

Flygtningenævnets baggrundsmateriale

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Denna rapport är en sammanställning grundad på Utrikesdepartementets bedömningar. Rapporten gör inte anspråk på att ge en fullständig bild av läget för de mänskliga rättigheterna, demokrati och rättsstatens principer i landet. Information bör också sökas från andra källor.

Mänskliga rättigheter, demokrati och rättsstatens principer i Ukraina 2015–2016

I. SAMMANFATTNING

Situationen för mänskliga rättigheter, demokrati och rättsstatens principer i Ukraina präglas av ansträngningar att bryta med det sovjetiska arvet och den utbredda korruptionen. En grundläggande utmaning är den pågående konflikten med Ryssland och den ukrainska statens faktiska möjligheter att garantera mänskliga rättigheter på hela sitt territorium.

Amnesty rapporterar om kränkningar av krimtatarers mänskliga rättigheter på Krim, och rapporter föreligger om dödshot och utbrett våld mot romer i Ukraina, bland annat från högerextrema grupper.

De senaste president- och parlamentsvalen genomfördes 2014 och bedömdes återspegla folkviljan och vara i huvudsak fria, pluralistiska och rättvisa. Det finns en aktiv opposition i parlamentet. Kvinnor är generellt underrepresenterade i både politik och i näringsliv. Det civila samhället är aktivt. Medier tillåts verka fritt, men ägs ofta av oligarker och kan därför vara tendentiösa. De rättsvärdande myndigheterna som ofta är svaga och allmänt betraktas som korrumperade är under reformering. Straffrihet för högre tjänstemän och politiker är utbredd.

Hälsoläget i Ukraina är allvarligt, med en låg medellivslängd för män, världens lägsta vaccineringsgrad, stor utbredning av hiv och TBC, hög alkoholkonsumtion bland män och en relativt hög barnadödlighet. Våld i nära relationer är ett allvarligt problem. Diskriminering av etniska minoriteter förekommer och det finns en utbredd negativ syn på hbtq-



Freedom in the World 2017 - Crimea

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Freedom Status: Not Free

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

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

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

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

Quick Facts

Population: 2,300,000

Press Freedom Status: Not Free

OVERVIEW

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

Key Developments

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

Executive Summary

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

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Russia: Government vs. Rights Groups

The Battle Chronicle

For the past four years, the Kremlin has sought to stigmatize criticism or alternative views of government policy as disloyal, foreign-sponsored, or even traitorous. It is part of a sweeping crackdown to silence critical voices that has included new legal restrictions on the internet, on freedom of expression, on the rights of lesbian, gay, bisexual and transgender (LGBT) people, and on other fundamental freedoms.

An enduring, central feature has been the 2012 law requiring

independent groups to register as “foreign agents” if they receive any foreign funding and engage in broadly defined “political activity.” In Russia, the term “foreign agent” can be interpreted by the public only as “spy” or “traitor.” To date, Russia’s Justice Ministry has designated 158 groups as “foreign agents,” courts have levied staggering fines on many groups for failing to comply with the law, and about 30 groups have shut down rather than wear the “foreign agent” label. Organizations targeted include groups that work on human rights, the environment, LGBT issues, and health issues, groups that do polling about social issues. A court forced the closure of AGORA Association, one of Russia’s leading human rights organizations, in response to a Justice Ministry suit alleging that the group violated the “foreign agents” law and carried out work beyond its mandate.



On the night before the “foreign agents” law came into force, unknown individuals sprayed graffiti reading, “Foreign Agent! ♥ USA” on the buildings hosting the offices of three prominent NGOs in Moscow, including Memorial.

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The ministry has removed its “foreign agent” tag from over 20 groups, acknowledging that they had stopped accepting foreign funding. Accordingly, as of July 21, 2017, the official list of active “foreign agents” consisted of 89 groups.

The ‘Foreign Agent’ Law

Under the 2012 law, groups must register with the Justice Ministry as “foreign agents” if they receive even a minimal amount of funding from any foreign sources, governmental or private, and engage in “political activity.” The definition of political activity under the law is so broad and vague that it effectively extends to all aspects of advocacy and human rights work. Initially, the law required all nongovernmental organizations that met these criteria to register with the ministry and to identify themselves as “foreign agents” in all their public materials, with legal consequences for failure to comply.

