or prosecution for their reporting. Following their expose on the large-scale violations of human rights against gay men in Chechnya, Chechen officials made threats against the independent newspaper *Novaya Gazeta*, which first broke the story. At an April 3 gathering of some 15,000 men at a mosque, Chechen presidential adviser Adam Shahidov called *Novaya Gazeta* journalists "enemies of our faith and our motherland" and threatened "vengeance." A resolution adopted at the gathering included a promise that "retribution will catch up with the hatemongers wherever and whoever they are, without a statute of limitations," which *Novaya Gazeta* believed to constitute a call to violence against its journalists. On April 15, *Novaya Gazeta* journalist Elena Milashina announced that she had left the country following threats against her life. On April 19, *Novaya Gazeta* reported that it received an envelope mailed from Chechnya containing an unidentified white powder.

In April a Chechen court upheld the 2016 conviction in Chechnya of *Caucasian Knot* journalist Zhalaudi Geriyev on drug possession charges, which resulted in a three-year prison sentence. In July the Supreme Court refused to consider the case. Human rights groups maintained the verdict was politically motivated and in direct retaliation for Geriyev's independent reporting on Chechnya.

There was no progress during the year in establishing accountability in a number of high-profile killings of journalists, including the 2006 killing of Anna Politkovskaya and the 2009 killing of Natalia Estemirova. In November, Ukrainian authorities arrested Magomed Dukuzov, the chief suspect in the, 2004 killing of *Forbes* Russia editor Paul Klebnikov, reportedly at the request of authorities. Klebnikov's relatives emphasized that authorities still have never adequately investigated and identified the person who ordered the killing.

Censorship or Content Restrictions: Self-censorship in independent media was reportedly widespread. For example, on June 24, journalist Ilya Rozhdestvenskiy announced his resignation from the RBC news outlet because it refused to publish his investigative report about the existence of an FSB secret prison near Moscow where torture was reportedly used against detainees. Rozhdestvenskiy reported his editors rejected the article six times, claiming that it was in the incorrect format. A different newspaper subsequently published the article.

On November 25, the government approved legislation expanding the scope of the Foreign Agent Law to include media organizations that receive funding from foreign sources. The amendments will potentially restrict designated organizations' ability to operate freely in Russia. On December 4, the Voice of America, Radio Free Europe/Radio Liberty, and seven of their affiliate media organizations received notices from the Ministry of Justice requiring that they register as "foreign agents." On December 6, the State Duma (the lower house of Russia's parliament) banned reporters credentialed by media organizations registered as foreign agents from its premises.

Libel/Slander Laws: Officials at all levels used their authority, sometimes publicly, to restrict the work of journalists and bloggers who criticized them, including taking legal action for alleged slander or libel. In one such case, on June 26, a Kursk court fined local journalist and opposition legislator Olga Li 90,000 rubles (\$1,540) for allegedly defaming a local judge. The charges stemmed from a series of online videos in which Li criticized national and local politicians belonging to the United Russia party.

Internet Freedom

The government took significant new steps to restrict free expression on the internet. Threats to internet freedom included: physical attacks on bloggers; politically motivated prosecutions of bloggers and social media users for “extremism,” separatism, treason, libel, or other crimes; blocking of specific sites by national and local service providers; distributed denial-of-service attacks on sites of opposition groups or independent media, including on the site of the independent pollster Levada Center less than two weeks before State Duma elections; monitoring by authorities of all internet communications; and attempts by national, local, and regional authorities to regulate and criminalize content.

The internet was widely available to citizens in all parts of the country, although connection speeds varied by region. According to data compiled by the International Telecommunication Union, approximately 73 percent of the country’s population used the internet in 2015.

A report issued by the legal services NGO Agora stated that the number of cases in which authorities infringed the rights of internet users increased dramatically in 2016, from 15,022 cases in 2015 to 116,103. The majority of cases (111,498) involved content filtering and blocking in one form or another. The report attributed some of the surge in cases to improved data published by Roskomnadzor, the country’s communications authority, but reported a substantial increase in pressure on internet freedom overall. The number of regions in the country in which internet users were subjected to serious pressure remained at 30 in 2016. The report stated that 82 million residents lived in areas where internet users faced severe pressure.

A law passed in July requires that commercial virtual private network (VPN) services and internet anonymizers block access to websites and internet content prohibited in Russia. Under the law Roskomnadzor can block sites that provide instructions on how to circumvent government blocking. The law also authorizes law enforcement agencies including the Ministry of Internal Affairs and the FSB to identify VPN services that do not comply with the subsequent ban by Roskomnadzor. When the law came into force on November 1, Roskomnadzor announced that the majority of commercial VPNs and anonymizers used in Russia had registered and intended to comply with the law, although most foreign-based VPNs had not. As of mid-December, there were no reports Roskomnadzor blocked specific VPN services.

Another law passed in July prohibits companies registered as “organizers of information dissemination,” including online messaging applications, from allowing unidentified users. Messaging applications and platforms that fail to comply with the requirements to restrict anonymous accounts can be blocked. The law was scheduled to come into force in January 2018.

On August 11, according to press reports, the communications ministry published a draft order outlining the kinds of user data “organizers of information dissemination” will have to share with the FSB. Beginning in July 2018, the law will require these companies to store and provide to the FSB in-depth user information, including user name; full real name; date of birth; exact address; internal passport number; lists of relatives, friends, contacts, all foreign languages spoken; date and time of account’s creation; date and time of all communications; full text of all communications; full archives of all audio and video communications; all shared files; records of all e-payments; location for use of each service; IP address; telephone number; email address; and software used.

Human rights activists and NGOs widely criticized both laws. Human Rights Watch noted that journalists, human rights activists, students, and others often use VPNs to protect the privacy and security of their online activity as well as to circumvent internet censorship. On August 11, the social media application Snapchat registered as an “organizer of information dissemination.” A spokesperson for the company stated it did not know whether information provided to Roskomnadzor would be used for the law’s purpose. On May 4, Roskomnadzor blocked the Chinese messaging application WeChat for not complying with its registration request. On April 10, Roskomnadzor blocked the mobile push-to-talk messaging application Zello, frequently used by truck drivers and first responders, on the grounds that it failed to register as an “organizer of information dissemination.” A group of long-haul truckers had used Zello to organize a strike.

On January 1, amendments to the Federal Law on Information, Information Technologies, and Protection of Information and to the administrative code came into force requiring owners of internet search engines (“news aggregators”) with more than one million daily users to be accountable for the truthfulness of “publicly important” information before its dissemination. Authorities can demand that content deemed in violation be removed, and they can also impose heavy fines for noncompliance. Dunja Mijatovic, the special representative on freedom of the media of the Organization for Security and Cooperation in Europe (OSCE), raised concerns the law “could result in governmental interference of online information and introduce self-censorship in private companies.”

In June 2016 the Ministry of Telecommunications and Mass Communications published amendments to the Information Society State Program, drafted by order of the Security Council, according to which domestic networks must handle 99 percent of internet traffic by 2020.

The law requires domestic and foreign businesses to store citizens' personal data on servers located in the country. Critics expressed concern the law would have negative commercial effects and provide the government with further access to citizens' private information. In November 2016 Roskomnadzor blocked the U.S.-based professional networking website LinkedIn for failure to comply with the law, the first social networking site targeted under the law. On March 7, Roskomnadzor released a statement confirming LinkedIn would remain blocked.

In April, Roskomnadzor blocked three online messaging applications: BlackBerry Messenger, LINE, and Imo.im, as well as the video chat application Vchat, for failing to share data about their users with authorities. A law on the "right to be forgotten" allows individuals in the country to block search engine companies from showing search results that contain information about them.

Roskomnadzor maintained a federal blacklist of internet sites and required internet service providers (ISPs) to block access to web pages that the agency deemed offensive or illegal, including information that was already prohibited, such as items on the *Federal List of Extremist Materials*. The law gives the prosecutor general and Roskomnadzor authority to demand that ISPs block websites that promote extremist information or "mass public events that are conducted in violation of appropriate procedures." The NGO Roskomsvoboda reported that, as of October, more than four million domains were blocked without a legitimate basis. On December 12, Roskomnadzor blocked the website of the opposition movement "Open Russia" along with several related sites including "Open Elections," "Open University," and khodorkovsky.ru, the website of Mikhail Khodorkovsky, the exiled former oligarch who founded Open Russia, on the grounds that they were "undesirable foreign organizations." On December 14, Roskomnadzor threatened to block Twitter.com in Russia if it did not block Open Russia's twitter feed.

In 2016 the State Duma passed the "Yarovaya package" of security-related amendments to the law that require telecommunications providers to provide authorities with "backdoors" around encryption technologies used by applications

such as WhatsApp, Viber, and Telegram. Providers face fines of one million rubles (\$17,140) for noncompliance.

