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2008 Country Reports on Human Rights Practices - Russia

Bureau of Democracy, Human Rights, and Labor
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The Russian Federation has an increasingly centralized political system, with power concentrated in the presidency and the office of prime minister, a weak multiparty political system, and a ruling-party dominated bicameral legislature (Federal Assembly) consisting of a lower house (State Duma) and an upper house (Federation Council). The country has an estimated population of 141.9 million. International observers reported that the December 2007 State Duma election was not fair and failed to meet many international standards for democratic elections. Likewise, the March 2 election for president, assessed to be still not free and not fair, repeated the flaws of the State Duma election, with observers expressing concern over the registration process, unequal access to the media by candidates, and abuse of administrative resources. Dmitriy Medvedev, the candidate of the dominant United Russia party, handpicked by his predecessor, became president in March with 70 percent of the vote. In the State Duma elections, the United Russia party received a constitutional majority of more than two thirds of the seats. Civilian authorities generally maintained effective control of federal security forces.

There were numerous reports of government and societal human rights problems and abuses during the year. The government's human rights record remained poor in the North Caucasus, where governments in Ingushetiya and Dagestan faced increased opposition from disaffected social groups and insurgencies, and the Chechen government forcibly reined in the Islamist insurgency that replaced the separatist insurgency as the main source of conflict. Security forces reportedly engaged in killings, torture, abuse, violence, and other brutal or humiliating treatment, often with impunity. In Chechnya, Ingushetiya, and Dagestan, security forces were allegedly involved in unlawful killings and politically motivated abductions. While disappearances declined overall, extrajudicial killings increased in Ingushetiya. Disappearances and kidnappings in Chechnya declined during the year; however, Chechen President Kadyrov continued his repressive control as federal forces withdrew. Federal and local security forces in Chechnya targeted families of suspected insurgents with impunity, and Kadyrov's private militia allegedly engaged in kidnapping and torture.

In August, Russia launched a military invasion using disproportionate force across Georgia's internationally recognized borders responding to what Russian officials reported was Georgia's use of heavy force in Tskhinvali, the local capital of Georgia's South Ossetian region, and the killings of Russian peacekeepers. Military operations by Georgian and Russian forces reportedly involved the use of indiscriminate force and resulted in civilian casualties, including of a number of journalists. Prison conditions were harsh and frequently life threatening, law enforcement was often corrupt, and the executive branch allegedly exerted influence over judicial decisions in some high-profile

cases. Security services and local authorities conducted searches without court warrants, particularly under the extremism law.

Government pressure weakened freedom of expression and media independence, particularly of the major television networks. Five journalists were killed during the year, in one case in Ingushetiya by police. Unresolved killings of journalists remained a problem. As some print and Internet media reflected a widening range of views, the government restricted media freedom through direct ownership of media outlets, pressuring the owners of major media outlets to abstain from critical coverage, and harassing and intimidating journalists into practicing self-censorship. Local governments limited freedom of assembly, and police sometimes used violence to prevent groups from engaging in peaceful protest. The government limited freedom of association. The government restricted religious groups in some regions, and there were incidents of societal discrimination, harassment, and violence against religious minorities, including anti-Semitism. In the North Caucasus, thousands of internally displaced persons (IDPs) lived in temporary centers that failed to meet international standards.

Continuing centralization of power in the executive branch, a compliant State Duma, corruption and selectivity in enforcement of the law, media restrictions, and harassment of some NGOs eroded the government's accountability to its citizens. The government restricted opposition political parties' ability to participate in the political process. The March presidential election was marked by problems during the campaign period and on election day, as reported by independent Russian and European observers, including the Parliamentary Assembly of the Council of Europe, which included the abuse of government resources, media bias in favor of the ruling party and its candidate, authorities' refusal to register opposition party candidates, lack of equal opportunity for conducting campaigns, and ballot fraud. The government restricted the activities of some nongovernmental organizations (NGOs), in some cases moving to close the organizations, through selective application of the laws and other mechanisms. Authorities exhibited hostility toward, and sometimes harassed, NGOs involved in human rights monitoring as well as those receiving foreign funding. A decree from the prime minister in June removed tax-exempt status from the majority of NGOs, including international NGOs, and imposed a potentially onerous annual registration process for those that met the proposed requirements. Many NGOs interpreted the decree as a further step to restrict NGO funding and operations. Violence against women and children were problems, and domestic violence was widespread. Trafficking in persons continued to be a significant problem. There was some governmental discrimination and widespread societal discrimination as well as racially motivated attacks against ethnic minorities and dark-skinned immigrants or guest-workers. During the year there was a steady rise in xenophobic, racial, and ethnic attacks and hate crimes, particularly by skinheads, nationalists, and right-wing extremists. Instances of forced labor were also reported.

Although there was some improvement in areas of the internal conflict in the North Caucasus, antigovernment forces continued killing and intimidating local officials. There were reports of rebel involvement in bombing of civilian targets and politically motivated disappearances in Chechnya, Ingushetiya, and elsewhere in the North Caucasus. Some rebels were allegedly involved in kidnapping for ransom. There were reports that rebels improvised explosives that resulted in civilian casualties. According to the Internet-based Caucasian Knot, 226 members of law enforcement agencies died and 420 were injured during the year in actions involving insurgents.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were reports that the government or its agents committed politically motivated killings and other arbitrary killings. In August, the government's use of indiscriminate military force in a conflict with Georgia resulted in numerous civilian deaths in that

country.

On August 31, police shot Ingush opposition leader and editor of the opposition news portal Ingushetiya.ru, Magomed Yevloyev, in the head while he rode in a police car in Nazran after being apprehended by Ingush authorities on his return from Moscow. He later died from the wound. In retaliation, Yevloyev's relatives declared a "blood feud" against then president of Ingushetiya Murat Zyazikov and his Interior Minister Musa Medov, and claimed that according to tradition, this called for the murder of one of their male family members. On September 10, unknown gunmen killed Zyazikov's cousin while he was driving his car in Nazran. The Interior Ministry stated that Yevloyev was shot by accident, and the district court initially agreed, but many criticized the decision. In November, the Supreme Court of Ingushetiya reopened the investigation, and it was pending at year's end.

On November 5, three police officers in the city of Saratov allegedly assaulted Armen Gasparyan to force him to confess to a theft, then doused him with gasoline, and burned him to death. Prosecutors charged the officers with murder, and the case was ongoing at year's end.

In December the Moscow branch of the Investigative Committee suspended, due to an "absence of suspects," the investigation into the death of Yuri Chervochkin, an activist in the National Bolshevik Party (NBP). Chervochkin was attacked and beaten into a coma by unknown assailants in November 2007 in Serpuchov and later died. Prior to his beating, Chervochkin had participated in demonstrations in Moscow led by the Other Russia political opposition movement. He was reportedly warned by the authorities not to participate in the demonstrations, and other NBP members claimed he was killed by government security forces.

Deaths due to hazing in the military continued to be a problem. The Ministry of Defense reported 17 deaths as a direct result of hazing during the year. In the first 10 months of 2007, 20 military servicemen were killed in hazing incidents. In 2006, 33 servicemen were killed in hazing incidents. Human rights observers noted that few of the persons accused in the incidents had been prosecuted and held accountable.

In May 2007, a noncommissioned officer reportedly hazed conscript Sergey Zavyalov, who later died of head injuries from the abuse. The Sertolovo Military Garrison prosecutor's office charged a sergeant in Zavyalov's garrison with "deliberate infliction of grave physical injuries." In December 2007, the first court hearing on the case commenced, and on April 1, the Sertolovo Garrison Military Court convicted Dmitri Kochkov and sentenced him to six years' imprisonment. On May 30, the Leningrad Circuit Court upheld the verdict.

Human Rights Watch (HRW) reported that, during the August military conflict in Georgia, both Russian and Georgian forces used indiscriminate and disproportionate military force, including Grad rockets and cluster munitions, which resulted in civilian deaths and injuries. In a number of cases, Russian forces in Gori, Georgia, fired on civilian vehicles, killing and wounding civilians. During and in the weeks following the conflict, hundreds of civilians were reportedly killed in the areas under the control of Russian forces.

In past years Chechen rebels killed a number of federal soldiers whom they had taken prisoner; many other individuals were kidnapped and then killed in Chechnya by both federal and rebel troops, as well as by criminal elements. According to Caucasian Knot, during the year 237 persons were killed in Chechnya – 25 civilians, 97 police officers, and 115 militants. There were also deaths from landmines and unexploded ordnance.

In July, a mass grave was discovered in Chechnya that contained up to 300 bodies. According to the Chechen ombudsman, the bodies were from a group of refugees killed by federal forces as they attempted to move to another area of the republic in October 1999.

There were some minor developments in cases of high-profile killings from 2006. On June 23, a jury reached a verdict in the trial for the 2006 killing of Dalnegorsk mayoral candidate Dmitriy Fotyanov. Two persons were found guilty of his murder, while two others were convicted of being accessories to the crime; one suspect was at large at year's end. The suspects allegedly killed Fotyanov because his election would have threatened their business interests.

On October 28, a jury in the Moscow City Court found former chairman of the board of directors of VIP Holding, Aleksey Frankel, guilty of ordering the 2006 killing of banking reform advocate Central Bank Deputy Chairman Andrey Kozlov. Frankel allegedly ordered the killing in revenge for Kozlov's decision to revoke VIP Holding's license. Frankel's lawyers stated their intention to appeal the case. An accomplice and the alleged hitmen were also charged, and their cases were ongoing at year's end. On May 30, an unknown attacker beat Frankel's lawyer Viktor Pashrutkin on a street near his home. Another lawyer in the Kozlov case was burglarized the previous day, leading many commentators to believe that the attack was related to Pashrutkin's work in the case.

During the year there were no developments reported in the case of Andrey Lugovoy, whom the United Kingdom sought to extradite as the primary suspect in the poisoning death in London of former Russian intelligence officer Aleksander Litvinenko. In July 2007 the government, citing constitutional restrictions, refused the extradition request. Separate investigations into the death continued during the year in Russia and the United Kingdom. Many observers alleged the killing was politically motivated, in part because of the highly restricted nature of Polonium 210, the substance used to poison Litvinenko. In December 2007, Lugovoy was elected to the State Duma, giving him substantial immunity from prosecution in the country.

There were no developments reported in the investigation into the 2006 killings of Aleksandr Plokhin, a branch director of VneshTorgBank, and of Konstantin Meshcheryakov, co-owner of Spetssetstroibank.

b. Disappearance

During the year there were reports of disappearances throughout the North Caucasus in connection with the conflicts in Chechnya, Ingushetiya, and Dagestan. Some disappearances were alleged to be politically motivated and to have involved federal or local governments. There were no reports of politically motivated disappearances outside these regions of the country.

During the year at least 50 kidnappings reportedly took place in the North Caucasus region. The Caucasian Knot reported 15 kidnappings in Chechnya, 24 disappearances in Ingushetiya, and 11 disappearances in Dagestan. In 2007 the overall number of disappearances in the North Caucasus was 75. In most cases government forces involved in disappearances acted with impunity. Criminal groups in the region, possibly with links to rebel forces, frequently resorted to kidnapping (see section 1.g.).

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

The law prohibits such practices; however, there were credible reports that law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects and allegations that the government did not consistently hold officials accountable for such actions. During the year there were also reports of torture and other cruel, inhuman, or degrading treatment or punishment by federal or local government security forces in connection with the conflict in Chechnya. In August, during a conflict that began in the Georgian separatist enclave of South Ossetia, the government's use of indiscriminate military force resulted in numerous civilian injuries in that country.

Although prohibited in the constitution, torture is not defined in the law or the criminal code. As a result, the only accusation prosecutors could bring against police suspected of torture was exceeding their authority or committing a simple assault.

Cases of physical abuse by police officers usually occurred within the first few hours or days of arrest. Some of the methods reportedly used included beatings with fists, batons, or other objects; asphyxiation using gas masks or bags (at times filled with mace); electric shocks; or suspension by body parts (for example, suspending a victim from the wrists, which were tied together behind the back). Allegations of abuse were difficult to substantiate because of limited access to medical professionals. A 2008 report by Amnesty International documented numerous cases of alleged torture by police. According to the February 2007 annual report of the country's human rights ombudsman, the majority of police abuse cases in 2006 were reported in Komi and Mordoviya republics, Krasnoyarsk Kray, and Amur, Kirov, Sverdlov, and Tyumen regions.

In 2007, the human rights ombudsman received approximately 3,000 complaints of abuses in jails and prisons, more than one-third of which dealt with the harsh treatment of prisoners by guards. The Ombudsman's Office found that two-thirds of the complaints merited investigation but was able to adequately investigate only 123 cases due to obstruction by prison officials.

In July, a court convicted three officers in the Nizhniy Novgorod region of physically abusing a suspect in 2007 in an attempt to coerce a confession and sentenced them to prison terms from four to four-and-a-half years.

On March 4, the court denied an appeal by three officers found guilty in October 2007 of torturing and beating Dmitriy Noskov in 2004, forcing him to confess to robbery. Doctors who examined him documented a concussion and extensive injuries. The officers were sentenced to five-and-a-half, six, and seven years in prison.

On April 4, police beat several young men near the Sokolniki metro station in Moscow; this sparked a protest on April 11 in central Moscow in which police detained protesters, in some cases using violence. Public reaction to reports of police violence was generally muted. For example, on April 19, police in Izhevsk forcibly detained 54 youths who had gathered for a concert, but there was no public reaction. No government body took any action against the police in the above instances.

On April 8 and May 20, OMON (Otryad Militsii Osobogo Naznacheniya) police officers Yuriy Golovin and Sergey Fomin were convicted of beating 32 persons during the 2004 "crime prevention" crackdown in Blagoveshchensk. They received a suspended sentence of three years' imprisonment, one year of probation, and were prohibited from working in law enforcement or other municipal agencies for one year. In the same case, on June 17, OMON officer Aidar Gilvanov was convicted and sentenced to four years' imprisonment and prohibited from working in state and local self-government for three years. OMON officers Oleg Shapeyev and Vil Hamatdinov received suspended sentences, and Hamatdinov was prohibited from working in state or local government for one year. On September 18, the Blagoveshchensk City Court found the remaining three suspects guilty: Lieutenant Colonel Ildar Ramazanov, his deputy Major Oleg Mirzin, and Major Oleg Kosolov. However, defense attorneys requested that the case be returned to the Prosecutor's Office to remove discrepancies and mistakes, and the City Court suspended hearings. There were no further developments at year's end.

On January 24, the European Court of Human Rights (ECHR) found the country responsible for the rape and mistreatment of Olga Maslova and for not conducting an effective investigation into the crimes. Maslova alleged that, after police brought her in to provide information about a murder case in November 1999, they raped and tortured her in order to pressure her into giving a confession. Her friend, Fedor Nalbandov, alleged that police harassed and physically assaulted him when he came to the police station after receiving a call from Maslova. The government was also held responsible for not effectively investigating his allegations.

In March 2007, the ECHR ruled that the government had violated the rights of Andrey Frolov through inhuman prison conditions. Frolov, who had been imprisoned in St. Petersburg since 1999, had protested the prison overcrowding and testified that he and 15 other prisoners had to take shifts sleeping because they shared a cell designed to

hold eight persons. Frolov was awarded 20,000 euros (\$25,567) but had not been released at year's end, and there was no information as to whether his conditions had improved.

Reports by refugees, NGOs, and the press suggested a pattern of police beatings, arrests, and extortion directed at persons with dark skin or who appeared to be of Caucasus, Central Asian, African, or Romani ethnicity.

In May, following a public outcry and the intervention of the human rights ombudsman, Ministry of Justice's Federal Service for the Execution of Sentences (FSIN) prison authorities moved former Yukos Oil Company vice president Vasilii Aleksanyan, who was HIV positive and diagnosed with lymphoma cancer, to a hospital. After a lengthy campaign by human rights activists to secure his release, in December the ECHR ruled that the country had violated Aleksanyan's rights and that he must be freed on bail. Aleksanyan was accordingly freed on bail of 50 million rubles (\$1,373,513). Some commentators found the sum to be excessive, and others criticized the long wait for his release, noting that upon release he was too weak to move.

In December former Yukos lawyer Svetlana Bakhmina failed to receive early parole despite a high-profile campaign to secure her release on humanitarian grounds. In 2006, Bakhmina was convicted of tax evasion and embezzlement and sentenced to seven years in prison, which was reduced on appeal to six-and-a-half years. At the time of the campaign for her release, she had served over half of her sentence, which commonly enables a prisoner to apply for parole.

There were a limited number of cases reported where psychiatry was used against those dissatisfied with the authorities, according to the Russian Research Center for Human Rights. The government's and courts' interpretation of the law resulted in a monopoly by government consultants in the provision of expert testimony in court cases. The Human Rights Ombudsman's Office had an experts' council that engaged in some cases to assist persons who were treated improperly by the courts.

In February a court ordered opposition activist Roman Nikolaychik to a psychiatric hospital in Tver for three weeks. Activists for the Other Russia, of which Nikolaychik was a member, alleged that this was a case of "punitive psychiatry," applied by Tver security services because a fabricated case against Nikolaychik of attempted murder had fallen apart. There were no new developments in the case by year's end.

On September 19, the Oktyabrsky District Court in Penza sent Sergey Cherepovsky, a defense lawyer, to a psychiatric ward in Kazan after having prolonged his custody. Cherepovsky was accused of using violence against an official who tried to stop him from filming the alleged harassment of his client Valery Bychkov, a deputy in the Penza city legislature and chairman of the Penza branch of Garry Kasparov's United Civic Front, in a court building.

On November 17, the Leninskiy District Court began hearings on a lawsuit by human rights and opposition activist Larissa Arap, who in July 2007 was involuntarily confined to a psychiatric hospital in Apatity, reportedly in revenge for her published critical comments about the facility in an earlier confinement. She alleged that hospital staff abused her during her involuntary confinement. A team of independent psychiatric experts assembled by the human rights ombudsman examined Arap and stated that her hospitalization was unnecessary; she was released in August 2007. In April, Arap's defense attorney appealed to both the ECHR and the Leninskiy District Court of Murmansk for compensation of moral and material damage. In mid-October, the district court rejected Arap's appeal, but she and her defense attorney appealed the decision. There were no further developments at year's end.

On November 1, the Novosibirsk Regional Court released NBP member Nikolay Baluyev from custody due to his bad health condition. Baluyev was accused in August 2007 of conspiring to commit a terrorist act and possession of a weapon; a Novosibirsk regional court ruled that he should undergo psychiatric treatment. Some activists criticized the

allegations as unfounded. On May 20, Baluyev's forced psychiatric treatment was completed, and doctors declared him cured. He was returned to pretrial jail. On July 2, the Novosibirsk Regional Court extended his jail confinement by two months. In jail, a preexisting physical condition grew worse, and when he was hospitalized on July 7, his fellow NBP members appealed to the human rights ombudsman for his release, stating that his life was in danger.

In November 2007, a day before a planned Other Russia demonstration, Artem Basyrov, an Other Russia activist, was involuntarily hospitalized in a Mari El Republic psychiatric hospital. On December 25, the Mari El Hospital Commission released Basyrov. Basyrov claimed that his hospitalization was politically motivated. There were no further developments in the case at year's end.

Various abuses against military servicemen continued, including but not limited to the violent hazing of junior recruits (known as "dedovshchina") in the armed forces and security services. Such mistreatment often included beatings or threats of increased hazing to extort money or material goods. In recent years, in larger cities, conscripts were sometimes encouraged to prostitute themselves to come up with the money; however, there were no corroborated reports of this during the year. According to the NGO Committee of Soldiers' Mothers (CSM), in rare instances during the year, conscripts were forced into slave labor. Cases were usually investigated only following pressure from family members, NGOs, or the media. The human rights ombudsman, as well as CSM, also stated that there was a growing problem with conscripts being coerced into signing contracts. The St. Petersburg branch of CSM noted an increase in reports of forced conscription on August 5, reportedly in connection to the conflict with Georgia. Overall, CSM estimated that 30 percent of conscripts were forced.

According to CSM, there were approximately 10,000 complaints of hazing during the year. The Defense Ministry reported 427 noncombat deaths during the year, of which 121 were suicides. The army's suicide rate was down 14 percent for the first six months of the year compared with the same period in 2007. During the year one in every four hazing offenses was committed by an officer, and officers increasingly tried to conceal offenses. In the first four months of the year, there were 138 reported instances of officer cover-ups, compared with 48 in the same period in 2007.

During the year CSM accused an army unit in St. Petersburg of running a program where new recruits were forced to give 1,000 rubles (approximately \$27) every morning to more senior unit members. If they failed to provide the money, they were beaten and tortured. The army unit sued CSM for damage to its professional reputation, and a court found in the army's favor. CSM lost its appeal of the case and was ordered to pay a fine of 16,000 rubles (approximately \$440). The NGO appealed; a decision was pending at year's end.

CSM regional committees received a total of 5,000 complaints from 20 regions across the country during the year, an increase from the 2007 figure of 3,500. The complaints from soldiers and parents mostly related to beatings, but also concerned sexual abuse, torture, and enslavement. Soldiers often did not report hazing to either unit officers or military prosecutors due to fear of reprisals, since in some cases officers allegedly tolerated or even encouraged hazing as a means of controlling their units. Officers reportedly also used beatings to discipline soldiers.

On July 1, drill sergeant Peter Tarasov was convicted and sentenced to four-and-a-half years in prison and stripped of his military rank for severely beating conscript Artem Kaznacheyev in the presence of 170 soldiers in July 2007. Kaznacheyev spent two weeks in a coma, had two operations, and suffered severe damage to his lungs, liver, and other internal organs.

There was evidence that the military was attempting to deal with its abuse problems. During the year 2,000 persons were charged with army hazing or related crimes, most commonly abuse or physical assault. Of those convicted, many continued serving in the army under a "conditional" sentence. CSM reported that 105 convicted officers lost their

positions during the year. During 2007, after numerous media reports detailed how soldiers in Primorye's Pogradichnyi region were being mistreated and extorted, allegedly with the consent of officers, the Ministry of Defense sent a team from Moscow to investigate. Hazing reportedly continued to be a serious problem in units that had previously served in areas of military conflict.

Former defense minister and current First Deputy Prime Minister Sergey Ivanov ordered parent committees to be embedded in the army and in drafting commissions. By the end of 2007, there were parent committees in 142 military units and 12 military commissariats.

On July 3, the ECHR found the country responsible in a case brought by Yevgeniy Chamber for inhuman treatment, lack of an effective investigation, and also for lack of providing an effective remedy. Chamber was allegedly beaten and denied medical treatment after injuring his spine during military training. He later collapsed, was diagnosed with a closed spine injury, and was discharged from the military.

According to a HRW report detailing abuses by parties to the August conflict between Russia and Georgia, Russian forces were at times involved in the looting and destruction, either as passive bystanders to Ossetian forces' abuses or active participants, or by providing South Ossetian militias transport into villages. According to the report, when Russian forces entered Georgian territory adjacent to South Ossetia, they allowed South Ossetian forces to engage in widescale pillage and burning of Georgian homes and to kill, beat, rape, and threaten civilians.

Prison and Detention Center Conditions

Prison conditions remained extremely harsh and frequently life threatening. The FSIN administered most of the penitentiary system centrally from Moscow. There were five basic forms of custody facilities in the criminal justice system: police temporary detention centers, pretrial detention facilities (SIZOs), correctional labor colonies (ITKs), prisons designated for those who violate ITK rules, and educational labor colonies (VTKs) for juveniles. In most cases, juveniles were held separately from adults.

As of November, 891,700 persons were in the custody of the criminal justice system, an increase of 3,600 from 2007. This number included 8,800 juveniles, 784 children under age 14, and 68,200 women. The number of juveniles decreased from 2007 levels, while the number of women in custody increased. As of August there were 147,200 persons held in SIZOs.

In past years official statistics recorded several thousand prisoners dying in SIZOs, and in November 2007 the FSIN reported that during the period 2001-07 the mortality rate decreased by 3.8 times. However, official statistics were not available during the year. While most died as a result of poor sanitary conditions or lack of medical care, the press reported that individuals were mistreated, injured, or killed in various SIZOs. Some of the cases reported in past years suggested habitual abuse by officers. Inmates in the prison system often suffered from inadequate medical care, and the numbers of inmates infected with tuberculosis (TB) and HIV increased. According to FSIN data, as of November 2007, approximately 400,000 inmates had mental disorders, 43,000 had active TB, and 42,000 had HIV. TB infection rates were far higher in detention facilities than in the population at large.

Abuse of prisoners by other prisoners continued to be a problem. Violence among inmates, including beatings and rape, was common. There were elaborate inmate-enforced caste systems, in which informers, homosexuals, rapists, prison rape victims, child molesters, and others were considered to be "untouchable" and were treated harshly, with little or no protection provided by prison authorities.

Penal institutions remained overcrowded, but there were reports of some improvements. Federal standards call for a minimum of four square meters per inmate. The NGO Penal Reform International confirmed that prisons in the country met this

standard except in cases of overcrowding.

Conditions in SIZO pretrial facilities remained extremely harsh and posed a serious threat to health and life. Conditions within different SIZOs varied considerably. Health, nutrition, and sanitation standards remained low. Poor ventilation was thought to contribute to cardiac problems and lowered resistance to disease. Overcrowding was common, and the Federal Prison Service reported that approximately 158,000 suspects were being held in pretrial detention facilities designed to house 130,000.

Most convicts were imprisoned in ITKs. At year's end there were 734,300 convicts imprisoned in 758 ITKs, and 144,900 suspects were held in pretrial detention facilities, including 225 pretrial jails, seven prisons, and 164 detention facilities functioning as pretrial jails. These facilities provided greater freedom of movement than SIZOs; however, at times guards humiliated, beat, and starved prisoners. The country's prisons, distinct from ITKs, were penitentiary institutions for those who repeatedly violate the rules in ITKs.