Russia’s human rights groups resolutely boycotted the law, calling it “unjust” and “slandorous.” In 2013, Russia’s then-federal ombudsman, Vladimir Lukin, challenged the law in Russia’s Constitutional Court. In 2014, the court upheld the law, finding that there were no legal or constitutional grounds for contending that the term “foreign agent” had negative connotations from the Soviet era and that, therefore, its use was “not intended to persecute or discredit” organizations. The court also found that the “foreign agent” designation was in line with the public interest and the interest of state sovereignty.

Two years of mounting pressure by the authorities, court proceedings, and massive fines did not succeed in forcing groups to voluntarily register as foreign agents. In May 2014 Russia’s parliament amended the “foreign agents” law to authorize the Justice Ministry to register groups as “foreign agents” without their consent.

In May 2016, parliament adopted another set of amendments to the law, expanding the controversial definition of “political activity” to include, among other things, any attempt by an independent group to influence public policy, regardless of the group’s mandate.

To date, the registry of “foreign agents” includes the following organizations:

1. Association of non-profit organizations in defense of voters’ rights “Golos” (Moscow) – June 5, 2014
2. Interregional public organization "Human Rights Center 'Memorial' " (Moscow) – July 21, 2014
3. Regional public organization “Ecozaschita! – Womens’ Council” (Kaliningrad) – July 21, 2014
4. Foundation for assistance to protection of citizens' rights and areedoms "Public Verdict" (Moscow) – July 21, 2014

5. Foundation "Institute for Information Freedom Development" (Saint-Petersburg) – August 28, 2014
6. Private institution "Information Agency MEMO. RU" (Moscow) – November 20, 2014
7. Non-profit partnership "Institute of Regional Press" (Saint-Petersburg) – November 20, 2014
8. Autonomous non-profit organization "Moscow School of Civic Education" – December 9, 2014
9. Arkhangelsk regional public organization of socio-psychological and legal assistance to lesbians, gays, bisexuals and transgender people (LGBT) "Rakurs" (Arkhangelsk) – December 15, 2014
10. Regional public organization "Public Commission for the Preservation of the Heritage of Academician Sakharov" (Moscow) – December 25, 2014
11. Kaliningrad regional public organization "Human Rights Center" (Kaliningrad) – December 25, 2014
12. Free Press Support Foundation – December 30, 2014
13. Saint-Petersburg public human rights organization "Civil Control" (Saint-Peterburg) – December 30, 2014
14. Interregional public human rights organization "Man and the Law" (Yoshkar-Ola) – December 30, 2014
15. Interregional public organization "Information-Educational Center 'Memorial' " (Yekaterinburg) – January 16, 2015
16. "Information Bureau of the Nordic Council of Ministers in Saint-Petersburg" (Saint-Petersburg) – January 20, 2015
17. Non-profit partnership "Press Development Institute - Siberia" (Novosibirsk) – January 30, 2015
18. Interregional public foundation for civil society development "GOLOS Povolzhie" (Samara) – February 6, 2015
19. Interregional charitable organization "Siberian Environmental Center" (Novosibirsk) – February 12, 2015
20. City public organization "Samara Center for Gender Studies" "Samara Center for Gender Studies" (Samara) – February 16, 2015
21. Regional foundation "Center for the Protection of Mass Media Rights" (Voronezh) – February 26, 2015
22. Autonomous non-profit organization "Center for Anti-Corruption Research and Initiatives 'Transparency International-R' " – April 7, 2015
23. Ozersk city social and environmental public organization "Planet of hopes" (Ozersk) – April 15, 2015
24. Regional public charitable organization for assistance to refugees and migrants "Civil Assistance [Civic Assistance Committee]" (Moscow) – April 20, 2015