In August 2016 the FSB announced it had the capability to collect encryption keys from internet companies that could decrypt unreadable data on the internet. Although many experts doubted it was possible to decrypt all forms of encryption, particularly end-to-end encryption, it was believed that the country's security services were able to intercept messages on at least some messaging platforms. On October 16, the Meshchanskiy District Court of Moscow fined Telegram 800,000 rubles (\$13,715) for refusing to pass to the FSB keys for decoding user messages. According to the case file, on July 12, the FSB sent a request to Telegram's office, giving the company until July 16 to provide information on six telephone numbers. As of December the case was still being litigated.

In August the communications ministry published a draft order outlining the kinds of user data that would be collected by the security services from "organizers of information dissemination" as part of implementation of the 2016 Yarovaya Law. Beginning in July 2018, the law requires companies to store in-depth user information that could be collected by the FSB through the System of Operative Investigative Measures (SORM) equipment that the law requires to be connected to the data storage servers.

During the year authorities blocked or threatened to block some websites and social network pages that either criticized government policy or violated laws on internet content. On April 2, the Prosecutor General's Office requested that Roskomnadzor block five websites that were calling for participation in protests the government considered "unsanctioned."

During the year authorities prosecuted individual bloggers for alleged illegal content published online, including other users' comments on their pages. According to media reports, on July 21, authorities in Kurgansk Oblast opened an administrative case against 14-year-old Dmitry Morozov for displaying banned symbols after another minor posted a swastika on Morozov's social media page. Authorities claimed Morozov did not delete the symbol with sufficient speed.

The government continued to employ its longstanding use of SORM, which requires ISPs to install, at their own expense, a device that routes all customer traffic to an FSB terminal. The system enabled police to track private email communications, identify internet users, and monitor their internet activity.

Academic Freedom and Cultural Events

The government took new steps during the year to restrict academic and cultural freedom.

On March 21, authorities revoked the license of the European University at St. Petersburg, which was known for its liberal views, in a move observers believed to be politically motivated. Local authorities terminated the university's lease in September. The university came under criticism from nationalist politicians in 2016 because of a gender studies course it had offered.

On August 22, authorities arrested well-known theater director Kirill Serebrennikov on embezzlement charges punishable by up to 10 years in prison, alleging he took state funds for a Shakespeare play that was never produced. According to media outlets, however, the play had been staged more than 15 times. Observers believed the charges were politically motivated, citing Serebrennikov's participation in antigovernment protests and criticism of government policies.

Authorities often censored or shut down cultural events or displays that they considered offensive or that expressed views in opposition to the government and in some cases initiated criminal proceedings against organizers. According to state-controlled press reports from July 11, Culture Minister Vladimir Medinskiy ordered the last-minute cancellation of a ballet at Moscow's Bolshoy Theater about the life of Soviet ballet dancer Rudolf Nuriyev because it addressed the topic of Nuriyev's sexual orientation. Medinskiy denied the allegations of censorship, but noted that he supported the theater's decision to "postpone" the ballet. The ballet was later staged at the Bolshoy for two performances in December.

Persons expressing views of historical events that run counter to officially accepted narratives faced harassment. For example, some Russian Orthodox and nationalist political figures led a campaign to ban the film *Matilda*, which depicted Tsar Nikolas II's romance with a ballerina. On August 31, unknown individuals threw Molotov cocktails at the studio of the film's director, Aleksey Uchitel. On September 11, unknown individuals set fire to two cars outside the legal firm that represents Uchitel. Screenings of the film around the country were cancelled after bomb threats. News outlets linked a September 6 arson attack on the Cosmos cinema in Yekaterinburg to opposition to the film.

b. Freedom of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provides for freedom of assembly, but local authorities increasingly restricted this right. The law requires organizers of public meetings, demonstrations, or marches by more than one person to notify the government, although authorities maintained that protest organizers must receive government permission, not just provide notification. Failure to obtain official permission to hold a protest resulted in the demonstration being viewed as unlawful by law enforcement officials, who routinely dispersed such protests. While numerous public demonstrations took place, on many occasions local officials selectively denied groups permission to assemble or offered alternate venues that were inconveniently or remotely located.

The law provides heavy penalties for engaging in unsanctioned protests and other violations of the law on public assembly up to 300,000 rubles (\$5,140) for individuals, 600,000 rubles (\$10,290) for organizers, and one million rubles (\$17,140) for groups or companies.

The law requires that “motor rallies” and other “tent city” gatherings in public places receive official permission. It requires gatherings that would interfere with pedestrian or vehicle traffic to receive official agreement 10 days prior to the event; those that do not affect traffic require three days’ notice. As a consequence single-person pickets remained the sole form of public protest that do not require official approval.

Under the law the government may punish “mass rioting,” which includes teaching and learning about the organization of and participation in “mass riots.” The law provides that authorities may prohibit nighttime demonstrations and meetings and levy fines for violating protest regulations and rules on holding public events. Protesters who violate the regulations multiple times within a six-month period may be fined up to one million rubles (\$17,140) or imprisoned for up to five years.

In the 2015 case of activist Ildar Dadin, who was sentenced to three years’ imprisonment for participation in four protests, the Supreme Court ruled on February 22 to revoke the verdict and release him. On May 12, police detained at least 11 activists, including Dadin, for reading aloud the country’s constitution on Red Square. On June 12, the Tverskoy District Court of Moscow fined Dadin 20,000 rubles (\$340).

In March, Moscow's Zamoskvoretskiy District Court convicted protester Maxim Panfilov of taking part in a mass riot and assaulting a police officer and sentenced him to psychiatric treatment. Panfilov was arrested in April 2016 in connection with the 2012 Bolotnaya Square case, which observers widely believed was politically motivated. In June a Moscow City Court upheld the ruling, and in July authorities transferred Panfilov to a psychiatric hospital.

There were reports activists were subject to threats and physical violence in connection with organizing or taking part in public events or protests. On April 28, opposition Yabloko Party member Natalia Fyodorova temporarily lost her vision after an unknown assailant splashed chemicals on her face. The party reported that the attack was believed linked to Fyodorova's opposition to Moscow city authorities' plan to demolish 8,000 five-story Soviet-era apartment buildings.

Police often broke up demonstrations that were not officially sanctioned, at times using disproportionate force. On March 26, Moscow authorities arrested as many as 1,000 protesters participating in an anticorruption protest organized by opposition leader Aleksey Navalny. Police beat many detainees, and authorities arrested and subsequently convicted at least five protesters, including Aleksandr Shpakov, for violating the laws on assembly. Authorities charged Shpakov with violence against a police officer. On May 24, a judge sentenced him to 18 months in prison. Observers believed the case against Shpakov was politically motivated.

On August 22, St. Petersburg governor Georgiy Poltavchenko prohibited unsanctioned rallies and other public events on the Field of Mars, the only free assembly area in central St. Petersburg where rallies of up to 200 participants could be held without a permit. On November 2, a city court in St. Petersburg refused to reinstitute the status of the Field of Mars as a free assembly area.

On May 10, President Putin signed a decree limiting protests in connection with enhanced security surrounding the 2017 Confederations Cup and the 2018 World Cup soccer tournaments. During the tournaments, protests in seven cities will only be possible with the approval of the Ministry of Internal Affairs and the FSB.

Although they do not require official approval, authorities restricted single-person pickets, requiring that there be at least 164 feet separating protesters from each other. On March 27, the Constitutional Court published a decree that allows police officers to stop a single-person picket to protect the health and safety of the picketer. On June 14, Moscow police arrested the opposition Yabloko Party's

Moscow leader, Sergey Mitrokhin, for conducting a single-person picket outside the Federation Council building in protest of a bill on the renovation of Moscow housing. On August 8, the Tverskoy District Court of Moscow fined Mitrokhin 15,000 rubles (\$257) for violating procedures for holding a mass event.

Authorities continued to deprive LGBTI individuals and their supporters of free assembly rights. Despite a Supreme Court ruling that LGBTI individuals are a “protected class” and should be allowed to engage in public activities, the law prohibiting so-called propaganda of homosexuality to minors (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity) provides grounds to deny LGBTI activists and their supporters the right of assembly and was used on multiple occasions to interrupt public demonstrations by LGBTI activists. In June Moscow municipal officials refused an application by representatives of the LGBTI community to hold a parade, upholding a 2012 decision to prohibit gay parades in Moscow for 100 years, notwithstanding an ECHR ruling that the ban contravened the European Convention on Human Rights.

Freedom of Association

The constitution provides for freedom of association. During the year, however, the government instituted new measures and expanded existing restrictive laws to stigmatize, harass, fine, close, and otherwise raise barriers to membership in organizations that were critical of the government.

Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. The finances of registered organizations are subject to investigation by tax authorities, and foreign grants must be registered.