As of June 1, 62 VTKs held 9,900 juvenile prisoners. Conditions in the VTKs were significantly better than in the ITKs, but some juveniles in the VTKs and juvenile SIZO cells reportedly suffered from beatings and rape. While juveniles were generally held separately from adults, there were two prisons in Moscow and one in St. Petersburg where children and adults were not separated. Schooling in the prisons for juveniles was reportedly mandatory through high school.

According to the NGO For Human Rights, prison officials did not allow human rights observers or defense attorneys to enter the 41 of 765 prisons with the worst records of abuse, such as torture or collective punishment.

On May 31, guards severely injured four inmates while using excessive force to end a riot in a Chelyabinsk prison. After a prison doctor determined their injuries were not life threatening or worthy of medical treatment, the inmates were returned to their cells, where they died. Eight prison employees of the IK-1 (penal colony #1) in Kopeysk, Chelyabinsk region, were subsequently charged with brutality for beating the inmates. The investigation of the criminal case was ongoing at year's end, with an additional six employees of IK-1 indicted.

In 2007, the human rights ombudsman received almost 3,000 complaints from persons in the prison system. According to its 2007 annual report, the Office of the Human Rights Ombudsman received a high number of complaints about prison conditions; such complaints made up approximately 20 percent of the total number of complaints received by the office. More than 150 FSIN staff members were charged with abuse and other violations in 2007.

On September 1, a new law came into force that limits public access to detention facilities. The human rights community criticized the law, noting that its practical effect was to eliminate public oversight of prison facilities.

Authorities continued to refuse to grant the International Committee of the Red Cross (ICRC) access, under ICRC's standard criteria, to persons detained as part of the conflict in Chechnya, and the ICRC subsequently was forced to suspend its detention visits.

The ECHR ruled against the country in five cases involving improper prison and transport conditions.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The Ministry of Internal Affairs, the Federal Security Service (FSB), and the Office of the Prosecutor General are responsible for law enforcement at all levels of government. The FSB's core responsibilities are security, counterintelligence, and counterterrorism, but it also has broader law enforcement functions, including fighting crime and corruption. The FSB operated with limited oversight by the prosecutor general and the courts.

The national police force, which falls under the Ministry of Internal Affairs, is organized on federal, regional, and local levels. Although regulations and national laws prohibit corrupt activities, corruption was widespread, and there were few crackdowns on illegal police activity.

According to the investigative branch of the Prosecutor's Office, during the first six months of the year 750 members of law enforcement were prosecuted for abuse of their position.

In November 2007, four police officers were found guilty of charges relating to the "werewolves in uniform" case that involved Ministry of Internal Affairs officers using their positions to engage in criminal activity. The four officers were sentenced to prison terms ranging from nine to 17 years. In 2006, the group's leader and six other officers were convicted of charges that included extortion, bribery, and trafficking in drugs and weapons.

Arrest and Detention

By law an individual may be taken into custody for 48 hours without court approval if arrested at the scene of a crime, provided there is evidence of the crime committed or a witness. Otherwise a court-approved arrest warrant is required. After arrest detainees are typically taken to the nearest police station, where they are informed of their rights. Police are obliged to write an official protocol, signed by the detainee and the police officer, within three hours of detention stating the grounds for the detention. Police must interrogate the detainee within the first 24 hours of detention. Prior to the interrogation, the detainee has the right to meet with an attorney for two hours. No later than 12 hours after detention, police must notify the prosecutor and the detainee's relatives about the detention unless a prosecutor issues a warrant to keep the detention secret. Police must release the detainee after 48 hours, subject to bail conditions, unless a court decides to keep the person in custody in response to a motion filed by police no later than eight hours before the expiration of the 48-hour detention period. The defendant and his or her attorney must be present at the court hearing. By law, police must complete their investigation and transfer the file to the prosecutor for arraignment within two months of a suspect's arrest, although a court may extend a criminal investigation for up to six months in cases classified as complex. With the personal approval of the prosecutor general, a judge may extend that period up to 18 months.

Legal limitations on detention were generally respected; however, there were reports of occasional violations of the 48-hour time limit following an arrest. Frequently, authorities failed to write the official protocol of detention within three hours after the actual detention and held suspects in excess of detention limits. In addition, there were reports that police obtained defense counsels friendly to the prosecution. These "pocket" defense counsels allowed interrogation of their clients. The general ignorance of legal rights on the part of both defendants and their legal counsel contributed to the persistence of these violations.

Judges occasionally suppressed confessions of suspects if they were taken without a lawyer present. They also freed suspects who were held in excess of detention limits, although they usually granted prosecutors' motions to extend the detention period for good cause. The Supreme Court overturned a number of cases in which lower court judges granted permission to detain individuals on what the Supreme Court deemed inadequate grounds.

During the year, the ECHR found the country in violation of the European Convention on

Human Rights in one case for not providing a defendant with a lawyer and in two other cases for keeping a suspect in detention too long.

Authorities selectively detained and prosecuted members of the political opposition. Maksim Reznik, chairman of the Petersburg branch of Yabloko, was arrested during the March election campaign and briefly imprisoned on what many observers called fabricated charges of assault on police.

On March 24, a court sentenced Aleksey Makarov, arrested in 2006 for allegedly assaulting persons on his way to a court hearing about registering the National Bolsheviks political party, to two years' imprisonment in a labor camp. In June the ECHR found that the country's lengthy pretrial detention of Makarov had violated his rights.

Amnesty

Unlike in 2006 and 2007, when the government issued a partial amnesty for militants and servicemen who surrendered (excluding those suspected of crimes such as rape, murder, or terrorism, or those accused of selling or stealing weapons), there were no amnesties during the year.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, the judicial branch did not consistently act as an effective counterweight to other branches of the government.

The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Judges allegedly remained subject to influence from the executive, military, and security forces, particularly in high profile or politically sensitive cases, in making decisions.

In May 2007, the government enacted a law that substantially reduced prosecutorial oversight of criminal investigations and transferred investigative authority over many serious cases from the General Procuracy to a new body called the Investigation Committee. The Investigation Committee is formally part of the General Procuracy but its chief is appointed directly by the president, not by the general prosecutor, and it therefore operates largely independently of the General Procuracy.

Beginning in September 2007, investigators no longer needed prosecutorial approval to open criminal investigations.

In an effort to combat corruption, the government continued to raise judges' salaries, increasing them by 8.5 percent during the year. However, there were continued reports of judges being bribed by officials and others. In December the Supreme Qualifying Collegium of Judges reported that during the last four years, 279 judges and court leaders were removed from their positions before their terms expired, and 1,219 judges received warnings. The number of disciplined judges remained constant, with 70 removals and approximately 300 warnings per year. These figures incorporated a variety of offenses, including unreasonable length for processing cases, alcohol-related and other lapses of behavior, and conflicts of interest/corruption-related issues. Authorities did not provide adequate protection from intimidation or threats from powerful criminal defendants.

The judiciary is divided into three branches. The courts of general jurisdiction, including military courts, are subordinated to the Supreme Court. These courts hear civil and criminal cases and include district courts, which serve every urban and rural district, regional courts, and the Supreme Court. Decisions of the lower trial courts can be appealed only to the immediately superior court unless a constitutional issue is involved. An arbitration (commercial) court system under the High Court of Arbitration constitutes a second branch of the judicial system. Arbitration courts hear cases involving business disputes between legal entities and between legal entities and the state. The Federal

Constitutional Court (as well as constitutional courts in a number of administrative entities) constitutes the third branch.

The president approves judges after they have been nominated by the qualifying collegia, which are assemblies of judges and some members of the public. After a three-year period, the president must reconfirm the judges. Judicial observers alleged that the executive's role in approving and reconfirming judges ensured an increasingly pro-government judiciary. The collegia also have the authority to remove judges for misbehavior and to approve prosecutors' requests to prosecute judges.

Justices of the peace deal with criminal cases involving maximum sentences of less than three years and with some civil cases. Justices of the peace work in all regions except Chechnya.

During the year the ECHR found the country in violation on multiple counts dealing with trial procedures. In 2007, 127 of the ECHR's 192 decisions against the country involved the right to a fair trial, and 11 involved proceedings that exceeded a "reasonable" length of time. Some violations included excessive pretrial detention, providing no effective remedy for a complaint, non-enforcement of judgments, failure to take a case to trial in the appropriate amount of time, and failure to provide a defendant with a lawyer.

Trial Procedures

Trials typically are conducted before a judge without a jury. The defendant is presumed innocent. The defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses. Defendants who are in custody during the trial are confined to a caged area and must consult with their attorneys through the bars. Defendants have the right of appeal.

The law provides for the use of jury trials for a limited category of "especially grave" crimes, such as murder, in higher-level regional courts. In 2007, the most recent year for which the judicial department of the Supreme Court had data, the number of jury trials conducted in the country was 606 out of a total 1,185,000 criminal cases, a decrease of 100 from 2006. These jury trials represented 14 percent of the cases tried at the oblast and republic level, and the number of defendants was approximately 1,200 persons, of whom 20.5 percent were acquitted. In the total caseload of the oblast and republic level trials, 4.2 percent of persons were acquitted. All regions except Chechnya have implemented jury trials. The professional competence of jury trial participants, including both parties and, to some extent, judges, remained an issue of serious concern to domestic and international observers.

In December, the Duma passed a bill removing certain crimes, including terrorism, espionage, hostage taking, and mass disorder, from the jurisdiction of jury trials. Under the new law, such cases will be heard by panels of three judges, rather than by juries. Supporters of the legislation justified it as an allegedly necessary measure in the war on terrorism. They also alleged that clan relations in the North Caucasus made it impossible to empanel objective juries there. Critics of the bill, including the Public Chamber, liberal Duma deputies, some judges, lawyers, and former jurors criticized the draft legislation as a constitutional violation and a major step backwards in the protection of individual liberties and called on the president not to sign it. However, on December 31, President Medvedev signed the bill into law.

In December, a draft law which would substantially expand the definitions of espionage and treason was introduced into the Duma. Among other things the proposed law would define treason to include "the rendering of financial, material-technical, consultative, or other assistance to a foreign government or international or foreign organization or their representatives in activities directed against the security of the Russian Federation or its constitutional structure ... " The draft law caused serious concern among some lawyers, human rights activists, and government officials who claimed that the law, if passed, would provide virtually unfettered discretion to security forces to charge almost anyone who had any contact with foreign governments or international organizations or persons

with treason. At year's end, the draft law had not yet had a first reading in the Duma, and a number of persons in and out of the government were working to modify its provisions.

The government substantially increased the use of plea bargaining in criminal cases, which rose from 10,000 plea agreements in 2002 to more than 380,000 in 2007. Plea bargains reduced the time that defendants spend in pretrial detention, reduced the average prison sentence by one-third, and allowed the courts and prosecutors to devote their resources to other cases.

Prior to trial, defendants are provided a copy of their indictment, which describes the charges in detail. They are also given an opportunity to review the criminal file following the completion of the criminal investigation. Defense attorneys are allowed to visit their clients in detention, although conditions reportedly made it difficult for attorneys to conduct meaningful and confidential consultations with their clients.

The law provides for the appointment of a lawyer free of charge if a suspect cannot afford one; however, this provision was often ignored in practice. The high cost of competent legal services meant that lower-income defendants often lacked competent representation. There were few defense attorneys in remote areas of the country. Public centers, staffed on a part-time basis by lawyers, continued to offer free advice on legal rights and recourse under the law; however, they were not permitted to handle individual cases.

The federal government funds a limited experimental system of legal assistance for indigent persons in 10 regions.

According to the NGO Independent Council of Legal Expertise, defense lawyers were the targets of police harassment. Professional associations at federal and local levels reported police efforts to intimidate attorneys and cover up their own criminal activities.

Authorities abrogated due process in continuing to pursue espionage cases involving persons, including foreigners who allegedly obtained information considered sensitive by security services. In some instances prosecutors pursued such cases after earlier courts had rejected them. The proceedings in some of these cases took place behind closed doors, and the defendants and their attorneys encountered difficulties in learning the details of the charges. Some human rights observers contend that the FSB sought to discourage citizens and foreigners from investigating problems that the security services considered sensitive.

Human rights organizations and activists identified the following individuals as political prisoners: Zara Murtazaliyeva, Valentin Danilov, Igor Sutyagin, Mikhail Khodorkovskiy, Platon Lebedev, and Svetlana Bakhmina. All were still imprisoned at year's end.

Zara Murtazaliyeva of Chechnya was convicted in 2005 of preparing to carry out a terrorist attack in Moscow in 2004. She was sentenced to nine years in a general regime prison. Murtazaliyeva's defense lawyers and human rights defenders who monitored her trial maintained that the charges against her were fabricated, and some considered her a political prisoner. The defense lawyers appealed the verdict to the Presidium of the Supreme Court and also filed an appeal with the ECHR in 2005. The appeal was pending and Murtazaliyeva remained in prison. In June her lawyer requested that she be paroled. There were no further developments by year's end.

Valentin Danilov was serving a 13-year prison sentence for allegedly transferring classified technology to China. Colleagues and supporters asserted that the information in question was declassified over a decade prior to his arrest, leading some human rights organizations to consider the case to be politically motivated. In 2004, the Supreme Court overturned a 2003 jury acquittal, and Danilov was retried by a judge and convicted. Danilov appealed to the ECHR, and in 2006 his defense attorney appealed the verdict to the Presidium of the Supreme Court. Neither court had responded to the appeals by year's end. In June 2007, Danilov applied for a pardon; the Presidential

Pardon Commission declined to pardon Danilov because he had not admitted his guilt.

Igor Sutyagin, a disarmament researcher with the Institute for U. S. and Canadian Studies of the Russian Academy of Sciences, was convicted in 2004 on espionage-related charges and continued serving a 15-year sentence in a maximum security prison for allegedly passing classified information about the country's nuclear weapons to a London based firm. Sutyagin and human rights groups claimed that he had no access to classified information and that the government sought a severe sentence to discourage others from sharing sensitive information with other countries. Amnesty International deemed Sutyagin a political prisoner, and other domestic and international human rights groups raised concerns that the charges were politically motivated and that there were problems in the conduct of the trial and the lengthy sentence. In 2005, Sutyagin was transferred to a colony in Arkhangelsk Oblast, which was further from his family than his previous detention place in Udmurtiya. Sutyagin appealed to the Supreme Court and the ECHR in 2006; the appeals were pending at year's end. In June 2007, the Presidential Pardon Commission declined to pardon Sutyagin because he had not admitted guilt.

Mikhail Khodorkovskiy and Platon Lebedev continued to serve eight-year prison sentences following their 2005 convictions for fraud, tax evasion, and embezzlement. On July 16, Khodorkovskiy's lawyers filed for parole, and on August 22, a district court in Chita denied his request on the grounds that he had not admitted his guilt and repented and that he had violated prison rules, such as sharing food with other prisoners. Some viewed the latter as a pretext for the decision. Khodorkovskiy's and Lebedev's appeals of their convictions in the country's courts were rejected in November 2007 and were pending at the ECHR at year's end.

In late June, after more than a year of investigation, prosecutors filed new charges against Khodorkovskiy and Lebedev for money laundering and tax evasion, which could extend their imprisonment up to 15 years. In October, prison authorities placed Khodorkovskiy in solitary confinement for 10 days for giving an interview to Esquire magazine, a punishment that the Ingondinsky Court in November found to be illegal. Also in October the Chita Regional Court rejected an appeal by Khodorkovskiy's lawyers against an August decision by a lower court to refuse parole. In December, the district court granted investigators' request to extend the defendants' pretrial detention to March 2009.

Both Khodorkovskiy and Lebedev remained in a prison in Chita Oblast (3,000 miles from Moscow) despite appeals that sending them to prison in an area different from where they lived or were sentenced violated the law. In July 2007, the criminal code was amended, allowing convicts to be sent to any other region of the country, no longer just to "another nearest-neighbor." In October the Supreme Court ruled that Khodorkovskiy's detention in Chita was legal. The arrest and conviction of Khodorkovskiy raised concerns about the right to due process and the rule of law, including the independence of courts and the lack of a predictable tax regime. Some observers believed that, despite the possibility that the charges against Khodorkovskiy may have had some merit, he was selectively targeted for prosecution because of his politically oriented activities and as a warning to other oligarchs against involvement in political or civil society issues or providing financial support to independent civil society.

In December, former Yukos lawyer Svetlana Bakhmina failed to receive early parole despite a high-profile campaign to secure her release on humanitarian grounds. In April 2006, Bakhmina was convicted of tax evasion and embezzlement and sentenced to seven years in prison, which was reduced on appeal to six-and-a-half years. At the time of the campaign for her release, she had served over half of her sentence, which commonly enables a prisoner to apply for parole. Several organizations expressed concern about reports regarding Bakhmina's lack of access to her children while in custody. Some human rights groups considered Bakhmina a political prisoner and claimed that she was being held in an attempt to pressure Dmitriy Gololobov, her former boss at Yukos, to return from London.

Bakhshetsyan, head of the Russian Customs Service in the Far East, was charged in 2006

with abuse of office. Observers believed that the charges were fabricated by local businessmen who were threatened by Bakhshetsyan's crackdown on smuggling. Bakhshetsyan remained in custody. His trial began in October 2007.

The criminal procedure code provides that an individual or business may seek civil compensation for a criminal violation. The law clearly provides for bringing a criminal or civil case on human rights violations, but implementation was inconsistent.

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

The law allows officials to enter a private residence only in cases prescribed by federal law or on the basis of a judicial decision. Authorities did not always observe these provisions in practice. The law permits the government to monitor correspondence, telephone conversations, and other means of communication only with a warrant and prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While these provisions were generally followed, problems remained. There were allegations of electronic surveillance by government officials and others without judicial permission and of entry into residences and other premises without warrants by Moscow law enforcement. Late in 2007, prosecutors brought several cases against law enforcement officers for illegal wiretapping. Illegal wiretapping charges have been brought against a former high-ranking member of the State Narcotics Control Service, and several former Ministry of Internal Affairs officials were being tried in Moscow at the end of 2007 for conducting illegal wiretaps in exchange for money.

In July 2007, Boris Kuznetsov, a prominent human rights lawyer, filed information with the court in defense of his client, a former member of the Federation Council, which included transcripts of conversations recorded by the FSB without court authorization. The state prosecutor subsequently charged Kuznetsov with revealing state secrets, and Kuznetsov fled the country. A number of human rights observers described the charges against Kuznetsov as politically motivated, since he had represented sensitive high-profile cases, such as the family of Anna Politkovskaya and the families of the Kursk submarine crew. In February, Kuznetsov received political asylum abroad. In September, the case against Kuznetsov was suspended indefinitely because of the absence of the defendant. Nonetheless, Kuznetsov appealed to the ECHR; the ECHR reportedly accepted the request.

Law enforcement agencies have legal access to telephone and cellular telephone company clients' personal information and require providers to grant the Ministry of Internal Affairs and FSB 24-hour remote access to their client databases. In past years some experts opined that this access was unconstitutional, but no legal challenges were ever filed.

The government requires Internet service providers to provide dedicated lines to the security establishment, enabling police to track private e-mail communications and monitor Internet activity. On January 16, the Ministry of Information and Communication officially required telecommunications companies and Internet service providers to allow the FSB to tap telephone calls and monitor information over the Internet. The ministry maintained that no information would be accessed without a court order, and there were no new wiretapping cases at year's end.

Human rights observers continued to allege that officers in the special services abused their positions by gathering compromising materials on public figures. Regional branches of the FSB reportedly continued to exert pressure on citizens employed by foreign firms and organizations, often to coerce them into becoming informants.

Federal forces and pro-government Chechen forces reportedly abducted relatives of rebel commanders and fighters.

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

During the year complex and interlocking insurgencies caused continuing instability in the North Caucasus. These included the remnants of a nationalist separatist insurgency in Chechnya, a widening Islamist insurgency throughout the North Caucasus, violence committed by both government and nongovernment actors in Ingushetiya, and continued clan warfare among elite groups struggling for power.

Federal and local security forces were implicated in the excessive use of force to quell the insurgencies and engaged in human rights abuses, including torture, summary executions, disappearances, and arbitrary detentions. Chechen rebels also committed human rights abuses, including major acts of terrorism and summary executions. The role and number of federal forces decreased considerably, leaving most security operations to local forces. In August 2007, federal forces were rushed to Ingushetiya following the failure of local forces to deal with a deteriorating security situation, and abductions and attacks increased. Overall, despite decreases in disappearances and killings in some areas, the human rights record remained poor, and unrest continued in and around the Chechen Republic and worsened considerably in the Republic of Ingushetiya.

Killings

The government used indiscriminate force in areas of the North Caucasus with significant civilian populations, resulting in numerous deaths. Security forces generally conducted their activities with impunity.

For a second year, there was a significant increase in the number of killings, usually by unknown assailants, of both civilians and officials in Ingushetiya. Human rights organizations reported that there were more killings, attacks, and abductions in Ingushetiya during the year than in any other republic in the North Caucasus. Ingushetiya authorities, including President Murat Zyazikov, attempted to minimize the reporting of the number of abuses and attacks, despite the deployment of several thousand additional Interior Ministry troops in 2007 to stabilize the republic. In October, President Medvedev replaced the unpopular Zyazikov with Colonel Yanus-Bek Yevkurov.

On September 24, unknown assailants in Moscow shot and killed Ruslan Yamadayev, a former State Duma member, whose family had been involved in high-profile disputes with President Kadyrov. The investigation was ongoing at year's end.

In December three Chechen brothers, Zurab, Akhdan, and Alvi Ilaev, were found dead with traces of beating and torture after allegedly having been detained by local officials. Local NGOs took the case to the Chechen ombudsman, but there were no further developments by year's end.

On January 17, the ECHR found the country responsible for the deaths of Khalid Khatsiyev and Kazbek Akiyev in 2000. The two men were working with Ilias Akiyev in a field in Arshty, Ingushetiya, when a government helicopter allegedly fired on them, killing Khatsiyev and Kazbek Akiyev and wounding Ilias Akiyev. The ECHR also found the country in violation of the European Convention on Human Rights for not properly investigating the deaths and for not providing an effective remedy.

There were no developments reported during the year in the 2007 police or security force killings of suspected insurgent Ruslan Aushev, of Apti Dolokov in the town of Karabulak, of the brothers Said-Magomed Galayev and Ruslan Galayev, or of Albert Gorbakov in Malgobek.

There were no results in the investigation of the 2006 disappearance of Bulat Chilayev and Aslan Israilov, who were detained at a checkpoint near the village of Sernovodsk by armed men thought to be members of the Chechen Republic security forces. The Chechen Interior Ministry stated that it could not find the abductors. According to some reports, Chilayev's and Israilov's relatives were told they had been killed on the day of the abduction. Chechen officials acknowledged the presence of mass graves and dumping grounds for victims. In 2007 Chechen Ombudsman Nurdi Nukhazhiyev reported

that the remains of approximately 3,000 persons were buried in mass graves in Chechnya. Although the ombudsman repeated this statement during the year, he took no action to locate these mass graves.

There were no new developments during the year in the following instances of alleged excess use of force by security forces in the North Caucasus: the killing of Khaldat Mutakova and wounding of Zalpa Mutakova and Zaira Kasumova in Shatoy District, Chechnya; the killing of an adult and a child in Khasavyurt, Dagestan; and the killing of three persons in a crowded square in the town of Kaspiysk, Dagestan.

In most cases security forces acted against civilians with impunity, and even the limited efforts by authorities to impose accountability failed. In December, a court in Ulyanovsk granted early parole to Yuriy Budanov, a former tank commander for Russian forces in Chechnya, who was convicted in the 2003 rape and murder of an 18-year-old Chechen woman, Elsa Kungayeva, and had been sentenced to 10 years in jail. Thousands of Chechens, along with human rights activists, participated in street protests against the decision. On December 30, lawyers for the Kungayeva family filed an appeal with the court asking that the decision be overturned; however, Budanov was released.

Periodic killings of government officials were reportedly connected with ongoing strife in the North Caucasus. According to Caucasian Knot, 226 law enforcement officers were killed and 420 were injured during the year in the North Caucasus. The Prosecutor's Office of Chechnya reported that between 2000 and 2006, 71 criminal cases were opened based on actual or attempted assassinations of municipal administration leaders or their staff. Of these cases, nine had gone to trial by year's end.

On January 12, assailants shot and killed Anatoliy Kyarov, head of the Anti-Organized Crime Directorate of the Ministry of Interior (MVD) of Kabardino-Balkaria in Nalchik. In April, Kabardino-Balkaria MVD officials announced that they identified Kyarov's killers as an insurgent group led by Anzor Astemirov. Authorities had not made any arrests at year's end.

On April 13, assailants shot and killed Deputy Chairman of the Supreme Court for Ingushetiya Hasan Yandayev in the suburbs of Karabulak City, Ingushetiya. Many observers believed that his killing took place as revenge for his involvement in the conviction of more than 20 suspected insurgents.

On December 29, unknown assailants shot General Valeriy Lipinskiy, deputy commander of the Dagestan MVD in Makhachkala, in his car. General Lipinskiy died in hospital; his wife was injured.

There were no new developments in the 2006 killings of the following: Ingushetiya Ministry of Internal Affairs Lieutenant Colonel Musa Nalgiyev, three of his children, a driver, and bodyguard; deputy district administrator Galina Gubina; Dagestani prosecutor Bitar Bitarov in a car bomb attack; and the administrative head of the village of Chechen-Aul, Umar Khatsiyev.

Federal forces and their opponents continued to use antipersonnel mines in Chechnya, although Landmine Monitor reported that Chechen fighters increasingly used improvised explosive devices. Landmine Monitor reported 39 deaths and 171 casualties overall in the past three years from landmines and other unexploded ordnance in Chechnya. The number has decreased in each of the past three years, although Landmine Monitor stated that casualty numbers were often underreported.

