Flygtningenævnets baggrundsmateriale

Bilagsnr.:	**597**
Land:	Rusland
Kilde:	US Department of State
Titel:	Country Report on Human Rights Practices 2019 – Russia
Udgivet:	11. marts 2020
Optaget på baggrundsmaterialet:	7. maj 2020

Document #2026343
USDOS – US Department of State

Country Report on Human Rights Practices 2019 - Russia

Executive Summary

The Russian Federation has a highly centralized, authoritarian political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and an appointed upper house (Federation Council), both of which lack independence from the executive. The 2016 State Duma elections and the 2018 presidential election were marked by accusations of government interference and manipulation of the electoral process, including the exclusion of meaningful opposition candidates.

The Ministry of Internal Affairs, the Federal Security Service (FSB), the Investigative Committee, the Office of the Prosecutor General, and the National Guard are responsible for law enforcement. The FSB is responsible for state security, counterintelligence, and counterterrorism as well as for fighting organized crime and corruption. The national police force, under the Ministry of Internal Affairs, is responsible for combating all crime. The National Guard assists the FSB Border Guard Service in securing borders, administers gun control, combats terrorism and organized crime, protects public order, and guards important state facilities. The National Guard also participates in armed defense of the country's territory in coordination with Ministry of Defense forces. Except in rare cases, security forces generally reported to civilian authorities. National-level civilian authorities, however, had, at best, limited control over security forces in the Republic of Chechnya, which were accountable only to the head of Chechnya, Ramzan Kadyrov.

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

Significant human rights issues included: extrajudicial killings, including of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in Chechnya by local government authorities; enforced disappearances; pervasive torture by government law

enforcement personnel that sometimes resulted in death and occasionally involved sexual violence or punitive psychiatric incarceration; harsh and life-threatening conditions in prisons; arbitrary arrest and detention; political prisoners; severe arbitrary interference with privacy; severe suppression of freedom of expression and media, including the use of "antiextremism" and other laws to prosecute peaceful dissent; violence against journalists; blocking and filtering of internet content and banning of online anonymity; severe suppression of the right of peaceful assembly; severe suppression of freedom of association, including overly restrictive laws on "foreign agents" and "undesirable foreign organizations"; severe restrictions of religious freedom; refoulement of refugees; severe limits on participation in the political process, including restrictions on opposition candidates' ability to seek public office and conduct political campaigns, and on the ability of civil society to monitor election processes; widespread corruption at all levels and in all branches of government; coerced abortion and sterilization; trafficking in persons; and crimes involving violence or threats of violence against persons with disabilities, LGBTI persons, and members of ethnic minorities.

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

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

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

There were numerous reports the government or its agents committed arbitrary or unlawful killings.

Credible nongovernmental organizations (NGOs) and independent media outlets published reports indicating that in December 2018-January 2019, local authorities in the Republic of Chechnya renewed a campaign of violence against individuals perceived to be members of the LGBTI community. According to the NGO Russian LGBT Network, local Chechen authorities illegally detained and tortured at least 40 individuals (see section 1.c.), including two who reportedly died in custody from torture. According to human rights organizations, as of year's end, authorities failed to investigate the allegations or reports of extrajudicial killings and mass torture of LGBTI persons in Chechnya from 2017 and continued to deny that there were any LGBTI persons in Chechnya.

On May 24, Maksim Lapunov, a survivor of the 2017 "antigay purge" in Chechnya who came forward publicly and offered to cooperate with investigative bodies, filed a complaint with the European Court of Human Rights (ECHR), claiming that federal authorities failed to investigate his case properly.

On July 23, the human rights NGOs Memorial Human Rights Center and Committee against Torture, as well as the investigative newspaper *Novaya Gazeta*, published new information about a summary execution of 27 men alleged to have taken place in 2017

at the A.A. Kadyrov patrol police unit headquarters in Grozny, Chechnya. According to the new information, at least 14 eyewitnesses, who were detained at the unit at the same time as the 27 victims but were tortured rather than killed, were able to corroborate that the victims were in police custody at the time of their alleged killings. Local authorities continued to deny that the 27 men were ever in custody and maintained that they left the country to join ISIS in Syria. The 14 witnesses described the involvement of several high-ranking Chechen officials, including unit head Aslan Iraskhanov, in the killings and subsequent cover-up. The NGOs detailed continuing pressure on the families of the 27 victims not to file police reports about the disappearance of their family members. On September 16, relatives of eight of the 27 victims filed a complaint with the ECHR.

There were reports that police beat or otherwise abused persons, in some cases resulting in their death. For example, according to press reports, on April 11, Moscow police officers severely beat Sulli Yunusilau, a 46-year-old man from Dagestan. Yunusilau died in a hospital a week later from his injuries. On April 24, authorities charged three officers with assault and abuse of authority. As of December the investigation continued; one suspect was under house arrest while the other two were in pretrial detention.

There were multiple reports that, in some prison colonies, authorities systematically tortured inmates (see section 1.c.), in some cases resulting in death or suicide. According to media reports, on March 12, Ayub Tuntuyev, a former bodyguard to former president of Chechnya Akhmad Kadyrov, was found dead in Penal Colony Number 6 (IK-6) in the Vladimir region. Since his placement in the colony, Tuntuyev had complained repeatedly about abuse by prison officials, including severe beatings and torture by electric shock. In 2016 he filed a complaint about the abuse with the ECHR. While prison authorities maintained that Tuntuyev committed suicide, his relatives reported that his body was bruised and that his lungs and kidneys had been removed; they told journalists that they did not believe he committed suicide. On March 25, the Investigative Committee concluded that there was no sign that Tuntuyev had been beaten and as of November there were no indications of any further investigation into the case.

Physical abuse and hazing, which in some cases resulted in death or suicide, continued to be a problem in the armed forces. On February 10, Stepan Tsymbal, a 19-year-old conscript, died at the Pogonovo military base in the Voronezh region. His family reported that his unit initially informed them that he had died naturally of a heart attack, although his arms and legs had been taped together and a plastic bag was wrapped around his head. According to the human rights organization Zona Prava, Tsymbal’s commanding officer beat him and accused him of stealing vodka on the day he died, threatening that Tsymbal would face consequences if the vodka did not reappear by the evening. Medical examiners concluded that Tsymbal committed suicide that night. His relatives cast doubt on these findings and insisted that investigators considered that his death was not self-inflicted. On March 19, the Investigative Committee charged Tsymbal’s commanding officer with “exceeding authority” and “incitement to suicide.”

On February 5, the deputy chairman of the Investigative Committee told the *Kommersant* newspaper that there were new developments in the investigation of the 2015 killing of opposition leader Boris Nemtsov, but it was premature to make them public. Human rights activists and the Nemtsov family continued to believe that authorities were intentionally ignoring the question of who ordered and organized the killing and noted that these persons were still at large.

On August 23, in a case related to the 2011 death of lawyer Sergei Magnitsky in a Moscow pretrial detention center, the ECHR ruled that authorities had provided "manifestly inadequate" medical treatment that "unreasonably put his life in danger," that Magnitsky had been abused by guards, and that he had been unjustly held for too long in pretrial detention.

There were reports that the government or its proxies committed, or attempted to commit, extrajudicial killings of its opponents in other countries. For example, on December 3, German federal prosecutors announced they had concluded that Russian intelligence was behind the August 23 killing in Berlin of Zelimkhan Khangoshvili, an ethnic Chechen from Georgia. Khangoshvili had fled to Germany in 2016 and was fatally shot at point blank range in a park by a man who was arrested after fleeing the scene by bicycle; Khangoshvili had survived several earlier attempts on his life in other countries. The independent investigative news website *Bellingcat* identified the man arrested as Vadim Krasikov, who had reportedly committed a killing in Moscow with similar methods. *Bellingcat* pointed to multiple indications that the killer was acting with the support or at the direction of Russian authorities, including the fact that he was reportedly traveling on a passport issued by the Russian government under a pseudonym. On December 12, presidential press secretary Dmitry Peskov admitted that Russia had made several requests to Germany to extradite Khangoshvili based on his purported involvement in terrorist acts.

The country played a significant military role in the armed conflict in eastern Ukraine, where human rights organizations attributed thousands of civilian deaths and other abuses to Russia-led forces. Russian occupation authorities in Crimea also committed widespread abuses (see *Country Reports on Human Rights Practices* for Ukraine).

Since 2015 the country's forces have conducted military operations, including airstrikes, in the conflict in Syria. According to human rights organizations, the country's forces took actions, such as bombing urban areas that intentionally targeted civilian infrastructure (see *Country Reports on Human Rights Practices* for Syria).

The news website *Caucasian Knot* reported that violent confrontations with security forces resulted in at least 31 deaths in the North Caucasus during the first half of the year. Kabardino-Balkaria was the most affected region with 10 deaths in the first half of the year, followed by Dagestan, where nine persons were killed.

b. Disappearance

There were reports of disappearances by or on behalf of government authorities. Enforced disappearances for both political and financial reasons continued in the North Caucasus. According to the July 30 report of the UN Working Group on Enforced or Involuntary Disappearances, there were 849 outstanding cases of enforced or involuntary disappearances in the country.

There were reports that police committed enforced disappearances and abductions during the year. In one case according to press reports, on May 5, police in the village of Chulpanovo in the Republic of Tatarstan arrested a 47-year-old local resident, Idris Sadykov, purportedly on suspicion of robbing a grocery store. Police initially brought Sadykov to a police station, but later that evening police transported him to the home of the father of two police officers, Dinar and Lenar Gafiyatov, where he was held incommunicado for 20 days, severely beaten, abused, starved, and forced to engage in agricultural work. After his sister filed a missing persons complaint, Sadykov was dropped off on the side of a road and threatened that if he told anyone what had occurred, the officers would frame him for a crime that would lead to lengthy imprisonment. On July 11, the Investigative Committee of Tatarstan opened an investigation, but as of December no charges had been announced. As of September an internal police investigation into the officers' conduct reportedly continued.

Security forces were allegedly complicit in the kidnapping and disappearance of individuals from Central Asia, whose forcible return was apparently sought by their governments (see section 2.d.).

There were continued reports of abductions related to alleged counterterrorism efforts in the North Caucasus. For example, Memorial reported in October that Ramzan Shaikhayev had disappeared on September 9 while visiting his ailing father in Argun, Chechnya, and that his whereabouts were unknown. Relatives stated that, while he was with his father, he got a call asking him to go outside; video footage showed him getting into a car and leaving. According to reports, police had previously illegally detained Shaikhayev and his wife in July. His wife was released after a week, and Shaikhayev was released after a month. Based on these and other prior interactions with police, Memorial concluded that there was a basis to believe that Shaikhayev had been abducted by Chechen security services and that they had targeted him as a suspected militant because of his long beard and devout Muslim beliefs.

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

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

Although the constitution prohibits such practices, numerous credible reports indicated law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects, and authorities only occasionally held officials accountable for such actions.