The government continued to use a 2012 law, which requires NGOs that receive foreign funding and engage in “political activity” to register as foreign agents, to harass, stigmatize, and in some cases halt the operation of NGOs, although fewer organizations were registered than in previous years. The Ministry of Justice revised its official website listing domestic “foreign agent” NGOs, which resulted in a reduction in the number organizations on the list. The ministry removed from the list NGOs that closed or that successfully petitioned for removal from the list by refusing foreign funding and not engaging in so-called political activity. These organizations previously remained on the ministry’s website with a date noting when they “ceased performing the functions of a foreign agent.” As many as 20 organizations successfully petitioned for removal from the “foreign agent” list. At

least 30 organizations shut down their operations rather than work under the “foreign agent” label. On November 30, President Putin signed legislation to expand the potential application of the “foreign agent” designation to foreign media working in the country as well as Russian news publications receiving funding from abroad (see section 2.a.).

During the year the Ministry of Justice designated 16 new NGOs as well as nine media organizations as “foreign agents” (see section 2.a.). As of December the Ministry of Justice’s registry of organizations designated as “foreign agents” included 86 NGOs and nine media organizations.

In May 2016 at the behest of President Putin, the government clarified and ultimately expanded the definition of political activities covered under the “foreign agent” law. Putin signed the related amendments in June. Under the new definition, political activities include: organizing public events, rallies, demonstrations, marches, and pickets; organizing and conducting public debates, discussions or presentations; participating in election activities aimed at influencing the result, including election observation and forming commissions; public calls to influence local and state government bodies, including calling for changes to legislation; disseminating opinions and decisions of state bodies by technology; and attempts to shape public political views, including public opinion polls or other sociological research.

To be delisted, an NGO must submit an application to the Ministry of Justice proving that it did not receive any foreign funding or engage in any political activity within the previous 12 months. If the NGO received any foreign funding, it must have returned the money within three months. The ministry would then initiate an unscheduled inspection of the NGO to determine whether it qualified for removal from the list.

In addition to continued inspections of NGOs designated as foreign agents, authorities began to levy heavy fines against NGOs for failing to disclose foreign agent status on websites or printed materials. According to Human Rights Watch, while authorities inspected a wide range of designated civil society groups from nearly every region of the country, groups that were warned, fined, or prosecuted generally were those active in areas such as election monitoring, human rights advocacy, anticorruption work, and environmental protection. On February 21, the Basmannyy District Court fined the SOVA Center 300,000 rubles (\$5,140) for neglecting to register as a “foreign agent.”

During inspections of NGOs, law enforcement agencies typically brought representatives from as many as a dozen different bodies, including fire, tax, health, and safety inspectors, to issue citations. In addition, state-controlled media crews frequently accompanied authorities during such inspections.

Organizations the government deemed as “foreign agents” reported experiencing the social effects of stigmatization, such as being targeted by vandals and online criticism, in addition to losing partners and funding sources and being subjected to smear campaigns in the state-controlled press. As a result some organizations discontinued their work and closed their doors.

Use of the law on “undesirable” foreign organizations expanded during the year with the addition of Open Russia, Open Russia Civic Movement, the Institute for Modern Russia (all organizations tied to exiled former oligarch Mikhail Khodorkovsky), and the Black Sea Trust for Regional Cooperation. The organizations joined the National Democratic Institute, the International Republican Institute, the Media Development Fund, the National Endowment for Democracy, Open Society, Open Society Institute Assistance Foundation, and the U.S.-Russia Foundation. According to the definition of the law, a foreign organization may be found “undesirable” if that group is deemed “dangerous to the foundations of the constitutional order of the Russian Federation, its national security, and defense.” Authorities have not clarified what specific threats the “undesirable” NGOs posed to the country.

In accordance with the law, any foreign organization deemed “undesirable” must cease its activities, any money or assets found by authorities may be seized, and any citizens found to be continuing to work with the organization in contravention of the law may face up to seven years in prison. In March the State Duma amended the law to prohibit “undesirable” foreign organizations from establishing legal entities in the country. In July a Krasnodar court fined Open Russia coordinator Jan Antonov 15,000 rubles (\$257) for carrying out activities of an “undesirable” organization. On September 7, SOVA Center director Aleksandr Verkhovskiy reported that the Moscow Prosecutor General’s Office opened an investigation into his NGO because of web links on their website to the “undesirable” National Endowment for Democracy and Open Society. The SOVA Center published links to both “undesirable” organizations as past donors. On December 25, a Moscow court ruled that the statute of limitations had run out since the web links had been discovered and ordered the administrative case against the organization to be closed. In November, President Putin signed into law

amendments to legislation allowing for extrajudicial blocking of websites that include links to the materials of “undesirable” organizations.

NGOs engaged in political activities or activities that “pose a threat to the country” that receive support from U.S. citizens or organizations are also subject to suspension under the “Dima Yakovlev” law, which prohibits these NGOs from having members with dual Russian-U.S. citizenship.

Authorities continued to misuse the country’s expansive definition of extremism as a tool to stifle freedom of association. On April 20, the Supreme Court criminalized the activity of members of Jehovah’s Witnesses. The decision prohibited all activity of Jehovah’s Witnesses’ legal entities throughout the country, effectively banning their worship. On July 17, the Appellate Chamber of the Supreme Court upheld this decision. On August 17, the parent organization of the Jehovah’s Witnesses in the country and 395 regional branches were formally placed on the justice ministry’s list of “extremist” groups, a procedural move following the Supreme Court’s decision. There were as many as 171,000 members of Jehovah’s Witnesses in the country.

There were multiple reports that civil society activists were beaten or attacked in retaliation for their professional activities and that law enforcement officials did not adequately investigate the incidents. For example, on August 15, activist Ivan Skripnichenko was tending to a makeshift memorial erected at the site of the 2015 killing of opposition leader Boris Nemtsov. According to press reports, an unknown assailant saying, “You don’t like Putin, or something?” attacked Skripnichenko and punched him in the face. Skripnichenko was treated for a broken nose and was rehospitalized a few days later for complications. He died on August 21, apparently of a pulmonary embolism connected to the injury. As of the end of the year, no criminal case was opened in connection with the attack.

In multiple cases authorities arbitrarily arrested and prosecuted civil society activists in political retaliation for their work. For example, on June 1, a trial began in the case against human rights activist and historian Yuriy Dmitriyev, known for his decades of work documenting the mass repression of the Stalin era. Dmitriyev was arrested in December 2016 and charged with possession of child pornography. In late December, Dmitriyev was unexpectedly transferred to Moscow to undergo psychiatric evaluation at the Serbskiy State Scientific Center. Observers and rights activists contended Dmitriyev was framed and that the case is in retaliation for his work.

There were reports that authorities targeted NGOs and activists representing the LGBTI community for retaliation (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. Refugees from Ukraine were welcomed as a group, and the government generally provided adequate assistance to refugees, asylum seekers, stateless persons, and other persons of concern. The Office of the UN High Commissioner for Refugees (UNHCR) reported it had established a working relationship with the government on asylum and refugee problems.

Abuse of Migrants, Refugees, and Stateless Persons: NGOs reported police at times detained, fined, and threatened migrants, refugees, and stateless persons with deportation. Some migrants reported racially motivated assaults by civilians.

In-country Movement: Although the law gives citizens the right to choose their place of residence, adult citizens must carry government-issued internal passports while traveling domestically and must register with local authorities after arriving at a new location. To have their cases transferred, persons with official refugee or asylum status must notify the Ministry of Internal Affairs in advance of relocating to a district other than the one that originally granted them status. 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.

Authorities required intercity travelers to show their internal passports when buying tickets to travel by air, long-distance railroad, water, or road. Commuter travel by road, water, or railroad does not require identification. Authorities imposed travel restrictions on individuals facing prosecution for political purposes.

Foreign Travel: The law provides for freedom to travel abroad, but the government introduced new restrictions on this right during the year, including a

law that allows for the temporary restriction of a bankrupt citizen's right to leave the country.

The law on procedures for departing from and entering the country stipulates that a person who violates a court decision does not have a right to leave the country. A court may prohibit a person from leaving the country for failure to satisfy debts; if the individual is suspected, accused, or convicted of a crime; or if the individual has access to classified material. Authorities imposed travel restrictions on individuals facing prosecution for political purposes.

According to press reports, since 2014 the government restricted the foreign travel of approximately five million s employees. This included employees of the Prosecutor General's Office, the Ministry of Internal Affairs, the Ministry of Defense, the Federal Prison Service, the Federal Drug Control Service, the Federal Bailiff Service, the General Administration for Migration Issues, and the Ministry of Emergency Situations. Freedom House reported that often employees who were not themselves prohibited from travel felt obliged not to go abroad to be consistent with colleagues. The law requires citizens to disclose and register dual citizenship.

Exile: There were many high-profile cases of self-imposed exile during the year, primarily involving leaders of political opposition movements, NGOs, environmental organizations, and protesters who feared reprisals for their participation in anti-Putin demonstrations or for their opposition activities.