25. Interregional charitable public organization "Center for Development of Non-Profit Organizations" (Saint-Petersburg) – May 13, 2015
26. Establishment "Informational Bureau of the Council of Ministers of Northern Countries" (Kaliningrad) – May 13, 2015
27. Non-governmental specialists' educational institution of additional professional education (advanced training) "Academy of Human Rights" (Yekaterinburg) – May 15, 2015
28. Sverdlovsk regional public organization "Sutyajnik" (Yekaterinburg) – May 15, 2015
29. Nizhny Novgorod regional public organization "Environmental Center 'Dront'" (Nizhny Novgorod) – May 22, 2015
30. Non-profit programmes foundation of Dmitry Zimin "Dynasty" – May 25, 2015
31. Interregional public "Foundation for Peace in the South and North Caucasus" (Stavropol) – June 19, 2015
32. Autonomous non-profit organization "Center for Independent Social Research" (Saint-Petersburg) – June 22, 2015
33. Regional public organization for promoting protection of reproductive health of citizens "Population and Development" – June 23, 2015
34. Association "Assistance in Legal Protection of People 'Legal Basis' " (Yekaterinburg) – July 3, 2015
35. Komi regional public organization "Commission for Protection of Human Rights 'Memorial' " (Syktyvkar) – July 21, 2015
36. Interregional public foundation for civil society development "GOLOS-Ural" (Chelyabinsk region) – July 27, 2015
37. Media Support Foundation "Sreda" – July 28, 2015
38. Foundation "Civic Action" (Perm) – August 5, 2015
39. Chechen regional public organization "Human Rights Center of the Chechen Republic" (Grozny) – August 21, 2015
40. Interregional public environmental foundation "ISAR-Siberia" (Novosibirsk) – August 26, 2015
41. Public organization "Perm Regional Human Rights Center" (Perm) – September 3, 2015
42. Autonomous non-profit organization "Far Eastern Center for Civil Initiatives and Social Partnership" (Vladivostok) – October 13, 2015
43. Union of public associations "Russian Human Rights Research Center" (Moscow) – October 20, 2015
44. Foundation for Promotion of Civil Society and Human Rights "Women of the Don" (Novocherkassk) – October 27, 2015
45. Regional public institution "Research and Information Center 'MEMORIAL' " (Saint-Petersburg) – November 6, 2015
46. Non-profit organization "Glasnost Defense Foundation" – November 19, 2015

47. Autonomous non-profit organization "Institute of Human Rights" (Moscow) – November 20, 2015
48. Interregional public organization "Center for Assistance to Indigenous Peoples of the North" (Moscow) – November 27, 2015
49. Regional public organization "Information and Research Center 'Panorama' " (Moscow) – December 18, 2015
50. City public organization "Ekaterinburg society 'Memorial' " (Yekaterinburg) – December 30, 2015
51. Interregional public organization "Committee for Prevention of Torture" (Orenburg) – January 14, 2016
52. Interregional public organization "Bureau of Public Investigations" (Nizhny Novgorod) – January 14, 2016
53. Nizhny Novgorod Regional Public Organization "Institute for Forecasting and Settlement of Political Conflicts" (Nizhny Novgorod) – January 22, 2016
54. City public organization "Ryazan historical, educational and human rights society 'Memorial' " (Ryazan) – February 1, 2016
55. Chelyabinsk regional public initiative - women's public association "Women of Eurasia" (Chelyabinsk) – February 15, 2016
56. Chelyabinsk regional public initiative "Ural Human Rights Group" (Chelyabinsk) – February 15, 2016
57. Omsk regional public organization "Center for Health and Social Protection 'SIBALT' " (Omsk) – February 15, 2016
58. Charitable foundation for social and legal support "Sphere" (Saint Petersburg) – March 1, 2016
59. Interregional public organization "Center for Civic Education and Human Rights" (Perm) – March 3, 2016
60. Non-profit organization "International Foundation for Development of Indigenous Peoples of the North, Siberia and the Far East 'BATANI' " (Moscow) – March 11, 2016
61. Autonomous non-profit organization "Publishing House 'Valentin Manuylov' " – April 15, 2016
62. Regional public organization "Integration Center 'Migration and Law' " (Moscow) – June 16, 2016
63. Non-commercial partnership for support of social and preventive programs in public health "ESVERO" (Moscow) – June 22, 2016
64. Andrey Rylkov Foundation for Health and Social Justice Promotion (Moscow) – June 29, 2016
65. Autonomous non-profit organization "Publishing house 'Park Gagarina' " (Samara) – August 31, 2016
66. Autonomous non-profit organization "Analytical Center of Yuri Levada" (Moscow) – September 5, 2016