A Levada Center poll released in June indicated that one in 10 persons in the country had been subjected to what they perceived to be torture by law enforcement bodies.

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

Physical abuse of suspects by police officers was reportedly systemic and usually occurred within the first few days of arrest in pretrial detention facilities. Reports from human rights groups and former police officers indicated that police most often used electric shocks, suffocation, and stretching or applying pressure to joints and ligaments because those methods were considered less likely to leave visible marks. The problem was especially acute in the North Caucasus.

There were reports that security forces used torture as a form of punishment against detained opposition and human rights activists, journalists, and critics of government policies. For example, according to human rights groups, on July 12, in Nazran, Ingushetia, the FSB detained Rashid Maysigov, a reporter for the news website *Fortanga*, after raiding his home, where they allegedly found drugs and printed materials promoting Ingush separatism. Maysigov was reportedly tortured during interrogation, including by electric shock; he was also forced to confess to possessing drugs and questioned about his coverage of human rights violations, corruption, and the protest movement in Ingushetia. In November a district court in Magas, Ingushetia, extended his pretrial detention through January 7, 2020.

In several cities police reportedly subjected members of Jehovah's Witnesses, a religious group the Supreme Court banned under antiextremism laws in 2017, to physical abuse and torture following their arrest. For example, on February 15, Investigative Committee officials in the city of Surgut reportedly subjected at least seven Jehovah's Witnesses to torture involving beatings, stun guns, and suffocation at a police precinct.

There were multiple reports of the FSB using torture against young anarchists and antifascist activists who were allegedly involved in several "terrorism" and "extremism" cases. For example, on February 1, the FSB detained Moscow State University postgraduate mathematics student and reported anarchist Azat Miftakhov on suspicion of making an unexploded homemade bomb found in the Moscow region several weeks earlier. Miftakhov reported that during his detention, he was severely beaten, subjected to electric shock, threatened with rape, and denied access to a lawyer. Miftakhov attempted to commit suicide to end the abuse, leading to his hospitalization. On February 7, after Miftakhov's initial period of detention expired, security officials briefly released him but then immediately detained him again in the courthouse, this time accusing him of attacking a local office of the United Russia party in January 2018. As of December he remained in pretrial detention; he did not admit guilt and claimed that security forces had fabricated the case against him. Memorial considered Miftakhov to be a political prisoner.

In the North Caucasus region, there were widespread reports that security forces abused and tortured both alleged militants and civilians in detention facilities.

According to human rights defenders, during the year police in Chechnya continued a campaign of unlawful detentions and torture of men presumed to be gay or bisexual. Media reports and human rights groups estimated that the number of victims during the year was as high as 50. In May, for example, the NGO Human Rights Watch released a report based on interviews with four men who were detained for periods of three and 20 days between December 2018 and February 2019 at the Grozny Internal Affairs Department compound, where law enforcement officials reportedly kicked them, beat them with sticks and pipes, denied them food and water, and tortured three of the four with electric shocks. One was reportedly raped with a stick. In an interview the four men described being held with many others subjected to the same treatment because of their real or perceived sexual orientation. According to the Russian LGBT Network, as of April 1, more than 150 LGBTI persons had fled Chechnya because of this campaign, the majority of whom had also left the country.

Reports by migrants, NGOs, and the press suggested a pattern of police officers and prison personnel carrying out beatings, arrests, and extortion of persons whom they believed to be Roma, Central Asian, African, or from the North Caucasus. In one case, on January 16, police in Magnitogorsk arrested Husniddin Zainabidinov, a labor migrant from Kyrgyzstan, on suspicion of involvement in a gas leak that led to an explosion in an apartment. According to lawyers from Memorial representing Zainabidinov, he was tortured to coerce a confession, including by electric shocks, severe beatings, and other abuse. According to press reports, police in Magnitogorsk had increased pressure on Central Asian labor migrants following the blast, including through raids, arrests, and increased document checks.

There were reports of rape and sexual abuse by government agents. For example, according to press reports, on August 27, two police officers in the city of Anapa in the Krasnodar region threatened a 17-year-old girl with arrest and administrative charges in order to force her to engage in sexual acts. Following an internal investigation, 11 police officers were fired, including the Anapa police chief. As of December authorities had not opened a criminal case.

There were reports of authorities detaining defendants for psychiatric evaluations to exert pressure on them or sending defendants for psychiatric treatment as punishment. Prosecutors and certified medical professionals may request suspects be placed in psychiatric clinics on an involuntary basis. For example, on April 8, authorities in the Perm region subjected opposition activists Aleksandr Shabarchin, Danil Vasiliyev, and Aleksandr Kotov to forced psychiatric evaluations, during which they were interrogated by doctors, according to their claims. The activists were on trial for “undermining public order” for placing a scarecrow with President Putin’s face and the words “war criminal” and “liar” in the center of downtown Perm, charges which carry up to a seven-year prison term. The activists claimed psychiatrists insisted that they reveal “who was paying them” for their actions, how they met each other, and other details about their organization. As of December the investigation continued.

On June 27, the investigative newspaper *Novaya Gazeta* published a report about the use of punitive psychiatry in prisons. The article focused on the case of prisoner Zelimkhan Medov, who was serving a 17-year sentence for a 2004 attack on a military

base. Medov alleged that in retaliation for filing complaints about abuses to which he was subjected in prison, he was sent for multiple lengthy punitive stints in prison psychiatric facilities between 2015 and 2018. During one of these periods, he was tied to a bed with restraints for six months and given daily injections of unnecessary psychotropic drugs until he agreed to sign a document to become an informant for the prison administration. As of December authorities had not opened an investigation into the allegations.

Nonlethal physical abuse and hazing continued in the armed forces. Activists reported such hazing was often tied to extortion schemes. For example, on April 25, military investigators opened an investigation into the Mikhailovskiy Military Artillery Academy in St. Petersburg after reports of severe hazing of recruits surfaced on social media. According to press reports, young soldiers were filmed being beaten and humiliated by their superiors.

There were reports Russia-led forces in Ukraine's Donbas region and Russian occupation authorities in Crimea engaged in torture (see *Country Reports on Human Rights Practices* for Ukraine).

Prison and Detention Center Conditions

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

Physical Conditions: Prison overcrowding remained a serious problem. While the law mandates the separation of women and men, juveniles and adults, and pretrial detainees and convicted prisoners in separate quarters, anecdotal evidence indicated not all prison facilities followed these rules.

Conditions were generally better in women's colonies than in those for men, but they remained substandard.

Physical abuse by prison guards was systemic. In July, Human Rights Ombudswoman Tatyana Moskalkova reported that complaints of torture in the penal system had doubled over the past year without giving specific numbers. In April Prosecutor General Yuriy Chayka stated that his agency had received reports of torture from prisons in half the country's regions.

In March, 15 prisoners in the IK-5 penal colony in the Republic of Mordovia punctured their stomachs with sharpened toothbrushes to protest abuse by prison guards. According to *Novaya Gazeta*, IK-5 in Mordovia held mostly convicted members of the security services. Multiple reports of severe beatings and sexual violence by prison employees emerged from this prison colony since 2016.

Prisoner-on-prisoner violence was also a problem. For example, in July, three inmates in the Kresty-2 pretrial detention center in St. Petersburg demanded a large sum of money from a fourth inmate and beat him when he could not comply with the request. One of the suspects called the victim's relatives and threatened to continue the attacks unless they provided money. A review by the Federal Penitentiary Service confirmed that "extensive violations" were occurring at the facility. On August 23, three prison officials were fired over the events, and on September 5, the Investigative Committee opened a criminal investigation into the attackers. Subsequent investigative reporting indicated the existence of three "pressure rooms" at Kresty-2, where inmates routinely abused other inmates selected for punishment by prison authorities in exchange for improved conditions.

There were other reports prison authorities recruited inmates to abuse other inmates. For example, on September 21, two inmates in the Perm region penal colony IK-9 beat and raped a prisoner at the behest of the prison administration and filmed the attack. The victim allegedly refused to pay bribes to prison officials who then ordered other inmates to "humiliate" him. On October 11, the victim was freed and stated his intention to sue the leadership of IK-9 and his abusers. In early November the Federal Penitentiary Service dismissed the head of IK-9.

Overcrowding, nutrition, ventilation, heating, and sanitation standards varied among facilities but generally were poor. Opportunities for movement and exercise were minimal. Potable water was sometimes rationed, and food quality was poor; many inmates relied on food provided by family or NGOs. Access to quality medical care remained a problem.

On April 10, the ECHR issued a "pilot judgment" against the country in connection with inhuman conditions of prisoner transport. Pilot judgments are issued when the court deems a problem to be systemic due to a large number of similar complaints received. The court ruled that the country's standard practice of transporting prisoners–over long distances in tiny compartments with no light, heat, or toilets–to be cruel, inhumane, or degrading treatment or punishment and provided the country 18 months to address the problem.

NGOs reported many prisoners with HIV did not receive adequate treatment.

There were reports political prisoners were placed in particularly harsh conditions and subjected to punitive treatment within the prison system, such as solitary confinement or punitive stays in psychiatric units. For example, Ukrainian political prisoner Volodymyr Balukh reported being beaten and subjected to electric shocks upon arrival at the penal colony IK-4 in the Tver region on March 15. Balukh was held between April 4 and July 5 in a cold isolation cell as punishment for purported violations of prison rules. Human rights advocates maintained that this was retaliation for Balukh's pro-Ukrainian political positions.

Administration: Convicted inmates and individuals in pretrial detention have visitation rights, but authorities may deny visitation depending on circumstances. By law prisoners with harsher sentences are allowed fewer visitation rights. The judge in a prisoner's case may deny the prisoner visitation. Authorities may also prohibit relatives deemed a security risk from visiting prisoners.

While prisoners may file complaints with public oversight commissions or with the Human Rights Ombudsman's Office, they often did not do so due to fear of reprisal. Prison reform activists reported that only prisoners who believed they had no other option risked the consequences of filing a complaint. Complaints that reached the oversight commissions often focused on minor personal requests.

Independent Monitoring: Authorities permitted representatives of public oversight commissions to visit prisons regularly to monitor conditions. According to the Public Chamber, there were public oversight commissions in almost all regions. Human rights activists expressed concern that some members of the commissions were individuals close to authorities and included persons with law enforcement backgrounds.

By law members of oversight commissions have the right to videotape and photograph inmates in detention facilities and prisons with their written approval. Commission members may also collect air samples, conduct other environmental inspections, conduct safety evaluations, and access prison psychiatric facilities.

There were multiple reports during the year that prison authorities acted to obstruct or prevent members of oversight commissions hearing prisoners' complaints. For example, on July 23, members of the St. Petersburg oversight commission sued the administration of the prison/pretrial detention center Kresty-1 for denying them access to prisoners held on terrorism charges who sought to report torture.

Authorities allowed the Council of Europe's Committee for the Prevention of Torture to visit the country's prisons and release some reports on conditions but continued to withhold permission for it to release all recent reports.