Internally Displaced Persons (IDPs)

In December 2016 the Internal Displacement Monitoring Center (IDMC) estimated that the country was home 22,600 internally displaced persons, down from 27,000 in 2014. Of the 22,600 IDPs, the IDMC asserted that 19,000 were displaced due to the Chechen conflict. There were continued reports that conditions for some of those displaced after the conflict in Chechnya remained poor, including substandard living accommodations without proper sanitation and electricity. The government, however, no longer recognized individuals displaced due to the conflict in Chechnya as "forced migrants" (the law does not use the term IDP) and considered the problem of resettlement to have been resolved since 2011. According to the government's official statistics the number of forced migrants decreased from 25,359 in the beginning of 2016 to 19,327 on January 1, 2017. This figure, however, asserts that the majority of forced migrants come from former USSR republics, namely Georgia, Kazakhstan, and Uzbekistan, with

approximately 3,500-4,000 displaced due to the first Chechen conflict from 1995 to 1996.

Protection of 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. The responsible agency, Main Directorate for Migration Affairs of the Ministry of Internal Affairs, did not maintain a presence at airports or other border points and did not adequately publicize that asylum seekers could request access to the agency. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials. Otherwise, they faced immediate deportation to neighboring countries or return to their countries of origin, including in some cases to countries where they may have had reasonable grounds to fear persecution. There were no known statistics on the number of persons subjected to such actions.

By law, an applicant may appeal the decision of a GAMI official to a higher-ranking authority or to a court. During the appeal process, the applicant is legally entitled to the same rights as a person whose application for refugee status was being considered.

Human rights groups continued to allege that authorities made improper use of international agreements that permit them to detain, and possibly repatriate, persons with outstanding arrest warrants from other former Soviet states. This system, enforced by informal ties between senior law enforcement officials of the countries concerned, permitted authorities to detain individuals for up to one month while the Prosecutor General's Office investigated the nature of the warrants. UNHCR reported no cases of the disappearance or extralegal return of persons of UNHCR concern in 2016 or 2017, although several cases in which officials detained individuals (most commonly from Central Asia) and returned them clandestinely to their country of origin occurred in prior years.

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. NGOs reported applicants commonly paid informal "facilitation fees" of approximately 33,000 rubles (\$566) to GAMI adjudicators to have their application reviewed. Applicants who did not speak Russian often had to pay for a private interpreter. Human rights organizations noted that nearly all

newly arrived refugees and temporary asylum seekers in large cities, in particular Moscow and St. Petersburg, were forced to apply in other regions, allegedly due to full quotas. With the exception of Ukrainians, GAMI approved a small percentage of applications for refugee status and temporary asylum.

Some observers pointed out that GAMI data failed to include asylum seekers who were forcibly deported or extradited before exhausting their legal remedies. Moreover, some individuals who might have otherwise sought international protection, especially those from Central Asia, reportedly chose not to make formal applications for asylum because doing so often led to criminal investigations and other unwanted attention from the security services.

Human rights organizations noted the country's reported preferential treatment of Ukrainian applicants for refugee status and temporary asylum. According to UNHCR and local NGOs, authorities accepted Ukrainian applications for asylum on a prima facie basis that amounted to a de facto prioritization of Ukrainian nationals over other nationalities. As of November, the vast majority of Ukrainian nationals who applied for temporary asylum received this status on a one-year basis and were eligible to apply for renewal on a yearly basis. This prioritization resulted in somewhat longer waiting periods and somewhat fewer approvals for non-Ukrainian applicants. As of November 2015, authorities reportedly also had blanket authority to grant temporary asylum to Syrians. Local migration experts noted a decrease in the number of Syrians afforded temporary asylum, suggesting that GAMI had not renewed the temporary asylum of hundreds of Syrians.

Access to Basic Services: By law, successful temporary asylum seekers and persons whose applications were being processed have the right to work, receive medical care, and attend school. NGOs reported authorities provided some services to Ukrainian asylum seekers, but there were instances in which applicants from other countries were denied the same service.

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of temporary asylum and refugee applicants who lacked residential registration. When parents encountered difficulties enrolling their children in school, authorities generally cooperated with UNHCR to resolve the problem. Employers frequently refused to hire applicants who lacked residential registration, which was common due to landlords' preference not to register occupants for tax reasons.

Temporary Protection: A person who did not satisfy the criteria for refugee status, but who could not be expelled or deported for humanitarian reasons, could receive temporary asylum after submitting a separate application. There were reports, however, of authorities not upholding the principle of temporary protection.

Stateless Persons

According to the 2010 population census, Russia was home to 178,000 self-declared stateless persons. Official statistics did not differentiate between stateless persons and other categories of persons seeking assistance.

Section 3. Freedom to Participate in the Political Process

While the law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, citizens could not fully do so because the government limited the ability of opposition parties to organize, register candidates for public office, access media, and conduct political campaigns.

Elections and Political Participation

Recent Elections: State Duma elections in September 2016 and the presidential election in 2012 were marred by accusations of government interference and manipulation of the electoral process.

In a statement on the 2016 State Duma elections, the OSCE's election observation mission noted, "Democratic commitments continue to be challenged and the electoral environment was negatively affected by restrictions to fundamental freedoms and political rights, firmly controlled media and a tightening grip on civil society...Local authorities did not always treat the contestants equally, and instances of misuse of administrative resources were noted. The election day generally proceeded in an orderly manner, but numerous procedural irregularities were noted during counting."

In its final report on the 2012 presidential election, the OSCE's election observation mission stated, "Although all contestants were able to campaign unhindered, the conditions for the campaign were found to be skewed in favor of one candidate. While all candidates had access to media, one candidate, the then Prime Minister, was given clear advantage in the coverage. State resources were also mobilized in his support. On election day, observers assessed voting

positively, overall; however, the process deteriorated during the count due to procedural irregularities...There was...a general lack of confidence among many interlocutors in the independence of election officials at all levels, mostly due to their perceived affiliation with local administration and the governing party.”

On September 10, the country held regional and local elections for governors, regional legislatures, and municipal deputies. The independent election monitoring organization Golos noted barriers to the appearance of opposition candidates on ballots in many regions as well as the mobilization of administrative resources and state-controlled media in support of candidates of the United Russia party. Golos also received reports of election rigging, including ballot box stuffing; pressure on voters by their employers or superiors; illegal campaigning; illegal transportation and bribing of voters; violations of procedures for voting outside of voting precincts; violations of the rights of observers, members of commissions, and representatives of media; and violations of counting procedures.

Political Parties and Political Participation: The law requires political parties to have a minimum of 500 members in order to be able to register. While parties represented in the State Duma may nominate a presidential candidate without having to collect and submit signatures, prospective self-nominated presidential candidates must collect 300,000 signatures, no more than 7,500 from each region, from supporters and submit the signatures to the Central Electoral Commission (CEC) for certification. Nominees from parties without State Duma representation must collect 100,000 signatures. An independent candidate is ineligible to run if the commission finds more than 5 percent of signatures to be invalid.

Gubernatorial candidates nominated by registered political parties are not required to collect signatures from members of the public, although self-nominated candidates are. The law also requires gubernatorial candidates not nominated by a registered party to meet a “municipal filter” requirement. Such candidates must obtain signatures of support from a defined portion of municipal deputies, the portion of which varies by region, as well as collect signatures from at least one deputy in each of a specified portion of municipal council districts.

Observers and would-be candidates said the municipal filter was not applied equally under the law, and that authorities pressured municipal deputies not to provide signatures of support for candidates who were not preapproved by authorities. They asserted that no independent candidate with the potential to defeat authorities’ favored gubernatorial candidates was permitted to pass through the municipal filter. Golos also stated in a report that independent candidates were

not able to collect the necessary number of municipal deputy signatures as a result of pressure from authorities. For example, in Sverdlovsk region, the mayor of Yekaterinburg and would-be gubernatorial candidate Yevgeniy Royzman stated, “They (the authorities) cleared the entire field. There’s not a single strong challenger, not a single strong candidate was even allowed to get close. They weren’t given a chance to participate. They just weren’t allowed. I tried but became convinced that the municipal filter is insurmountable.” Another would-be gubernatorial candidate who was not able to run, Vyacheslav Markhayev, stated publicly, “The municipal filter has turned into a political club that they want to use not to let me into the (gubernatorial) elections.”

After allegations of voter fraud in the 2011 State Duma elections sparked mass protests in Moscow and St. Petersburg, authorities sought to curtail the work of independent monitors and promote government-sponsored monitoring. In 2016 the State Duma passed legislation prohibiting observers from being accredited to more than one polling station, limiting the ability of civil society to monitor elections. Critics contended that the law made it difficult for domestic election monitors to conduct surprise inspections due to provisions requiring observers to register with authorities, including the polling station they intend to monitor, three days before elections. The law also increased the registration requirements for journalists wishing to monitor elections. Such regulations also hampered the work of independent or nonparty-affiliated groups, whose monitors registered as journalists for their affiliated publications. The independent election-monitoring organization Golos reported the number of independent observers fell by half since 2011.