67. Interregional environmental protection and human rights public organization "Environmental Watch on the North Caucasus" (Maikop) – September 13, 2016
68. Foundation for support of civil freedoms "Legal Mission" (Chelyabinsk) – September 21, 2016
69. Autonomous non-profit human rights organization "Draftee's School" (Chelyabinsk) – September 21, 2016
70. International public organization "International Historical-Educational, Charitable and Human Rights Society 'Memorial' " (Moscow) – October 4, 2016
71. Sverdlovsk regional public foundation "Health Era" (Yekaterinburg) – October 11, 2016
72. Chapaevsk city public organization "Association of Medical Workers of Chapaevsk" (Chapaevsk) – October 21, 2016
73. Regional charitable foundation "Samarskaya Gubernia" (Samara) – November 2, 2016
74. Association "Internet Community" (Samara) – December 13, 2016
75. Autonomous non-profit organization for social support "Project April" (Tolyatti) – December 19, 2016
76. Regional public organization for assistance to women and children in crisis "Information and Methodological Center 'Anna' " (Moscow) – December 26, 2016
77. Krasnodar regional charitable public organization "Southern Human Rights Center" (Sochi) – December 27, 2016
78. Regional public organization for promotion of citizens' education "Center for Information and Analysis 'SOVA' " (Moscow) – December 30, 2016
79. Sverdlovsk public organization for assistance to legal migration "Nelegalov.Net [No Illegals]" (Yekaterinburg) – January 10, 2017
80. Saint-Petersburg public environmental human rights center "Bellona" (Saint-Petersburg) – January 16, 2017
81. Soloneshensky district youth public organization "Pro-Movement" (Altay region) – January 25, 2017
82. Kaliningrad regional public organization "Society for German culture and Russian Germans Eintracht - Soglasie" (Kaliningrad) – January 31, 2017
83. Foundation for development assistance to mass communication and legal education "Tak-Tak-Tak" (Novosibirsk) – February 20, 2017
84. Murmansk regional public organization "Kola Environmental Center" (Apatity) – April 20, 2017
85. Foundation for sustainable development "Silver Taiga" (Syktyvkar) – June 23, 2017

And the four NGOs which registered voluntarily:

1. Association "Supporting Competition in the CIS Countries" (Moscow) – June 27, 2013
2. Karachay-Cherkess republican youth public organization "Union of Young Political Scientists" (Cherkessk) – December 15, 2014

3. Regional public organization "Center of Independent Researchers of the Altai Republic" (Gorno-Altai) – June 10, 2015
4. Sverdlovsk regional public social projects foundation "New Time" (Yekaterinburg) – June 23, 2017

On June 27, 2016, Russian authorities notified the head of “Women of the Don” human rights and peace building group, Valentina Cherevatenko, that they were bringing criminal proceedings against her for “malicious evasion” of legal requirements set out in the “foreign agents” law. Cherevatenko was formally charged on June 2, 2017, becoming the first Russian activist to face prosecution under the law, but the law enforcement authorities dropped the case against her several weeks later. On June 27, 2016, Russian authorities notified the head of “Women of the Don” human rights and peace building group, Valentina Cherevatenko, that they were bringing criminal proceedings against her for “malicious evasion” of legal requirements set out in the “foreign agents” law. Cherevatenko was formally charged on June 2, 2017, becoming the first Russian activist to face prosecution under the law, but the law enforcement authorities dropped the case against her several weeks later. On June 27, 2016, Russian authorities notified the head of “Women of the Don” human rights and peace building group, Valentina Cherevatenko, that they were bringing criminal proceedings against her for “malicious evasion” of legal requirements set out in the “foreign agents” law. Cherevatenko was formally charged on June 2, 2017, becoming the first Russian activist to face prosecution under the law, but the law enforcement authorities dropped the case against her several weeks later.

Region / Country

- Europe/Central Asia
- Russia

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Giorgi Gogia*South Caucasus Director, Europe and Central Asia Division***Source URL:** <https://www.hrw.org/russia-government-against-rights-groups-battle-chronicle>**Links**

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