There were multiple reports of authorities prosecuting journalists for reporting torture. For example, a court in Yakutsk convicted journalist Mikhail Romanov, a correspondent with the weekly *Yakutsk Vecherniy*, on charges of "abuse of mass media." He was fined 30,000 rubles ($471) for an article he wrote in April alleging that FSB agents tortured a local academic and activist, Anton Ammosov.

d. Arbitrary Arrest or Detention

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

Arrest Procedures and Treatment of Detainees

By law authorities may arrest and hold a suspect for up to 48 hours without court approval, provided there is evidence of a crime or a witness; otherwise, an arrest warrant is required. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Officials generally honored this requirement, although bribery or political pressure sometimes subverted the process of obtaining judicial warrants. After an arrest police typically took detainees to the nearest police station, where they informed them of their rights. Police must prepare a protocol stating the grounds for the arrest, and both detainee and police officer must sign it within three hours of detention. Police must interrogate detainees within the first 24 hours of detention. Prior to interrogation, a detainee has the right to meet with an attorney for two hours. No later than 12 hours after detention, police must notify the prosecutor. They must also give the detainee an opportunity to notify his or her relatives by telephone unless a prosecutor issues a warrant to keep the detention secret. Police are required to release a detainee after 48 hours, subject to bail conditions, unless a court decides, at a hearing, to prolong custody in response to a motion filed by police not less than eight hours before the 48-hour detention period expires. The defendant and his or her attorney must be present at the court hearing, either in person or through a video link.

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

By law police must complete their investigation and transfer a case to a prosecutor for arraignment within two months of a suspect's arrest, although an investigative authority may extend a criminal investigation for up to 12 months. Extensions beyond 12 months need the approval of the head federal investigative authority in the Ministry of Internal Affairs, the FSB, or the Investigative Committee and the approval of the court. According to some defense lawyers, the two-month time limit often was exceeded, especially in cases with a high degree of public interest.

Problems existed related to detainees' ability to obtain adequate defense counsel. The law provides defendants the right to choose their own lawyers, but investigators sometimes did not respect this provision, instead designating lawyers friendly to the prosecution. These "pocket" defense attorneys agreed to the interrogation of their clients in their presence while making no effort to defend their clients' legal rights. In many cases, especially in more remote regions, defense counsel was not available for indigent defendants. Judges usually did not suppress confessions taken without a lawyer present. Judges at times freed suspects held in excess of detention limits, although they usually granted prosecutors' motions to extend detention periods.

There were reports that security services sometimes held detainees in incommunicado detention before officially registering the detention. This practice usually coincided with allegations of the use of torture to coerce confessions before detainees were permitted access to a lawyer. The problem was especially acute in the Republic of Chechnya, where such incommunicado detention could reportedly last for weeks in some cases.

Arbitrary Arrest: There were many reports of arbitrary arrest, often in connection with demonstrations, such as those that preceded the September 8 Moscow City Duma elections (see section 2.b.). During unsanctioned mass protests on July 27 and August 3, law enforcement officers detained an estimated 2,500 individuals, targeting anyone taking part in the protests or even strolling through areas where they were held. For example, police detained actor Pavel Ustinov on August 3, although a video of his detention showed that he was standing outside a metro station looking at his cell phone when officers approached him, flung him to the ground, and dragged him away. Because one officer injured himself during the process, a Moscow court initially sentenced Ustinov to 3.5 years in prison; the judge commuted it to a one-year suspended sentence after a significant public outcry.

In the weeks preceding the Moscow City Duma elections, law enforcement officers continued detaining opposition leaders and independent candidates with "immediate rearrest" after they had been released. In one such case, opposition activist Ilya Yashin was arrested on July 27, convicted of violating protest rules, and given a 10-day sentence. He was then subjected to five "immediate rearrests" in a row, each followed by a 10-day sentence.

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

Pretrial Detention: Observers noted lengthy pretrial detention was a problem, but data on its extent was not available. By law pretrial detention may not normally exceed two months, but the court has the power to extend it to six months, as well as to 12 or 18 months if the crime of which the defendant is accused is especially serious. For example, Yuliy Boyarshinov, described by Memorial as an antifascist and left-wing activist, has been in pretrial detention since January 2018. He was accused of illegally storing explosives and participating in a terrorist organization because of his association with "The Network," an antifascist and anarchist group. Memorial considered Boyarshinov to be a political prisoner.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: By law a detainee may challenge the lawfulness of detention before a court. In view of problems with judicial independence (see section 1.e.), however, judges typically agreed with the investigator and dismissed defendants' complaints.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judges remained subject to influence from the executive branch, the armed forces, and other security forces, particularly in high-profile or politically sensitive cases, as well as to corruption. The outcomes of some trials appeared predetermined. Acquittal rates remained low. In 2018 courts acquitted 0.43 percent of all defendants.

There were reports of pressure on defense attorneys representing clients who were being subjected to politically motivated prosecution and other forms of reprisal. According to a June report from the Agora International Human Rights Group, it has become common practice for judges to remove defense attorneys from court hearings without a legitimate basis in retaliation for their providing clients with an effective defense. The report also documented a trend of law enforcement authorities' using physical force to interfere with the work of defense attorneys, including the use of violence to prevent them from being present during searches and interrogations. On September 12, for example, a judge in the city of Novomoskovsk in the Tula region removed defense lawyer Dmitriy Sotnikov from a court hearing after he objected to being barred from cross-examining a witness. Bailiffs beat and handcuffed him, and the judge appointed a different lawyer to represent his client. Police took Sotnikov for drug testing and then transported him to the local office of the Investigative Committee. There, investigators reportedly beat Sotnikov again after he complained about the earlier abuse and violations of detention procedures. Sotnikov had traveled to the hearing from Moscow and had previously defended the head of the Tula branch of the opposition party Yabloko.

Trial Procedures

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

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

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

The law allows prosecutors to appeal acquittals, which they did in most cases. Appellate courts reversed approximately every third acquittal, but only one out of eight convictions. Prosecutors may also appeal what they regard as lenient sentences. In April 2018 a court in Petrozavodsk acquitted renowned historian of the gulag and human rights activist Yuriy Dmitriyev of child pornography charges, a case that many observers believed to be politically motivated and in retaliation for his efforts to expose Stalin-era

crimes. In June 2018 the Supreme Court of the Republic of Karelia granted the prosecutor's appeal of the acquittal and sent the case for retrial. In the same month, Dmitriyev was again arrested; on December 13, a court in Petrozavodsk extended his arrest until March 25, 2020. Memorial considered Dmitriyev to be a political prisoner.

Authorities particularly infringed on the right to a fair trial in the Republic of Chechnya, where observers noted that the judicial system served as a means of conducting reprisals against those who exposed wrongdoing by Republic head Kadyrov. For example, on March 19, a court in Chechnya convicted human rights activist and Memorial Chechnya office head Oyub Titiyev of drug possession. Titiyev was known for his work exposing violations of human rights in Chechnya and had spent more than a year in pretrial detention. International and domestic human rights groups pointed to strong indications that the case against him had been fabricated in retaliation for his work defending human rights. On June 10, a court granted him early release.

Political Prisoners and Detainees

There were credible reports of political prisoners in the country and that authorities detained and prosecuted individuals for political reasons. Charges usually applied in politically motivated cases included "terrorism," "extremism," "separatism," and "espionage." Political prisoners were reportedly placed in particularly harsh conditions of confinement and subjected to other punitive treatment within the prison system, such as solitary confinement or punitive stays in psychiatric units.

As of December the Memorial's list of political prisoners contained 317 names, including 253 individuals who were allegedly wrongfully imprisoned for exercising religious freedom. The list included journalists jailed for their writing, such as Abdulmumin Gadzhiyev (see section 2.a.); human rights activists jailed for their work, such as Yuri Dmitriyev; many Ukrainians (including Crimean Tatars) imprisoned for their vocal opposition to the country's occupation of Crimea, such as Crimean Solidarity leader Server Mustafayev; Anastasiya Shevchenko, the first individual charged under the "undesirable organizations" law; students and activists jailed for participating in the Moscow protests; and Jehovah's Witnesses and other religious believers. Memorial noted the average sentences for the cases on their list continued to grow, from 5.3 years for political prisoners and 6.6 years for religious prisoners in 2016 to 6.8 and 9.1 years, respectively, in 2018. In some cases sentences were significantly longer, such as in the case of Aleksey Pichugin, who has been imprisoned since 2003 with a life sentence.

Politically Motivated Reprisal Against Individuals Located Outside the Country

There were credible reports that the country attempted to misuse international law enforcement tools for politically motivated purposes as a reprisal against specific individuals located outside the country. Authorities used their access to the International Criminal Police Organization (Interpol) to target political enemies abroad. For example, according to press reports, on January 21, the country issued its seventh

Interpol notice for British investor William Browder, a public proponent of "Magnitsky Act" sanctions legislation against human rights abuses in the country. Interpol rejected each of these notices as politically motivated.

Civil Judicial Procedures and Remedies

Although the law provides mechanisms for individuals to file lawsuits against authorities for human rights violations, these mechanisms often did not work well. For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. While this legal mechanism exists in principle, it was practically very cumbersome to use. Persons who believed their human rights were violated typically sought redress in the ECHR after domestic courts ruled against them. The law enables the Constitutional Court to review rulings from international human rights bodies and declare them "nonexecutable" if the court finds that the ruling contradicts the constitution, and the court has declared ECHR rulings to be nonexecutable under this law.

Property Restitution

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

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

The law forbids officials from entering a private residence except in cases prescribed by federal law or when authorized by a judicial decision. The law also prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While the law previously prohibited government monitoring of correspondence, telephone conversations, and other means of communication without a warrant, these legal protections were significantly weakened by laws passed since 2016 granting authorities sweeping new powers and requiring telecommunications providers to store all electronic and telecommunication data (see section 2.a., Internet Freedom). NGOs, human rights activists, and journalists alleged that authorities routinely employed surveillance and other measures to spy on and intimidate citizens.

Law enforcement agencies required telecommunications providers to grant the Ministry of Internal Affairs and the FSB continuous remote access to client databases, including telephone and electronic communications, enabling them to track private communications and monitor internet activity without the provider's knowledge. The law permits authorities with a warrant to monitor telephone calls in real time, but this safeguard was largely pro forma. The Ministry of Information and Communication requires telecommunications service providers to allow the FSB to tap telephones and

monitor information over the internet. The Ministry of Information and Communication maintained that authorities would not access information without a court order, although the FSB is not required to show it upon request.

In its 2017 report *Russia under Surveillance*, the Agora International Human Rights Group described the development in recent years of a system of "total oversight targeted at civic activists, independent journalists, and representatives of the political opposition" in the name of national security. According to Agora, since 2007 authorities have greatly increased surveillance of telephone calls and online messages, increased the use of hidden audio and video recording devices, and expanded the use of biometric data-gathering.