Authorities continued to hamper the efforts of Golos, whose work was curtailed by a law prohibiting NGOs listed as “foreign agents” from taking part in the election process as well as by continuing harassment and intimidation by authorities.

Once elected, many opposition politicians reported efforts by the ruling party to undermine their work or remove them from office. On August 22, the Presnenskiy Court of Moscow extended the arrest of Kirov governor Nikita Belykh by six months. In June 2016 authorities arrested him on corruption charges, and President Putin dismissed him from office several weeks later. Observers believed the actions against Belykh were politically motivated.

According to a September 6 Human Rights Watch report, authorities “systematically interfered” with the presidential campaign of opposition leader Aleksey Navalny. Authorities engaged in a pattern of harassment that included police raids on Navalny campaign offices in cities across the country, seizures of

campaign materials and equipment on pretexts of “extremism,” extensive arbitrary detention of campaign volunteers, and refusals to authorize campaign events and displays. The report also described frequent physical attacks on Navalny and his supporters by ultranationalist groups, which included vandalizing campaign offices and campaigners homes, blocking entrances to campaign events, burning campaigners’ cars, beating campaigners or throwing eggs and other objects at them, and calling in bomb scares to interfere with campaign events. According to the report, in many cases, police stood by and did not interfere with the attackers or arrived too late to apprehend them. Official investigations of the incidents have not yielded results.

On April 27, an anti-Navalny activist splashed a harsh chemical solution in Navalny’s face, burning one of his eyes and resulting in a temporary partial loss of vision. Although video footage enabled Navalny to identify the attacker, police suspended the investigation on June 23, claiming they could not establish the perpetrators’ identity.

On June 23, the CEC ruled Navalny was not eligible to be a presidential candidate, citing prior criminal convictions that were widely believed to be politically motivated. The conviction was overturned by the ECHR, but a Russian court subsequently reconvicted Navalny based on the same evidence and issued the same sentence, using language to the initial conviction. On December 25, the CEC formally voted that Navalny was ineligible to run for president.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate. While members of national minorities took an active part in political life, 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 law provides criminal penalties for official corruption, but the government acknowledged difficulty in enforcing the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

Corruption: Corruption was widespread throughout the executive branch, including within the security sector and migration management agencies, as well as in the legislative and judicial branches at all levels. Its 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, health care, commerce, housing, social welfare, law enforcement, and the judicial system.

There were reports of corruption by government officials at the highest level. For example, on March 2, the Anticorruption Foundation published an investigative report into the assets of Prime Minister Dmitry Medvedev, alleging that Medvedev employed a network of charitable foundations and shell companies to channel more than one billion dollars in bribes towards the purchase and maintenance of multiple luxury real estate properties and yachts within the country and abroad. On May 24, the Ministry of Internal Affairs announced it had examined the allegations in the report and found that no violations of law had occurred.

On December 15, a court convicted former minister of economic development Alexey Ulyukayev of bribery and sentenced him to eight years in prison and a fine of 130 million rubles (\$2.2 million). Ulyukayev was arrested in November 2016 and charged with soliciting a bribe of two million dollars from Rosneft head Igor Sechin in exchange for facilitating government approval of Rosneft's purchase of the oil company Bashneft. Ulyukayev argued in court that he was framed.

Financial Disclosure: The law requires government officials to file extensive declarations of all foreign real estate they own and any large expenditure involving land, vehicles, and securities, as well as their incomes. The law was inconsistently and selectively enforced, and investigative bodies rarely acted upon media reports of undeclared assets held overseas and other alleged violations. According to Transparency International and investigative reporters, the information officials provided often did not reflect their true income or that of close family members.

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

A variety of domestic and international human rights groups generally operated in the country, investigating and publishing their findings on human rights cases. Government officials were rarely cooperative or responsive to their concerns. Official harassment of independent NGOs continued and in many instances intensified, particularly of groups that focused on election monitoring, exposing corruption, and addressing human rights abuses. NGO activities and international

humanitarian assistance in the North Caucasus were severely restricted. Some officials, including the ombudsman for human rights, regional ombudsman representatives, and the chair of the Presidential Human Rights Council, Mikhail Fedotov, regularly interacted and cooperated with NGOs.

Authorities continued to use a variety of laws to harass, stigmatize, and in some cases halt the operation of domestic and foreign human rights NGOs (see section 2.b., Freedom of Association).

High-ranking officials often displayed a hostile attitude towards the activities of human rights organizations and suggested that their work was unpatriotic and detrimental to national security. The deputy head of the Security Council, Aleksandr Grebyonkin, on May 17 publicly stated that foreign NGOs seek to influence and destabilize the sociopolitical situation in the country. The chief justice of the Constitutional Court, Valeriy Zorkin, stated on May 18 that protecting human rights should not undermine state sovereignty or the “moral standards of the society.” Prosecutor General Yuriy Chayka reiterated his agency’s intent to continue to identify and prosecute foreign NGOs whose activities threaten national security. He continued to call for the expansion of the “undesirable” foreign organizations list to counter threats to the country’s “constitutional order.”

Authorities continued to apply a number of indirect tactics to suppress or close domestic NGOs, including the application of various laws and harassment in the form of investigations, fines, and raids. Authorities generally refused to cooperate with NGOs that were critical of their activities or listed as a foreign agent. International human rights NGOs had almost no presence east of the Urals. A few local NGOs addressed human rights problems in these regions but often chose not to work on politically sensitive topics to avoid retaliation by local authorities.

Government Human Rights Bodies: Some government institutions continued to promote human rights and intervened in selected abuse complaints, despite widespread doubt as to their effectiveness.

Many observers did not consider the 126-member Public Chamber, composed of appointed members from civil society organizations, to be an effective check on the government. Some human rights groups declined to participate in the chamber due to concern that the government would use it to exert control over civil society.

The Presidential Council for Civil Society and Human Rights is an advisory body to the president tasked with monitoring systemic problems in legislation and individual human rights cases, developing proposals to submit to the president and government, and monitoring their implementation. The president selects some council members by decree, and not all members operated independently.

Human Rights Ombudsman Tatyana Moskalkova was viewed as a semiautonomous figure, who was empowered to make limited progress in specific cases. The country had regional ombudsmen in 83 of its 85 regions with responsibilities similar to Moskalkova's. Their effectiveness varied significantly, and local authorities often undermined their independence.

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

Women

Rape and Domestic Violence: Rape is illegal, and the law provides the same punishment for a relative, including the spouse, who commits rape as for a nonrelative. Rape survivors may act as full legal parties in criminal cases brought against their 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 survivors and sometimes helped confirm an assault or rape, doctors were often reluctant to provide testimony in court.

The penalty for rape is three to six years' imprisonment for a single offender, with additional time imposed for aggravating factors. 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 unless the victim's life was directly threatened.

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 laws that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. The burden of collecting evidence in such cases typically falls on the alleged victims. 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.

On February 7, President Putin signed legislation that made beatings by “close relatives” an administrative rather than criminal offense for first-time offenders, provided the beating does not cause serious harm requiring hospital treatment. The law’s sponsor in the State Duma, Yelena Mizulina, noted she believes women “don’t take offense when they see a man beat his wife” and that “a man beating his wife is less offensive than when a woman humiliates a man.” Mizulina also stated the country’s law should support family traditions that are “built on the authority of the parents’ power,” and that parents should be allowed to hit their children

According to Ministry of Internal Affairs statistics cited by NGOs, approximately 12,000 women died annually from domestic violence in the country. The NGO Center for Women’s Support asserted that a majority of domestic violence cases filed with authorities 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.

Female Genital Mutilation/Cutting (FGM/C): The law does not specifically prohibit FGM/C. Local NGOs in Dagestan reported that FGM/C was occasionally practiced in some villages.

Other Harmful Traditional Practices: Human rights groups reported “honor killings” of women in Chechnya, Dagestan, and elsewhere in the North Caucasus were rarely prosecuted, although there were rare instances in which such killings led to convictions.

In some parts of the North Caucasus, women continued to face bride kidnapping, polygamy, forced marriage (including child marriage), legal discrimination, and enforced adherence to Islamic dress codes. In April a criminal case was initiated against a 20-year-old resident of Ingushetia after he kidnapped a 19-year-old woman to be his wife.

According to Human Rights Watch, in June, Chechnya head Ramzan Kadyrov began an initiative to reunite divorced families. In August media reported the program had reunited 948 families. According to NGOs, many of these reunifications were forced.

Sexual Harassment: The criminal code contains a general provision 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.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The constitution and law provide that men and women enjoy the same legal status and rights, but women often encountered significant restrictions.

Children

Birth Registration: By law, citizenship derives 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. Failure to register a birth resulted in the denial of public services.

Education: Education is free and compulsory through grade 11, although regional authorities frequently denied school access to the children of persons who were not registered as residents of the locality, including Roma, asylum seekers, and migrant workers.