Abductions

During the year there were reports of federal and local government involvement in disappearances in Chechnya, Dagestan, and Ingushetiya. The number of disappearances declined in Chechnya and Ingushetiya but remained the same in Dagestan. There were continued reports of abductions followed by beatings or torture to extract confessions,

abductions for political reasons, and kidnappings for ransom by criminals. Security forces alleged to be involved in these disappearances acted with impunity. Caucasian Knot reported 50 kidnappings in the North Caucasus, including 15 in Chechnya and 24 in Ingushetiya.

Caucasian Knot and the NGO Memorial alleged that the decrease in abductions had resulted in an increase in extrajudicial killings. According to Caucasian Knot, during 120 special operations conducted in the North Caucasus, 231 members of illegal armed formations were killed and 315 militants detained.

On August 3, according to HRW and local eyewitnesses, 42-year-old Chechen Mokhmasalakh Masaev was abducted by security forces and disappeared. Masaev, a Muslim preacher, had previously been accused of "Salafism" by authorities, and police detained and tortured him. He had announced his intention to disseminate details on abuses he witnessed in Chechnya's detention centers on the day that he disappeared. His whereabouts remained unknown at year's end.

In January 2007, according to Memorial, members of an unknown security agency abducted Zelimkhan Kurbanov in Grozny. He was later charged with carrying out terrorist attacks and sabotage in Grozny. On February 13, Interior Ministry police took into custody Kurbanov's brother Said Magomed Kurbanov and held him in custody for one day and reportedly mistreated him. Federal Interior Ministry police (ORB-2) officers reportedly warned Magomed Kurbanov not to tell anyone how they treated him and that they still held his brother in custody.

During the year there were no convictions in the country's courts in cases involving disappearances in Chechnya. There were no updates during the year in the detention of Ramzan Khasiyev and Shakhid Ipayev. In February 2007, Memorial reported that ORB-2 police took Khasiyev and Ipayev into custody; they beat Ipayev and tortured Khasiyev with suffocation and electric shocks. The two were reportedly released after Khasiyev's brother, a member of another law enforcement agency, intervened. In March 2007, a criminal case was opened against the ORB-2 policemen for the torture of Khasiyev. In April 2007, Ipayev was detained by federal narcotics police after he testified against the ORB-2 officers.

There were no developments during the year in the disappearance of Ramaz Dibirov, Isa Isayev, and Muhamar Mammayev. In late April 2007, the three residents of Makhachkala disappeared. According to Memorial, the head of the division for combating terrorism of the Dagestani Republic Ministry of Internal Affairs told relatives of the men in June 2007 that they were in police custody. At year's end their whereabouts remained unknown.

There were no developments during the year in the 2007 abduction of Vagap Tutakov by armed men in Chechnya. The International Helsinki Federation stated that there was reason to believe that he was targeted for political reasons. Tutakov, a former member of the Ichkeria Parliament to the Parliamentary Assembly of the Council of Europe and Aslan Makhadov's Special Representative in Strasburg, had supported Chechnya's independence and was critical of Russian policies in the North Caucasus.

In December, the ECHR found the country responsible for the disappearance of Chechen Ruslan Kasumov in 2003 and in violation of the European Convention on the Protection of Human Rights. Kasumov's family was awarded 37,000 euros (approximately \$47,300), but there was no information on compliance with this decision at year's end.

There were continued reports during the year that government forces took relatives of Chechen rebels as hostages to force them to surrender. Law enforcement forces continued arrests not only of relatives of rebels but of many persons whom they suspected of possible contacts with rebels. Unwarranted searches of homes were also reported.

In September human rights organizations and international media outlets reported that the Chechen government began a widespread, concerted campaign of arson in villages

and towns designed to punish families of suspected insurgents. During the course of three months, a number of districts or towns – including Alleroi, Geldagan, Khidi-Khutor, Kurchaloi, Samashki, Shali, Shatoi, Nikikhita and Tsenteroi – were visited by men in uniforms and black ski masks who herded residents outside and then burned their homes. Many of the attacks were accompanied by declarations that the homes were being destroyed as punishment. The campaign followed explicit threats announced by Chechen President Kadyrov and by Groznyy Mayor Muslim Khuchiyev. As part of this campaign, on November 3, in the village of Pervomayskaya, Khamzat Dzeytov was arrested without explanation. At year's end, Dzeytov was in pretrial detention in Groznyy, awaiting trial.

On November 27, Adi Magomadov was taken to a SIZO of the Chechen Interior Ministry and forced to sign a report about his participation in a militant group after receiving threats to his family. He was released the next day. The Magomadov family did not file a complaint out of fear of reprisal.

There were no developments during the year in the kidnapping by Chechen security forces of Doku Umarov's father and sister in 2005; their whereabouts remained unknown. Human rights activists suggested the kidnappings were attempts to get Umarov, a Chechen commander, to surrender.

Criminal groups in the Northern Caucasus, possibly having links to rebel forces, frequently resorted to kidnapping. The main motivation behind such cases apparently was ransom, although some cases had political or religious overtones. The hostage-takers held many of their victims in Chechnya or Dagestan.

Although incidents continued, statistics of both authorities and Memorial appeared to indicate a continued decline in abductions and disappearances in Chechnya compared to previous years. However, human rights groups and authorities interpreted the data differently. Human rights groups estimated that the numbers were underreported due to the reluctance of detainees' relatives to complain to the authorities or human rights groups out of fear of reprisals. Citing numerous incidents in which unidentified armed men wearing camouflage broke into houses and abducted civilians, they expressed skepticism about government assertions that regulations governing the behavior of security forces were being more closely observed.

The decline in abductions by federal forces was partly offset by the increasing role of the security forces under the command of Chechen President Kadyrov, either on their own initiative or in joint operations with federal forces. Human rights groups reported that these forces were frequently suspected of disappearances and abductions, including those of family members of rebel commanders and fighters.

In April 2007, Kadyrov and other officials announced that steps had been taken to remove units from Kadyrov's direct oversight. Kadyrov abolished the Chechen Republic's Antiterrorist Center and reorganized its forces into two police battalions and subordinated them to the federal Ministry of Internal Affairs. Human rights activists contended, however, that these forces maintained their loyalty to Kadyrov and that he continued to exert control over them.

According to human rights observers, government forces responding to Chechen attacks at times engaged in indiscriminate reprisals against combatants and noncombatants.

Amnesty International reported that federal and Chechen security forces targeted female civilians, both in response to terrorist bombings carried out by Chechen women and to put pressure on male relatives suspected of being rebels.

There were no developments in the 2006 kidnappings of Yelena Yersenoyeva, the widow of Chechen terrorist Shamil Basayev and a journalist and HIV/AIDS activist in Groznyy, and her mother.

During the year the ECHR found the country responsible in 15 cases involving the disappearance and presumed death of disappearance victims, and for inhuman treatment of families by refusing to provide information on the victims' fate. In some cases appellants said that they were offered settlements or threatened in an effort to have them drop their cases.

On May 29, the ECHR found the country responsible for the 2002 disappearance and death of Islam Utsayev, Movsar Taysumov, Idris Abdulazimov, and Masud Tovmerzayev, residents of the village of Novye Atagi. The men were detained after federal forces conducted a sweeping operation in their village and were not seen again. The ECHR further found the country in violation for not conducting a proper investigation into their disappearances and for suffering caused to their families, mistreatment of Utsayev's father, violating the men's right to security and liberty, and failure to provide an effective remedy.

On June 26, the ECHR found the country responsible for the death of Apti Isigov and Zelimkhan Umkhanov, and also for the lack of an effective investigation into their deaths, violation of their right to liberty and security, and for the suffering caused to their families. The two were illegally detained in Sernovodsk, Chechnya, in 2001.

On July 3, the ECHR found the country in violation for the 2000 detention and presumed death of Magomed Umarov. In 2000 security forces came to the house of Ruslan Umarov, Magomed's father. They beat Ruslan and then detained Magomed when he tried to stop them; his whereabouts have been unknown since then. The country was also found in violation of the European Convention on Human Rights for failing to investigate the detention of Magomed, the ill-treatment of his father, the suffering caused to his family, and the absence of an effective remedy for these violations.

In November, the ECHR found the country in violation of the Human Rights Convention for the killing of Akhmad Gekhaev and Zalin Mezhidov in 2001 during an extralegal detention. Their families were awarded compensation of 119,500 euros (approximately \$152,776); there was no information regarding compliance with the decision at year's end.

In April and May, the ECHR found the country responsible for five human rights violations in the disappearance and killing of Shakhid Baysayev and Shamil Akhmadov and awarded their families compensation. The ECHR asked the government to investigate the cases and to bring those responsible to justice.

On June 21, in the case of Bitiyeva v. Russia, involving the killing of four members of a Chechen family in 2003, the ECHR found that the country violated several articles of the European Convention on Human Rights and ordered it to pay 85,000 euros (approximately \$111,000) compensation.

Physical Abuse, Punishment, and Torture

Armed forces and police units were reported to have routinely abused and tortured persons in holding facilities where federal authorities sorted out fighters or those suspected of aiding rebels from civilians.

In Chechnya and Ingushetiya, there continued to be reports of torture by government forces. In March 2007, the Council of Europe (COE) Committee for Prevention of Torture published a statement about cruel treatment and torture in Chechnya, based on visits to the region in 2006 and the government's comments. The committee noted the country's inability to effectively combat torture in Chechnya. In March 2007, the COE commissioner for human rights, Thomas Hammarberg, visited Chechnya and stated that torture and cruel treatment were widespread in Chechnya and that those who used torture acted with total impunity. Also in March 2007, Amnesty International accused the government of negligence with regard to violations in Chechnya and called on it to take immediate steps to eradicate torture, cruel treatment, arbitrary detentions, and disappearances, and to prosecute those who committed such crimes.

In 2006, HRW reported that it had documented 115 torture cases in Chechnya between July 2004 and September 2006. The report concluded that most of the incidents occurred at one of at least 10 unlawful detention centers. In 2006, Memorial representatives discovered an illegal detention center in Grozny where detainees were reportedly held, tortured, "disappeared," and killed by federal police units that had temporarily been assigned to Chechnya. Despite appeals to officials to investigate Memorial's allegations, the building, a former boarding school for deaf children, was demolished.

On July 25, 50 armed men, reportedly law enforcement officials, forcibly searched the home of Ingushetiya human rights activist Zurab Tsechoev without a warrant and abducted him. He was allegedly detained and beaten by officials who questioned him about his work with the human rights NGO MASHR. There were no further developments in the 2007 cases of alleged torture and mistreatment by security officers of Shamsudi Khadisov, Ramzan Khasiyev, and Mikhail Akbulatov.

In July, the NGO Forum 18 reported that 59 suspects were still being held for the 2005 attack on security service buildings in Nalchik. Many of the suspects alleged that they were put on a list of extremists before the attack occurred because of their religiousness and then, after the attack, they were arrested and tortured to extract confessions. Earlier, HRW reported that at least eight detainees were mistreated and that lawyers for five detainees were barred from representing their clients. Their trial began in Nalchik in October; on December 12, the Supreme Court of Kabardino-Balkaria refused to move the trial to a different region.

Ruslan Nakhushiev, head of the Islamic Research Institute in Nalchik, who sought to promote dialogue between authorities and the Muslim community, disappeared in 2005 after being questioned about the Nalchik attack by the FSB; in 2006 the Ministry of Internal Affairs of Kabardino-Balkaria included him on its list of most wanted criminals. A court hearing in Nalchik in November 2007 was inconclusive. At year's end, his whereabouts remained unknown.

According to Memorial, the resumption of *zachistki* (security sweeps) in 2007 added to abuses reported in the North Caucasus. During April and May 2007, federal forces and local law enforcement conducted sweeps in the villages of Ali-Yurt, Surkhakhi, Gaybek-Yurt, and Vosnesenovskaya, and in the town of Malgobek in Chechnya. The sweeps lasted for several days and in some cases officers refused to identify themselves. In at least one case, security forces also looted homes and beat civilians. Similar security sweeps were conducted in Ingushetiya. Human rights activists believed that such operations contributed to a culture of fear that authorities used to minimize resistance.

Government forces continued to abuse individuals seeking accountability for abuses in Chechnya and continued to harass those who appealed to the ECHR. Amnesty International and other human rights groups reported reprisals against applicants to the court, including killings, disappearances, and intimidation. According to press reports and human rights NGOs, by year's end at least six applicants to the ECHR had been killed or abducted. In its July 2007 ruling in the case of *Alikhadzhiyeva v. Russia*, the ECHR noted that the relatives of disappeared persons and witnesses should be protected from intimidation and revenge.

Chechen Human Rights Ombudsman Nurdi Nukhazhiyev continued the practice of his predecessor in not cooperating with the human rights NGO Memorial, and he and Chechen President Kadyrov spoke out publicly against the NGO.

The Independent Commission on Human Rights in the Northern Caucasus, headed by the chairman of the State Duma Committee on Legislation, continued to hear hundreds of complaints, ranging from destruction or theft of property to rape and murder; however, it was not empowered to investigate or prosecute alleged offenses and had to refer complaints to military or civil prosecutors. Almost all complainants alleged violations of military discipline and other crimes by federal and Chechen Republic forces.

In contrast to past years, there were few reports of Chechen rebel fighters committing serious human rights abuses such as terrorist acts against civilians in Chechnya and elsewhere in the country or using civilians as human shields.

In a large number of incidents, unidentified persons targeted officials in violent attacks. On September 30, an unidentified suicide bomber attacked Ingushetiya MVD chief Musa Medov in his car. Medov escaped unhurt, but two persons died and several were injured. Medov called the attack an attempt to destabilize the situation in the republic.

On November 18, unknown persons made an attempt on the life of Sultan Sultanmagomedov, advisor to the mufti of Dagestan. An improvised explosive device exploded as he was passing it in his car. Sultanmagomedov and his driver were injured and brought to a hospital.

In February 2007, Mayrbek Murdagamov, the deputy administration head of Vedeno District, Chechnya, was killed by an explosive device as he was leaving his home. In February 2007, Patriots of Russia Dagestan branch leader Eduard Khidirov and his brother were severely injured when their car came under fire in Makhachkala. Also in February 2007, Vladimir Albegov, a federal judge of Prigorodnyy District Court in North Ossetia, was found dead on a road near Vladikavkaz. Albegov had disappeared three days earlier. A criminal case was opened, but there were no updates at year's end.

Other Conflict-related Abuses

By year's end an estimated 54,606 persons remained displaced within Chechnya; approximately 4,600 lived in temporary accommodation centers, all of which President Kadyrov ordered closed in 2007. At the end of 2006, the Office of the UN High Commissioner for Refugees (UNHCR) registered 20,075 IDPs from Chechnya in Ingushetiya, a fourth of whom remained in temporary settlements. Conditions in those centers reportedly failed to meet international standards.

Throughout the year security forces continued to conduct security sweeps and passport checks at temporary settlements in Ingushetiya housing IDPs from Chechnya. These sweeps sometimes led to reports of human rights abuses or disappearances.

Human rights groups documented illegal detention centers in Chechnya and other locations in the North Caucasus where abuses continued to occur. Chechen Republic security forces reportedly maintained secret prisons in Tsentoroi, Gudermes, and other locations. HRW reported it had detailed descriptions of at least 10 unlawful detention facilities. Human rights groups reported that officers of the federal Ministry of Internal Affairs' Second Operational Investigative Bureau illegally detained and tortured persons in its Grozny offices.

Since 2004, authorities have refused to grant the ICRC access, under ICRC's standard criteria, to those detained as part of the conflict in Chechnya, and the ICRC subsequently suspended its detention visits. The suspension remained in place.

2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press; however, in practice government pressure on the media persisted, resulting in numerous infringements of these rights.

The government used direct ownership or ownership by large private companies with links to the government to control or influence the major media outlets, especially television; many media organizations saw their autonomy further weakened. The government used its controlling ownership in major national television and radio stations, as well as the majority of influential regional ones, to restrict access to

information about issues deemed sensitive, including coverage of opposition political parties and candidates, particularly during the 2007 State Duma and the March presidential election campaigns. During the campaign leading up to the presidential election, COE Parliamentary Assembly election observers criticized the unfair access to the media for candidates, noting that 80 percent of the campaign's prime-time television coverage – itself the primary source of information the public receives – was devoted to Dmitriy Medvedev in his capacity as deputy prime minister. During the State Duma election, the Organization for Security and Cooperation of Europe (OSCE) representative on freedom of the media highlighted numerous press freedom abuses, including harassment of media outlets, legislative limitations, lack of equal access, and arbitrary application of rules.

Unresolved killings of journalists remained a problem. Mistreatment of journalists by authorities included reported cases of abuse, including physical assault. The government severely restricted coverage by all media of events in Chechnya and Ingushetiya. There were indications that government pressure led reporters to engage in self-censorship, particularly on issues critical of the government.

While the government generally respected citizens' rights to freedom of expression, it increasingly restricted this right with regard to issues such as the conduct of federal forces in Chechnya, human rights, uncovering corruption, and criticism of the administration. Some regional and local authorities took advantage of the judicial system's procedural weaknesses and laws with a broad scope of applicability to detain persons for expressing views critical of the government. With some exceptions, judges appeared unwilling to challenge powerful federal and local officials who sought to prosecute journalists. These proceedings on occasion resulted in stiff fines.

Two of the 14 national newspapers are owned by the government or state-owned companies, as are more than 60 percent of the country's 45,000 registered local newspapers and periodicals. The government continued selective attempts to influence the reporting of independent publications. While the largest daily newspaper, *Moskovskiy Komsomolets*, is independently owned, other influential national newspapers, including *Izvestiya*, *Rossiyskaya Gazeta*, and *Kommersant*, are owned by the government, persons affiliated with the government, or state-owned companies. Additionally, the Ministry of Defense owned the newspaper *Krasnaya Zvezda*.

In May, government-affiliated Bank Rossiya purchased a controlling stake in *Izvestiya* from state-owned Gazprom. Under its new ownership, *Izvestiya* maintained a pro-government stance on key policy issues and increasingly avoided controversial topics. In 2006 the daily *Kommersant* was purchased by Alisher Usmanov, majority shareholder of the Metalloinvest company (in turn affiliated with Gazprom). As a result of this change in ownership, *Kommersant* changed editors, and several journalists left the paper; the paper also replaced its opinion and comment page with a page that reprinted articles on foreign policy issues from international papers. However, there was no discernible shift in *Kommersant's* editorial position.

In April, the Moscow-based *Moskovskiy Korrespondent* newspaper stopped publishing shortly after running a tabloid-style article about former president Putin's personal life. Although the paper denied any political reasons for the decision to suspend publication and for the editor's resignation, the press freedom watchdog Center for Journalism in Extreme Situations said the case was an example of the government using extralegal methods to pressure the media. According to the NGO Glasnost Defense Fund (GDF), a warning from media oversight authorities caused the closure, and the paper reopened, only to close again later in the year due to lack of funds.

In November, unknown assailants seriously beat independent Khimki journalist Mikhail Beketov, publisher of the weekly *Khimkiskaya Pravda*. Beketov's paper had frequently criticized local authorities for construction projects that damaged the local environment, and for corruption associated with those projects. The attack on Beketov prompted the Public Chamber to hold a high-profile hearing at which they proposed a center for defense of journalists and a new law increasing the punishment for

endangering the life of a journalist. However, at year's end no results had emerged from these proposals; Beketov remained in a coma with an amputated limb as a result of sustained injuries; and no arrests were made in the case.

There are six national television stations. The federal government owns Rossiya and a controlling interest in First Channel; state-owned Gazprom owns a controlling interest in NTV; government-affiliated Bank Rossiya owns a controlling interest in Ren-TV and Fifth Channel; and the Moscow city administration owns TV Center. Approximately two-thirds of the 2,500 other television stations in the country are completely or partially owned by the federal and local governments. The government indirectly influenced private broadcasting companies through partial ownership of such commercial structures as Gazprom, which in turn owned controlling or large stakes of media companies. This ownership of television media often resulted in editorial constraints.

Influence over editorial policies was not uniform. For example, some observers initially alleged that the Ren-TV network's editorial line became more pro-government when it was purchased by government-affiliated Bank Rossiya, but during the year it appeared to provide balanced news coverage relative to other television networks.

Despite a majority ownership of Ekho Moskv by Gazprom, the radio station provided independent coverage of controversial political themes, but according to media reports, faced increasing pressure from the government during the year, particularly during the crisis with Georgia, including from government officials.

International media continued to face some impediments to their ability to operate freely. In 2007 authorities curtailed a number of stations broadcasting Radio Free Europe/Radio Liberty and Voice of America news programs, but they continued to produce independent reports in Moscow and St. Petersburg. In August 2007 the state licensing authorities ordered the British Broadcasting Corporation (BBC) World Service's Russian partner, Bolshoye Radio, in Moscow to remove BBC programming or lose its license. Bolshoye Radio's decision to halt the rebroadcasting of BBC programming and similar decisions by two other radio stations eliminated BBC broadcasting on the FM band. As a result, the BBC's Russian-language services were available only on medium and shortwave broadcasts.

The government exerted its influence most directly on state-owned media. During the August conflict in Georgia, reporting in state-owned or state-controlled media adhered closely to the government's position. Public opinion strongly supported the government's invasion, and there was strong condemnation among the Russian independent media of "bias" in western reporting of the conflict. Journalists and news anchors of Rossiya and First Channel reported receiving "guidelines" from management prepared by the presidential administration indicating which politicians they should support and which they should criticize. Government-controlled media exhibited considerable bias in favor of the former president and current prime minister, Vladimir Putin, and the current president, Dmitriy Medvedev. In the campaign before the December 2007 State Duma and March presidential elections, state-controlled print and broadcast media resources overwhelmingly favored United Russia, President Putin's party and Deputy Prime Minister Medvedev, the ruling party's candidate for president, to the exclusion of other parties and candidates.

The government maintained ownership of the largest radio stations, Radio Mayak and Radio Rossiya.

The government owned the national news agencies ITAR-TASS and RIA-Novosti. In May 2007, the new director general of the Russian News Service reportedly established an editorial policy that required at least 50 percent of reports about the country to be "positive" and forbade the mention of some key opposition politicians. The changes prompted many staff members to quit in protest.

In November the General Prosecutor's Office announced that it would monitor the media for any "damaging" articles that might worsen the financial crisis. Soon afterward, the

Prosecutor's Office sent a warning letter to commentator Yevgeny Gontmakher, who in October wrote a column for Vedomosti entitled "Novocherkask-2009," in which he envisioned a scenario for the growing economic crisis involving widespread sociopolitical upheaval. However, in response to widespread protests from Gontmakher's media colleagues, the Prosecutor's Office issued a statement indicating that the letter had not been meant as a warning.

On December 29, an organizer for the Ulyanovsk branch of the Russian People's Democratic Union (RNDS), Aleksandr Bragin, was arrested for posting an article discussing the economic situation in the region on the RNDS Web site. The officers of the local Department for the Struggle Against Terrorism and Extremism demanded that the article be removed from the Internet site, because it "damages the image of the region."

In September 2007, a district court in Moscow postponed hearings in the case of political analyst and Yabloko political party member, Andrey Piontkovskiy, pending further detailed analysis of his book. Piontkovskiy was charged with inciting "extremism" through his book *Unloved Country*. Earlier in 2007, after a local branch of the Yabloko party published a collection of Piontkovskiy's articles, a court in Krasnodar Kray attempted to halt Yabloko's distribution of the book, warning the party that it contained passages which violated the law on extremism. On December 5, the Basmannyy court in Moscow cleared Piontkovskiy of all extremism charges after a panel of independent linguists examined the book and found nothing that met the definition of extremism. In 2006, the Federal Registration Service (FRS) warned the media that references to the banned National Bolshevik Party without indicating that it had been banned could be considered dissemination of false information and lead to the "application of restrictive, precautionary, and preventive measures."

In May 2007, a district court in Samara sentenced Sergey Kurt-Adzhiyev, the editor of the local edition of *Novaya Gazeta*, to a 15,000 ruble (approximately \$630) fine for using unlicensed software on his office computer. Kurt-Adzhiyev denied the charges, and his lawyers pointed out inconsistencies in the evidence submitted by the prosecutors. The paper was unable to publish its Samara edition after November 2007.

In February, immigration officials again denied entry into the country to Natalya Morar, a correspondent for *The New Times* magazine. Morar, a Moldovan citizen residing in Moscow, had not been able to return to Russia since she was denied entry in December 2007. Morar had published investigative articles about the government's handling of the 2007 State Duma elections and illegal financial transactions by senior government officials. Border officials reportedly told her that she was considered a threat to state security and that the order to refuse her entry had come from the FSB. After several unsuccessful appeals to the country's courts, in August Morar filed a lawsuit with the ECHR. There were no further developments at year's end.

The federal Ministry of Internal Affairs continued to control media access to the area of the Chechen conflict. Foreign journalists were required to obtain government accreditation to enter Chechnya, but even those with proper documents were sometimes refused access. On April 21, police in the Chechen capital Grozny detained Jane Armstrong, a correspondent for the Canadian daily *Globe and Mail*, and her Russian interpreter. The police confiscated her reporter's accreditation and deported her from Chechnya. Police claimed that she lacked the special accreditation required to report from Chechnya and that she had failed to clear her itinerary with local law enforcement authorities. There were no known detentions of reporters in Chechnya during the year.

In July, the Investigative Committee of the General Prosecutor's Office launched a criminal investigation against Nadira Isayeva, editor in chief of the Chernovik newspaper, published in Dagestan, on suspicion of publishing articles that "called for extremist activities" and "incited hatred or enmity on the basis of ethnicity." The articles in question alleged widespread corruption in the local Interior Ministry. Investigators searched the homes of Isayeva and several journalists of Chernovik. In November, the Makhachkala District Court found in favor of the ministry and ordered Chernovik to publish a retraction.