In March 2018 Agora published a report on politically motivated searches of private homes, which analyzed the searches of the residences of 600 political activists that security services had conducted over the previous three years. The report concluded that authorities often used the searches to intimidate and threaten political activists. In 98 cases police used the threat of violence, actual violence, and the display of firearms during the searches; in 47 cases authorities searched the premises of the activists' relatives and friends; and in 70 cases they broke down the doors or entered the residence through a window.

On September 12, authorities conducted coordinated searches of the offices of opposition activist Aleksey Navalny's Anticorruption Foundation (FBK), as well as of the homes of FBK activists in more than 40 cities across the country. The searches, which mostly took place in the middle of the night and which observers said were designed to intimidate activists, were ostensibly in connection with money-laundering charges the Investigative Committee had initiated against the FBK in August, at the height of the mass protests over the Moscow City Duma elections. On October 9, the Ministry of Justice declared the FBK a "foreign agent" because the organization allegedly received donations from two foreign persons. The FBK pointed to indications that the donations from foreign persons may have been orchestrated to trigger its "foreign agent" designation.

There were an increasing number of reports that authorities threatened to remove children from the custody of parents engaged in political activism or some forms of religious worship, or parents who were LGBTI persons. For example, on August 26, prosecutors in Moscow filed a request to remove three minor children from the custody of their parents, Pyotr and Yelena Khomskiy, because they had purportedly endangered the children by bringing them to an opposition protest on August 2. On September 2, a Moscow court denied the prosecutor's request to remove the children from the home.

The law requires relatives of terrorists to pay the cost of damages caused by an attack, which human rights advocates criticized as collective punishment. Chechen Republic authorities reportedly routinely imposed collective punishment on the relatives of alleged terrorists, including by expelling them from the republic.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

While the constitution provides for freedom of expression, including for the press, the government increasingly restricted this right. During the year the government instituted several new laws restricting both freedom of expression and of the press, particularly in regards to online expression. Regional and local authorities used procedural violations and restrictive or vague legislation to detain, harass, or prosecute persons who criticized the government or institutions it favored, such as the Russian Orthodox Church. The government exercised editorial control over media, creating a media landscape in which most citizens were exposed to predominantly government-approved narratives. Significant government pressure on independent media constrained coverage of numerous topics, especially of Ukraine and Syria, LGBTI persons, the environment, elections, criticism of local or federal leadership, as well as secessionism or federalism. Censorship and self-censorship in television and print media and on the internet was widespread, particularly regarding points of view critical of the government or its policies. The government used direct ownership or ownership by large private companies with government links to control or influence major national media and regional media outlets, especially television.

Freedom of Expression: Authorities continued to misuse the country's expansive definition of extremism as a tool to stifle dissent. As of December the Ministry of Justice had expanded its list of extremist materials to include 5,003 books, videos, websites, social media pages, musical compositions, and other items, an increase of more than 450 items from 2018. According to the prosecutor general, authorities prosecuted 1,200 extremism cases in 2018, the majority of which included charges of "extremism" levied against individuals for exercising free speech on social media and elsewhere.

At the same time, in December 2018, President Putin signed legislation that partially decriminalized the expression of "extremist" views, stipulating that speech that "incited hatred or enmity" or denigrated a person or group be treated as an administrative misdemeanor, not a crime, for a first-time offense. Several persons were previously charged with extremism under criminal law for comments and images posted in online forums or social networks. Following the amendment to the antiextremist legislation, however, courts dropped charges against some of the defendants. On January 15, for example, authorities dropped charges against Eduard Nikitin, a doctor in the Khabarovsk region who faced up to five years in prison on extremism charges. He was accused of "liking" an image condemning the country's aggression in eastern Ukraine posted on the Odnoklassniki social network in 2015.

Although the amendment was expected to have a retroactive effect, not all individuals imprisoned on extremism charges saw charges dropped or sentences commuted. For example, on August 28, a court in the Belgorod region denied a request for parole from 23-year-old doctoral student Aleksandr Kruze. In February 2018, a court in Stariy Oskol sentenced him to 2.5 years in prison for extremism for reposting four nationalist images on social media in 2016. Kruze had been writing a dissertation on radicalization and maintained that the posts had been a part of a research experiment in online discourse around radicalism.

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

During the year authorities invoked a 2013 law prohibiting the "propaganda" of "nontraditional sexual relations" to minors to punish the exercise of free speech by LGBTI persons and their supporters. For example, on October 28, the Moscow branch of the Ministry of Internal Affairs opened an administrative case for suspected "propaganda of nontraditional sexual relations to minors" against the producers and participants of a YouTube video in which children interviewed a gay man, Maksim Pankratov, about his life. The video contained no discussion of sex, but included questions on Pankratov's sexual orientation, how he would like other individuals to treat him, and his vision for his life in the future. On November 2, the Moscow Region Investigative Committee launched a criminal investigation into the video's producers and participants on suspicion of "violent sexual assault of a minor" younger than age 14, a crime punishable by 12 to 20 years in prison. According to press reports, the parents of the children in the video have experienced pressure from authorities to testify against the video's producers and received visits from child protective services, which they interpreted as a threat to terminate their parental rights. Pankratov reported receiving threats of physical violence from unknown persons following the opening of the criminal case. As of December Pankratov was in hiding in an undisclosed location in Russia, while the video's producer, popular online celebrity Victoria Pich, had fled the country.

During the year authorities prosecuted individuals for speech allegedly violating a law that prohibits "offending the feelings of religious believers." For example, on September 30, a court in Irkutsk sentenced Dmitriy Litvin to 100 hours of community service for social media postings in 2015 of caricatures that allegedly offended the feelings of Orthodox Christians, Roman Catholics, and shamanists.

During the year authorities prosecuted individuals for speech that allegedly violated the law prohibiting the "rehabilitation of Nazism." For example, on April 5, the Investigative Committee for the Chuvash Republic opened a criminal case against opposition blogger Konstantin Ishutov for material he had posted on social media in 2010 criticizing authorities' poor maintenance of local cemeteries and contrasting it with the maintenance of cemeteries in Germany. Investigators claimed this material attempted to justify the actions of Nazis during World War II and diminish the significance of the Soviet victory. Ishutov was charged under the same statute in 2018 for posting a photo of a Nazi leaflet with the phrase, "When the Third Reich treats the Soviet people better than Putin treats the Russian people." As he awaited trial, a court prohibited Ishutov from using the internet, traveling, or leaving his home after 10 p.m. On November 8, the Supreme Court of the Chuvash Republic started reviewing Ishutov's case. On December 18, the Chuvash Supreme Court found Ishutov guilty of "rehabilitating Nazism" and other charges. He faces up to seven years in prison.

The law bans the display of Nazi symbols and the symbols of groups placed on the government's list of "extremist" organizations. There was no official register or list of banned symbols. On July 30, a district court in St. Petersburg sentenced Fyodor Belov to five days' administrative arrest for publicly displaying a tattoo of a swastika.

On March 18, a new law entered into force that stipulated fines of up to 100,000 rubles ($1,570) for showing "disrespect" online for the state, authorities, the public, flag, or constitution. According to the Agora International Human Rights Group, in the first six months after the law's entry into force, authorities opened 45 cases, 26 of which dealt with insults against President Putin. For example, on April 22, a court in the Novgorod region fined unemployed machinist Yuriy Kartyzhev 30,000 rubles ($471) for posting insulting comments about President Putin on social media.

On March 18, a new law, commonly characterized as a ban on "creating and spreading fake news," also came into force. It prohibits "incorrect socially meaningful information, distributed under the guise of correct information, which creates the threat of damage to the lives and/or health of citizens or property, the threat of mass disruption of public order and/or public security, or the threat of the creation of an impediment to the functioning of life support facilities, transport infrastructure, banking, energy, industry, or communications." The fine for violating the law is up to 100,000 rubles ($1,570) for individuals, up to 200,000 rubles ($3,140) for officials, and up to 500,000 rubles ($7,850) for legal entities. In the event of repeated violations or violations with grave consequences, fines may go up to 1.5 million rubles ($23,600).

The law on "fake news" was applied multiple times during the year. For example, on July 29, a court in Nazran, Ingushetia, fined Murad Daskiyev, the head of the Council of Clans of the Ingush People, 15,000 rubles ($236). According to the court, Daskiyev knowingly distributed false information indicating that the head of the Republic of Ingushetia was preparing to sign a border agreement with the neighboring Republic of North Ossetia. Daskiyev maintained that the information he published was true. According to free expression watchdogs, authorities were motivated by a desire to suppress this information, following a large protest movement that emerged in Ingushetia in late 2018 after it signed a border agreement ceding land to the Republic of Chechnya.

During the year authorities enforced a law banning the "propaganda of narcotics" to prosecute or threaten to block independent outlets. For example, on August 19, Roskomnadzor threatened to block access to independent media outlet *Meduza* unless it deleted an August 8 article debunking myths about drug use, which Roskomnadzor claimed promoted drug use. *Meduza* restricted access to the article for its users in the country.

During the year authorities enforced a law banning the "propaganda of suicide" to prosecute or threaten to block independent media outlets. In August, Roskomnadzor issued three letters threatening to block access to the independent outlet *Batenka, da vy Transformer* unless it deleted several articles about the problem of suicide in the country. According to Roskomnadzor, the articles, which discussed the prevalence of and motivations behind suicide, promoted suicide. The outlet complied with the demands.

During the year authorities used a law banning cooperation with "undesirable foreign organizations" to restrict free expression. For example, on June 27, a court in the city of Saransk fined Idris Yusupov 6,000 rubles ($94) for organizing a screening of a film about Anastasiya Shevchenko, an activist under criminal prosecution for purported "cooperation" with the Open Russia movement, which had been declared an "undesirable foreign organization." The court considered the film screening to be evidence of Yusupov's own "cooperation" with Open Russia.

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

Press and Media, Including Online Media: The government continued to restrict press and media freedom. More than 80 percent of country's mass media was funded by the government or progovernment actors. Government-friendly oligarchs owned most other outlets, which were permitted to determine what they publish within formal or informal boundaries set by the government. In the regions each governor also controlled regional media through funding, either directly or through affiliated structures. The federal government or progovernment individuals completely or partially owned all so-called federal television channels, the only stations with nationwide reach. The 29 most-watched stations together commanded 86 percent of television viewership; all were owned at least in part by the federal or local governments or by progovernment individuals. Government-owned media outlets often received preferential benefits, such as rent-free occupancy of government-owned buildings, and a preferential tax rate. On a regional level, state-owned and progovernment television channels received subsidies from the Ministry of Finance for broadcasting in cities with a population of less than 100,000 and on the creation and production of content. At many government-owned or -controlled outlets, the state increasingly dictated editorial policy. While the law restricts foreign ownership of media outlets to no more than 20 percent, another provision of the ambiguously worded law apparently bans foreign ownership entirely. The government used these provisions to consolidate ownership of independent outlets under progovernment oligarchs and to exert pressure on outlets that retained foreign backers. In its annual report on freedom of the press, Freedom House rated the country "not free."