Child Abuse: A 2013 estimate by the Ministry of Internal Affairs indicated that one in four children in the country was subjected to abuse by a parent or foster parent. According to a 2011 report published by the NGO Foundation for Assistance to Children in Difficult Life Situations, 2,000 to 2,500 children died annually from domestic violence. According to the Office of the Children's Ombudsman, there were 8,000 convictions for child abuse in 2015.

Early and Forced Marriage: The minimum legal age for marriage is 18 for both men and women. Local authorities may authorize marriage from the age of 16 under certain circumstances, and even earlier in some regions.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation, sale, offering or procuring for prostitution, and practices related to child pornography. The authorities generally enforced the law. The age of consent is 16. The Investigative Committee reported filing charges in 1,645 cases of rape

involving children in 2015 as well as in more than 5,300 cases of sexual assault of children.

The law prohibits the manufacture, distribution, and possession with intent to distribute child pornography, but possession without intent to distribute is not prohibited by law. Manufacture and distribution of pornography involving children under the age of 18 is punishable by two to eight years in prison or to three to 10 years in prison if it involves children under 14. Authorities considered child pornography to be a serious problem.

Roskomnadzor has the power to shut down any website immediately and without due process until its owners prove its content does not include child pornography. In 2014 approximately 15 percent of the 45,700 links Roskomnadzor shut down were related to child pornography.

Displaced Children: Official statistics on the numbers of displaced children in the country were conflicting and of questionable reliability.

Institutionalized Children: There were reports of physical, sexual, and psychological abuse in state institutions for children. Children with disabilities were especially vulnerable.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

The 2010 census estimated the Jewish population at slightly more than 150,000. In 2015, however, the president of the Federation of Jewish Communities of Russia stated that the actual Jewish population was nearly one million.

A number of leading figures in the Jewish community reported the level of anti-Semitism in the country was decreasing, but that during the year some political and religious figures made anti-Semitic remarks publicly.

In their alternative report on the implementation of the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD) by the Russian Federation for the 93rd Session of the UN CERD Committee (July 31-August 11),

the NGOs SOVA Center, Krym SOS, International Federation for Human Rights, and Memorial Antidiscrimination Center noted the continued use of anti-Semitic statements by political figures. The report noted that, to that date, there had been no violent anti-Semitic attacks.

In late November, the Investigative Committee announced that the investigation into the killing of Tsar Nicholas II--reopened in 2015--would review the theory that it may have been a “ritual killing,” referring to the conspiracy theory that Jews engage in “ritual killings” of Christians. Bishop Tikhon of the Russian Orthodox Church also publicly supported the investigation of the theory. Aleksandr Boroda, chairman of the Chabad Lubavitch Federation of Jewish Organizations of Russia, spoke out against the implicit anti-Semitism of Tikhon’s statement.

In February authorities ordered the deportation of Rabbi Ari Edelkopf on the grounds that he posed a risk to national security after he lost an appeal to the Central District Court in Sochi. In March the Krasnodar Regional Court upheld the decision. In December 2016 the Ministry of Internal Affairs canceled Edelkopf’s residency permit in Sochi. Edelkopf was a dual U.S. and Israeli citizen who moved to the country in 2002.

On January 23, State Duma deputy speaker Pyotr Tolstoy used anti-Semitic rhetoric to criticize continuing protests against the handover of St. Isaac’s Cathedral in St. Petersburg to the Russian Orthodox Church. He said protesters were “continuing the work” of their ancestors “who destroyed our cathedrals after jumping over the Pale of Settlement with revolvers in 1917.” Federation of Jewish Communities of Russia leaders condemned the statement as an anti-Semitic reference to conspiracy theories that Jews fomented the Bolshevik Revolution. Tolstoy expressed surprise and stated he was “misunderstood.” State Duma speaker Vyacheslav Volodin backed Tolstoy, while the head of the Presidential Human Rights Council, Mikhail Fedotov, criticized the remarks, expressing surprise at hearing a “respected parliamentarian repeating a favorite thesis of anti-Semites.” The government did not censure or punish Tolstoy.

On February 12, while criticizing opponents of the transfer of St. Isaac’s Cathedral, State Duma deputy Vitaliy Milonov stated, “Christians survived despite the fact that the ancestors of Boris Vishnevskiy and Maksim Reznik boiled us in cauldrons and fed us to animals.” Russian Jewish Congress president Yuriy Kaner told media, “It is clear...that these lawmakers (Vishnevsky and Reznik) are of Jewish descent and that he means ‘Jews’ by his statement.” The spokesman of the

Federation of Jewish Communities of Russia, Borukh Gorin, told media, “For a State Duma deputy, it is unacceptable to make such irresponsible statements.”

In July, Gorin condemned a ruling by a Sochi court that labeled as extremist a book penned by a 19th-century rabbi, asserting that part of a judicial policy in Sochi was to limit the growth of Jewish spiritual life there.

Trafficking in Persons

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

Persons with Disabilities

While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities, the government generally did not enforce these laws.

The conditions of guardianship imposed by courts on persons with mental disabilities deprived them of almost all personal rights. Under the family code, individuals with mental disabilities were at times prevented from marrying without a guardian’s consent.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, whom they frequently confined to the premises and whose movements they sometimes restricted within the institutions themselves.

On January 1, a new law for the social protection of persons with disabilities that introduces a federal register of persons with disabilities became effective.

Federal law requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings and modes of public transportation remained inaccessible. According to Moscow Transport, approximately 20 percent of subway stations are equipped with elevators. Disability rights NGOs confirmed, however, that accessibility remained a problem. In February the transport prosecutor’s office brought an administrative violation against Russian Railways for not complying with accessibility requirements at the Domodedovo railway station.

Election laws do not specifically mandate that polling places be accessible to persons with disabilities, and the majority of them were not. Election officials generally brought mobile ballot boxes to the homes of voters with disabilities.

According to Human Rights Watch, although the government began to implement inclusive education, most children with disabilities did not study in mainstream schools due to a lack of reasonable accommodations to facilitate their individual learning needs. The lack of reasonable accommodations left tens of thousands of children with disabilities isolated at home or in specialized schools, often far from their homes. Most children with disabilities in orphanages had at least one living parent, and many faced violence and neglect, including inadequate health care, education, and opportunities to play, according to Human Rights Watch.

According to Ministry of Internal Affairs data, more than 45 percent of the country's total population of children with disabilities were institutionalized. While the law mandates inclusive education for children with disabilities, authorities generally segregated them from mainstream society through a system that institutionalized them through adulthood. Graduates of such institutions often lacked the social, educational, and vocational skills to function in society.

Most children with disabilities remained isolated from other community members and were unable to attend public schools, since only 3 percent of schools could accommodate them. According to a 2014 Human Rights Watch report, nearly 30 percent of children with disabilities lived in state orphanages, where they faced violence and neglect. Some children interviewed by the NGO reported that orphanage staff beat them, injected them with sedatives, and sent them to psychiatric hospitals for days or weeks at a time to control or punish them.

Human Rights Watch reported that at least 95 percent of children living in orphanages and foster care had at least one living parent, although children with disabilities who entered institutions at a young age were unlikely to return to their birth families, mostly due to the practice of local-level state commissions recommending continued institutionalization of children. Within orphanages, Human Rights Watch documented the segregation of children whom staff deemed to have the most severe disabilities into “lying-down” rooms, where they were confined to cribs and often tied to furniture with rags. Many of these children received little attention except for feeding and diaper changing.

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 category of disability often followed them through their lives. The official designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at the age of three, signified that authorities considered a child uneducable. These designations were almost always irrevocable. The designation “weak” (having a slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

National/Racial/Ethnic Minorities

The law prohibits discrimination based on nationality, but according to a September report by the CERD, government officials discriminated against minorities, including through “de facto racial profiling, targeting in particular migrants and persons from Central Asia, and the Caucasus.”

Some incidents highlighted longstanding discrimination against Roma and tensions between the Romani community and authorities. In 2016 clashes between residents of a Romani settlement in Tula and riot police over access to a gas pipeline led to the demolition of 118 Romani homes that authorities ruled to be illegal settlements. In July residents of a neighboring village signed a petition against relocating 21 affected Romani families to their community. In August local authorities demolished 17 more homes.

In some cases authorities held perpetrators responsible for xenophobic violence, and as of July there were at least six convictions for such acts, resulting in the sentencing of 17 persons to prison. Among those punished were Russian nationalist Maxim Martsinkevich and nine codefendants who were sentenced to prison terms of between three and 10 years for racially motivated violent crimes.

Indigenous People

The constitution and various statutes provide support for “small-numbered” indigenous peoples of the North, Siberia, and the Far East, permitting them to create self-governing bodies and allowing them to seek compensation if economic development threatened their lands. The government granted the status of “indigenous” and its associated benefits only to those ethnic groups numbering fewer than 50,000 and maintaining their traditional way of life. The majority of small-numbered indigenous communities believed that a combination of overlapping legal codes and authorities’ lack of political will to enforce laws prevented them from fully exercising their rights.