In 2006, Moscow journalist Boris Stomakhin, editor of the monthly Radikalnaya Politika newspaper, was sentenced to five years in prison on charges of inciting ethnic hatred for violent and provocative writings. Human rights activists asserted that the severity of the sentence was unprecedented. In February his appeal for early release was denied, and the NGO For Human Rights, after visiting him in prison, reported concerns for his health.

In July 2007, Kommersant Vlast published an interview with exiled Chechen rebel leader Akhmed Zakayev. RosOkranKultura, then the agency within the Ministry of Culture that oversaw compliance with the media law, asked the General Prosecutor's Office to investigate whether the publication violated the law and warned the magazine against violating the law in the future. There were no further developments in the case during the year.

In June 2007, the government reinstated accreditation to the U. S.-based ABC television network, and reportedly in October 2007 ABC assigned a Moscow correspondent who continued to report during the year. The government had withdrawn ABC's accreditation in 2005 after ABC News broadcast an interview with Chechen terrorist Shamil Basayev.

Mistreatment of journalists by authorities was not limited to Caucasus-related coverage. The GDF and other media freedom monitoring organizations reported cases of abuse of journalists by police and other security personnel elsewhere, including physical assault and vandalism of equipment. In most instances, the mistreatment appeared to have been at the initiative of local officials.

In December, during a series of protests in response to a planned increase in tariffs on imported cars, mistreatment of journalists was a problem. Police beat a number of journalists, including correspondents of Primorskoye TV, TV Center, NHK, Moskovskiy Komsomolets daily, and ITAR-TASS, and destroyed their equipment.

On November 12, police detained a film crew from Fifth Channel for attempting to film footage of a fire in a building in St. Petersburg. The journalists were taken to a police station and released shortly afterwards.

On December 14, police in Moscow detained journalists who covered a Dissenters' March opposition rally, including correspondents of Kommersant daily, Gazeta.ru and Liberty.ru on-line publications, and a Ren-TV camera crew. The police released the journalists on the same day, after notifying them that they may be charged with participation in an illegal rally.

In December, authorities in Saratov denied correspondents of Saratovskiy Vzgl'yad newspaper access to events during a visit by Federation Council Chairman Sergey Mironov. According to the newspaper's management, accreditation was denied because of the paper's critical articles about the local division of the FSB.

According to the GDF, 69 journalists were physically attacked and five journalists were killed during the year. Eight journalists were killed in 2007. In most cases, authorities and observers were unable to establish a direct link between an assault and the persons who reportedly had taken offense at the reporting in question. Independent media NGOs characterized beatings of journalists by unknown assailants as "routine," noting that those who pursued investigative stories on corruption and organized crime found themselves at greatest risk. The foundation reported that in some cases the killings appeared to be related to the journalists' work.

On March 21, assailants shot Gadzhi Abashilov, head of the local branch of the Russian State Television and Radio Company in Makhachkala, Dagestan. Law enforcement authorities and Abashilov's colleagues believed that his murder was related to his journalistic work, including reporting on the situation in Dagestan. In July local authorities charged three men with murdering Abashilov. There were no further developments in the case at year's end.

On August 31, a member of the Ingush Interior Ministry shot and killed Magomed Yevloyev, owner of the opposition Web site Ingushetiya.ru, known for its investigations into local government corruption and electoral manipulation. He died from the gunshot wound in his head while in the custody of police officers in their car. Earlier in August the Moscow City Court upheld a lower court's decision to close Ingushetiya.ru on charges that it carried extremist content. The Web site's editor in chief, Rosa Malsagova, left the country with her three sons and applied for political asylum in France, claiming that Ingush officials had threatened her and her family.

On September 2, two assailants shot Telman Alishayev, a journalist from the Islam-focused TV Chirkey, in Makhachkala, Dagestan. He died the following day. Alishayev was well-known in Dagestan for his criticism of Islamic extremism in the North Caucasus. The Dagestan branch of the Federal Investigator's Office opened a criminal case, and police identified two suspects in the murder, one of whom was already wanted on suspicion of killing local police officers. At year's end both suspects remained at large.

On April 12, unidentified attackers in the town of Dolgoprudniy, near Moscow, beat Gregoriy Belonuchkin, parliamentary correspondent of the Panorama Publishing House. Belonuchkin reported that in the December 2007 State Duma elections, voting results reported by some precincts in Dolgoprudniy differed from the official statistics released by election authorities. According to Belonuchnik, he received repeated telephone threats after his reports had been published. A criminal case was initiated, but at year's end no arrests had taken place.

On September 2, unknown attackers in Nalchik, Kabardino-Balkaria, severely beat Miloslav Bitokov, editor in chief of Gazeta Yuga newspaper. Bitokov was hospitalized with a severe brain concussion. His colleagues and relatives strongly believed the attack was related to the paper's independent reporting on the economic problems and crime situation in the republic. The Investigative Agency of the Kabardino-Balkaria Interior Ministry stated that it agreed that the attack was related to Bitokov's work and opened up a criminal case. However, at year's end no arrests had been made.

On December 23, two men attacked Zhanna Akbasheva, a correspondent for the Regnum news agency in Karachay-Cherkessia, while she was walking toward the office of a state-funded newspaper, Cherkess Heku. The men punched and kicked her, causing damage to her abdomen. Akbasheva had written about corruption and press freedom and had recently written about a conflict between the government and Cherkess Heku over the paper's refusal to follow a government order to publish an open letter critical of the minority Circassian population. The attackers warned her that she would suffer worse attacks if she did not stop writing about government officials.

Most high-profile cases of journalists who were killed or kidnapped during the year or in earlier years remained unsolved. There were some cases where some family and colleagues disagreed with official findings in the deaths of journalists, alleging that the deaths were connected to their reporting. These included the March 2007 death, officially ruled a suicide, of Kommersant military reporter Ivan Safronov after falling from a fifth-floor window at the time he was writing a sensitive article about the country's plan to sell military equipment, and of Aleisk New Television cameraman Vyacheslav Ifanov, who was found dead in his garage in April 2007. Authorities determined Ifanov died of carbon monoxide poisoning but relatives and colleagues disputed this and noted that his body had numerous bruises. Shortly before his death, military servicemen severely beat him and destroyed his camera as he filmed a report near their base. Ifanov was hospitalized with a concussion, but he pressed charges and identified one of the attackers prior to his death; however, the case remained stalled due to the suspects' military status.

In June, authorities charged a former police officer and two residents of Chechnya in the 2006 killing of prominent investigative journalist Anna Politkovskaya in Moscow. An officer from the FSB, whom authorities had previously accused of giving Politkovskaya's killers her address, was separately charged with extortion and abuse of office. Authorities said that the suspected shooter, Rustam Makhmudov, remained at large. The

trial began in November, continued through December, and was still ongoing at year's end. The judge initially ruled that the trial would be closed, citing jurors' concerns for their safety; however, one of the jurors publicly denied any such concerns, and the judge opened the trial, only to reverse again and close it a week later, citing the possibility that defendants might reveal state secrets. This decision prompted criticism from rights activists, and in December the judge once again opened the trial. A number of human rights activists, as well as the human rights ombudsman, criticized the investigation for focusing only on the shooters without investigating who ordered the killing. Politkovskaya's writing was highly critical of the war in Chechnya, Chechen authorities, human rights abuses, and President Putin's administration; as a result of her writing, she had previously received many death threats.

In March 2007, a Moscow court suspended the trial in the case of the 2004 murder of Paul Klebnikov, the U. S. citizen editor in chief of Forbes Russia, and the Supreme Court ordered a new trial. The first trial was suspended when the lead defendant, Kazbek Dukuzov, failed to appear. Prosecutors obtained an arrest warrant for Dukuzov and claimed to be searching for him; the case will not resume until he is apprehended and brought to court. There were no new developments in the case at year's end.

During the year, a court convicted Georgiy Totoyev, a police officer in Vladikavkaz, of the June 2006 beating of Channel One reporter Olga Kiriya and sentenced him to three-and-one-half years' imprisonment.

On April 4, the Investigative Committee of the General Prosecutor's Office opened a murder case in connection with the 2003 death of Yuriy Shchekochikhin, a member of the State Duma and deputy editor of the newspaper Novaya Gazeta. According to the official diagnosis, Shchekochikhin died in a Moscow hospital of a severe allergic reaction to an unknown substance; however, some speculated that he was killed because of allegations he made about high-level corruption. At the time of his death, Shchekochikhin was investigating allegations of FSB responsibility for a series of 1999 apartment building bombings and the purported involvement of senior officials of the FSB and General Prosecutor's Office in smuggling goods through FSB storage facilities.

In September 2007, police officers in Kazan assaulted Natalya Petrova, an independent filmmaker known for her criticism of government policies in Chechnya. The attackers also assaulted her daughters and mother. No investigation into the assault was launched during the year. According to the GSF, at year's end Petrova had left the country and her family had not reported any additional harassment.

There were no developments in the case of three REN-TV journalists and Memorial's Oleg Orlov, who in November 2007 suffered kidnapping and beating in Ingushetiya; they were there to cover an opposition political demonstration and also reportedly filmed a special forces operation the day before during which a young boy was killed by stray gunfire. At year's end no investigation had been opened into the attack.

Authorities at all levels used their authority, sometimes publicly, to deny access to journalists who criticized them. One method was to deny the media access to events and information, including filming opportunities and statistics theoretically available to the public.

On January 26, police in Ingushetiya detained correspondents from Radio Liberty/Radio Free Europe, Ekho Moskvyy radio, Novaya Gazeta, RIA Novosti, Tvoy Den, and television crews from Channel 5 and Rossiya TV, for attempting to cover an opposition rally. Some of the journalists were released within hours, although others spent two days in detention. Police beat three of them.

During the March 2 presidential elections, law enforcement officers and election workers barred correspondents from polling stations in Moscow, Rostov-on-Don, and Astrakhan. During the 2007 State Duma election campaign, there were widespread reports of authorities pressuring the media to cover United Russia and not give equal coverage to opposition parties.

Through legislation and decrees, the government curtailed freedom of the press. In July 2007, the government enacted a law that expanded the definition of extremism and provided law enforcement officials with broad authority to suspend media outlets that did not comply with restrictions. Media freedom advocates expressed concern that this broad interpretation of extremism could create a basis for government officials to stifle criticism and label independent reporters as extremists. On October 1, the State Duma Security Committee introduced an amendment to the current law that will enable authorities to close any organization deemed extremist by submitting charges to the court which cannot be challenged by the accused. In November, in the context of rising concerns over the economy, the General Prosecutor's Office announced that it would monitor the media for any "damaging" reports that might exacerbate the financial crisis. Prime Minister Putin also publicly admonished media not to print anything "unpatriotic," and media members were told to avoid using the word "crisis" in reference to the situation.

Officials or unidentified individuals sometimes used force or took extreme measures to prevent the circulation of publications that were not favored by the government. On February 27, the entire issue of the Orlovskaya Iskra daily newspaper was stolen from a local distribution company. The newspaper journalists said the issue contained stories that cited financial violations by officials of the administration of Oryol region. On April 23, police in Barnaul seized copies of the Barnaulskiy Listok daily newspaper, without providing a justification. The newspaper's staff said that police threatened to put several journalists in custody if they resisted the confiscation. The newspaper's publisher Sergey Mikhaylov said that the seized issue included a critical article about Altayskiy region Governor Aleksandr Karlin. Mikhaylov filed a complaint with the Regional Prosecutor's Office, which found no grounds for legal prosecution of the police. In May, authorities in Ingushetiya banned the local magazine Dosh from newsstands for publishing an interview with former Ingush president Ruslan Aushev, which Dosh's editor said had occurred in 2004.

Government officials occasionally used legal actions against journalists and media outlets in response to negative coverage. The GDF estimated that at least 46 criminal cases and more than 200 civil cases were brought against journalists during 2007. Although the law prohibits courts from imposing damages in libel and defamation cases that would bankrupt the media organization, one NGO reported that local courts did not always follow this in practice. The GDF noted that during the year the courts upheld civil defamation claims against journalists in 48 cases for amounts equivalent to approximately 9.5 million rubles (\$261,104). This represented a sharp increase from the 2007 figure of 3.5 million rubles (\$96,196).

Some NGOs alleged that authorities continued to target media outlets and organizations which are in opposition to the administration by raiding them for pirated software. According to the GDF and other media NGOs, there were some instances of authorities using investigations into intellectual property rights violations (i.e., software piracy) to selectively confiscate computers and pressure media across the country.

On February 1, police searched the office of Tolyattinskoye Obozreniya newspaper in the Samara region and confiscated the newspaper's computers on suspicion it had used pirated software. The newspaper's management asserted that the police raid was in retaliation for its positive comments about a candidate in the upcoming mayoral election who was critical of the ruling United Russia party. In January, authorities attempted to seize issues containing articles about the candidate.

In May 2007, police in Samara seized computers from the offices of Novaya Gazeta and an organization that was coordinating an antigovernment protest. Also in May 2007, police in Tula confiscated a computer from the political movement the Popular Democratic Union. In July 2007, law enforcement authorities confiscated the computers of the Nizhniy Novgorod offices of Novaya Gazeta; some alleged that this was part of a broader action against human rights organizations in that city. In late August 2007, Nizhny Novgorod police raided the offices of the Tolerance Support Foundation and the Nizhny Novgorod Human Rights Society, as well as Novaya Gazeta, allegedly searching for unlicensed computer programs. The police confiscated computers from the

Tolerance Support Foundation, disrupting its work, and from Novaya Gazeta, preventing the newspaper from publishing its next issue.

Some authorities used the media's widespread dependence on the government for transmission facilities, access to property, and printing and distribution services to discourage critical reporting, according to the GDF and media NGOs. The GDF reported that approximately 90 percent of print media organizations relied on state-controlled organizations for paper, printing, or distribution, and many television stations were forced to rely on the government (in particular, regional committees for the management of state property) for access to the airwaves and office space. The GDF also reported that officials continued to manipulate the price of printing at state-controlled publishing houses, to apply pressure on private media rivals. The GDF noted that this practice was more common outside the Moscow area.

Internet Freedom

The government did not restrict access to the Internet. Individuals and groups could generally engage in the peaceful expression of views via the Internet, including by e-mail, but traffic was reportedly monitored by the government. The government continued to require Internet service providers to install, at their own expense, a device that routes all customer traffic to an FSB terminal called the "system for operational investigative measures" that enabled police to track private e-mail communications and monitor Internet activity. There appeared to be no mechanism to prevent FSB access to the traffic or private information without a warrant. The FSB was not required to give telecommunications companies and individuals documentation on targets of interest prior to accessing information.

In April, law enforcement authorities in Omsk ordered administrators of the popular local Internet forum Omskiy Forum to provide personal information about forum participants who posted comments critical of local authorities. Omskiy Forum stated in an open letter that its Internet service provider had provided the Ministry of Internal Affairs with Internet addresses used by forum contributors.

On July 7, a court in Syktyvkar sentenced blogger Savva Terentyev to a suspended one-year prison term for extremism, for inciting hatred against a "social group" by posting a comment in an online discussion on LiveJournal about the elections in Komi and police corruption, and calling for the police to "burn in the squares of Russian cities." A linguistic examination conducted by the Scientific Center of the Komi Republic alleged that Terentyev's comment aimed to stir up hatred and humiliate persons belonging to a "social group." A number of NGOs and rights activists criticized the court's ruling, asserting that the broad interpretation of extremism legislation was used to target criticism of authorities, and questioned the classification of police as a "social group."

On April 22, an Internet service provider in Kirov stopped supporting the Internet site of Vyatskiy Nablyudatel newspaper, citing an order from the local office of the Ministry of Internal Affairs that the site be shut down for "calling for extremism" and "inciting hatred and enmity towards the government of the Kirov region."

The government generally did not impose content restrictions, except in a few cases where the law on extremism was applied. In contrast to other forms of media, the government does not require Web sites to register as mass media, and unregistered Web sites were not subject to administrative sanctions. Postings on the Internet were subject to the same restrictions that applied to other types of expression, and some bloggers were charged with inciting hatred for their Internet postings. A State Duma proposal in April to amend the law on media to define Internet sites as mass media and place them under greater government control did not pass. Internet forums, including blogging services, continued to serve as a more open media vehicle for expressing political views. Bloggers, including journalists and politicians, used online diaries in the run-up to the December 2007 State Duma and March presidential elections to express views about the campaign.

In August 2007, Dmitriy Shirinkin, a blogger from Perm, was charged as a "telephone terrorist" after he posted a fictional work that authorities considered an announcement of intent to commit a terrorist act.

There was widespread and growing access to the Internet through home, work, or public venues. Approximately 25 percent of adults had Internet access, almost all of whom used the Internet at least once a month.

Academic Freedom and Cultural Events

The government did not restrict academic freedom; however, human rights and academic organizations believed the continued imprisonment of disarmament researcher Igor Sutyagin, physicist Valentin Danilov, and others inhibited academic freedom and contact with foreigners on subjects that the authorities might deem sensitive.

On February 12, authorities in St. Petersburg suspended all activities at the private European University, allegedly due to fire safety violations. Activists said that they believed the decision was related to a grant the university received from the European Union in 2007 to study the country's elections. The university decided to discontinue the research project, and city authorities then declared the university free of fire safety violations. The university reopened in March.

On April 13, in Pskov, the OMON disrupted the opening of an art exhibit by Natalya Chernova because of its political content. The police came to the opening and began to take down the names of the organizers and visitors. Chernova was a member of National-Bolshevik "Decembrist" group that tried to take over the presidential administration building, for which she was imprisoned from 2004-06.

In June 2007, a Moscow district prosecutor opened a criminal case against Yuriy Samadurov, director of the Sakharov Center, for instigation of ethnic and religious hatred because the center had hosted a provocative art exhibit in March of that year. Samadurov subsequently resigned as director of the center, and the Prosecutor's Office formally presented Samadurov with the charges against him on May 15. The case remained ongoing at year's end.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, but local authorities increasingly restricted this right in practice.

Permits are required for public meetings, demonstrations, or marches, and must be requested between five and 10 days before the event. Local elected and administrative officials selectively denied some groups permission to assemble or offered alternate venues that were in inconvenient locations. Permits are not required for religious gatherings and assemblies, and unlike past years, there were no reported incidents of authorities denying religious groups access to venues where they could hold assemblies. According to the Moscow Prosecutor's Office, during the year there were approximately 1,500 public rallies in the country, of which 150 were unsanctioned.

On January 26, police dispersed several hundred opposition demonstrators, and arrested 30 to 40 persons, including at least 10 journalists and human rights representatives covering the demonstration in Nazran. This followed the FSB's January 25 order that banned demonstrations and restricted movement in several districts of Nazran.

In July, several human rights activists from Nizhny Novgorod, Kirov, and Samara filed an application with the Constitutional Court regarding restrictions on freedom of rallies. Authorities can deny permission for a rally if it will interfere with traffic or if another rally is being held at the same place; however, the activists alleged that their request

for permission was actually denied for political reasons. The activists had not received a response from the court by year's end.

On May 6, the opposition group Other Russia attempted to organize a Dissenters' March to register disapproval of President Medvedev's inauguration. Moscow authorities refused to issue permits for a march or demonstration, and Other Russia cancelled the event. However, at the planned time for the march, police arrested 50-60 Other Russia members, in locations away from the site of the cancelled rally.

On June 1, after a number of gay rights activists were repeatedly denied permission to hold parades, gay pride organizers held two demonstrations in Moscow. Organizers had announced that the demonstration would take place across the street from the mayor's office, and police and counter-protesters gathered there to confront them. However, the organizers secretly notified participants of a different location and, in contrast to the banned parade in 2007, a short march took place largely free of violence. The human rights ombudsman criticized the mayor's policy of denying permission for gay parades. In October, the Moscow City Court upheld a ruling by the Tverskoy District Court banning 10 marches that were part of the gay parade.

On November 13, unknown assailants attacked activist Karine Clement, director of the Institute for Collective Action, with a syringe near the Lubyanka Metro station in Moscow. She was on her way to a meeting of an organization devoted to defending local housing rights. Clement had suffered other attacks in the past, including two in the preceding week, from assailants who expressed displeasure with her support of leftist movements.

On December 14, Other Russia held a Dissenters' March in Moscow protesting changes to the constitution lengthening presidential and Duma terms. Moscow City Hall officials rejected three proposed march routes, and police visited Other Russia member Mikhail Makarov and attempted to force him to record a video saying he would not organize the march. However, the Dissenters' March proceeded without authorization, and police – who outnumbered the protesters – detained approximately 100 participants, in some cases using violence, including in one instance dragging a woman by her hair. Most detainees were released, but many were ordered to appear in court later and to pay a fine. On the same day, the pro-Kremlin Nashi youth movement rallied near the Kremlin; authorities allowed this as part of what many observers called a pattern of encouraging government-friendly rallies while preventing politically sensitive demonstrations.

On December 21, OMON special forces from Moscow beat protesters in Vladivostok who were displeased with a planned increase in tariffs for imported automobiles.

In May 2007, participants in a Moscow gay rights demonstration were assaulted by counterdemonstrators. Security forces did not protect the demonstrators and arrested approximately 25 gay rights activists.

Throughout 2007, authorities participants and organizers of various "Dissenters' Marches" were harassed by authorities. In April 2007 in Moscow and St. Petersburg, police detained more than 300 participants in the Marches of Dissenters and beat 35 persons. In May 2007, Ilya Gureyev and Mikhail Gangan, two organizers of the Samara March of Dissenters, were arrested; Gureyev was sentenced to six months' imprisonment and Gangan was sentenced to house arrest. Journalists and human rights activists were also detained. Other Russia representatives and accompanying journalists were also prevented from traveling to Samara to cover the event.

In May 2007, police took Other Russia organizer Dmitriy Treshchanin to a draft commission, where he was found eligible for military service and ordered to report for duty later in the month.

Red Youth Vanguard leader Sergey Udaltsov was detained at Sheremetyevo Airport in June 2007 on his way to St. Petersburg.

In April 2007, Lev Ponomarev, head of the Movement For Human Rights, his wife, and three young representatives of youth organizations were arrested while walking along the street downtown Moscow and delivered to the Krasnoselskoye interior affairs department.

In August 2007, the militia dispersed a protest in support of a hunger strike by the group Mothers of Dagestan, who worked on behalf of families of persons who have disappeared in the conflict in the North Caucasus.

In August 2007, the Popular Democratic Union, led by former prime minister Mikhail Kasyanov, was refused use of a hotel in Yekaterinburg for their conference. The hotel claimed it did not provide accommodation for political events. However, in 2006 United Russia held its conference in the same venue.

In August 2007, following a demonstration at the United Russia offices in St. Petersburg, police arrested 10 protesters, injuring three of them, including United Civil Front leader Olga Kurnosova.

In October 2007, an international conference in honor of Anna Politkovskaya in Nizhniy Novgorod was cancelled after authorities raided the offices and seized the computers of the organizers, the Fund to Promote Tolerance. Participants found their hotel reservations cancelled, and the bank holding the funds to pay for the conference refused to transfer the funds to the organizers.

In November 2007, authorities forcefully intervened to break up or prevent opposition protests in a number of cities, including Moscow, St. Petersburg, Nizhniy Novgorod, and Nazran. Authorities detained opposition leaders, including Yabloko youth leader Ilya Yashin, Union of Right Forces Duma candidates Boris Nemtsov and Nikita Belykh, as well as human rights activists. Following an attempt to lead a march to the Central Election Commission, police arrested Other Russia leader Garry Kasparov. He was sentenced to five days in jail during an abbreviated hearing, in which he had only last-minute access to his lawyer and was not provided the opportunity to present witnesses. In Ingushetiya two protests over human rights abuses by authorities were reportedly broken up. Authorities reportedly fired upon a crowd of demonstrators in Nazran.

In 2006, the government restricted freedom of assembly in many instances, with disproportionate actions and representation by police, FSB, and special forces. For example, police detained hundreds of opposition activists ahead of and during a Dissenters' March in Moscow; police in Ingushetiya arrested rights activists and violently broke up a rally in memory of murdered reporter Anna Politkovskaya; and during the G-8 Summit in St. Petersburg, human rights activists claimed 577 alleged incidents of illegal action by law enforcement officials against protesters, including short-term detentions on dubious charges such as "verbal abuse" and preventing protesters from traveling by bus or train to protest sites.

In 2006, authorities prevented participants from attending an Other Russia conference in Moscow through threats or detentions and removing them from trains or aircraft en route to the city. Tactics reportedly included summoning attendees to police departments, coercing from them written promises to stay at home, and threatening them with detention on administrative charges. Some participants were reportedly attacked before the conference.

Freedom of Association

The law provides for freedom of association, and the government generally respected this right; however, there were notable exceptions. Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. Several organizations were forced to suspend programmatic activities while registration was pending.

The law requires that political parties have 50,000 members nationwide and at least 500 representatives in each of half of the country's regions with no fewer than 250 members in each of the remaining regions to be registered.

The finances of registered organizations are subject to investigation by the tax authorities, and foreign grants must be registered. A decree from the prime minister in June removed tax-exempt status from the majority of NGOs, including international NGOs, and imposed a potentially onerous annual registration process for those which met the proposed requirements. Many NGOs interpreted the decree as a further step to restrict NGO funding. Authorities subjected some NGOs to lengthy investigations of their finances or delayed the registration of their foreign financed programs. Some NGOs said that these actions were intended to restrict their activities. For smaller NGOs without the organizational capacity to respond to tax investigations, such investigations had a more crippling effect on operations. In several cases authorities seemed to selectively apply these tax requirements to threaten organizations with possible closure.

On July 25, human rights defender Zurab Tsechoev, working for the human rights organization MASHR (peace) in Ingushetiya, was taken away from his home in Troitskaia by armed men in federal law enforcement vehicles. A few hours later he was found on a roadside near Magas, the capital of Ingushetiya, with serious injuries requiring hospitalization. At year's end, no investigation had been opened.