By law the Ministry of Justice is required to maintain a list of media outlets that are designated "foreign agents." As of December there were 10 outlets listed. The decision to designate media outlets as foreign agents may be made outside of court by other government bodies, including law enforcement agencies.

On December 2, President Putin signed a law allowing authorities to label individuals (both Russian and foreign citizens) as "foreign agents" if they disseminate foreign media to an unspecified number of persons and receive funding from abroad. Human rights defenders expressed concern that this situation would further restrict the activities of or selectively punish journalists, bloggers, and social media users. Individuals labeled a "foreign agent" are required to register with the Ministry of Justice, and those living abroad also must create and register a legal entity inside the country in order to publish materials inside the country. All information published by the "foreign agent" individual

would also have to be marked as having been produced by a "foreign agent." Fines for noncompliance with the new law range from 10,000 ($157) and five million rubles ($78,500).

On August 19, the State Duma created a commission to investigate alleged foreign interference into Russian domestic affairs. On September 27, the commission determined that German media outlet *Deutsche Welle* violated the law by reporting on unauthorized protests in Moscow and allegedly calling on individuals to take part in them. The commission urged the government to revoke *Deutsche Welle*'s license to operate in Russia, although as of December it continued to operate in the country. The commission also accused other foreign media outlets, such as Radio Liberty, BBC, Voice of America, and others, of violations during the "day of silence" that preceded the Moscow City Duma elections on September 8.

Violence and Harassment: Journalists continued to be subjected to arrest, imprisonment, physical attack, harassment, and intimidation as a result of their reporting. According to the Glasnost Defense Foundation, as of December incidents of violence and harassment against journalists included three killings, 62 attacks, 169 detentions by law enforcement officers, 28 prosecutions, 30 threats, 14 politically motivated firings, and two attacks on media offices. Journalists and bloggers who uncovered government malfeasance or who criticized the government often faced harassment, either in the form of direct threats to their physical safety or threats to their security or livelihood, frequently through legal prosecution.

There were reports of attacks on journalists by government officials and police. According to press reports, on May 5, Sergey Zaytsev, head of the Shirinskiy region of the Republic of Khakasia, shoved and body-slammed Ivan Litoman, a journalist from the state Rossiya-24 television channel. Litoman was interviewing Zaitsev and had asked him about allegedly poor-quality housing provided to persons left homeless by the 2015 wildfires. On May 27, the local Investigative Committee announced it had opened an investigation into the incident.

There were reports of police briefly detaining journalists in order to interfere with or punish them for their reporting. For example, according to the Committee to Protect Journalists, during protests in Moscow on July 27 and August 3, police threatened journalists, obstructed their work, damaged their equipment, and forcefully detained them. According to freedom of assembly monitor OVD-Info, 14 journalists were detained in Moscow on August 3 alone. The Committee to Protect Journalists called these detentions, "a clear attempt to intimidate journalists and censor coverage."

There were reports of police framing journalists for serious crimes, such as drug possession, in order to interfere with or punish them for their reporting. In one such incident, on June 7, Moscow police detained investigative journalist Ivan Golunov and charged him with possessing and attempting to sell illegal drugs after purportedly finding amphetamines in his backpack. Following his arrest, officers reportedly beat Golunov and denied him access to his lawyer for 14 hours. Police also purportedly found drugs in Golunov's apartment, which they searched following his arrest. Police posted nine photos of the alleged narcotics, but then took all but one of the photos

down after evidence emerged indicating that the photos were taken in places other than Golunov's apartment. Golunov and human rights advocates maintained that the drugs were planted on him in an attempt to imprison him in retaliation for his coverage of corruption, particularly in the funeral business. Following significant public outcry, police on July 11 dropped charges, released Golunov, and announced an investigation into the fabrication of charges against him. On December 19, during his annual year-end press conference, President Putin announced that five police officers who arrested Golunov were being investigated on felony charges. According to *Meduza*, the outlet for which Golunov worked, the investigation began on December 18.

There were reports of journalists being fired for their political views or unfavorable reporting about powerful political figures. For example, according to Reporters without Borders (RSF), on May 20, the leadership of the Moscow business daily *Kommersant* fired journalists Maxim Ivanov and Ivan Safronov for writing an article predicting that the influential speaker of the Federation Council, Valentina Matvienko, would soon be replaced. Eleven other journalists at the newspaper resigned in protest, and more than 200 others issued a joint statement warning that its readers would as of then be denied unbiased coverage. The newspaper denied that its owner, progovernment oligarch Alisher Usmanov, played a role in the decision, but sources that spoke to RSF and other media outlets indicated that Usmanov had made the decision. Human Rights Watch called the firing "the latest episode in the gutting" of the country's independent media.

There were reports of police raids on the offices of independent media outlets that observers believed were designed to punish or pressure the outlets. For example, on April 18, police raided the St. Petersburg office of the independent news website *Rosbalt* and seized several computers. According to the newspaper's lawyer, the search was purportedly in connection with a libel allegation made by Usmanov, although the lawyer maintained that Rosbalt had not published anything about Usmanov. The newspaper's editor noted that the computers seized were the ones used in a continuing investigation into a crime boss named Young Shakro. Police also searched the home of *Rosbalt* reporter Aleksandr Shvarev the same day.

There were reports of authorities using "tax inspections" that observers believed were intended to punish or pressure independent outlets. For example, on August 1, the editor of the independent media outlet *Dozhd* announced that it had received a notice of an unscheduled tax inspection, which she feared may have been in retaliation for the outlet's extensive coverage of election-related protests in Moscow on July 27.

There were reports of attacks on journalists by unknown persons. On August 9, an unknown assailant in St. Petersburg attacked photojournalist Georgiy Markov, who specialized in photographing opposition protests. The assailant sprayed him with pepper spray and hit him on his head and chest. Law enforcement officials had detained Markov several times while he was photographing opposition protests, beating him at one in May.

There were reports of unidentified individuals or groups of individuals attacking the offices of independent media outlets. For example, on April 1, unknown persons ransacked the office of the newspaper *Kommersant* in Yekaterinburg, smashed the

computers of the chief editor and accountant, took several hard drives, and left a message containing a death threat on the desk of the director of the newspaper. The journalists believed the attack was related to a book published with the participation of the newspaper's staff about local criminal groups.

Journalists reported threats in connection with their reporting. For example, in late February a relative of Anatoliy Popov, the head of the Dobrovskiy region administration in Lipetsk oblast, threatened local journalist Dmitriy Pashinov over his critical reporting about Popov. On May 11, Pashinov was arrested and charged with "insulting a representative of the state" for allegedly cursing at a regional prosecutor in 2017, remarks Pashinov denied making.

There was no progress during the year in establishing accountability in a number of high-profile killings of journalists, including the 2004 killing of Paul Klebnikov, the 2006 killing of Anna Politkovskaya, and the 2009 killing of Natalia Estemirova.

Censorship or Content Restrictions: The government directly and indirectly censored media, much of which occurred online (also see section 2.a., Internet Freedom, and Academic Freedom and Cultural Events).

There were multiple reports that the government retaliated against those who produced or published content it disliked. For example, on September 24, *Izvestiya* published online but subsequently removed an article by military reporter Ilya Kramnik critical of Defense Minister Sergey Shoygu. Within two days the newspaper removed Kramnik from its editorial staff and informed him that his contract would not be renewed. The country's charge d'affaires in Great Britain accused the Ministry of Defense press service of pressuring *Izvestiya* to fire Kramnik.

There were reports that the government placed restrictions on printing presses to prevent them from printing materials for the political opposition. For example, on August 7, press reports indicated that police in St. Petersburg had distributed notices to local printing presses, informing them that it is unacceptable to fulfill orders for materials that discredit the government or political figures, that offend a person's honor and dignity, or that promote unsanctioned demonstrations during the pre-electoral period. The printing presses were instructed to turn over orders for any such materials to police.

On January 28, after allegedly receiving information that the business was about to print "extremist" material, police arrived at the St. Petersburg printing house where activist Mikhail Borisov worked. It later became known that Borisov had been preparing to print posters criticizing acting governor Aleksandr Beglov. Police seized four computers but did not detain Borisov since he had not yet printed the posters. The printing house later fired him from his job.

Self-censorship in independent media was also reportedly widespread. For example, on January 21, the Yaroslavl affiliate of the radio station *Ekho Moskvy* canceled a planned interview with LGBTI activists after receiving threats, including from local officials.

Libel/Slander Laws: Officials at all levels used their authority to restrict the work of and to retaliate against journalists and bloggers who criticized them, including taking legal action for alleged slander or libel, which are criminal offenses. For example, on March 23, the press reported that the head of the federal space agency Roscosmos, Dmitry Rogozin, had filed a libel complaint against two websites with the Prosecutor General's Office, which referred the matter to the Ministry of Internal Affairs. The ministry opened a criminal libel investigation into the two websites, *RusPress* and *Kompromat-Ural*, which had alleged in late 2018 that Rogozin had used money from the Roscosmos budget to pay for public relations campaigns to burnish his personal reputation and had bribed the heads of media outlets to remove unfavorable coverage of him.

National Security: Authorities cited laws against terrorism or protecting national security to arrest or punish critics of the government or deter criticism of government policies or officials.

There were reports that authorities charged journalists with terrorism offenses in retaliation for their reporting. For example, on June 14, security services in Dagestan arrested Abdulmumin Gadzhiev, a journalist and head of the religious affairs section of the independent newspaper *Chernovik*, at his home. *Chernovik* had long reported threats, politically motivated prosecutions, and other pressure for its work uncovering corruption and wrongdoing by local officials. In 2012 the newspaper's editor in chief fled the country after receiving death threats, and its founder was shot 14 times outside the newspaper's office in 2011, a crime that remained unsolved. Authorities charged Gadzhiev and 10 codefendants with "taking part in the activities of a terrorist organization" and "organizing the financing of a terrorist organization" for purportedly diverting charitable donations to support the Islamic State in Syria. The charges carry up to a 20-year prison term. Human rights defenders emphasized that the charges were entirely based on a confession by a suspect who subsequently maintained that it was false and coerced, that Gadzhiev had written critically of the Islamic State, and that there were other contradictions in the state's case, and they maintained that the case against him was fabricated. As of December Gadzhiev remained in detention awaiting trial after a court in Makhachkala extended his pretrial detention through January 13, 2020. Memorial declared him to be a political prisoner.