During the year the government introduced fishing restrictions and eliminated special quotas for indigenous peoples throughout the country, endangering some communities in Khabarovsk and Kamchatka that depended on fishing.

Indigenous sources reported an increase in state-sponsored harassment, including interrogations by the security services, as well as employment discrimination (see section 7.d.).

Since 2015 the Ministry of Justice has added several NGOs focusing on indigenous problems to the foreign agents' list (see section 2.b., Freedom of Association), including the Center for Support of Indigenous Peoples of the North and Batani, and the International Foundation for the Development of Indigenous and Small Numbered Peoples of the North, Siberia, and Far East (Batani Fund), making it difficult for them to operate.

Pavel Sulyandziga, the head of the Batani Fund, told media outlets that his confrontations with officials from the Ministry of Regional Development over the organization's attempts to enforce the rights of indigenous persons to receive their hunting and fishing quotas were the reason his organization was added to the foreign agents' list. He criticized the government's approach to supporting indigenous people as simply providing funding for indigenous festivals and holidays but not allowing them the use of rivers or traditional land sites.

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

During the year there were reports of both societal and government violence motivated by the sexual orientation or gender identity of the victim. Human rights activists and NGOs reported torture and killings of LGBTI persons in the North Caucasus by security services (see section 1.a. for information on Chechnya).

Openly gay men were particular targets of violence, and police often failed to respond adequately to such incidents. On August 12, attackers used pepper spray against participants of the eighth annual St. Petersburg gay pride march, injuring 10. According to media reports, police did not take steps to stop the attackers. Authorities opened a criminal investigation of the incident on August 15 and, on August 19, detained one of the alleged attackers. On November 11, four young men wearing hoods attacked two LGBTI activists taking part in an inclusive family conference in Moscow.

There were reports police abused and harassed individuals whom they perceived to be LGBTI. A report by the LGBT Network in 2016 documented 21 cases of alleged violations of LGBTI person's rights by law enforcement officials in 2015.

On May 11, authorities detained five LGBTI activists in Moscow while they attempted to submit to the prosecutor general's office a petition signed by two million persons calling for an investigation into the torture of gay men in Chechnya. Authorities charged the activists with an administrative violation for holding a public event without permission; they were released later in the day.

LGBTI individuals often declined to report attacks against them due to fears police would subject them to mistreatment or publicize their sexual orientation or gender identity. There continued to be reports of groups and individuals luring gay men on fake dates to beat and rob them.

The law criminalizes the distribution of "propaganda" of nontraditional sexual relations to minors and effectively limits the rights of free expression and assembly for citizens who wished to advocate publicly for rights or express the opinion that homosexuality is normal. Examples of what the government considered LGBTI propaganda included materials that "directly or indirectly approve of persons who are in nontraditional sexual relationships" (see section 2.a.).

Since 2015 the Ministry of Justice added at least three LGBTI organizations to the foreign agents' list (see section 2.b., Freedom of Association), including the St. Petersburg NGO Sfera, which provided social and legal services to members of the LGBTI community, and Rakurs, an LGBTI advocacy organization in Arkhangelsk.

Many events planned by members of the LGBTI community were officially unsanctioned and conducted in private due to security concerns. Nevertheless, in 2016 the LGBT Network reported that in at least four cases during the year LGBTI-related events were disrupted, sometimes through anonymous calls alleging bomb threats.

Moscow authorities refused to allow a gay pride parade for the 12th consecutive year, notwithstanding a 2010 ECHR ruling that the denial violated the rights to freedom of assembly and freedom from discrimination.

Police stopped as many as 300 persons from participating in an LGBTI pride event called Polar Pride scheduled for January 29 in the town of Salekhard. On

September 24, authorities briefly detained three individuals crossing the border back into Russia by bus following participation in a Norwegian gay pride event.

A homophobic campaign continued in state-controlled media in which officials, journalists, and others called LGBTI persons “perverts,” “sodomites,” and “abnormal” and conflated homosexuality with pedophilia.

LGBTI persons reported heightened societal stigma and discrimination, which some attributed to increasing official promotion of intolerance and homophobia. Activists asserted that the majority of LGBTI persons hid their sexual orientation or gender identity due to fear of losing their jobs or homes as well as the threat of violence. Medical practitioners reportedly continued to limit or deny LGBTI persons health services due to intolerance and prejudice. There were reports that high levels of employment discrimination against LGBTI persons persisted (see section 7.d.) and that LGBTI persons continued to seek asylum abroad due to the domestic environment.

During the year a chain of shops called Khleb i Sol (Bread and Salt), hung signs in their shop windows reading, “No Entry for [Slur Referring to LGBTI Persons].” In response to complaints from members of the public in the city of Perm about the sign, local police determined that there was no grounds for an investigation because they considered the slur to be a scientific term and thus inoffensive. According to press reports, on September 25, the Perm regional human rights ombudsman urged the local prosecutor’s office to investigate the matter.

Although the law allows transgender individuals to change their names and gender classifications on government documents, they faced difficulties doing so because the government had not established standard procedures and many civil registry offices denied their requests. When their documents failed to reflect their gender accurately, transgender persons often faced harassment by law enforcement officers and discrimination in accessing health care, education, housing, transportation, and employment.

There were some isolated positive developments during the year for the LGBTI community. In some instances courts found in favor of LGBTI persons seeking to exercise their human rights. According to Human Rights Watch, in December 2016 three men attacked and forced a transgender woman from Uzbekistan into a car where they gang-raped her. The perpetrators filmed it and extorted money from her by threatening to publish the video. In May a court in Murmansk found the men guilty of extortion with the use of violence and sentenced them to four

years in prison. They were not charged with rape, but the court did recognize it as a hate crime on the basis of her gender identity.

On August 4, the Pervomayskiy District Court in Omsk ruled that a sport shop should pay Eduard Myra 30,000 rubles (\$514) in compensation for denying him employment on the basis of his “feminine manner” and being “too well groomed,” which the company stated suggested he was part of the LGBTI community.

HIV and AIDS Social Stigma

Persons with HIV/AIDS faced significant legal discrimination, growing informal stigma-based barriers, employment discrimination (see section 7.d.), and were prohibited from adopting children.

According to NGO activists, men who have sex with men were discouraged from seeking antiretroviral treatment, since treatment exposed the fact that these individuals had the virus, while sex workers were afraid to appear in the official system due to threats from law enforcement bodies. Economic migrants also concealed their HIV status and avoided treatment due to fear of deportation. By law foreign citizens who are HIV-positive may be deported. The law, however, bars the deportation of HIV-positive foreigners who have a Russian national or permanent resident spouse, child (including adopted children), or parents (including adoptive parents).

Prisoners with HIV/AIDS experienced regular abuse and denial of medical treatment. Prisoners with HIV were excluded from amendments to the criminal code adopted during the year that improved visitation opportunities for incarcerated parents.

Although the law provides for treatment of HIV-positive persons, drug shortages, legal barriers, and lack of funds caused large gaps in treatment. In June the Ministry of Health forbade the Federal AIDS Center in Moscow from dispensing antiretroviral drugs. The center served persons who could not get treatment at Moscow hospitals because they were living in Moscow without permanent registration.

The Ministry of Justice continued to designate HIV-related NGOs as foreign agents; at least two such groups were so designated during the year (see section 2.b., Freedom of Association).

Other Societal Violence or Discrimination

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides that workers may form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination, but it does not require employers to reinstate workers fired due to their union activity. The law prohibits reprisals against striking workers. Unions must register with the Federal Registration Service, often a cumbersome process that included lengthy delays and convoluted bureaucracy. The grounds on which trade union registration may be denied are not defined and could be arbitrary or unjustified. Active members of the military, civil servants, customs workers, judges and prosecutors, and persons working under civil contracts are excluded from the right to organize. The law requires labor unions to be independent of government bodies, employers, political parties, and NGOs.

The law places several restrictions on the right to bargain collectively. For example, only one collective bargaining agreement is permitted per enterprise, and only a union or group of unions representing at least one-half the workforce may bargain collectively. The law allows workers to elect representatives if there is no union. The law does not specify who has authority to bargain collectively when there is no trade union in an enterprise.

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. The law also prohibits some nonessential public servants from striking and imposes compulsory arbitration for railway, postal, and municipal workers as well as other public servants in roles other than law enforcement.

Union members must follow extensive legal requirements and engage in consultations with employers before acquiring the right to strike. According to the Federation of Independent Trade Unions of Russia, the legal preparation for a

strike takes at least 40 days. Solidarity strikes and strikes on issues related to state policies are illegal, as are strikes that do not respect the onerous time limits, procedures, and requirements mandated by law. Employers may hire workers to replace strikers. Workers must give prior notice of the following aspects of a proposed strike: a list of the differences of opinion between the parties that triggered the strike; the date and time at which the strike will start, its duration and the number of anticipated participants; the name of the body that is leading the strike and the representatives authorized to participate in the conciliation procedures; and proposals for the minimum service to be provided during the strike. In the event a declared strike is ruled illegal and takes place, courts may confiscate union property to cover employers' losses.