In December, the newly formed Solidarity movement, composed of a number of liberal groups, held its founding conference in the Moscow suburb of Khimki. The groups attempted to found the organization months earlier in Moscow, but authorities repeatedly thwarted their attempts to find a venue, citing a myriad of pretexts. Venue owners also expressed fear of allowing their premises to be used. The December meeting, however, took place without incident.

On December 15, new charges of assault were reportedly launched against Maksim Reznik, who had been detained in March. Following the Dissenters' March on December 14, an unknown individual poured a bucket of mud onto Reznik. Reznik and his supporters then detained and delivered the attacker to the police. A few hours later, the police summoned Reznik to the police station and informed him that instead he might be charged with assault based on a complaint filed by the individual who had attacked him. There were no additional developments at year's end.

In July 2007, the St. Petersburg branch of the FRS sent the results of its investigation to three NGOs that had legally accepted foreign funding to promote human rights, democracy, protection of the environment, and immigrant rights and began liquidation proceedings against them. The FRS later rescinded proceedings against two of them, St. Petersburg Bellona and Citizens Watch, but continued against the Center for Educational and Research Programs (CERP), which it accused of tax evasion and interfering with Russian government agencies. The center advised other NGOs in the northwest part of the country how to comply with the 2006 amendments to the NGO law. On February 14, a court ruled to close the center, and the order was carried out. CERP filed a complaint with the ECHR, but it had not yet been heard at year's end. The CERP director later founded a new NGO specializing in legal assistance to NGOs.

The 2006 NGO law introduced strict oversight of NGOs by the FRS, now a part of the Ministry of Justice. The law imposed stringent registration requirements for NGOs, particularly the branch offices of foreign NGOs; strict monitoring of organizations; extensive reporting requirements on programming and activities; and some limitations on the participation of foreign citizens. The law enabled more intrusive means for the government to scrutinize all forms of NGOs and granted the FRS discretion to deny registration or shut down an organization based on vague and subjective criteria. All NGOs who attempted to reregister their organizations were ultimately successful. On March 19, the FRS informed 43 international organizations that they would need to reregister under a more burdensome requirement. Beginning October 1, the FRS, formed in response to the 2006 law, shifted back to the Ministry of Justice. In the transition period, this shift reportedly created confusion and difficulty for some NGOs, particularly

in some regions, as they attempted to fulfill registration requirements.

In May 2007, the Tula office of the Popular Democratic Union, the movement lead by former prime minister Mikhail Kasyanov, was subjected to a financial inspection by law enforcement. Officials arrived at the office, interrupting a meeting of 70 participants, 20 of whom were arrested.

The government at times applied restrictions in a discriminatory manner. For example, in June 2007 the government used a personal administrative violation by the director of Educated Media Foundation (EMF), also known as Internews Russia, an NGO promoting professional and independent media, as a pretext to seize the computers and financial records of the organization. The EMF director, Manana Aslamazyan, was charged with an administrative violation when she failed to properly declare the currency she brought into the country. Authorities subsequently elected to charge her with a criminal offense. Human rights advocates argued that the case against Aslamazyan was politically motivated and that the infraction would normally be treated as an administrative, not criminal, violation. Internews was forced to curtail its activities, and in November 2007, a court approved Internews' request to close the NGO by March. In May the Constitutional Court ruled that the smuggling charges against her were unconstitutional.

In 2006, the government amended the law "On Countering Extremism," increasing concerns among many that the amendments may restrict freedom of association and legitimate criticism of the government. In July 2007, and again in October, the government enacted additional amendments that expanded the definition of extremism. Critics feared that even the threat of application of the law could have a chilling effect on NGOs and associations. In October, the government amended the law on extremism to make it easier to bring cases against an organization.

Some senior officials made critical statements during 2007 that contributed to, and reflected, increased suspicion of NGO activity. In February 2007 in Munich, then president Putin stated that Russia considers NGOs that receive financing from other governments to be instruments of foreign influence. In November 2007, then president Putin called those who receive funding from foreign embassies "jackals" who want to divide and disorient the country.

In 2006, the Russian Federal Tax Service filed a tax claim against the Center for International Legal Defense, an NGO headed by one of former Yukos CEO Mikhail Khodorkovskiy's lawyers, after it was audited by tax inspectors. During the year, the center continued to be targeted for harassment, including irregular administrative inspections.

The Supreme Court considered Hizb ut-Tahrir a terrorist organization, and 46 persons were convicted of being members, including 11 convicted during 2007. Of these, 29 were serving prison sentences ranging from 11 months to four-and-a-half years.

A number of political parties have had their registration revoked or denied since 2006, including the National Bolshevik Party, the Republican Party, the political party Great Russia, and the Popular Democratic Union, former premier Mikhail Kasyanov's political movement.

Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. Although the constitution provides for the equality of all religions before the law and the separation of church and state, the government did not always respect these provisions in practice. Conditions improved for some minority religious groups while remaining largely the same for most, and government policy continued to contribute to the generally free practice of religion for most of the population.

Religious groups do not need to register with the government in order for members to practice their faith, but the law requires all religious groups that want legal status (needed in order to open bank accounts, purchase property, or enter into contracts) to register with the government. The law prevents religious groups who have existed in the country for fewer than 15 years from registering as legal organizations. According to the FRS, 21,963 religious organizations had registered with the government as of January, an increase of 443 from 2006. Local courts largely upheld the right of nontraditional groups to register or reregister, but a few religious groups continued to contest denials of registration in the courts. In some cases, government officials refused to comply with court orders to register certain groups such as the Salvation Army in Moscow. According to Vice Chairman of the Commission for Religious Associations Andrei Sebentsov, approximately 800 religious organizations were dissolved in 2007. In October, the government circulated a list containing approximately 20 religious organizations slated for possible liquidation, but there were no further developments at year's end.

The country does not have an official state religion, and the law recognizes Russian Orthodoxy, Islam, Judaism, and Buddhism as "traditional." The Russian Orthodox Church is the dominant faith in the country, and while no faith holds legal privileges or advantages, in practice the Russian Orthodox Church maintained a preeminent status and a number of formal and informal agreements with government ministries on matters such as guidelines for personal education, religious training for military personnel, and law enforcement and customs decisions. These agreements give the Russian Orthodox Church far greater access than other religious groups to public institutions, such as schools, hospitals, prisons, and the military. The onset of the economic crisis late in the year led the Orthodox Church and Orthodox social groups to seek aid from the government.

Some human rights groups and religious minority groups criticized the procurator general for encouraging legal action against some minority religions and of giving official support to materials that were biased against Muslims, Jehovah's Witnesses, the Church of Jesus Christ of Latter-day Saints (the LDS Church), and others. There were credible reports that individuals within the federal security services and other law enforcement agencies harassed minority religious groups, investigated them for purported criminal activity and violations of tax laws, and pressured landlords to renege on contracts.

The Ministry of Justice, which absorbed the duties of the abolished FRS and other federal and local authorities, continued to restrict the rights of a few religious minority groups. Legal obstacles to registration under the Law on Religions disadvantaged some religious groups considered "nontraditional." The 2006 NGO law contained provisions that applied to registered religious organizations. That law permits government inspections of religious organizations and attendance at some public events with advance notice. Registered religious organizations must provide annual financial reports and other documents upon request to the Ministry of Justice and report within three days any changes in the organizational leadership or address. However, according to Forum 18, Ministry of Justice officials could not explain which government agencies, other than the tax inspectorate, had the right to initiate the closure of religious organizations.

Some regional officials used contradictions between federal and local laws and varying interpretations of the law to restrict the activities of religious minorities. According to many observers, local governments were more susceptible to pressure from the local religious majority and therefore were more likely to discriminate against local minority religious communities. However, there were only isolated instances in which local officials detained individuals engaged in public discussion of their religious views, and these incidents were usually resolved quickly.

The human rights ombudsman received 20 complaints from different churches and religious organizations throughout the country in 2007. There were also a substantial number of complaints of religiously motivated violence.

On June 10, the Supreme Court ruled that the March 24 decision of a Smolensk regional court to dissolve a local Methodist church was unlawful, because it had run a Sunday

school without obtaining an educational license, but the Supreme Court ultimately ruled that the church did not need this license.

The federal government banned only one religious organization, Hizb ut-Tahrir, which it designated as a terrorist organization. There were indications that the security services, including the FSB, treated the leadership of some other Islamic groups as security threats. The republics of Dagestan and Kabardino-Balkaria have laws banning extremist Islamic Wahhabism, but there were no reports that authorities invoked these laws to deny registration to Muslim groups.

Some observers said that police harassment, detention, and torture of Muslim clerics and alleged militants in the Kabardino-Balkaria Republic increased after a 2005 rebel attack on the Nalchik police headquarters. In contrast with the period following the 2004 hostage-taking in Beslan, when authorities increased the number of criminal "extremism" cases against Russian and foreign Muslims, during the year such cases were specific and isolated.

In May, police opened a criminal case against Aslambek Ezhayev, the Moscow-based publisher of "The Personality of a Muslim" by Arab theologian Muhammad Ali Al-Hashimi Ezhayev, for incitement to religious hatred. In December 2007 the publication had been placed on the list of banned extremist literature. On October 8, Forum 18 News Service reported that the economic crimes police searched the publishing department offices at Moscow's Islamic University for six hours and seized computers and books. The police determined that the accounts were in order but passed the materials to the Prosecutor's Office for the criminal case.

The law recognizes three categories of religious communities (groups, local organizations, and centralized organizations) with different levels of legal status and privileges. The Church of Scientology had faced the greatest difficulties in registering branches as religious organizations. The law requires religious groups to have had at least a 15-year presence in the country before becoming eligible to register as a legal organization.

The Church of Scientology challenged this provision of the law at the ECHR; the case was ongoing at year's end. A 1997 Supreme Court ruling grandfathered religious organizations that had registered before the 1997 law took effect, but the Church of Scientology had only one local organization (in Moscow) that was legally entitled to reregister. In 2007, the ECHR ruled that Moscow authorities violated the religious freedom rights of the Church of Scientology by refusing to reregister that Moscow branch. The government appealed the decision.

There continued to be some restrictions on establishing, building, or maintaining places of worship and training sufficient clergy to serve believers. For example, Jehovah's Witnesses have had difficulty getting permits to build assembly halls in some regions. In Zlatoust, Chelyabinsk Oblast, local authorities first provided the Jehovah's Witnesses with a plot of land to build a Kingdom Hall, and in April they began holding meetings there. However, in September, following complaints from local residents, the authorities opened a case against the Jehovah's Witnesses for alleged violations of fire regulations posed by a neighbor's garage. The Jehovah's Witnesses received a warning, paid a fine, and applied to have the garage removed. At year's end the Jehovah's Witnesses had not been allowed to use the facilities.

On July 16, the FSB searched a meeting place for Jehovah's Witnesses in Yekaterinburg and detained 18 members. The raid and detentions were in connection with the criminal investigation instigated by the Asbest City Prosecutor's Office in June relating to the alleged distribution of extremist literature by Jehovah's Witnesses in Asbest. Several boxes of religious literature were confiscated as "evidence" in the pending court case. There were no further developments at year's end.

Various minority religious organizations encountered similar difficulties in obtaining or renovating property. The mayor's office in Krasnodar continued to deny the Muslim

community's request to build a mosque in the city of Sochi.

During the year two Baptist congregations in the regional center of Lipetsk lost their legal status, and a third lost its rented prayer house. In the first two instances, authorities removed their status for alleged tax violations. In the case of the prayer house, the Orthodox diocese of Lipetsk filed a suit for control of the building, and local authorities offered a building in need of substantial repair as compensation.

Some local and municipal governments prevented minority religious groups from obtaining venues for large gatherings and from acquiring property for religious uses.

There are no restrictions on individual worship in public or private.

Regional and local authorities as well as businessmen on a number of occasions refused to lease facilities to local Jehovah's Witnesses communities. According to Forum 18, at least nine Jehovah's Witnesses congresses were prevented from being held by the authorities during the year; 30 others have taken place but with some disruptions.

There are no legal prohibitions on missionary activities. There was societal pressure against proselytizing by non-Orthodox faiths, and some groups reported that missionaries had been harassed or attacked when proselytizing.

Authorities either deported or denied entry to several religious workers with valid visas. Some religious personnel experienced visa difficulties while entering or leaving the country. Laws in three regions – Belgorod, Kursk, and Smolensk – forbid foreign visitors from engaging in missionary activity or preaching unless specifically authorized by their visas. According to local religious officials, the laws were not enforced.

In November 2007, Chechen President Ramzan Kadyrov called for all women in the republic to cover their heads with scarves. While officially this is nonbinding, several government institutions in Grozny reportedly posted signs forbidding women without headscarves from entering, and guards were enforcing the rule. Two universities in Chechnya reportedly prohibited women with uncovered heads from attending classes.

Since September 2006, schools in four of the country's 85 regions required the teaching of a controversial Foundations of Orthodox Culture course; in many other regions, the course was taught as an elective.

Restitution of religious property seized by the Communist regime remained a problem, particularly for Muslim and Protestant groups. Many properties used for religious services, including churches, synagogues, and mosques have been returned, and other restitution cases continued. The Russian Orthodox Church had greater success reclaiming prerevolutionary property than other groups, although it still had disputed property claims. During the year the Russian Orthodox Church continued to try to reclaim a mansion on Moscow's Red Square that it alleges was expropriated in 1917, but the government has not enforced court rulings in the church's favor. In 2006, Muslims in Beslan appealed to the Presidential Council for Cooperation with Religious Associations to return the historic Cathedral Mosque to the Muslim community, which was occupied by a vodka bottling plant and a bottle washing shop. The Jewish community was seeking the return of a number of synagogues, religious scrolls, and cultural and religious artifacts, such as the Schneerson book collection, a revered collection of the Chabad Lubavitch, which the authorities claimed as part of the country's cultural heritage. The Roman Catholic Church reported 44 disputed properties, including the Saints Peter and Paul Cathedral in Moscow.

The authorities permitted Orthodox chapels and priests on army bases and also gave Protestant groups limited access to military facilities. Authorities largely banned Islamic services in the military and generally did not give Muslim conscripts time for daily prayers or alternatives to pork-based meals. Some Muslim recruits serving in the army reported that their fellow servicemen insulted and abused them on the basis of their

religion. In December 2007, the military appointed the first Jewish chaplain since 1917.

Societal Abuses and Discrimination

There were reports of societal abuses and discrimination based on religious belief or practice. Religious matters were not a source of social tension or problems for the large majority of citizens, but there were some problems between majority and minority groups, including incidents of harassment and violence.

Prejudices against non-Orthodox religions were behind manifestations of anti-Semitism and occasional friction with non Orthodox Christian denominations. Because xenophobia, racism, and religious bigotry were often intertwined, it was sometimes difficult to determine which prejudice was the primary motivation behind discrimination against members of religious groups. Conservative activists claiming ties to the Russian Orthodox Church occasionally disseminated negative publications and held protest meetings against religions considered nontraditional, including alternative Orthodox congregations. Some Russian Orthodox clergy publicly stated their opposition to any expansion of the presence of Roman Catholic, Protestant, and other non-Orthodox denominations.

Popular attitudes toward traditionally Muslim ethnic groups remained negative in many regions, and there were manifestations of anti-Semitism as well as societal hostility toward adherents of more recently established religions, such as the LDS Church, Jehovah's Witnesses, and Scientology. Ethnic tensions ran high in the predominantly Muslim Northern Caucasus, and there were problems in some cities outside that region. Government officials and journalists often labeled Muslim organizations "Wahhabi," a term associated with extremism. The republics of Dagestan and Kabardino-Balkaria formally prohibited Wahhabism.

Unlike the previous year, there were no recorded cases of acts of vandalism against Muslim communities; in 2007, there were a number of reports of mosques, Muslim community centers, and cemeteries being vandalized.

Reports of the harassment of evangelicals and Pentecostals reportedly decreased during the year. In March, Forum 18 announced that a Smolensk region Methodist Church was dissolved for not having an education license for its Sunday school; however, in June the Russian Supreme Court ruled that the church did not need this license. African Russian and African ministers of non Orthodox Christian churches experienced prejudicial treatment, based apparently on a combination of religious and racial bigotry.

According to the Moscow Bureau of Human Rights (MBHR), during the year there were six reported cases of vandalism against Orthodox Christian churches and nine cases of vandalism against non-Orthodox churches, which was comparable to the level in 2007.

An estimated 250,000 Jews lived in the country, comprising less than 0.25 percent of the population, according to government sources and Jewish groups in Russia, Israel, and the United States. Some researchers suspected that the number was underreported due to the reticence of some Jews to publicly identify their religious or ethnic background. The Jewish population declined over the past two decades through large-scale emigration, but recent years have seen an overall influx of Jews as some emigrants have returned from Israel and other countries.

During the year, as in 2007, there was a decrease in racially motivated violent attacks against Jews. In September, Chief Rabbi of Russia Berel Lazar said that anti-Semitism had declined slightly, citing the following factors: a Jewish community center that opened in Moscow last year; 200 officially registered Jewish communities, including 94 Jewish Sunday schools and five Jewish higher education institutions; and the inclusion of rabbis among those who provide spiritual guidance to military conscripts.

In June 2007, in Ivanovo, skinheads shouting anti-Semitic slogans attacked two Jewish

men. On March 3, the Ivanovo Leninsky Regional Court found one of the attackers, Sergey Novikov, guilty of a hate crime and sentenced him to four years in prison.

In 2006, a Moscow court sentenced Aleksandr Koptsev to 16 years in prison for attempted murder and inciting racial hatred after he attacked worshipers in a Moscow synagogue with a knife, wounding nine. An appeals court extended the original sentence of 13 years after finding that the trial court had failed to consider the ethnic hatred motive of the crime. A student attempted a copycat attack on a synagogue in Rostov-on-Don in 2006, but security guards stopped him before he could harm anyone. An appeals court overturned his attempted murder conviction on the basis that he was mentally unfit to stand trial and ordered him to undergo psychiatric treatment.

Skinheads and ultranationalists, usually acting in gangs, attacked persons in the country during the year. However, their main targets were foreigners and persons from the Caucasus or Central Asian ethnic groups.

There continued to be reports across the country of vandals desecrating Jewish synagogues and cemeteries and defacing Jewish religious and cultural facilities, sometimes combined with threats to the Jewish community. Anti-Semitic graffiti and leaflets appeared frequently in many regions. Anti-Semitism on television or in other mainstream media was infrequent and was more likely to appear in low-circulation newspapers or in pamphlets. Anti-Semitic materials on Russian-language Internet sites have increased. There was no evidence of state-sponsored anti-Semitism.

The MBHR reported that seven synagogues and community centers were vandalized during the year. The SOVA anti-extremism center also reported grave desecrations in Jewish cemeteries in Nizhny Novgorod, Makhachkala, and Kaliningrad. Officials often classified these crimes as "hooliganism." In many cases where local authorities prosecuted cases, courts imposed suspended sentences. In some cases, however, the hate crime motive was taken into consideration.

In August, vandals damaged 21 Jewish graves in the Krasnaya Etna cemetery in Nizhny Novgorod and 80 gravestones in two cemeteries in Makhachkala.

On June 18, Oleg Polonsky was asked to disclose his religious orientation by two young men; when he responded that he was Jewish, he was beaten by the men and required hospitalization.

In 2006, there were many similar reports of Jewish religious centers, community centers, and cemeteries being vandalized throughout the country.

There were many reports of anti-Semitic publications during the year. A number of small, radical-nationalist newspapers that print anti-Semitic, anti-Muslim, and xenophobic articles, many of which appeared to violate the law against extremism, were readily available throughout the country. There were also reports of anti-Semitic literature on sale in cities across the country. The estimated number of xenophobic publications exceeded 100, many sponsored by the local chapters of the National Power Party. In addition, there were at least 80 Web sites in the country with anti-Semitic content.

In contrast with previous years, there were no notable anti-Semitic statements by government officials during the year. Anti-Semitic statements were legally prosecuted, and the government publicly criticized nationalist ideology and expressed support for legal action against anti-Semitic acts.

The Euro-Asian Congress noted that in 2006 prosecutors recorded the highest number of attempts to prosecute purveyors of anti-Semitic propaganda. While the government publicly criticized nationalist ideology and supported legal action against anti-Semitic acts, the reluctance of some lower-level officials to call such acts anything other than "hooliganism" remained an impediment.

The support of federal authorities, and in many cases regional and local authorities, facilitated the establishment of new Jewish institutions. In 2007, and during the year former president Putin publicly criticized anti-Semitism and supported the establishment of the Museum of Tolerance being planned by the Federation of Jewish Communities of Russia. In June 2007, Arkadiy Gaydamak, president of the Congress of Jewish Religious Organizations and Associations of Russia, and Chief Rabbi of Russia Adolph Shayevich signed a contract regarding the construction of a Moscow Jewish community center. Work began on the 2.7 billion rubles (\$100 million) complex on land donated by the Moscow city government to house Jewish community institutions, including a school, a hospital, and a major new museum devoted to the history of the country's Jews, the Holocaust, and tolerance.

For a more detailed discussion, see the [2008 International Religious Freedom Report](#).

d. Freedom of Movement within the Country, Internally Displaced Persons, Protection of Refugees, Stateless Persons

The law provides for these rights; however, the government placed restrictions on freedom of movement within the country and on migration. The government cooperated with the UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

All adults must carry government-issued internal passports while traveling internally and must register with the local authorities within a specified time of their arrival at a new location. Authorities often refused to provide governmental services to individuals without internal passports or proper registration. The official grace period for registration given to an individual arriving in a new location is 90 days; however, darker-skinned persons from the Caucasus or Central Asia were often singled out for document checks. There were credible reports that police arbitrarily imposed fines on unregistered persons in excess of legal requirements or demanded bribes from them.

Although the law gives citizens the right to choose their place of residence freely, many regional governments continued to restrict this right through residential registration rules that closely resembled Soviet-era regulations. Citizens moving permanently must register to reside, work, or obtain government services and benefits or education for their children in a specific area within seven days of moving there; those who are temporarily residing in a new place may stay for only 90 days before they must register. Citizens changing residence within the country and migrants, as well as persons with a legal claim to citizenship who decide to move to the country from other former Soviet republics, often faced great difficulties or simply were not permitted to register in some cities. Corruption in the registration process in local police precincts remained a problem. There were frequent reports of police demanding bribes when processing registration applications and during spot checks for registration documentation.

Georgian diaspora groups in Russia reported no major campaign against their communities in response to the August conflict over the breakaway regions of South Ossetia and Abkhazia. An anti-Georgia campaign following the 2006 diplomatic row between Russia and Georgia resulted in the deportation of approximately 4,000 ethnic Georgians, three of whom died in detention.

International agreements permit persons with outstanding warrants from other former Soviet states to be detained for periods of up to one month while the prosecutor general investigates the nature of those warrants. This system was enforced among senior law enforcement officials in many of the republics of the former Soviet Union. Human rights groups continued to allege that this was employed to detain opposition members from the other Soviet republics without legal grounds.

In November, the ECHR ruled that Abdullazhon Isakov could not be sent back to Uzbekistan despite an extradition request there. Russian authorities had denied Isakov's claim to Russian citizenship, but he disputed the decision with the help of lawyers from

Memorial. The appeal remained with the court at year's end.

On December 15, the ECHR ruled in favor of the "Ivanovo Uzbeks," a group of 13 ethnic Uzbeks who fled from Uzbekistan in 2005 after their arrest in connection with violent unrest in Andijan in May 2005. After their arrival in the country, authorities arrested them at the request of Uzbek law enforcement. The Uzbeks denied any connection with the Andijan events and applied for asylum based on credible fear of persecution if they returned to Uzbekistan. The authorities rejected their applications for refugee status and ordered their extradition to Uzbekistan. The Ivanovo Uzbeks spent the following two years in detention; they won release in March 2007 but continued to reside in Ivanovo, as Russia refused to grant them exit permission to move to Sweden, which, based on UNHCR referrals, had offered them refugee status. According to refugee workers, the Uzbeks lived under unusually difficult social and economic conditions during their time in Ivanovo. In the December 15 ruling, the ECHR ordered authorities to allow the Ivanovo Uzbeks to go to Sweden and also ordered the government to pay each man 15,000 euros (\$19,191) in restitution. The government had not complied at year's end.

The law provides for freedom to travel abroad and citizens generally did so without restriction; however, there were exceptions. Citizens with access to classified material needed to obtain police and FSB clearances to receive an external passport.

The law prohibits forced exile, and the government did not employ it. The law provides all citizens with the right to emigrate, and this right was generally respected.

Internally Displaced Persons (IDPs)

At year's end, 11,671 IDPs from Chechnya were in temporary settlements or in housing in the private sector in Ingushetiya; 3,765 Chechens were in Dagestan, and an estimated 54,606 Chechens were living as IDPs within Chechnya itself.

During the year officials continued to stand by their position that they would not pressure or compel IDPs to return to Chechnya. However, the UNHCR reported that government officials stated their intention to deregister those IDPs who had received compensation from federal assistance lists and indicated that 52 families were deregistered in 2005. Those who were deregistered faced the threat of eviction from their accommodations in temporary settlements, despite their willingness to pay for the accommodation. Although some of the inhabitants chose to remain in Ingushetiya, the UNHCR estimated that 70 to 75 percent chose to return to Chechnya despite the inadequacy of temporary lodging. For example, in August 2007 the government of Chechnya submitted to the UNHCR a list of 169 IDP families, largely from Ingushetiya, willing to return to Chechnya. The UNHCR reported that 1,141 IDPs returned to Chechnya from Ingushetiya in 2007. During the year the number of Chechen residents at temporary accommodation centers and temporary shelters decreased from 6,240 to 4,571.