There were reports that critics of the government's counterterrorism policies were themselves charged with "justifying terrorism." On September 20, authorities charged Pskov-based Radio Free Europe/Radio Liberty (RFE/RL) contributor Svetlana Prokopyeva with "public justification of terrorism in the media." She faced up to seven years in jail for comments she made on a local radio station in November 2018 about a suicide bombing at an FSB building in Arkhangelsk. Although she never voiced approval of the bomber's actions, she suggested that the government's restrictions on peaceful expressions of dissent may make individuals more likely to resort to violence. In July before these charges were brought, the Federal Financial Monitoring Service (Rosfinmonitoring) added Prokopyeva to its list of terrorists and extremists because of her comments, resulting in the freezing of her bank accounts and the seizure of her passport. According to press reports, in early October officials at the Pskov Investigative

Committee summoned for interrogation several journalists and public figures who had spoken out in support of Prokopyeva and forced them to sign nondisclosure agreements about the contents of their conversation.

Internet Freedom

The government monitored all internet communications (see also section 1.f.). The government continued to employ its longstanding use of the System for Operative Investigative Activities, which requires internet service providers (ISPs) to install, at their own expense, a device that routes all customer traffic to an FSB terminal. The system enables police to track private email communications, identify internet users, and monitor their internet activity.

On May 1, President Putin signed a new law on internet sovereignty, the provisions of which mostly took effect on November 1. The law requires internet providers to install equipment to route web traffic through servers in the country. Internet advocates asserted the measure would allow for greater surveillance by intelligence agencies and increase the ability of state authorities to control information and block content. Authorities in the Ural Federal District in central Russia began carrying out tests of such equipment in September (with the goal of covering the entire region by the end of the year), but media noted both that the tests resulted in network failures and slower web traffic, and that prohibited services like the Telegram messaging service remained accessible. The law also envisions the creation of an independent domain name system (DNS) for the country, separate from the global DNS. Telecom operators were expected to have until January 1, 2021, to start using the country's DNS; those who refuse would be disconnected from data exchange points.

The law requires domestic and foreign businesses to store citizens' personal data on servers located in the country. Companies that ignore this requirement risk being fined, blocked, or both. On December 2, President Putin signed a law increasing penalties on companies that refuse to localize Russian users' data from 5,000 rubles ($78) to 6 million rubles ($94,200), with fines of up to 18 million rubles ($283,000) for repeat offenses. In 2016 Roskomnadzor blocked access to the foreign-based professional networking website LinkedIn for failure to comply with the law; the service remained unavailable in the country without a virtual private network (VPN) service. In April a Moscow court fined Facebook and Twitter 3,000 rubles ($47) each in separate proceedings for failing to inform authorities where they stored the personal data of users.

Telecommunications companies are required to store user data and make it available to law enforcement bodies. Companies are required to store users' voice records for six months, and electronic correspondence (audio, images, and video) for three months.

Observers believed that the country's security services were able to intercept and decode encrypted messages on at least some messaging platforms. The law requires telecommunications providers to provide authorities with "backdoors" around encryption technologies. On December 2, President Putin signed a law increasing fines on companies that refuse to provide the FSB with decryption keys that would allow

them to read users' correspondence. Previously the fine was up to 1 million rubles ($15,700), but the new law raised it to 6 million rubles ($94,200). The government blocked access to content and otherwise censored the internet. Roskomnadzor maintained a federal blacklist of internet sites and required ISPs to block access to web pages that the agency deemed offensive or illegal, including information that was already prohibited, such as items on the Federal List of Extremist Materials. The law gives the prosecutor general and Roskomnadzor authority to demand that ISPs block websites that promote extremist information, and "mass public events that are conducted in violation of appropriate procedures." According to the internet freedom NGO Roskomsvoboda, as of September a total of four million websites were unjustly blocked in the country. On July 18, Roskomnadzor fined Google 700,000 rubles ($11,000) for not removing links to sites banned by the government from its search results.

The law requires owners of internet search engines ("news aggregators") with more than one million daily users to be accountable for the truthfulness of "publicly important" information before its dissemination. Authorities may demand that content deemed in violation be removed and impose heavy fines for refusal.

A law on the "right to be forgotten" allows individuals in the country to request that search engine companies block search results that contain information about them. According to Freedom House's 2019 *Freedom on the Net* report, the law was "routinely applied to require search engines to delete links to websites that contain personal information about an individual if it is no longer considered relevant." On April 19, the Constitutional Court rejected a legal challenge to the law brought by the human rights NGO SOVA Center for Information and Analysis.

There was a growing trend of social media users being prosecuted for the political, religious, or other ideological content of posts, shares, and "likes," which resulted in fines or prison sentences (see section 2.a., Freedom of Expression, Including for the Press).

The government prohibited online anonymity. The law requires commercial VPN services and internet anonymizers to block access to websites and internet content prohibited in the country. The law also authorizes law enforcement agencies, including the Ministry of Internal Affairs and FSB, to identify VPN services that do not comply with the ban by Roskomnadzor. By law Roskomnadzor may also block sites that provide instructions on how to circumvent government blocking. When the law came into force in 2017, Roskomnadzor announced that the majority of commercial VPNs and anonymizers used in the country had registered and intended to comply with the law, although most foreign-based VPNs had not. In June Roskomnadzor announced that it would block nine VPN services that refused its March demand to register with authorities. At least some of these services remained effective within the country as of September.

The law prohibits companies registered as "organizers of information dissemination," including online messaging applications, from allowing anonymous users. Messaging applications and platforms that fail to comply with the requirements to restrict anonymous accounts may be blocked. In June authorities demanded that dating app Tinder provide messages and photos exchanged by users of the service.

There were reports of politically motivated cyberattacks. For example, individuals who were detained during the August 3 protests in Moscow and whose cell phones police confiscated told *Novaya Gazeta* about repeated attempts to hack their email accounts in the days following their release. One protester, whose cell phone was tracking its geolocation, reported that his cell phone had apparently been transported to a location in the Moscow suburbs while he was in detention.

There were reports of the disruption of communications during demonstrations. For example, authorities in Ingushetia restricted access to mobile internet on numerous occasions during mass protests in March against a land swap with the Republic of Chechnya. During the July 27 and August 3 protests over the Moscow City Duma elections, authorities switched off mobile internet coverage in the protest area.

Academic Freedom and Cultural Events

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

There were reports that the government censored textbooks and curricula. For example, on February 6, the press reported that economics professor Igor Lipsits was informed by his publisher that the economics textbook he had authored had been banned for use in the country's schools. An expert review by the Russian Education Academy (a government body) had reportedly concluded that examples used in the textbook did not "promote love for the Motherland." In order to have his book approved for use in schools, the academy suggested that Lipsits add information about the government's "plans for the next economic breakthrough" and discuss how other government economic policies improve a person's "sense of pride in the country."

There were reports that the government sanctioned academic personnel for their teachings, writing, research, political views, or all. During the summer the state university Higher School of Economics (HSE) combined the departments of political science and public administration, resulting in layoffs for a number of professors who reportedly held views sympathetic to the opposition. The university also decided not to renew contracts for several staff members; political analyst and HSE lecturer Aleksandr Kynev said he believed this was for purely political reasons. Yelena Sirotkina, another HSE professor, stated that she resigned voluntarily but under pressure from the university administration. In May the university shut down a student talk show after students invited opposition activist Lyubov Sobol to appear as a guest. According to *Meduza*, the university administration had made prior attempts to censor the show's content.

There were reports that authorities restricted academic travel or contacts. On July 13, the Ministry of Education and Science issued new rules obliging academics working at institutions under the ministry to seek approval for any meetings with foreigners. The rules call for institutions to notify the ministry five days in advance of such meetings, a minimum of two academics to be present during meetings, and participants to file a written report that includes passport scans of their foreign interlocutors. Under the rules noncitizens are not allowed to use any notetaking or recording equipment during meetings without prior authorization from the state.

On February 27, Culture Minister Vladimir Medinskiy sent a letter to the heads of the country’s regions, ordering them to ensure that exhibits at museums under their purview “embody the state’s priorities.”

During the year authorities in the Republic of Chechnya retaliated against artists for alleged lack of compliance with local traditions. On July 15, the Chechen Minister of Culture announced that the songs of local singers Ayub and Askhab Vakharagov “violate the norms of Chechen culture.” In August, Chechen security forces detained and reportedly held them without charge for two weeks.

On September 24, a Moscow court returned the case against well-known theater director Kirill Serebrennikov to the prosecutor over errors in the indictment. The prosecutor appealed this decision, however, and submitted new materials to the court, which the court accepted. Serebrennikov had been on trial since November 2018 for embezzlement of state funds to stage a Shakespeare play that the government alleged he never produced. According to media outlets, however, the play had been staged more than 15 times, and observers believed the charges were politically motivated, citing Serebrennikov’s participation in antigovernment protests and criticism of government policies. Serebrennikov was released on bail on April 8. As of December the date for his new trial had not been announced.

Authorities often censored or shut down cultural events or displays they considered offensive or that expressed views in opposition to the government and in some cases initiated criminal proceedings against organizers. For example, on October 7, authorities in Moscow disrupted the opening of a modern art exhibit on police violence against protesters that took place during election-related demonstrations in July and August in Moscow. Shortly before the opening, regular Moscow police, officers from Moscow’s “antiextremism” police, city authorities, the state consumer protection service, the fire department, and members of a progovernment extreme nationalist organization arrived at the gallery and blocked individuals from entering the exhibit.

There were reports that authorities failed to protect performers and audiences from physical attacks during cultural events they opposed. For example, in May activists from two progovernment nationalist movements tried to disrupt the annual LGBTI film festival Side-by-Side in Moscow. They blocked the entrance to the venue, shouted homophobic slurs, and threw ammonia on a Canadian diplomat. According to festival organizers, police officers observed all the disruptions but did nothing to intervene. The

venue also received multiple bomb threats over the course of the festival, which led police to evacuate the buildings and delay the start of each film screening by several hours.

There were reports that authorities forced the cancellation of concerts of musicians who had been critical of the government. In most cases the FSB or other security forces visited the music venues and "highly recommended" they cancel the concerts, which the owners and managers understood as a veiled threat against the venue if they did not comply. For example, media reported that authorities visited the music venues at which the rapper Face was to perform in Irkutsk and Ulan-Ude in late August, after which the organizers canceled both concerts. The venues cited low ticket sales, although the rapper's team claimed the tickets had sold quite well. Face had performed during an August 3 opposition protest in Moscow and had also published lyrics critical of the government. Pavel Chikov, the head of the Agora International Human Rights Center, claimed that the FSB had made a "blacklist" of musicians whose concerts are supposed to be disrupted.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

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

Although they do not require official approval, authorities restricted single-person pickets, and required that there be at least 164 feet separating protesters from each other. In 2017 the Constitutional Court decreed that police officers may stop a single-person picket to protect the health and safety of the picketer.

The law requires that "motor rallies" and "tent city" gatherings in public places receive official permission. It requires gatherings that would interfere with pedestrian or vehicle traffic to receive official agreement 10 days prior to the event; those that do not affect traffic require three days' notice. The law prohibits "mass rioting," which includes teaching and learning about the organization of and participation in "mass riots." The law allows authorities to prohibit nighttime demonstrations and meetings and levy fines for violating protest regulations and rules on holding public events.