The Federal Labor and Employment Service (RosTrud) regulates employer compliance with labor laws and is responsible for "controlling and supervising compliance with labor laws and other legal acts which deal with labor norms" by employers. Several state agencies including the Ministry of Justice, the Prosecutor's Office, the Federal Service for Labor and Employment, and the Ministry of Internal Affairs are responsible for enforcing the law. These agencies, however, frequently failed to fulfill their responsibilities, and violations of freedom of association were common. Penalties were not sufficient to deter violations.

Employers frequently engaged in reprisals against workers for independent union activity, including threatening to assign them to night shifts, denying benefits, and blacklisting or firing them. Although unions were occasionally successful in court, in most cases managers who engaged in antiunion activities did not face penalties.

b. Prohibition of Forced or Compulsory Labor

The law prohibits most forms of forced or compulsory labor but allows for it as a penal sentence, in some cases as labor contracted to private enterprises.

The government was generally effective in enforcing laws against forced labor, but gaps remained in protecting migrant laborers, particularly from North Korea. Migrant forced labor occurred in the construction industry, logging industry, textile shops, and agricultural sector (see section 7.c.). Migrant workers at times experienced exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, nonpayment for services rendered, physical abuse, and extremely poor living conditions.

Under a state-to-state agreement in effect since 2009, North Korean citizens worked in the country in a variety of sectors, including the logging and construction industries in the Far East. As of June 2016, the Federal State Statistics Service, citing GAMI numbers, registered 30,000 North Korean workers, many of whom worked under conditions of forced labor. Press reports indicated North Korean laborers helped build a new soccer stadium in St. Petersburg to be used in the 2018 World Cup, a project on which at least one laborer died. Two North Korean laborers died in central Moscow in July while working on a luxury apartment complex, and independent reports characterized conditions in the logging camps in the country's Far East that employed North Korean laborers as consistent with forced labor.

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

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 younger than 18. 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 restricted for children under 18, including work in unhealthy or dangerous conditions, underground work, or jobs that might endanger a child's health and moral development.

RosTrud is responsible for inspecting enterprises and organizations to identify violations of labor and occupational health standards for minors. The government did enforce the law but violations, such as employing child labor, were at times classified as administrative matters and punished with fines, doing little to deter future violations.

Child labor was uncommon in Russia, but could occur in agriculture and the informal construction and retail sectors. Some children, both Russian and foreign, were subjected to commercial sexual exploitation (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law does not prohibit discrimination based on sexual orientation, HIV status, gender identity, or disability. Employment discrimination laws were not always effectively enforced.

Discrimination based on gender in compensation, professional training, hiring, and dismissal was common. Employers often preferred to hire men to save on maternity and child-care costs and to avoid the perceived unreliability associated with women with small children. Such discrimination was often very difficult to prove, although NGOs reported several successful lawsuits in St. Petersburg against companies for wrongful termination of women on maternity leave.

A 2013 law prohibits employer discrimination in posting job vacancy information. It also prohibits employers from requesting workers with specific gender, race, nationality, address registration, age, and other factors unrelated to personal skills and competencies. Notwithstanding the law, vacancy announcements sometimes specified gender and age requirements, and some also specified a desired physical appearance. According to the Center for Social and Labor Rights, courts often ruled in favor of employees filing complaints, but the sums awarded were inconsequential. Many employees therefore preferred not to spend the money and time to take legal action.

The labor code restricts women's employment in jobs with "harmful or dangerous conditions or work underground, except in nonphysical jobs or sanitary and consumer services," and forbids women's employment in "manual handling of bulk weights that exceed the limits set for their handling."

The labor code includes hundreds of tasks prohibited for women. These include restrictions on employment in mining, manufacturing, and construction.

The World Economic Forum's publication, *The Global Gender Gap Report 2015*, based on the country's annual statistics report, documented a widespread gender pay gap and noted that, while women were close to parity in senior business roles, women predominated in low-paying jobs in education, the health-care industry, and low-level sales positions. On average, women earned 72.6 percent of salaries for men, notwithstanding that 85 percent of women had completed some form of higher education compared with 68 percent of men.

Persons with disabilities were subject to employment discrimination. Companies with 35 to 100 employees have an employment quota of 1 to 3 percent for persons with disabilities, while those with more than 100 employees have a 2 to 4 percent

quota. Some local authorities and private employers continued to discourage persons with disabilities from working. Inadequate workplace access for handicapped persons limited their work opportunities.

Many migrants regularly faced discrimination and hazardous or exploitative working conditions. Union organizers faced employment discrimination, limits on workplace access, and pressure to give up their union membership.

Employment discrimination based on sexual orientation and gender identity was a problem, especially in the public sector and education. Employers fired LGBTI persons for their sexual orientation, gender identity, or public activism in support of LGBTI rights. If they expected to be fired, some LGBTI persons chose to resign preemptively to avoid having their future prospects hindered by a dismissal on their resumes. Primary and secondary school teachers were often the targets of such pressure due to the law's focus on so-called propaganda targeted at minors (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity).

Persons with HIV/AIDS were prohibited from working in some areas of medical research and medicine.

e. Acceptable Conditions of Work

Beginning July 1, the national minimum wage for all sectors was 7,800 rubles (\$134) per month, which was 78 percent of the subsistence minimum. The subsistence minimum income used by the government as the official poverty line was 9,889 rubles (\$170) per month in September. Many local governments enacted minimum wage rates higher than the national rate.

Nonpayment of wages is a criminal offense and is punishable by fines, compulsory labor, or imprisonment. The government did not effectively enforce the law in either the formal or informal sectors, and nonpayment of wages remained widespread. Since October 2016, a new federal law increased administrative fines on employers who failed to pay salaries and set progressive compensation scales for workers impacted by wage arrears. According to the Russian Federal State Statistics Service (Rosstat), as of October 1, wage arrears amounted to 3.39 billion rubles (\$58 million); 99 percent of arrears were due to organizations lacking internal funds. According to the newspaper the *Moscow Times*, in October six construction workers at the Vostochnyy Space Launch Center staged a hunger strike for the third year in a row over six months of unpaid wages.

The labor code contains provisions for standard workhours, overtime, and annual leave. The standard workweek cannot exceed 40 hours. Employers may not request overtime work from pregnant women, workers under the age of 18, and other categories of employees specified by federal laws. Standard annual paid leave is 28 calendar days. Employees who perform work involving harmful or dangerous labor conditions and employees in the Far North regions receive additional annual paid leave. Organizations have discretion to grant additional leave to employees.

The labor code stipulates that payment for overtime must be 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 leave. Overtime work cannot exceed four hours in a two-day period or 120 hours in a year for each employee. The law establishes minimum conditions for workplace safety and worker health, but does not explicitly allow workers to remove themselves from hazardous workplaces without threat to their employment. The law entitles foreigners working legally to the same rights and protections as citizens.

Occupational safety and health standards were appropriate to the main industries, and government inspectors are responsible for enforcement. Serious breaches of occupational safety and health provisions are criminal offenses. Experts generally pointed to prevention of these offenses, rather than adequacy of available punishment, as the main challenge to protection of worker rights. RosTrud, the agency that enforces the provisions, noted that state labor inspectors needed additional professional training and additional inspectors to enforce compliance.

According to Rosstat, in 2016 a total of 21.2 percent of the labor force was employed in the informal economy, up from 20.5 percent in 2015 and the highest percentage since 2006. Rosstat defined the informal economy as enterprises not registered as legal companies, including persons who were self-employed or worked for an "individual entrepreneur." Employment in the informal sector was concentrated in the southern regions. The largest share of laborers in the informal economy was concentrated in the trade, construction, and agricultural sectors, where workers were more vulnerable to exploitative working conditions. Labor migrants worked in low-quality jobs in construction but also in housing, utilities, agriculture, and retail trade sectors, often informally.

No national-level information was available on the number of workplace accidents or fatalities during the year. According to Rosstat, in 2015 approximately 28,200

workers were injured in industrial accidents, including 1,290 deaths. On June 22, an accident killed five workers in a sewage collector in Moscow. According to preliminary data, the workers died due to exposure to poison gas. RosTrud opened a criminal investigation into the employer.

In June, Human Rights Watch released a report that construction workers building stadiums for the International Federation of Association Football 2017 Confederations Cup and 2018 World Cup faced exploitation and labor abuses. The report documented how workers in six World Cup soccer stadium construction sites faced unpaid wages, wage payment delays, and failure to provide work contracts for legal employment. According to the Building and Wood Workers' International global union, at least 17 workers died at World Cup stadium sites.