During the year the government continued to deny UNHCR requests to set up an office in Grozny to ensure that those returning were provided international standards of safety and dignity. Repatriated Chechens remained vulnerable to being viewed by the local population as possible militants or as wealthy because they were able to afford traveling abroad. Such perceptions placed them in danger of harassment and of kidnapping for ransom.

The UNHCR reported that, despite passport checks and occasional security sweeps that continued in IDP settlements, IDPs were generally able to remain in Ingushetiya without any pressure to return. However, other international and domestic organizations expressed concerns during the year over the government's treatment of Chechen IDPs in Ingushetiya. IDPs were frequently denied status as "forced migrants" under Russian law, which severely limited their access to social benefits and protection. Others living in regions outside Chechnya were often denied residential registration by local authorities, in what the council characterized as discriminatory practices against Chechens.

Protection of Refugees

The law provides for granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, but the government has not established a system for providing protection to refugees. In practice the government sometimes provided protection against the expulsion or return of persons to countries where their lives or freedom would be threatened; however, asylum seekers were often denied access at border points to apply for asylum and the government rarely granted asylum. Any decision of a migration service could be appealed to a higher-ranking authority or to a court. During the appeal process, the person received the rights of a person whose application for refugee status was being considered. If a person did not satisfy the criteria for refugee status but could not be expelled or deported for humanitarian reasons, he could be granted temporary asylum. Individuals who sought entry into the country without proper documentation and who sought to claim asylum were often denied access to the Federal Migration Service by border guards and Aeroflot airlines and often returned to their countries of origin, including in some cases to countries where a well founded fear of persecution could be demonstrated. The UNHCR and NGOs stated that many asylum seekers at times faced detention, deportation, fines by police, and racially motivated assaults, which sometimes led to the loss of life. Persons who did not satisfy the criteria for refugee status, but could not be deported for humanitarian reasons, could be granted temporary asylum.

The UNHCR and the International Organization for Migration (IOM) assisted the government in trying to develop a more humane migration management system. The government acted more expeditiously and with greater leniency in cases involving applicants who had been citizens of countries that were formerly Soviet republics than those from other countries. Officials continued to demonstrate widespread ignorance of refugee law.

In January, the UNHCR ceased providing refugee status determinations (RSD) in parallel with the government, deeming the practice no longer necessary. The government committed to, and in the UNHCR's judgment provided, unimpeded access to its RSD process to applicants, regardless of national origin. The government agreed to reconsider the UNHCR mandate refugees to whom it had previously denied asylum, provided the UNHCR prepared updated dossiers on each individual. The UNHCR continued to provide counseling services to support the government's RSD.

In April, Jong Koun Tchona, a North Korean seeking asylum in Russia, was accepted by and resettled to South Korea, with the understanding that his Russian wife and children would later join him there. Tchona had disappeared in November 2007 after being called to a Federal Migration Service office in Moscow. He later escaped from a detention facility in Khabarovsk, from which he understood he was to be forcibly repatriated to North Korea. The intervention of NGO Civic Assistance, the UNHCR, and the human rights ombudsman prevented Jong's deportation.

In 2006, Bakhrom Dadazhenov was accused of associating with an extremist group in a high-profile case in Arzamas, Nizhniy Novgorod region. The court proceedings were reportedly based on fabricated evidence. The intervention of NGO Civic Assistance prevented the Dadazhenov family's deportation, and in April 2007 he and his family were resettled to Sweden.

The UNHCR and NGOs reported that undocumented asylum seekers continued to face problems with law enforcement bodies over their status in the country. The government does not issue documents to asylum seekers who are awaiting review of their requests for asylum. They remained vulnerable to fines and detention, and were denied access to government assistance.

At Moscow's international airports, authorities regularly deported improperly documented passengers before they were able to file asylum claims with the Federal Migration Service, including persons who demonstrated a well-founded fear of

persecution in their countries of origin. Airlines were fined if an undocumented passenger was admitted to the country but not if the passenger was returned to the country of origin. Most cases involved labor migrants entering or leaving the country, but a few cases involved asylum seekers. For those allowed to stay to pursue their claims, the law on refugees provided for the right to be lodged in temporary accommodation centers; however, there were only three shelters nationwide, and they were located outside the major cities where asylum seekers were concentrated. Reception facilities at border crossing points were also inadequate, with harsh conditions for asylum seekers accommodated there.

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of asylum seekers if they lacked residential registration. According to IOM, during the year all children of asylum-seekers (even without civil registration) were entitled to attend school and had free access. Authorities consistently cooperated with IOM if it alerted them to cases where children faced problems being accepted by their respective school. Authorities frequently denied migrants the right to work if they did not have residential registration. Refugees also cannot work legally if they are not registered and cannot obtain registration if they are not officially accepted as refugees by the government.

International agreements permit persons with outstanding warrants from other former Soviet states to be detained for periods of up to one month while the prosecutor general investigates the nature of those warrants. This system was reinforced by means of informal links among senior law enforcement and security officials in many of the republics of the former Soviet Union. Human rights groups continued to allege that this network was employed to detain opposition figures from the other former Soviet republics without legal grounds.

In December 2007, Russian officials administratively expelled Tyumen resident Abdujani Kamaliyev, an Uzbek married to a Russian citizen, to Uzbekistan even though a domestic court had ruled against his extradition in 2006. This was in direct violation of a December 2007 ECHR ruling stating that he may be subjected to torture if returned to Uzbekistan.

In August 2007, a Moscow district court ordered the extradition of another Uzbek, Yashin Dzhurayev, who claimed that he had been persecuted for religious reasons in Uzbekistan. However, Russian authorities did not fulfill the extradition request, and the decision on expulsion was later cancelled by the court as well. On December 10, Dzhurayev's application for resettlement to a foreign country was accepted, and he was awaiting this resettlement at year's end.

The law exempts the estimated 1.5 million former Soviet citizens residing in the country without benefit of citizenship from having to meet most requirements for naturalization. In 2006 a new law extended the deadline for former Soviet citizens to obtain citizenship until January 1. In addition, the new law extended the right to seek citizenship to those who obtained a residence permit in the country after January 1, 2002, increasing the number of persons potentially eligible for citizenship.

In Krasnodar Kray, Meskhetian Turks without Russian passports were denied the right to register, which deprived them of all rights of citizenship and prevented them from working legally, leasing land, or selling goods. The Krasnodar Kray law for the definition of illegal migrant also includes unregistered Russian citizens as well as foreign citizens and stateless persons. At year's end an estimated 2,000 Meskhetian Turks remained in Krasnodar Kray. With the departure of 11,316 Meskhetian Turks since 2004, facilitated by the Russian Federation, human rights groups reported a significant decline in arbitrary fines and harsh treatment used previously by authorities against the community. However, the Meskhetian Turks who remained in Krasnodar continued to struggle economically.

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

The law provides citizens the right to change their government peacefully in regularly scheduled national and regional elections, although their ability to exercise that right has lessened considerably in recent years by changes in the electoral law, a change from elected to appointed governors, and increased government control of mass media. Little competition existed in the system, which was dominated by the pro-presidential United Russia party. Authorities often blocked the political opposition from exercising their right to freedom of assembly.

Elections and Political Participation

On March 2, the country held presidential elections in which Dmitriy Medvedev, the candidate of the ruling United Russia party who was hand-picked by his predecessor, Vladimir Putin, received 70 percent of the vote. The public and media showed a lack of interest in the campaign, which lacked genuine competition and in which Medvedev declined to participate in debates with the three other candidates. Former premier Mikhail Kasyanov was refused registration after the Central Election Commission ruled that many of the two million signatures he had collected were invalid. Official turnout for the election was reported at approximately 70 percent, with voter turnout in the North Caucasus region approaching 100 percent according to official statistics, which were questioned by a number of analysts. Observers from the Parliamentary Assembly of the Council of Europe (PACE) stated that while the election results reflected the will of the people, "an election where candidates are confronted with almost insurmountable difficulties when trying to register risks not qualifying as free. An election where there is not a level playing field for all contestants can hardly be considered as fair." The domestic voting rights NGO GOLOS, some of whose members experienced difficulties gaining access to polling stations, alleged massive, widespread violations. As in the December 2007, parliamentary elections, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) was again precluded from sending an observation mission due to delays in issuing visas and restrictions placed on the mission by the government. Medvedev was sworn in as the country's third president on May 7.

There were no new developments regarding the April 2007 ban on the NBP as an extremist organization. On February 14, NBP member Andrey Nikitin was arrested for having shown an anti-Putin film while distributing leaflets accusing Putin of mass crimes and calling for his resignation. He was placed under house arrest. In October Nikitin received a one-year suspended sentence under anti-extremism laws, which the Presnenskiy District Court of Moscow upheld on December 25. Nikitin appealed the decision, and the case was pending at year's end.

In the December 2007, elections for the State Duma, the United Russia party received a two-thirds constitutional majority. A total of four parties exceeded the seven percent threshold for gaining seats in the Duma. After the Central Election Commission imposed delays and unprecedented restrictions on the number of international observers, ODIHR decided it was not able to send an observer mission. A team of parliamentarians from PACE, the Parliamentary Assembly of the OSCE, and the Nordic Council observed the elections and concluded they were "not fair and failed to meet many OSCE and Council of Europe commitments and standards for democratic elections." The observers noted that the elections took place in an atmosphere which seriously limited political competition. Frequent abuses of administrative resources, media coverage strongly in favor of the United Russia party, and the revised election code combined to hinder political pluralism.

The OSCE representative on freedom of the media reported numerous media freedom violations during the elections, including harassment of media outlets, legislative limitations, and media bias in political coverage, which prevented equal media access. Although some of its observers were impeded, GOLOS reported numerous electoral violations and problems including an "unprecedented" number of absentee ballots, collective voting under pressure, multiple voting by the same voters, and vote counting violations. GOLOS observers, however, reported good organization of voting procedures and that secrecy of voting was mostly observed.

The Communist Party of the Russian Federation later appealed the results of the December 2007 parliamentary elections, asking the Supreme Court to annul the results because of electoral fraud. On July 16, the court denied the appeal. On December 25, Vedomosti reported a decision by the Communist Party's Mordovia branch to file a case with the ECHR, stating that they were prevented from distributing any election fliers prior to the 2007 election.

The December 2007, State Duma elections were marked with apparent fraud in many of the North Caucasus republics and other regions, as the voter turnout numbers were reported by a several analysts to be artificially high. Chechnya reported 99.5 percent voter turnout, with 99.5 percent of the votes going to the United Russia party. Ingushetiya reported 98.3 percent voter turnout, with 98.8 percent of the votes for United Russia. Kabardino-Balkaria reported 97 percent turnout, with 96.5 percent of the votes for United Russia. In Ingushetiya, with 159,000 registered voters, an opposition organization claimed to have collected 87,340 signatures from registered voters who said that they had not voted in the December 2007 elections.

Fifteen regions held legislative elections in March and April 2007. Many observers claimed that some parties, most often United Russia, unfairly used administrative resources to sway results. Many observers viewed the elections as flawed, with numerous irregularities and abuses during the election process. There were problems in some regions with unequal access to the media and the use of administrative resources by incumbents to support their candidacies. The counting of votes in most locations was professionally done, but there were exceptions, notably in Dagestan. In several regions opposition political parties, such as Yabloko and the Union of Right Forces (SPS), were removed from the ballot after the election commissions cited violations in elections procedures. In February 2007, the St. Petersburg elections commission cited a handwriting expert and claimed that hundreds of the 40,000 signatures on Yabloko's registration application were forgeries. The commission gave Yabloko only two days to refute the charges with signed affidavits and copies of passports of those signatures that it ruled invalid. Yabloko did not comply with this request and was removed from the ballot. The SPS was removed from ballots in Vologda and Pskov.

Laws enacted in 2005 and 2006, particularly those eliminating direct gubernatorial elections, contributed to the consolidation of the government's political power. Further changes to the election law made in 2006 created a strict party list system, banned electoral blocs, raised the threshold for party representation in the State Duma to 7 percent of the vote, and eliminated the minimal voter turnout provision. The changes worked to the advantage of parties already represented in the State Duma, particularly United Russia, and had the effect of reducing the number of competitive parties. The electoral law also prohibited nonpartisan domestic observation of federal elections, making it difficult for NGOs to observe elections.

The law provides that republic presidents and regional governors be nominated by the president subject to confirmation by regional legislatures. If a regional legislature fails to confirm the president's nominee three times, the legislature may be dissolved. The president also acquired the power to remove regional leaders in whom he had lost confidence, including those who were popularly elected. By year's end no regional legislature has failed to confirm the president's nominee. The law gives the president significant influence over the Federation Council, since regional leaders selected by the president in turn appoint half of its members. Political parties that win elections to regional parliaments are allowed to propose their own candidates for head of a region, but this is still subject to the president's and the regional legislature's approval.

Several other provisions of the election law were amended in 2006: the option "against all candidates" was eliminated from ballots; early voting was eliminated; a mandatory minimum voter turnout was eliminated; circumstances under which a candidate may be removed from the ballot (including for vaguely defined "extremist" behavior) were expanded; and "negative" campaigning was prohibited.

The law gives the executive branch and prosecutor general broad powers to regulate,

investigate, and close parties. Other provisions limit campaign spending, set specific campaign periods, establish conditions under which candidates can be removed from the ballot, and provide for restrictions on campaign materials. To register as a political party, the law requires groups to have at least 50,000 members with at least 500 representatives in half of the country's regions and no fewer than 250 members in the remaining regions, making it difficult for smaller parties to register.

Prospective presidential candidates from political parties that are not represented in the Duma must collect no less than two million signatures from supporters throughout the country to register to run for president. Independent candidates also are required to submit signatures to the Central Election Commission (CEC) to be certified to run. A candidate is ineligible to run if more than 5 percent of signatures are found to be invalid by the CEC. Parties that are represented in the Duma can nominate a presidential candidate without having to collect and submit signatures.

In March, a Moscow court denied registration to the political party People for Democracy and Justice led by former prime minister Mikhail Kasyanov. The court cited errors in 18 percent of the more than 57,000 signatures as grounds for denying registration.

According to the CEC chief Vladimir Churov, three of the 14 parties that wanted to run in the December 2007 Duma elections were disqualified due to problems with their registration documents.

Before the March 2007 regional elections, the acting head of the FRS announced that, of the 35 political parties that applied for reregistration in accordance with the amended and more demanding law, only 19 passed the inspection, although two decided to register as "public associations." As a result the 15 parties that did not pass the inspection had to choose to reregister as public organizations, movements, or NGOs or were dissolved through court procedures.

In 2006, the government enacted the law On Countering Extremism, increasing concerns among many that authorities would apply the law to restrict election-related activities of political parties, the media, and NGOs and discourage criticism of the government. The law was used in some cases to stifle opposition political parties during the 2007 and 2008 elections, but not for materials of the ruling United Russia party. For example, authorities used the laws against campaign materials for the St. Petersburg branch of Yabloko in March and evicted staff members from their offices.

In April 2007, the FSB began an investigation of Other Russia member Garry Kasparov for inciting extremism by encouraging radio listeners to attend an opposition rally in St. Petersburg. In 2006 government agents raided the offices of the political organization United Civil Front, also headed by Kasparov. The officers had an order to search the premises on suspicion of "extremist activity" and seized books and material promoting Dissenters' Marches (see section 2.b.). No charges were ultimately brought, but some viewed the incident as an example of the government attempting to use the new law on extremism to intimidate the opposition. The law was also used by public figures to intimidate their critics.

In December 2007, 58 women won seats in the 450 member State Duma; there were nine women in the Federation Council. Three women were deputy committee chairs. Valentina Matviyenko, governor of St. Petersburg, was the only woman to lead one of the 85 regions of the country.

National minorities took an active part in political life; however, ethnic Russians, who constitute approximately 80 percent of the population, dominated the political and administrative system, particularly at the federal level.

Government Corruption and Transparency

Corruption continues to be a widespread problem in the country and studies, including

the World Bank's worldwide governance indicators, have found that it increased during the year. While the law provides criminal penalties for official corruption, the government acknowledged that it has not implemented the law effectively, and officials frequently engaged in corrupt practices with impunity. Corruption was widespread throughout the executive, legislative, and judicial branches at all levels of government. Manifestations included bribery of officials, misuse of budgetary resources, theft of government property, kickbacks in the procurement process, and extortion. The NGO Information Science for Democracy (INDEM) reported that other official institutions, such as the higher education system, health care, the military draft system, and the municipal apartment distribution system were also corrupt.

President Medvedev designated the fight against corruption and "legal nihilism" as priorities. On December 25, he signed into law a package of anticorruption legislation that defines the term and sets forth key principles for combating it. The legislation imposes financial disclosure requirements, restricts post-government employment at entities with which the official had prior connections, and requires reporting of actual or possible corrupt activity. Enabling regulations that identify agencies responsible for enforcing the legislation and specific mechanisms for complying with it had yet to be drafted at year's end.

Overall, government initiatives to address the problem, either through regulation, administrative reform, or government-sponsored voluntary codes of conduct, made little headway in countering endemic corruption. While there were prosecutions related to bribery, the general lack of enforcement remained a problem. Cases of bribery and other corrupt practices are investigated by the Ministry of Internal Affairs and the Federal Security Service, both of which were widely perceived as corrupt.

Under the criminal code, the giving and receiving of bribes are punishable by up to 12 years of incarceration; a person who pays a bribe is relieved of criminal liability if the bribe was extorted from him or if he voluntarily informs law enforcement about it.

According to the Interior Ministry, the total number of corruption cases increased 7.6 percent in the period from January to October. Of the year's 11,492 corruption cases, 8,890 were sent to court. There was an increase of 6.4 percent of officials sentenced (5,285) compared with the same period in 2007. INDEM estimated that millions of corruption-related offences were committed every year and cost the country approximately 7.4 trillion rubles (approximately \$300 billion), almost equal to the country's entire federal budget.

No high-level officials were charged with corruption during the year, but most anticorruption campaigns were limited in scope and focused on lower-level officials. Allegations of corruption were also used as a political tactic, which made it more difficult to determine the actual extent of corruption.

In October, Deputy Finance Minister Sergey Storchak was released upon the completion of the procuracy's investigation of his 2007 arrest on suspicion of preparing to embezzle more than 1 billion rubles (approximately \$43 million) from the state budget, which was the most high-profile corruption incident of the year, although some observers concluded that the case was politically motivated.

On February 12, the mayor of Togliatti, Nikolay Utkin, was sentenced to seven years' imprisonment for abuse of power, bribery, and illegal land transfer. He also received a 200,000 ruble penalty (\$5,495) and was prohibited from occupying a state service position for two years.

The law authorizes public access to all government information unless it is confidential or classified as a state secret. Government refusal to provide access to open information, or the classification of information as a state secret without cause, has been successfully contested in court. However, access to information was often difficult and subject to prolonged bureaucratic procedures.

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

Domestic and international human rights groups operated in the country, investigating and publicly commenting on human rights problems, but official harassment continued, and the operating environment for these groups was increasingly restricted. Authorities increasingly harassed many NGOs that focused on politically sensitive areas, and other official actions and statements indicated a low level of tolerance for unfettered NGO activity, particularly for NGOs that received foreign funding and reported on human rights violations. NGOs operating in the Northern Caucasus were severely restricted.

There were several dozen large NGO umbrella organizations as well as thousands of small grassroots NGOs. In the regions, NGO coalitions continued to advocate on such issues as the rights of the disabled and of entrepreneurs, environmental degradation, violations by law enforcement authorities, and the war in Chechnya.

A decree from the prime minister in June removed tax-exempt status for grants from most international NGOs and imposed a potentially onerous annual registration process for those which met the proposed requirements. Many NGOs interpreted the decree as a further step to restrict NGO funding and operations.

In 2006, the government enacted a law that strictly regulates NGOs and requires them to register with FRS. The law has more stringent registration requirements for local affiliates of foreign NGOs than for domestic NGOs. The law provides intrusive means for officials to scrutinize NGOs, including "public associations," but provides NGOs with only limited procedural protections. The law grants the FRS discretion to deny registration or to request that the courts close organizations based on vague and subjective criteria.

Starting in 2007, all NGOs were required to submit periodic reports to the FRS that disclose potentially sensitive information, including sources of foreign funding and detailed information as to how funds are used. As a result NGOs stated that they were increasingly cautious about receiving foreign funds; while they still in many cases received foreign funds, many restricted their activities to less sensitive issues. The FRS has the authority to audit organizations; in May 2007, it audited the prominent human rights NGO Memorial International in a regularly scheduled inspection. FRS found several violations of the law, particularly with regard to the society's charitable activity, and issued a 1.5 million ruble (\$61,000) fine, which the NGO successfully appealed.

Observers believed the government applied the NGO law to target some human rights organizations. The 2006 amendments to the law on extremism have been used to restrict activities of NGOs and some criticism of the government. The revised law expands the definition of extremist activity to include public libel of a government official or his family, as well as public statements that could be construed as justifying or excusing terrorism. In October new amendments to this law passed enabling authorities to carry out an accusation of extremism without evidence or a court case.

On December 4, seven Prosecutor's Office representatives, three of them wearing masks, arrived at the office of the Memorial Research and Information Center in St. Petersburg. They presented a search warrant, as part of a criminal investigation against newspaper Novy Peterburg; the search investigation was looking for evidence of financial ties between Memorial and the newspaper. Both Memorial and the newspaper denied any ties. The investigators removed 12 hard drives and the archives of Memorial member Aleksandr Margolis, a local expert on architectural preservation. That week, the head of Memorial's office, Irina Flige, went to the Prosecutor's Office to discuss the incident but received no additional explanation for the raid. Shortly afterwards, part of Margolis's confiscated archive was returned. No other materials had been returned at year's end.

Memorial filed a suit against Prosecutor's Office challenging the legality of the search. Human rights activists, foreign governments, and international organizations issued statements calling for the quick return of the confiscated materials and due process, to

which the government responded by stating it had acted in accordance with its own laws. Court hearings on the case were postponed twice in December due to absence of the defendants. The case was still pending at year's end.

On October 26, GOLOS and a foreign democracy-related NGO attempted to hold a training seminar on conducting focus groups, but the facility informed them that the reserved room was without power. After attempting to hold the seminar in the GOLOS office, participants were evacuated for a bomb threat against the building, although no one else in the building was evacuated. In the evening a man who identified himself as a FSB officer reportedly entered the hotel room of a staff member, held a threatening conversation, and made it clear that neither the foreign NGO nor GOLOS was welcome in Novosibirsk. Approximately one week later, a new organization called "The Committee Against Espionage" appeared on a web forum, alluding to the incident and claiming that western NGOs were spying on the country. The group made one further attempt to intimidate the NGO in November, but by year's end had taken no further actions. GOLOS also suffered harassment in Samara in the week before the March presidential election. The prosecutor ordered the local GOLOS director to undergo psychiatric and drug examinations while investigating accusations of software piracy that activists stated were unfounded.

In April, the country's Supreme Court upheld the liquidation of Sodeistvie, a refugee assistance NGO in Vladimir. Sodeistvie had submitted an activity report in 2007 but was liquidated for failure to submit past reports, a violation the government argued could not be remedied.

On September 16, militia officers in Nizhniy Novgorod searched the office of Dront Ecocenter, an environmental organization, allegedly due to deficiencies in the organization's tax reporting. Authorities did not provide the NGO with advance notice of the inspection and seized a number of documents not covered by the warrant.

Authorities continued to target the Russian Chechen Friendship Society (RCFS), an NGO that had urged negotiations between the government and Chechen rebels to settle the conflict and had reported on human rights abuses perpetrated by both sides of the conflict. The RCFS was ordered closed in 2006 after the RCFS executive director, Stanislav Dmitriyevskiy, was convicted of inciting racial and ethnic hatred for publishing statements by Chechen rebel leaders. Dmitriyevskiy appealed his conviction to the ECHR, which had not ruled on the appeal by year's end. The RCFS registered in Finland and continued to operate in Russia. On March 20, police searched the offices of RCFS's successor organization, the Foundation to Promote Tolerance, and confiscated equipment, such as cellular telephones, reportedly for violations of the extremism law.

The government continued to scrutinize organizations that it considered to have an opposition political agenda. Numerous human rights and opposition groups reported politically motivated hostility from the government. During the year the government attempted to damage the public image of the NGO community with statements that NGOs were suspicious organizations funded by foreign governments. Government accusations that implied connections between foreign funded NGOs and alleged espionage by resident diplomats increased public perceptions that NGOs served foreign interests and fueled instability.

At the April meeting of the National Antiterrorism Committee, Nikolay Patrushev, then head of the FSB, accused unnamed foreign NGOs of supporting terrorism in the southern part of the country. The deputy speaker of the Federation Council, Aleksandr Torshin, seconded this charge, adding that 59 foreign NGOs were providing assistance to Chechen terrorists.

A number of indirect tactics were applied to suppress or close domestic NGOs, including creative application of various laws and harassment in the form of investigations and raids ostensibly to check for pirated software.

In May, the Volgograd Interior Ministry opened a criminal case against Irina Malovichko,

the head of Child's Dignity, an NGO that works with troubled local juveniles, for allegedly embezzling 8,584 rubles (\$236) from the NGO's budget. Her apartment was searched without a warrant, and all documents and computers seized. Malovichko filed an appeal in June that the Voroshilovsky Court rejected. The investigator in the case threatened to open new charges against her daughter and her colleague unless she admitted guilt. A lawyer retained by Malovichko subsequently had his license removed without explanation. The case was ongoing at year's end.

In June 2007, the government seized the computers and financial records of the EMF, an NGO promoting professional and independent media. The seizure was allegedly part of its investigation of EMF director Manana Aslamazyan, who was charged with an administrative violation when she failed to properly declare the currency she was bringing into the country. Authorities subsequently charged her with a criminal offense. The government used the charge as a basis to allege criminal activities by the NGO and seize its equipment, effectively stopping its operations. In May the Constitutional Court agreed with Aslamazyan's lawyers that Article 188 of the criminal code, under which she was charged and convicted, violated the constitution. The charges against EMF, however, were still being investigated.