The law provides heavy penalties for engaging in unsanctioned protests and other violations of public assembly law. Penalties may be up to 300,000 rubles ($4,710) for individuals, 600,000 rubles ($9,420) for organizers, and one million rubles ($15,700) for groups or entities. Protesters with multiple violations within six months may be fined up to one million rubles ($15,700) or imprisoned for up to five years.

A December 2018 law prohibits "involving a minor in participation in an unsanctioned gathering," which is punishable by 30,000 to 50,000 rubles ($471 to $785), 100 hours of community service, or arrest for up to 15 days.

Arrests for organizing or taking part in unsanctioned protests were common. For example, on July 27 and August 3, security forces detained an estimated 2,500 persons during unsanctioned protests in support of independent candidates to the Moscow City Duma. Although the majority were detained briefly and received no criminal or administrative charges, several hundred protesters received fines, jail sentences, or both.

Following the July 27 unsanctioned protest in Moscow, authorities charged 18 individuals with "inciting and participating in mass riots." The Investigative Committee then changed the charges in several of the cases to "causing harm to law enforcement officers." Although the charges of "inciting and participating in mass riots" were dropped against eight of the accused, all of these eight individuals received jail sentences of up to 3.4 years after being found guilty of other charges (including "causing harm to law enforcement officers"). As of December the court had not sentenced the other individuals initially charged.

On September 5, a Moscow court sentenced computer programmer Konstantin Kotov to four years in prison for "repeated violations" of protest regulations. The court found that Kotov had "disregarded basic constitutional principles" by taking part in several unsanctioned demonstrations within a 180-day period. Kotov had been detained at several peaceful protests since March, the last being on August 10 as he was exiting a metro station to attend a protest. Memorial considered Kotov to be a political prisoner.

Authorities charged individuals with protest-related offenses for their social media posts about protests. On August 14, police charged blogger Andrey Trofimov from Sergiyev Posad with organizing an unsanctioned demonstration because he retweeted two protest announcements made by opposition leaders. Trofimov maintained he played no other role in organizing the protests.

Police often broke up demonstrations that were not officially sanctioned, at times using disproportionate force. For example, on July 18, police beat protesters demonstrating against the construction of a landfill in Likino-Dulyovo in the Moscow region. Eyewitnesses claimed that at least four persons sustained serious injuries as a result, including a broken arm and fractured ribs.

Participants in demonstrations and even bystanders were at times subjected to threats and physical violence. On July 27, members of the National Guard, who had been deployed to the unsanctioned protest in Moscow, detained graphic designer Konstantin

Konovalov, a local resident who had been on a run in his neighborhood before the protest began. In so doing they broke one of his legs. On September 17, a Moscow court fined Konovalov 10,000 rubles ($157) for taking part in an unsanctioned protest, despite the fact that the event was set to begin several hours after his detention.

Authorities regularly detained single-person picketers. For example, on September 19, Omsk police briefly detained Moscow activist Vera Oleynikova, who had staged a single-person picket calling for freedom for prisoners of conscience in front of the Omsk FSB headquarters. She claimed that police took her to a police station and refused to allow a defense lawyer to see her.

Authorities continued to deprive LGBTI persons and their supporters of rights of free assembly. Despite a Supreme Court ruling that LGBTI persons should be allowed to engage in public activities, the law prohibiting "propaganda" of homosexuality to minors (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity) provides grounds to deny LGBTI activists and supporters the right of assembly and was often used to interrupt public demonstrations by LGBTI activists. In November 2018 the ECHR ruled that the country's blanket refusal to grant permission to hold public assemblies related to LGBTI matters could not be justified by public safety concerns and constituted a violation of the right to freedom of assembly.

On August 3, police and the National Guard in St. Petersburg forcefully dispersed approximately 50 single-person picketers advocating for the LGBTI community after city authorities turned down their request to hold a pride parade. Law enforcement authorities detained 12 persons, three of whom were hospitalized due to injuries that human rights activists said were the result of police brutality.

Moscow authorities refused to allow an LGBTI pride parade for the 14th consecutive year, notwithstanding a 2010 ECHR ruling that the denial violated the rights to freedom of assembly and freedom from discrimination.

Freedom of Association

The constitution provides for freedom of association, but the government did not respect it. Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. The finances of registered organizations are subject to investigation by tax authorities, and foreign grants must be registered.

The government continued to use a law, which requires NGOs that receive foreign funding and engage in "political activity" to register as "foreign agents," to harass, to stigmatize, and in some cases to halt their operation, although fewer organizations were registered than in previous years. As of December the Ministry of Justice's registry of organizations designated as "foreign agents" included 76 NGOs. NGOs designated "foreign agents" are banned by law from observing elections and face other restrictions on their activity.

For the purposes of implementing the foreign agents law, the government considered "political activities" to include organizing public events, rallies, demonstrations, marches, and pickets; organizing and conducting public debates, discussions, or presentations; participating in election activities aimed at influencing the result, including election observation and forming commissions; public calls to influence local and state government bodies, including calling for changes to legislation; disseminating opinions and decisions of state bodies by technology; and attempting to shape public political views, including public opinion polls or other sociological research.

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

The law on "foreign agents" requires that NGOs identify themselves as "foreign agents" in all of their public materials. On December 16, President Putin signed a law raising the fine for noncompliance from 10,000 rubles ($157) to 50,000 rubles ($785) for individuals and from 500,000 rubles ($7,850) to 1 million rubles ($15,700) for legal entities. "Serious violations" may result in fines of 100,000 rubles ($1,570) for citizens and up to 5 million rubles ($78,500) for legal entities.

Authorities fined NGOs for failing to disclose their "foreign agent" status on websites or printed materials. For example, human rights activist Lev Ponomarev's three NGOs received fines totaling more than one million rubles ($15,700) for not marking their materials as originating from a "foreign agent." On November 1, the Supreme Court ordered the closure of Ponomaryov's NGO "For Human Rights" due to purported violations of the law, including the law on "foreign agents."

Organizations the government listed as "foreign agents" reported experiencing the social effects of stigmatization, such as being targeted by vandals and online criticism, in addition to losing partners and funding sources and being subjected to smear campaigns in the state-controlled press. At the same time, the "foreign agent" label did not necessarily exclude organizations from receiving state-sponsored support. As of September, four NGOs labeled as "foreign agents" had received presidential grants for "socially oriented projects."

The law requires the Ministry of Justice to maintain a list of "undesirable foreign organizations." The list expanded during the year to 19 organizations, since the Ministry of Justice added the Free Russia Foundation, the Ukrainian World Congress, People in Need, and the Atlantic Council. By law a foreign organization may be found "undesirable" if that group is deemed "dangerous to the foundations of the constitutional order of the Russian Federation, its national security, and defense." Authorities have not clarified what specific threats the "undesirable" NGOs posed to the country. Any foreign organization deemed "undesirable" must cease its activities, any money or assets found by authorities may be seized, and any citizens found to be continuing to work with the organization in contravention of the law may face up to seven years in prison.

During the year authorities began for the first time to impose criminal penalties for purported violations of the law on "undesirable foreign organizations." On January 21, authorities raided the home of Open Russia activist Anastasiya Shevchenko, arrested her, and charged her with "cooperation" with an "undesirable foreign organization." (Open Russia was declared an "undesirable foreign organization" in 2017.) She faced up to seven years in prison. On January 23, she was placed under house arrest. Shevchenko was prevented from visiting her 17-year-old daughter, who was hospitalized in critical condition, until hours before she died on January 30. As of December her trial had not begun, and she remained under house arrest. Memorial considered Shevchenko to be a political prisoner. Several other Open Russia activists were also under criminal investigation.

NGOs engaged in political activities or activities that purportedly "pose a threat to the country" or that receive support from U.S. citizens or organizations are subject to suspension under the 2012 "Dima Yakovlev" law, which also prohibits NGOs from having members with dual Russian-U.S. citizenship.

Authorities continued to misuse the country's expansive definition of extremism as a tool to stifle freedom of association. In 2017 the Supreme Court criminalized the activity of members of Jehovah's Witnesses. The decision prohibited all activity of Jehovah's Witnesses' legal entities throughout the country, effectively banning their worship. The parent organization of the Jehovah's Witnesses in the country and 395 regional branches were formally placed on the Justice Ministry's list of "extremist" groups, a procedural move following the Supreme Court's decision. As of December, nine members of Jehovah's Witnesses had received jail sentences of up to six years for taking part in the activities of a banned extremist organization, and between 200 and 300 individuals were under criminal investigation (see the Department of State's *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/ (https://www.state.gov/religiousfreedomreport/)).

There were reports civil society activists were beaten or attacked in retaliation for their professional activities and that in most cases law enforcement officials did not adequately investigate the incidents. For example, the NGO Russian Socio-Ecological Union documented seven physical attacks on environmental activists the first five months of the year. On March 10, an unknown assailant stabbed environmentalist Denis Shtroo in Kaluga, who died of his wounds four days later. Shtroo had opposed the construction of a landfill in a nearby village, and his friends and relatives believed that he was attacked due to his activism. As of December his killing remained unsolved.

In multiple cases authorities arbitrarily arrested and prosecuted civil society activists in political retaliation for their work (see section 1.e.).

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

c. Freedom of Religion

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

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, but in some cases authorities restricted these rights.

In-country Movement: Although the law gives citizens the right to choose their place of residence, adult citizens must carry government-issued internal passports while traveling domestically and must register with local authorities after arriving at a new location. To have their files transferred, persons with official refugee or asylum status must notify the Ministry of Internal Affairs in advance of relocating to a district other than the one that originally granted them status. Authorities often refused to provide government services to individuals without internal passports or proper registration, and many regional governments continued to restrict this right through residential registration rules.

Authorities imposed in-country travel restrictions on individuals facing prosecution for political purposes.

Foreign Travel: The law provides for freedom to travel abroad, but the government restricted this right for certain groups. The law stipulates, for example, that a person who violates a court decision does not have a right to leave the country. A court may also prohibit a person from leaving the country for failure to satisfy debts; if the individual is suspected, accused, or convicted of a crime; or if the individual had access to classified material. The law allows for the temporary restriction of the right to leave the country for citizens with outstanding debts. According to press reports citing statistics from the Federal Bailiff Service, approximately 3.5 million citizens are unable to leave the country because of debts.

Since 2014 the government restricted the foreign travel of millions of its employees, prescribing which countries they are and are not allowed to visit. The restriction applies to employees of agencies including the Prosecutor General's Office, the Ministry of Internal Affairs, the Ministry of Defense, the Federal Prison Service, the Federal Drug Control Service, the Federal Bailiff Service, the General Administration for Migration Issues (GAMI), and the Ministry of Emergency Situations. On June 4, the Supreme Court upheld this policy.