The government subjected the Center for International Legal Defense (CILD), which was headed by one of former Yukos CEO Mikhail Khodorkovskiy's lawyers, to irregular administrative inspections. In a note to Ombudsman Lukin, CILD complained about a January 2007 visit to their office by an officer of the Ministry of Internal Affairs' Tax Offenses Department in Moscow. The officer questioned the center's director and deputy director about CILD's activities and asked if they worked on any Chechen cases. Later in the month, the officer visited CILD with orders summoning the executives to the Tax Offenses Department. In 2006 the Federal Tax Service filed a claim against CILD after it was audited by tax inspectors; the center appealed the claim. The tax claims and fines against CILD amounted to approximately \$170,000 (approximately 4.6 million rubles), which if collected could potentially put the NGO out of business.

Regional human rights groups generally received little international support or attention and often suffered from inadequate funding. Due to limited resources, the NGO reporting requirements created a particularly onerous burden. They reported that at times local authorities obstructed their work. While these groups were generally free to criticize government and regional authorities, authorities in some areas were intolerant of criticism. Local human rights groups in the regions had some opportunities to interact with legislators to develop draft laws; however, local authorities excluded some organizations from the process entirely.

The government subjected international human rights and humanitarian groups, particularly those involved in promoting democracy during the election year as well as those located in the North Caucasus, to increasing pressure, such as foreign workers facing trouble with visas, FSB officers arriving with questions that intimidated their members, and pressure to curtail more sensitive activities. In the view of some observers, NGOs working in the North Caucasus were particularly vulnerable to interference.

In January, authorities announced that the British Council, an international cultural body funded by the United Kingdom, must suspend operations outside of Moscow due to alleged irregularities in legal status and tax arrears; the offices in St. Petersburg and Yekaterinburg closed. In October, a Moscow arbitration court ruled that the tax claims were illegitimate, and the two offices reopened. The British government and others alleged that the closure order was politically motivated. Dmitry Medvedev, in his presidential campaign, accused the British Council of conducting espionage, stating that "among other things, they are involved in intelligence activities," a charge the British Council denied.

In the December 2007 parliamentary elections and the March presidential elections, GOLOS observers were denied access to polling stations or election committees in several regions, including Astrakhan and Saint Petersburg.

Government and legislative officials recognized and consulted with some NGOs, primarily those focused on social issues, and select groups participated, with varying degrees of success, in drafting legislation and decrees. Officials, such as the human rights ombudsman, Vladimir Lukin, and the chair of the Presidential Council on Promoting the Development of Institutions of Civil Society and Human Rights, Ella Pamfilova, regularly interacted and cooperated with NGOs. During the year, however, Pamfilova's reappointment was pending.

In the Jewish Autonomous Republic, Amur Oblast, and some regions in Primorskiy Kray, NGOs worked with local governments to encourage citizen participation in local self-governance. In Astrakhan government officials worked closely with local NGOs devoted to building civil society.

Some international NGOs maintained small branch offices staffed by local employees in Chechnya; however, all were based outside of Chechnya. In a meeting with NGOs in August 2007, Chechen president Kadyrov stated that all foreign NGOs that worked in Chechnya should move their offices from neighboring republics to Grozny, register with the tax inspectorate, and employ local citizens. Critics contended that this enabled Kadyrov to keep tighter control over the NGO sector. During the year a number of NGOs applied for access to Chechnya, but the majority was reportedly denied because the government implemented a new monthly information reporting requirement.

By law every person in the country may bring alleged human rights violations that occurred after 1998 to the ECHR, provided they have exhausted "effective and ordinary" appeals in the courts. This provision was usually satisfied by two appeals (first and cassation) in courts of ordinary jurisdiction or three (first, appeal, and cassation) in the commercial court system. The ECHR has received more than 40,000 complaints since the country ratified the European Convention on Human Rights in 1998. The ECHR, which has received more than 10,000 complaints involving the country including 643 during the year, ruled against the state in 245 cases on which it reached a decision during the year. The Demos Center reported in December that state agencies enforced ECHR rulings approximately 60 percent of the time. When it did so, the government generally paid financial judgments ordered by the ECHR in a timely fashion; however, it issued blanket refusals in response to ECHR requests for disclosure of the domestic case files relating to alleged gross violations in Chechnya. The ECHR criticized this failure of disclosure.

Government human rights institutions challenged local government activities, promoted the concept of human rights, and intervened in selected abuse complaints. Human Rights Ombudsman Vladimir Lukin commented on a range of human rights problems, such as police violence, prison conditions, the treatment of children, and hazing in the military. During the year Lukin criticized intolerance and the growing wave of ethnic, religious, sociopolitical, and human hatred in the country. Lukin defended the rights of participants in the dissenters' marches, noting that the constitution states clearly that citizens have a right to participate in meetings and marches and that only notification of the authorities is required to hold meetings and marches, not permission from the government. Lukin's office and individual members of the Public Chamber intervened in May to convince the FSIN to move former Yukos Oil Company vice president Vasili Aleksanyan, who was HIV positive and diagnosed with lymphoma cancer, to a hospital following a public outcry over his poor treatment in the prison clinic. In August 2007, his office intervened to help secure the release from an Apetity psychiatric institution of Other Russia activist Larisa Arap, who had been involuntarily hospitalized. Lukin assembled a panel of independent experts, who examined Arap and testified that she should be released.

The ombudsman's annual report noted that his effectiveness was limited because he was not empowered to propose legislation that could address human rights problems. He also noted the difficulty of getting some government officials to respond to inquiries from his office. In 2006, for example, the ombudsman intervened in more than 1,500 cases of prisoner abuse, but only 123 cases were satisfactorily resolved by prison officials. Lukin's office has used its influence to draw attention to human rights questions in prisons. The ombudsman's office had several specialized sections responsible for investigating complaints. During the year the office published one report on the protection of crime

victims' rights. Lukin's role remained primarily consultative and investigatory, without powers of enforcement. There was no information available on the investigations proposed by Lukin during 2007. As of year's end, 47 of the country's 85 regions had regional human rights ombudsmen with responsibilities similar to Lukin's; their effectiveness varied significantly.

The status of the Presidential Council on Promoting the Development of Institutions of Civil Society and Human Rights was uncertain at year's end, and its head, Ella Pamfilova, had not been approved by President Medvedev. Prior to February the council, which promoted NGO concerns and worked to advance human rights, was respected within the NGO community, despite being limited in its capacity to address many human rights problems. In some notable cases, such as abuses to freedom of assembly during opposition demonstrations, advocating for easing regulations on NGOs, and election violations, Pamfilova had provided effective intervention.

In 2006 the 126-member Public Chamber of the Russian Federation began operation. The chamber was established to channel public and civil society input into legislative decision-making. Some prominent human rights groups declined to participate in the chamber out of concern that the government would use it to increase control over civil society. The chamber employed some 30 committees to cover problems ranging from juvenile justice to anticorruption to philanthropy. Committees were intended to conduct public discussions on key issues, review draft laws, travel to the regions to promote the role of regional public chambers, conduct studies, and give nonbinding recommendations to the government and legislature. The chamber was generally not considered effective as a check on the federal government; for example, in December it publicly and unanimously called upon President Medvedev not to sign the law curtailing jury trials but did not have an influence on the decision. However, some members of the Public Chamber succeeded in raising the profile of human rights cases such as that of journalist Mikhail Beketov. In December, President Medvedev signed a law requiring all future draft legislation that deals with restriction of individual freedoms to be reviewed by the Public Chamber. Previously, the Duma forwarded laws to the chamber for examination at the chamber's own request.

5. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, language, social status, or other circumstances; however, both governmental and societal discrimination persisted.

Women

Rape is illegal, and the criminal code makes no special distinctions (such as spousal rape) on the relationship between the rapist and the victim. Between January and October, 5,271 rapes and attempted rapes were reported, a 13.9 percent decrease from the same period in 2007. However, according to NGOs many women did not report rape or other violence due to social stigma and lack of government support. Rape victims can act as full legal parties to criminal cases brought against alleged assailants and seek compensation as part of a court verdict without initiating a separate civil action. While members of the medical profession assisted assault victims and sometimes helped identify an assault or rape case, doctors were reluctant to provide testimony in court.

Spousal or acquaintance rape was not widely perceived as a problem by society or law enforcement. Women were unlikely to report cases of rape by persons they knew. Law enforcement and prosecutors held many of the same notions and reportedly did not encourage reporting or prosecution of such cases. A very small percentage of spousal or partner rape was reported to the court.

Domestic violence remained a major problem. The Ministry of Internal Affairs reported that during the year approximately 12,000 women were killed by their husbands, boyfriends, or other family members. The ministry also estimated that 3,000 men were killed by wives or girlfriends whom they had beaten. Law enforcement authorities frequently failed to respond to incidents of domestic violence. Amnesty International

estimated that approximately 36,000 women were beaten by a husband or partner every day. There were no official statistics on domestic violence, but officials estimated that there were more than 250,000 violent crimes committed against women every year. Because violence was frequently not reported, the real figures were impossible to ascertain.

There is no legal definition of domestic violence. The law prohibits battery, assault, threats, and murder, but most acts of domestic violence did not fall within the jurisdiction of the Prosecutor's Office. Victims of these crimes must prosecute such cases themselves, which was difficult without legal training or state assistance. Consequently, few cases were prosecuted, and there were few convictions. According to a 2005 survey, police frequently discouraged victims from submitting complaints, and the majority of cases filed were either dismissed on technical grounds or moved to a reconciliation process by a justice of the peace, with focus on preservation of the family rather than punishment of the perpetrator. Civil law remedies for domestic violence included administrative fines and divorce.

There were more than 600 government centers for social rehabilitation assistance and shelters for various groups; it was unknown how many of these offered services for domestic violence victims. There were also an estimated 20 crisis centers with 200 beds, 90 percent of which were run by NGOs. Crisis services were not focused exclusively on violence against women, although some did offer services to domestic violence victims, including temporary shelter.

The organization and operation of a prostitution business is a crime, while selling sexual services is a lesser criminal administrative offense. Prostitution remained widespread, and some observers noted that the country was a destination for sex tourism; police worked closely with at least one foreign government to ensure the prosecution of sex tourists. There were reports of prostitutes bribing police and police violence against prostitutes. It was widely believed that police were involved in the protection of prostitution.

The law does not prohibit sexual harassment, which remained a widespread problem. NGOs operating hot lines reported that women routinely sought advice on the problem. The lack of legal remedies and limited economic opportunities caused many women to tolerate harassment. Only two sexual harassment cases have been successfully prosecuted since 1992. In July, a 22-year-old female executive attempted to pursue a third sexual harassment suit but lost the case when the judge declared that sexual harassment is necessary to further the human species. According to research conducted by the Gender Inequality Institute, 100 percent of female professionals said their bosses had sexually harassed them, 32 percent said that they had had sexual relations with their boss, and 7 percent said that their boss had raped them. Eighty percent of the respondents said that they could not achieve promotion without engaging in sexual relations with their male superiors.

Although the law states that men and women have equal rights and opportunities to pursue those rights, women encountered discrimination in employment. Job advertisements often specified gender and age groups. Some even specified desired physical appearance and preference for applicants open to intimate relations with their prospective supervisor. Employers often preferred to hire men to save on maternity and childcare costs and avoid the perceived unreliability that accompanied the hiring of women with small children. The labor market displayed gender discrimination in compensation, professional training, hiring and dismissal, and career promotion. Such discrimination was often very difficult to prove. According to both RosStat, the federal state statistics service, and the Center for Labor Studies (of the Higher School of Economics), in 2007 the gender differential in wages was 35 percent.

A series of murders of young women took place in November in Chechnya. According to the head of Chechnya's Investigation Committee, a likely motivation for the murderer or murderers was the women's refusal to adhere to Muslim traditions. President Kadyrov spoke out against the killings and called for the perpetrators to be brought to account,

but there were no arrests by year's end.

Children

The government expressed its commitment to children's rights and welfare, but provided limited resources to the welfare of children. The law does not provide adequate protection for children, and child abuse remained a problem.

Although education is free until grade 11 and compulsory until age 15 or 16, regional authorities frequently denied school access to the children of unregistered persons, including Roma, asylum seekers, and migrants.

Child abuse was a widespread problem, but the majority of child abuse cases were not subject to legal action.

Children, particularly homeless children or orphans, were exploited in child pornography. While authorities viewed child pornography as a serious problem, laws against child pornography do not define, criminalize the possession of, or provide for effective investigation and prosecution of child pornography. The statute on the production and distribution of pornography was poorly drafted and seldom used. Criminal cases were often dismissed because of the lack of clear standards. In addition, when a suspect was convicted, the courts frequently imposed the minimum sentence, often probation. Relatively few child pornography cases were investigated and prosecuted, creating an environment where child pornography proliferated. Nonetheless, according to the latest figures from the General Prosecutor's Office, the number of child pornography investigations increased from 98 in 2005 to 299 in 2007.

In December, the NGO Children's Rights estimated that approximately 40,000 children ran away from home annually to flee abuse and neglect, along with 20,000 orphans who fled orphanages. The same estimate also noted that there were approximately 120,000 new orphans every year in the country. The Moscow Helsinki Group indicated in 2005 that each year approximately two million children under 14 years of age were victims of domestic violence. While there was some government attention to child abuse, it was generally not linked to the broader problem of domestic violence. At a public roundtable on children's rights in January, the MVD announced that approximately 2,000 children died every year from violence, most of it domestic. At year's end, approximately 5,000 cases against parents for abuse and neglect were active in the country's court system.

During the past seven years, according to the NGO Children's Rights, an average of 690,000 children lived in the streets. However, police attempted to return approximately 70 percent of them to a home or to an institution.

Homeless children often engaged in criminal activities, received no education, and were vulnerable to drug and alcohol abuse. Some young girls on the streets turned to, or were forced into, prostitution, often to survive. According to the Ministry of Interior Affairs, between January and October, 97,567 crimes out of total of 2,730,424 crimes were committed by minors or with their complicity. This was a 15.7 percent decrease compared with the same period in 2007.

According to 2007 data from the Moscow Department of Social Security, 12 percent of street children in shelters had run away from orphanages or boarding schools. Law enforcement officials reportedly abused street children, blamed them for unsolved crimes, and committed acts including extortion, illegal detention, and psychological and sexual violence against them.

Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, internal and external trafficking continued to be a significant problem. The scope of trafficking was difficult to quantify with reliable estimates, but observers believed that it remained widespread.

The country continued to be a source, destination, and place of transit for men, women, and children trafficked for various forms of exploitation; however, because of rapid economic growth, there was allegedly a decrease in the number of citizens trafficked abroad. Women and children were usually trafficked for commercial sexual exploitation, while men were trafficked into the country for construction or agricultural work. There were some cases of forced begging, i.e., persons compelled to beg through threats of force and violence, who turned their earnings over to traffickers.

According to the IOM, women were trafficked to almost 50 countries in North America, Europe, the former Soviet republics, the Middle East, and Asia. Women who were trafficked abroad and returned seldom reported their experiences to police because they feared social stigma and retaliation by traffickers. Men and women from the Russian Far East were trafficked to China, Japan, the Middle East, and South Korea for purposes of sexual exploitation, debt bondage, and forced labor, including in the agricultural and fishing industries. Moscow and St. Petersburg are destination centers for children trafficked within Russia and from Ukraine and Moldova for purposes of sexual exploitation and forced begging. Moscow continued to be a significant destination for men and women trafficked within Russia and from Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, Moldova, and Belarus for purposes of sexual exploitation and forced labor, including work in the construction industry. Moscow remained a transit point for women trafficked from Uzbekistan and Armenia to the United Arab Emirates for purposes of sexual exploitation. Men from Western Europe and the United States travelled to Western Russia, specifically St. Petersburg, for the purpose of child sex tourism.

In August, a court in Nizhniy Tagil convicted five members of a gang accused of organizing a brothel and murdering as many as 15 women that were found in a mass grave in 2007. The gang forced underage women (13 to 19 years old) to work as prostitutes and killed those who refused. The court sentenced the leader of the gang, Eduard Chudinov, to life imprisonment and four others to various terms in maximum security penal colonies.

In February, one man and three women in Ozersk, Chelyabinsk Oblast, were charged with organizing a brothel at a local sauna and coercing underage women (15 to 19 years old) to become prostitutes, severely beating those who tried to escape. In June the head of the gang, a 26-year-old woman, was arrested. The trial began soon after the arrest but had not reached a conclusion by year's end. If convicted, the prosecutor stated that the accused would be subject to a 6- to 8-year sentence in prison.

Traffickers typically targeted unemployed females between the ages of 14 and 45, with females between the ages of 15 and 25 being the primary targets, with promises of economic or educational opportunities abroad. Some victims knowingly agreed to work in prostitution before realizing the severity of the conditions and abuse they would suffer.

Traffickers targeted homeless children or children in orphanages for sexual exploitation. There were no reliable estimates of how many children were trafficked. The country has become a major producer and distributor of Internet child pornography, leading to confirmed cases of child sex trafficking and child sex tourism.

Traffickers typically used a front company, frequently an employment agency, travel agency, or modeling company, to recruit victims with promises of well-paying work overseas. Victims often surrendered their passports or other documentation to their employers, despite passage of a 2007 migration law requiring workers to register directly with the state.

Traffickers threatened workers with deportation or prosecution if they demanded payment for their work and often threatened to harm victims' families if they tried to escape.

Trafficking and forced labor are punishable by a maximum of 15 years' imprisonment, recruitment into prostitution by a maximum of eight years, organization of a prostitution

business by a maximum of 10 years, and manufacture and distribution of child pornography by a maximum of eight years. Convicted traffickers may have their assets confiscated.

The government officially opposed human trafficking and was effectively using anti-trafficking statutes and traditional criminal remedies to prosecute traffickers. Human trafficking and child sexual exploitation investigations and prosecutions significantly increased over the past four years. However, corruption among police and border guards remained a serious problem, and there were allegations that corrupt police and border guards protected and facilitated trafficking. Where such instances were discovered, the corrupt officials were prosecuted.

There were three human trafficking shelters in the country, although they are funded by American and European money. The government, and in particular the MVD and Federal Border Service, worked closely with these shelters during the year but did not fund them. A significant impediment to adequate assistance to trafficking victims was the lack of comprehensive victim assistance legislation that protects trafficking victims. A patchwork network of local government, regional government, local NGOs, and international organizations provided assistance and protection for trafficking victims. Although the Duma passed witness protection legislation designed, inter alia, to assist trafficking victims, it was not effective.

There was no official federal trafficking prevention program, although a number of ministries addressed trafficking on an individual basis; both the MVD and Ministry of Foreign Affairs Web sites contained information cautioning travelers abroad about the hazards of human trafficking. On a regional and local level, there were a number of active trafficking prevention campaigns, albeit typically conducted by local NGOs, often with varying degrees of support from NGOs, ranging from in-kind support such as facilities and equipment to active agreements between regional government and NGOs. For example, the local administration in Vladivostok supported a local NGO in anti-trafficking activities.

During 2007, the Ministry of Internal Affairs increased trafficking investigations by 50 percent and worked closely with foreign governments to assist international trafficking prosecutions. Government officials shared information on investigations and prosecutions but had no specific mechanism in place to track prosecutions, convictions, and sentences. The majority of trafficking initiatives remained local. However, no progress had been made on creation of a national action plan and a high-level government office to coordinate trafficking activities by year's end.

There were continued allegations that corrupt government officials facilitated trafficking. Corrupt elements in the Ministry of Internal Affairs and other law enforcement bodies allegedly facilitated and, in some cases, controlled trafficking. Individual officials reportedly took bribes from traffickers in return for false documents and the facilitation of visa fraud. Law enforcement sources agreed that document fraud was often committed in the process of obtaining external passports and visas, but they were uncertain to what extent this involved official corruption rather than individual or organized criminal activity. There were reports of prosecutions of officials involved in such corruption.

The IOM's Human Trafficking Rehabilitation Center continued to receive its funding primarily from foreign donors and stated that without government funding, it might be forced to close at some point during 2009. However, during the year the center functioned with sufficient funding.

See also the State Department's [2008 Trafficking in Persons Report](#).

Persons with Disabilities

Several laws prohibit discrimination against persons with disabilities or mandate equal treatment of them; however, the government generally did not enforce these laws.

Citizens with disabilities continued to face discrimination and were denied equal opportunity to education, employment, and access to social outlets. The situation for persons with disabilities has reportedly worsened due to the replacement of government subsidies for items such as transportation and medicine with cash payments in 2004. Some affluent regions, such as Moscow, preserved benefits for persons with disabilities at preexisting levels, while most other regions provided a limited number of benefits, such as free transportation.

The Ministry of Health and Social Protection estimated that there were 15 million persons with disabilities. In 2006, the human rights ombudsman said that in the previous 10 years, more than 120,000 persons became invalids as a result of military actions and war injuries. According to the NGO Perspektiva, the number continued to grow as a result of new conflict; however, there were no new figures available at year's end. Persons with disabilities were generally excluded from the social and political life of their communities and isolated from mainstream society.

During 2007, police discovered and arrested a criminal ring that forced persons with disabilities to beg in the streets of Moscow. There were no further developments in this case by year's end.

The residents of institutions for adults with disabilities were mainly "graduates" of the institutions for children. Institutions rarely attempted to develop the abilities of the residents. Residents were frequently confined to the institutions and sometimes movement within the institutions was restricted. The use of psychotropic drugs as punishment was allegedly widespread. Conditions in the institutions were often poor, with unqualified staff and overcrowding.

Laws provide penalties for enterprises that fail to build ramps or other accessibility features but contain no enforcement mechanisms. Federal law on the protection of persons with disabilities requires that buildings be made accessible to persons with disabilities, but authorities did not enforce the law and in practice most buildings were not accessible.

Laws providing employment quotas exist at the federal and local levels; however, some local authorities and private employers continued to discourage persons with disabilities from working, and there was no penalty for failure to honor quotas. Human rights NGOs made some progress in persuading foreign companies in larger cities, including Moscow, to consider persons with disabilities as potential employees, and the Moscow city government reportedly encouraged employers to hire disabled persons. According to the NGO All-Russia Society of Disabled Persons, the overall number of persons with disabilities in the workforce declined from 72,500 in 2002 to 28,000 in 2007. The NGO attributed this to the 2002 elimination of tax benefits, which encouraged employment of persons with disabilities. In December, the NGO Perspektiva reported that the number of unemployed persons with disabilities had decreased to 85 percent from 90 percent in 2007.

In 2007, the Ombudsman's Office reported that approximately 700,000 of the country's invalids were children. Authorities generally segregated children with disabilities from mainstream society through a system that institutionalized children until adulthood. Observers concluded that issues of children's welfare were often ignored and little clear recourse to systemic problems of abuse existed. Human rights groups alleged that children in state institutions were poorly provided for and, in some cases, physically abused by staff members. "Graduates" of state institutions also often lacked the necessary social, educational, and vocational skills to function in society. According to a 2006 report by the Prosecutor General's Office, half of the more than 600,000 children with disabilities in state care lacked medicines, hearing aids, and wheelchairs. The NGO Children's Rights confirmed that this situation had not changed during the year.

There appeared to be no legal mechanism for contesting commitment to a facility for the disabled. The assignment of categories of disability to children with mental disabilities often followed them through their lives. The labels "imbecile" and "idiot,"

which were assigned by a commission that assesses children with developmental problems at the age of three and signified that a child was uneducable, almost always were irrevocable. Even the label of "debil" (slightly retarded) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions. This designation was increasingly challenged in the case of children with parents or caregivers, but there were few advocates for the rights of institutionalized children.

Youths with disabilities not in institutions faced significant barriers to education, including lack of access to schools.

Education authorities often tried to keep youths with disabilities out of school due to lack of special programs. At the same time, the "home program" for children with disabilities was highly inferior to school classes. The majority of teachers and administrators in schools and universities had little or no understanding of disability issues. Often parents of children without disabilities were averse to their children studying with children with disabilities.

NGOs cited some examples of courts ordering children with disabilities admittance to schools that initially refused to take them. For example, two children with disabilities in Petrozavodsk, Karelia, were denied permission to attend a preschool program because the preschool stated that it did not have the capacity to accommodate children with their disabilities. In a final decision in April 2007, the Petrozavodsk court ruled that the children's right to education had been violated, and the court ordered a local special school (at the time of the verdict, the children were of school age) to provide a satisfactory special education program for the children.

According to government reports, of approximately 450,000 school-age children with disabilities, approximately 200,000 did not receive any education. Of the approximately 250,000 who received an education, 140,000 attended regular schools, 40,000 studied at home, and 70,000 attended special schools. Because special schools comprised only 3 percent of all schools, most children with disabilities could not study in the community where they lived, were isolated from other members of the community, and received an inadequate education.

Persons with disabilities faced barriers to participation in political life, including inaccessible government buildings. The election laws contain no special polling-place accessibility provisions, and the majority of polling places were not accessible to persons with disabilities.

Government bodies charged with protecting human rights also protected the rights of persons with disabilities. These bodies carried out a number of inspections in response to complaints from disability organizations and, in some cases, subsequently appealed to the responsible agencies to remedy the situation. The human rights ombudsman conducted inspections of homes for children with mental disabilities that disclosed severe violations of children's rights and substandard conditions.

National/Racial/Ethnic Minorities

The law prohibits discrimination based on nationality; however, minorities were subjected to frequent discrimination by government officials. There continued to be a steady rise in societal violence and discrimination against minorities, particularly Roma, persons from the Caucasus and Central Asia, and dark-skinned persons, as well as foreigners. Skinhead groups and other extreme nationalist organizations fomented racially motivated violence; the number of hate crimes increased. Racist propaganda was still a problem during the year, although there were an increasing number of convictions for inciting ethnic hatred through propaganda.

Federal and local law enforcement continued disproportionately targeting members of ethnic minorities. Police reportedly beat, harassed, and demanded bribes from persons with dark skin or who appeared to be from the Caucasus region, Central Asia, or Africa.

Authorities in Moscow continued to subject dark-skinned persons to far more frequent document checks than others and frequently detained or fined them in amounts that exceeded legally permissible penalties.

Police often failed to record infractions against minorities or to issue a written record to the alleged perpetrators. Law enforcement authorities also targeted such persons for deportation from urban centers. According to the UNHCR, five temporary accommodation centers across Chechnya were closed during 2007.

During the August conflict with Georgia, in contrast with the 2006 diplomatic dispute between Russia and Georgia, Russian authorities did not open a campaign against the approximately one million ethnic Georgians living in Russia. At the time of the 2006 dispute, Russian officials stepped up actions against ethnic Georgians. Approximately 4,000 persons were deported, and there were raids on Georgian businesses, police demands for lists of Georgian students, and an interruption in transportation and postal links.

In March 2007, authorities in Chudovo, Novgorod Oblast, demolished the homes of several members of the local Romani community. According to a court decision, the construction of the homes was unauthorized as there were no proper deeds of ownership for the houses or land.

Authorities previously bulldozed 37 houses in 2006 that belonged to more than 200 Roma, including more than 100 children, in the village of Dorozhnoe, Kaliningrad Oblast, and set fire to the ruins. More than 100 of the displaced Roma were forced to live in temporary shelters and were threatened with physical expulsion. Regional authorities began their eviction campaign by initiating court proceedings to have the Romani families' ownership of their homes declared illegal. According to observers, the proceedings violated fundamental standards of due process. In 2006, the Open Society Institute's Justice Initiative filed a request for interim measures with the ECHR on behalf of 33 of the evicted. The Justice Initiative carried out fact-finding missions in Kaliningrad in March 2007 and again in March, during which time three of the Romani litigants died. There were no further developments in the case at year's end.

In Bashkortostan, authorities required applicants for new identification documents to state their ethnic origins contrary to the constitution, which states that "nobody shall be forced to identify and state their ethnicity."

On September 14, unknown persons abducted a 35-year-old Ingush man, Magomed Khamkhoyev, and held him captive in the basement of a cottage in northwest Moscow for several days. During that time, he was beaten and tortured, but he managed to escape. An Ingush opposition leader later visited the cottage with police and was informed that the cottage belonged to a military unit of the Defense Ministry.

Societal violence and discrimination on ethnic and racial grounds continued to be a serious, slowly increasing, and intractable problem. Government officials made appeals for tolerance but issues such as migration often exacerbated the problem. Numerous racially motivated attacks took place against members of minority groups and foreigners, especially those of Central Asian, Caucasian, or African ethnicity. These attacks took the form of beatings, extortion, and harassment by skinheads and members of other racist and extremist groups.

Skinhead violence continued to be a serious problem. Skinheads primarily targeted foreigners, particularly Asians and individuals from the Northern Caucasus, although they also expressed anti-Muslim and anti-Semitic sentiments. According to the Ministry of Internal Affairs, neofascist movements had approximately 15,000 to 20,000 members, of which more than 5,000 were estimated to live in Moscow. According to the MBHR, there were up to 60,000 skinhead and radical nationalistic organizations operating in the country. Skinhead groups were most numerous in Moscow, St. Petersburg, Nizhniy Novgorod, Yaroslavl, and Voronezh.

According to the SOVA center, during the year 85 persons were killed and 367 injured in violent attacks by nationalists, an increase from 75 killed (with 550 injured) in 2007. The MBHR reported 180 racially motivated attacks resulting in 81 deaths and 217 injuries during the year. The MBHR also reported 205 convictions for "aggressive xenophobia" during the year. According to the Ministry of Internal Affairs, 8,963 crimes were committed against foreign citizens or persons without citizenship during the first six months of the year, approximately a 5 percent decrease from 2007.

On March 16, a group of 15 neo-Nazis attacked and killed Alexey Krylov on his way to an antifascist concert in Moscow. Prior to the concert, postings had appeared on a Web site, giving instructions on how to watch for people going to the concert.

In May, a group of 10 skinheads attacked three students of the Ufa (Bashkortostan) State Technical Aviation University. Among the victims were Kyrgyz and Vietnamese nationals. During the attack the young men shouted "Russia is for Russians." One of the victims was hospitalized with a knife wound.

On July 28, five young men in masks attacked a group of Tajik guest workers in Moscow and threw incendiary devices into their homes, severely injuring many of the victims. The attack was seen as a reprisal for the sentencing that day of 13 persons for a string of ethnically inspired attacks. Some of the incendiary devices had neo-Nazi symbols on them. At year's end no arrests had been made in the case.

On November 4 – National Unity Day, which has increasingly been used by ultranationalists as a rallying point – 10 neo-Nazis attacked a Turkmen embassy official, Kyrbandury Saparov. He suffered bruises and was hospitalized. In separate attacks on the same day, an unidentified Uzbek and a Turkmen were stabbed to death. Prior to National Unity Day, the Movement Against Illegal Immigration distributed leaflets calling on Russians to kill "persons of Caucasus nationality."

In December, individuals from a nationalist group calling itself the Militant Organization of Russian Nationalists attacked two Tajik workers south of Moscow, beheading one and leaving his head in a dumpster 12 miles away. At year's end the SOVA center reported that authorities were working with them to find the perpetrators; however, no arrests had been made in the case.

There were developments in ethnically motivated killings reported in previous years.

On October 1, Artur Ryno and Pavel Skachevsky, the ringleaders of a skinhead criminal group accused of 20 murders and 12 attempted murders from 2006 to 2007, pleaded guilty to all charges against them. Two other members of the group pleaded guilty, while two others denied the charges. Sentences ranged from six to 20 years in prison. Human rights activists criticized the sentences as insufficient. In August 2007, Ryno's gang murdered Shamil Umadanov, a worker in Moscow from Dagestan, along with an unidentified man and subsequently posted the killing on the Internet. In June the Investigative Committee of the General Prosecutor's Office determined that the killing took place in the Kaluga region of the country.

On July 29, three persons were found guilty in Saratov Oblast for participating in the June 2007 attack and murder of two workers, including one from Chechnya. Two were found guilty for the murder of Zurab Albastov and one was found guilty for the murder of Azrutdin Galimov. However, they were convicted for "murder completed on hooligan motives," not for murder based on ethnic hatred.

In December, the St. Petersburg Prosecutor's Office completed the investigation of the Borovikov gang case. Members of the gang, which was active between 2003 and 2006, were charged with seven murders motivated by ethnic hatred, including the murder of Nikolay Girenko and a Senegalese student. However, there was no verdict by year's end.

In June, seven skinheads who filmed and published their undated acts of racist violence

actions on the Internet received six- to 10-year prison sentences in a Moscow court. They were also ordered to pay compensation to the families of the victims.

There were no developments in the February 2007 killing, presumed by the Prosecutor's Office to be racially motivated, of Fagret Naimov and the assault of another Uzbek man in St. Petersburg; the 2006 killing of Grigoriy Marienkov, an 80-year-old Romani man from the Volgograd region; the 2006 killing of Singh Nitesh Kumar, an Indian medical student studying in St. Petersburg; or the 2006 stabbing of a nine year-old girl, whose father was a native of Mali, in St. Petersburg.

On December 2, seven men were sentenced to six to 20 years' imprisonment for the racially motivated murders of 19 individuals. The group preyed on Central Asians, Caucasians, and other dark-skinned individuals. Their attacks were often filmed and broadcast on the Internet.

On May 15, a Moscow court found four persons guilty of terrorism and participation in a criminal association in connection with the 2006 bombing of the Cherkizovskiy market in Moscow that killed 13 persons and injured 53, many of whom were from the North Caucasus and Central Asia. All four received a sentence of life imprisonment.

During the year court cases continued pertaining to the 2006 ethnic rioting in Kondopoga, Karelia. In 2006, a former police major received a four-year suspended sentence for "negligence leading to the death of two or more persons" and 12 other persons each received a three-year suspended sentence for participating in the rioting. In March 2007, a court sentenced two Russians to three-and-a-half years and eight months in prison for instigating the fight that precipitated the rioting. Since 2007, court proceedings were ongoing for six ethnic Caucasians charged with murder, assault, or hooliganism. On June 19, the Karelia Supreme Court began hearings of the case. On July 22, the court brought official charges against the six ethnic Caucasians. At year's end the case remained in court.

In 2006, a homemade bomb exploded outside the Moscow apartment of antifascist activist, Tigran Babadzhanian, injuring police who were trying to defuse it. Babadzhanian's photograph had previously been posted on skinhead Internet sites, and he had received death threats. The district prosecutor's office opened a criminal investigation for "hooliganism committed in a socially dangerous way" and identified three suspects from an extremist group. However, in 2007 the charge was reduced to "damage of property." As a result of continued concern for his safety and that of his family, Babadzhanian and his family fled to Armenia and remained there at year's end.

Police investigations of such cases were frequently ineffective, and authorities were at times reluctant to acknowledge the racial or nationalistic element in the crimes, often calling attacks "hooliganism." Many victims, particularly immigrants and asylum seekers who lacked residence documents recognized by police, chose not to report such attacks or experienced indifference on the part of police. According to the SOVA Center, willingness to acknowledge hate crimes varied widely depending on the personal views of the prosecutor; they noted that the number of prosecuted hate crimes in Moscow significantly increased after a new prosecutor took over.

According to the SOVA Center, there were 85 convictions during the year for ethnically or racially motivated crimes, compared with 24 convictions in 2007 and 109 convictions in 2006. In most cases, the attackers wore skinhead attire or proclaimed nationalist slogans.

Muslims and Jews continued to encounter prejudice and societal discrimination, although it was often difficult to separate religious discrimination from ethnic discrimination.

Attempts to address xenophobia at the national level were almost nonexistent; however, there was evidence that officials were addressing the problem at a local level. For example, in Karelia in 2007, one year after the ethnic riots in Kodopoga, authorities

attempted to generate dialogue among various ethnic and religious groups, and prosecutions on both sides of the riot were generally reported to be proceeding fairly. The Karelian Prosecutor's Office reported in December that one resident of Karelia was found guilty of inflaming religious hatred through Internet publications and was given a one-year suspended sentence. As in previous years, the St. Petersburg local government continued to run the tolerance program aimed at combating racism and xenophobia; however, NGOs were not involved with the initiative. In general, law enforcement agencies did not do enough to address the problem, in part because the government did not provide the necessary resources and, in some cases, because some working-level staff allegedly sympathized with the nationalistic causes.

Indigenous People

The law provides for support of indigenous ethnic communities, permits them to create self-governing bodies, and allows them to seek compensation if economic development threatens their lands. In some regions local communities organized to study and make recommendations regarding the preservation of indigenous cultures. Groups such as the Buryats in Siberia and ethnic groups of the north (including the Enver, Tatarli, Chukchi, and others) continued to work actively to preserve and defend their cultures as well as the economic resources of their regions. Most asserted that they received the same treatment as ethnic Russians, although some groups believed they were not represented or were underrepresented in regional governments.

The principal problems of indigenous persons in recent years included the distribution of necessary supplies and services, particularly in the winter for those who lived in the far north, and claims to profits from exploitation of natural resources.

Due to the construction of a new port in the village of Vistino, outside of St. Petersburg, the Izhora people, listed in the law on small and indigenous peoples, were losing their traditional fishing sites. In the course of construction of the new port, the only road to the village was destroyed and bus service to the village was terminated. According to the environmental NGO Zeleny Mir, government officials did not take into account the objections of Izhora representatives in this decision; however, there was no evidence that the Izhora people were specifically targeted for eminent domain.

There continued to be reports of pressure on members of the Finno-Ugric Mari ethnic group. The Moscow Helsinki Group and International Helsinki Federation for Human Rights asserted that authorities prosecuted two activists in 2006 on politically motivated charges for their involvement in the Mari national movement. One activist, Vitaliy Tanakov, who published a brochure about the Mari persons and their religious beliefs, was convicted for inciting ethnic, racial, or religious enmity and sentenced to 120 hours of labor. A second activist, Nina Maksimova, faced similar charges for helping to distribute the brochure.

NGO reports from 2006 through the end of the year noted that wider government use of authoritarian methods of rule, harsher migration laws and campaigns against illegal migration, increasing authority of law enforcement bodies, and reduction in government support for minority-language media and education had adversely affected national minorities.

Other Societal Abuses or Discrimination

Persons with HIV/AIDS often encountered discrimination. Federal AIDS law contains antidiscrimination provisions but was frequently not enforced. HRW reported that HIV-positive mothers and their children faced discrimination in accessing healthcare, employment, and education. Persons with HIV/AIDS found themselves alienated from their families, employers, and medical service providers. In 2006, the Moscow city Duma criticized the activities of foreign NGOs that fight HIV/AIDS for allegedly encouraging pedophilia, prostitution, and drug use among teenagers.

While homosexuality is not illegal, the gay community continued to suffer societal

stigma and discrimination. Medical practitioners reportedly continued to limit or refuse their access to health services due to intolerance and prejudice. According to recent studies, male homosexuals were refused work due to their sexuality. Openly gay men were targets for skinhead aggression, which was often met with police indifference. A few gay rights organizations operated out of public view.

The law does not provide for increased penalties for violence motivated by sexual orientation. In March, two youths killed a man in Sverdlovsk Oblast whom they perceived to be a homosexual. Both individuals were arrested and remained under investigation. There was no update in the case at year's end.

On June 1, gay pride activist Alexey Davydov was assaulted while addressing reporters at the Moscow Gay Pride event. Members of the National Slavonic Union pushed to the ground and severely beat Davydov. The police managed to arrest the attackers, although police also detained Davydov and sent him to the same police station along with the attackers. There were reportedly no charges filed against the perpetrators.

6. Worker Rights

a. The Right of Association

Although the law provides workers the right to form and join unions, in practice government policy limited the exercise of this right. The Federation of Independent Trade Unions of Russia (FNPR) reported that approximately 50 percent of the workforce was unionized, and approximately 95 percent of union members belonged to the FNPR (approximately 27.8 million members in 2007). Three other unions had memberships between 500,000 and one million persons. There were many smaller unions, but they were not formal or organized and did not provide membership statistics.

The FNPR and other trade union federations acted independently of the government at the federal level, but in some cases FNPR unions were affiliated with local political structures, giving the FNPR advantages over unions without political ties. FNPR unions frequently included management as part of the bargaining unit or elected management as delegates to its congresses.

Despite a separate law specifically governing trade unions, the FRS stated that the legal provisions that govern the creation and operation of NGOs also apply to unions. Specifically, the FRS has stated that trade unions must receive permission to register and submit program and financial reports to authorities and that their failure to do so can result in a legal process to abolish the union. However, according to the law, labor unions are not required to register with the FRS. Although the government oversight agency has the right to attend union meetings and monitor all union activities, there was no evidence during the year that government oversight agencies had attended union meetings or monitored their activities.

If labor union activities contradict the national constitution, regional constitutions, or federal laws, the Supreme Court or the corresponding regional courts can ban or suspend those activities for a period of six months. Furthermore, a labor union's activity may be suspended or forbidden by law enforcement bodies in accordance with the federal law on "Fighting Extremist Activities."

According to labor rights and labor union organizations, there were no cases by year's end of the government using the anti-extremist legislation to prohibit collective action by labor unions. However, in some cases the "extremist" pretext was used against individual union members. For example, in July 2007 an AvtoVAZ union activist was prosecuted for extremist activities (distribution of "antisocial" leaflets among the factory employees). The AvtoVAZ labor union claimed that the accusations were fabricated.

The law provides for the right to strike; however, this right remained difficult to exercise. Most strikes were considered technically illegal because they violated one or

more of the exceedingly complex procedures governing disputes. A strike may be called at an enterprise only after approval by a majority vote at a conference composed of at least two-thirds of all personnel, including management.

The law specifies that a minimum level of essential services must be provided if a strike could affect the safety or health of citizens. Strikes are prohibited in the railway and aviation sectors, government and military agencies, at nuclear power stations, and in disaster assistance organizations. Workers in these sectors at times resorted to other forms of protest, such as rallies, days of action, or hunger strikes. Although the law prohibits reprisals for strikes, they frequently occurred and included threats of night shifts, denial of benefits, blacklisting, and firing. Strike actions were further discouraged by the ability of civil courts to order confiscation of union property to settle damages and losses to an employer if a strike is found to be illegal and not discontinued before the decision goes into effect. As a result, labor actions were often organized by strike committees rather than by unions.

In June, assailants attacked Sergei Bruzgalov, one of the Taganrog Automobile Plant labor union activists, on the street while going home after the work shift. He was hospitalized for one month with serious injuries. The perpetrators were not found.

In November, there were two attempts to attack Aleksei Etmanov, the leader of the labor union at the Ford plant in St. Petersburg. Police were not able to find the suspects.

There were other cases of extreme pressure on union activists. In December police detained and held Aleksei Konarev, a Tenneco Automotive Volga Plant labor union activist, in the police station for four hours. The police later released him with the explanation that he had been mistaken for a certain criminal.

In December, Valentin Urusov, the union leader of the Alrosa Company Subsidiary in the town of Udachny (Republic of Sakha) was sentenced to six years' imprisonment for "keeping" narcotics. Union members asserted that the case was fabricated as retaliation by the company's owners and management for Urusov's union activity. His lawyers claimed they would bring the case for appeal in the court of higher instance.

In June 2007, at least two persons stabbed and beat a local politician and chairman of the Kaliningrad branch of the independent Dockers' Union of Russia, Mikhail Chesalin, who was hospitalized with serious injuries. While local NGOs claimed the attack was motivated by Chesalin's longstanding dispute with the management of the dock, police treated the case as a simple assault. In October 2007, after a wave of public support for Chesalin, the case was officially closed; the criminals were not found.

b. The Right to Organize and Bargain Collectively

The law recognizes the right of unions to conduct their activities without interference and the right to bargain collectively, but also gives employers a strong role in labor relations. Collective bargaining is legally mandated if either an employer or employees requests it. The law obliges labor and management to enter into negotiations within seven days of such a request and sets a three-month time limit for concluding an agreement. Unresolved issues are to be included in a protocol of disagreement, which may be used to initiate a collective labor dispute. Negotiations were often slow and difficult. Employers were often reluctant to accept union requests for collective bargaining and did not provide financial reports (including base wages) to unions. According to the International Trade Union Confederation, the law specifies that company information on wages is a commercial secret. Lack of access to such information disadvantaged unions engaged in collective bargaining. According to the International Labor Organization (ILO), unions experienced the most difficulty engaging employers in collective bargaining in the trade, tourism, and agricultural sectors.

The law requires the designation of a majority union as the exclusive bargaining agent for workers at an enterprise, a provision that favors larger unions. The labor code also stipulates that there be only one collective agreement per enterprise, covering all

employees, a provision that limits the ability of professional or "craft" unions (the majority of new unions in the country) to represent their members. Only an enterprise-level affiliate of a national trade union body may negotiate with the employer, even if the majority union is an independent or craft union. An employer has the right to refrain from negotiating with trade unions whose membership does not comprise a majority of an enterprise's workers. Smaller unions have the right to send a representative to negotiations, but their participation depends on the majority union and the employer. Employers who tried to negotiate with smaller unions encountered difficulties, as demands were often contradictory and unstructured.

In 2006, the FNPR reported that approximately 88 percent of its enterprises had collective bargaining agreements. This figure did not include other agreements that may not have been registered with the Labor Ministry. The law states that collective agreements become effective upon signature, whether registered or not.

The law prohibits antiunion discrimination, but management harassment of union leaders and employees continued to be a problem. Neither the ILO nor the FNPR characterized such harassment as a political or large-scale trend. While high-level officials and ministries generally were not antiunion, harassment occurred at the local level. Union leaders were sometimes followed by security services, detained for questioning by police, and subjected to heavy fines, losses of bonuses, and demotions. Unregistered unions faced operational constraints, such as difficulty in opening bank accounts and collecting fees. There were, however, fewer reports of employers using tax authorities or offices of the public prosecutor to put heavy pressure on unions by initiating falsified investigations, which often resulted in large decreases in union membership.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, there were reports that such practices occurred. According to credible reports, approximately one million illegally employed migrants from other countries of the former Soviet Union were forced to work without pay because the firms that brought them into the country held their passports. There were also reports that women, children, and men were trafficked for commercial sexual exploitation and labor.

In August, police arrested two businessmen suspected of labor exploitation in Gubakha, Perm Kray. According to prosecutors the suspects had been detaining homeless persons since 2003 and forcing them to work at construction sites. A criminal case opened in August. Two articles were cited in the investigation – "Unlawful deprivation of freedom" and "Unlawful use of slavery labor" – with possible penalties of up to 10 years in prison. At year's end, the case was still in progress.

While many North Koreans, Kyrgyz, Uzbeks, and Tajiks worked under difficult circumstances in the country, they usually appeared to do so voluntarily and for wages that were high by home country standards.

There were reported incidents in previous years of military officers forcing soldiers under their charge to work for private citizens or organizations, often under abusive conditions.

The law prohibits forced or bonded labor by children; however, such practices reportedly occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

While the law is intended to protect children from exploitation in the workplace and prohibits forced or compulsory labor, the government did not effectively implement

laws and policies to protect children from exploitation in the workplace, as it did not consider child labor a social problem. There continued to be reports that children were trafficked for commercial sexual exploitation and labor. According to the NGO Children's Rights, it was difficult to pinpoint in which sectors trafficked children worked due to the shadow economy in which they were involved; however, they believed that the children's work was primarily producing textiles.

While there have been no recent statistical studies, prosecutors from around the country stated that the child labor problem was worsening. However, the Ministry of Health and Social Development's Federal Labor and Employment Service (FLES) and the Ministry of Internal Affairs, which are responsible for child labor matters, did not enforce the laws effectively. The law prohibits most employment of children under the age of 16 and regulates the working conditions of children under the age of 18, including prohibiting dangerous nighttime and overtime work. Children are permitted, under certain conditions and with the approval of a parent or guardian, to work at the age of 14. Such work must not threaten a child's health or welfare.

The FLES is responsible for checking enterprises and organizations for violations of labor and occupational health standards for minors. Most serious violations of child labor and occupational health standards were believed to occur in the informal sector. Local police investigations only occurred in response to complaints.

Accepted social prohibitions against employing children and the availability of adult workers at low wages generally prevented widespread abuse of child labor. However, children working and living on the streets remained a problem and were at heightened risk of being trafficked.

e. Acceptable Conditions of Work

The monthly minimum wage, essentially an accounting reference for calculating transfer payments, increased at the end of the year from 2,300 rubles (\$63) to 4,330 rubles (\$119). The amounts were not sufficient to provide a decent standard of living for a worker and family. Monthly subsistence wages have been set at the regional level since 2004 and averaged 3,880 rubles (\$162) in 2007. Approximately 14 percent of the population had incomes below the official subsistence minimum. According to official statistics from the Ministry of Economic Development and Trade, one-third of salaries were unreported; unofficial estimates claimed that up to one-half of salaries were unreported.

The law provides for a standard workweek of 40 hours with at least one 24-hour rest period and requires premium pay for overtime or work on holidays; however, workers complained that employers required them to work in excess of the standard workweek, abrogated negotiated labor agreements, and transferred them against their will.

The law penalizes employers who pay their employees late or make partial payments and requires employers to pay two-thirds of a worker's salary if the worker remains idle by fault of the employer. Courts often ruled in favor of employees seeking payment of back wages. Collection, which had been difficult in previous years, improved. Courts often insisted that cases be filed individually, in contradiction to the Law on Trade Unions, thereby undercutting union attempts to include the entire membership in one case. Individually filed cases made for a lengthier process, one more difficult for the individual worker, and one that left them more exposed to possible retaliation.

Although the law establishes minimum conditions for workplace safety and worker health, the government did not allocate sufficient resources to enforce these standards effectively. According to the Center for Social and Labor Rights, approximately one-third of employees worked under unsafe conditions. In many cases, workers wore little protective equipment in factories, enterprises stored hazardous materials in open areas, emergency exits were locked, and smoking was permitted near flammable substances. The labor code requires businesses employing more than 50 workers to establish a work safety division and create a work safety specialist position; the code includes procedures

for investigating industrial accidents.

The law provides workers the right to remove themselves from hazardous or life-threatening work situations without jeopardy to their continued employment; however, the government did not effectively enforce this right. Many companies employing workers in hazardous conditions (such as the mining industry) awarded bonuses based on worker productivity, thereby encouraging workers to jeopardize their safety for higher salaries. Statistics on safety violations and workplace accidents and deaths were not complete or reliable, and the risk of industrial accidents or death for workers remained high. Labor inspectors, injury compensation offices, and RosStat collected limited information on workplace accidents. The ILO cautioned that the number of deaths was underreported by 70-90 percent. Accidents were rarely reported in small and medium-sized businesses, while large companies provided better reporting.

The law entitles foreign workers working legally in the country to the same rights and protections as citizens. Foreign workers residing and working illegally in the country were subject to deportation but could seek recourse through the courts. According to the Federal Migration Service, during the year the number of illegal migrants was between five and eight million persons. According to independent experts (Institute of Demographics, Center for Migration Studies, and others) the number ranged between three and seven million persons. Most of these migrants were citizens of other countries of the former Soviet Union and were working for lower wages than Russian citizens and in generally poor conditions.

Legislation passed in 2007 clarified labor laws for migrant workers, and there were numerous examples of local authorities' efforts, in collaboration with NGOs, to protect migrant workers from exploitation. Nonetheless, during the year there continued to be reports that migrant workers suffered from unequal access to employment and health care.