Citizenship: There were reports that the government revoked citizenship on an arbitrary basis. For example, according to human rights groups, on January 29, Sverdlovsk region authorities canceled a 2005 decision to grant citizenship to Blagoveshchensk resident Evgeniy Kim, rendering him stateless since he had given up his Uzbek citizenship earlier. Kim was serving a 3-year, 9-month prison sentence for "extremism" for studying the works of Turkish Muslim theologian Said Nursi and was considered by Memorial to be a political prisoner. Upon his release from prison on April 10, Kim was notified that he was present in the country in violation of migration law. As of September he was held in

a migration detention center awaiting deportation to Uzbekistan, the country of his birth, although Uzbek authorities refused to accept him since he no longer held citizenship there.

e. Internally Displaced Persons

The Internal Displacement Monitoring Center (IDMC) estimated the country was home to 5,900 internally displaced persons (IDPs) in 2018. Of the 5,900 IDPs, the IDMC asserted that 3,600 were new displacements. According to the government's official statistics, the number of "forced" migrants, which per government definition includes refugees, asylum seekers, and IDPs, decreased from 25,359 in the beginning of 2016 to 19,327 in January 2017. The government indicated that the majority of forced migrants came from former Soviet republics, namely Georgia, Kazakhstan, and Uzbekistan, with between 3,500 and 4,000 persons displaced due to the First Chechen War in 1994-96.

Reliable information on whether the government promoted the safe, voluntary, dignified return, resettlement, or local integration of IDPs was not available. Media reports indicated that not all individuals displaced by weather-related events received the assistance that the federal government initially promised them. For example, a *RIA Novosti* report in August concluded that authorities rejected 15 percent of the applications of those who applied for housing assistance after they were displaced by flooding in the Irkutsk region in August, leaving them with no shelter at the onset of winter.

f. Protection of Refugees

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

UNHCR reported it had a working relationship with the government on asylum and refugee problems.

NGOs reported, however, that the government failed to provide protection and assistance to IDPs, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern. The government considered Ukrainian asylum seekers to be separate from asylum seekers from other countries, such as Afghanistan, Georgia, Syria, and Yemen. In some cases temporary asylum holders who received refugee status from third countries were not granted exit visas or allowed to depart the country.

Refoulement: The concept of nonrefoulement is not explicitly stated within the law. The government provided some protection against the expulsion or return of persons to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The responsible agency, the GAMI, did not maintain a presence at airports or other border points and did not adequately publicize that asylum seekers may request access to the agency. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials. Otherwise, they faced immediate deportation to

neighboring countries or return to their countries of origin, including in some cases to countries where they may have had a reasonable ground to fear persecution. There were no statistics available on the number of persons subjected to such actions.

Human rights groups continued to allege that authorities made improper use of international agreements that permit them to detain, and possibly repatriate, persons with outstanding arrest warrants from other former Soviet states. This system, enforced by informal ties between senior law enforcement officials of the countries concerned, permitted authorities to detain individuals for up to one month while the Prosecutor General's Office investigated the nature of the warrants. International organizations reported six cases of refoulement of asylum seekers in 2018, and NGOs cited cases in which officials detained persons (most commonly from Central Asia) and returned them clandestinely to their country of origin. UNHCR reported several cases of refoulement during the year but could not provide data on its extent.

In one example of clandestine detention and repatriation, on February 14, officials arbitrarily detained and forcibly returned to Tajikistan opposition activist Sharofiddin Gadoyev, who had been living as a refugee in the Netherlands since 2015. He traveled to Moscow to attend a conference but claimed authorities acting at the behest of the Tajik government detained him and put him on a plane to Dushanbe. According to Human Rights Watch, Tajik security services were present at his detention, and during the flight they put a bag over his head and beat him. After two weeks in Tajikistan, authorities released Gadoyev and allowed him to return to the Netherlands after the intervention of European governments and human rights activists.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. NGOs reported applicants commonly paid informal "facilitation fees" of approximately 33,000 rubles ($520) to GAMI adjudicators to have their application reviewed. Applicants who did not speak Russian often had to pay for a private interpreter. Human rights organizations noted that nearly all newly arrived refugees and temporary asylum seekers in large cities, particularly Moscow and St. Petersburg, were forced to apply in other regions, allegedly due to full quotas. Except for Ukrainians, GAMI approved a small percentage of applications for refugee status and temporary asylum.

Human rights organizations noted the country's tendency during the year not to accept more Ukrainian and Syrian applicants for refugee status and temporary asylum. NGOs also reported that authorities encouraged applicants to return to their countries of origin. Authorities reportedly also had blanket authority to grant temporary asylum to Syrians, but local migration experts noted a decrease in the number of Syrians afforded temporary asylum, suggesting that GAMI had not renewed the temporary asylum of hundreds of Syrians and, in some cases, encouraged applicants to return to Syria.

Employment: Employers frequently refused to hire applicants who lacked residential registration. UNHCR reported that employers frequently were not familiar with laws permitting employment for refugees without work permits and refused to hire them.

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

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of temporary asylum and refugee applicants who lacked residential registration. The NGO Civic Action Committee reported that approximately a third of the children of refugees were enrolled in schools. When parents encountered difficulties enrolling their children in school, authorities generally cooperated with UNHCR to resolve the problem.

Temporary Protection: The government also provided temporary protection in the form of temporary asylum to individuals who may not qualify as refugees and provided it to approximately 6,000 persons during the year. A person who did not satisfy the criteria for refugee status, but who for humanitarian reasons could not be expelled or deported, may receive temporary asylum after submitting a separate application. There were reports, however, of authorities not upholding the principle of temporary protection.

g. Stateless Persons

According to the 2010 population census, the country was home to 178,000 self-declared stateless persons. Official statistics did not differentiate between stateless persons and other categories of persons seeking assistance. Law, policy, and procedures allow stateless persons and their children born in the country to gain nationality.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: The Organization for Security and Cooperation in Europe (OSCE) reported that the March 2018 presidential election "took place in an overly controlled environment, marked by continued pressure on critical voices" and that "restrictions on the fundamental freedoms, as well as on candidate registration, have limited the space for political engagement and resulted in a lack of genuine competition." The OSCE also noted, "television, and in particular broadcasters that are state-founded, owned, or supported, remains the dominant source of political information. A restrictive legislative

and regulatory framework challenges freedom of the media and induces self-censorship. Voters were thus not presented with a critical assessment of the incumbent's views and qualifications in most media." Observers widely noted that the most serious potential challenger, Aleksey Navalny, was prevented from registering his candidacy due to a previous criminal conviction that appeared politically motivated.

In a statement on the 2016 State Duma elections, the OSCE's election observation mission noted, "Democratic commitments continue to be challenged and the electoral environment was negatively affected by restrictions to fundamental freedoms and political rights, firmly controlled media and a tightening grip on civil society…Local authorities did not always treat the candidates equally, and instances of misuse of administrative resources were noted."

The September 8 elections of 19 governors and several dozen local and regional legislative bodies were marked by similar allegations of government interference and manipulation. Journalists and observers reported numerous violations, especially in the run-up to the Moscow City Duma election and the St. Petersburg gubernatorial and legislative elections. These included assaults, arrests, harassment, coordinated police raids on the homes of opposition candidates, and widespread restrictions on the ability of independent candidates to register to appear on the ballot. For example, in a case that was emblematic of many others, opposition activist and Moscow municipal deputy Ilya Yashin collected the 4,500 voter signatures for his district candidacy to the Moscow City Duma, but election officials refused to register his candidacy, citing technical flaws in many of the signatures he had collected, often based on the assessments of government handwriting experts. Although many of the voters whose signatures had been disqualified personally appealed to the election commission to confirm that their signatures were authentic, the commission would not reconsider its decision.

St. Petersburg's gubernatorial and legislative elections were marred by multiple claims of fraud. The strongest challenger to the incumbent governor, Aleksandr Beglov, dropped out a week before the election, claiming the deck was stacked against him. The election-monitoring NGO Golos documented cases in which local election authorities double-counted votes in order to ensure that progovernment candidates won and other indications of fraud. It took more than a week for some municipalities to announce results, leading observers to speculate that they were falsified after the real results were rejected.

After the elections, Central Election Commission head Ella Pamfilova accused local authorities of trying to cover up electoral violations instead of reporting them through proper channels. On September 25, she specifically accused Vyacheslav Makarov, the speaker of the regional legislative assembly in St. Petersburg, of interfering in the elections and recommended that St. Petersburg Election Commission head Viktor Minenko resign. Nonetheless, neither Minenko nor Makarov faced any consequences, and the election results were certified.

Authorities sought to restrict the work of independent election monitors and promote government-sponsored monitoring. Observers were prohibited from being accredited to more than one polling station, limiting the ability of civil society to monitor elections.

Critics contended that the law made it difficult for domestic election monitors to conduct surprise inspections due to provisions requiring observers to register with authorities, including the polling station they intended to monitor, three days before elections. Burdensome registration regulations also hampered the work of journalists wishing to monitor elections as well as independent or nonpartisan groups, whose monitors registered as journalists for their affiliated publications.

During the September 8 elections, observers also faced threats and physical obstacles, including from groups of athletes affiliated with authorities. Media reported that local administrations hired these athletes (some of whom were local thugs affiliated with government-sponsored sports clubs) to threaten opposition candidates, intimidate observers, and interfere with the vote count, especially in St. Petersburg. St. Petersburg municipal election commission member Mikhail Losev reported that when he attempted to submit a complaint about voting violations on election day, five athletic-looking men approached and threatened him, telling him he need to make the "correct" choice, intimating that he risked being attacked.

Authorities continued to hamper the efforts of Golos to take part in the election process, since its work was curtailed by a law prohibiting NGOs listed as "foreign agents," as well as by continuing harassment and intimidation by authorities.

Political Parties and Political Participation: The process for nominating candidates for office was highly regulated and placed significant burdens on opposition candidates and political parties. While parties represented in the State Duma may nominate a presidential candidate without having to collect and submit signatures, prospective self-nominated presidential candidates must collect 300,000 signatures, no more than 7,500 from each region, and submit the signatures to the Central Electoral Commission for certification. Nominees from parties without State Duma representation must collect 100,000 signatures. An independent candidate is ineligible to run if the commission finds more than 5 percent of signatures invalid.

Candidates to the State Duma may be nominated directly by constituents, by political parties in single-mandate districts, by political parties on their federal list, or may be self-nominated. Political parties select candidates for the federal lists from their ranks during party conventions via closed voting procedures. Party conventions also select single mandate candidates. Only political parties that overcame the 5-percent threshold during the previous elections may form federal and single mandate candidate lists without collecting signatures, while parties that did not must collect 200,000 signatures to register a candidate. Self-nominated candidates generally must gather the signatures of 3 percent of the voters in their districts.

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

Observers and would-be candidates reported the municipal filter was not applied equally, and that authorities pressured municipal deputies not to provide signatures to candidates who were not preapproved by authorities. They asserted that no independent candidate with the potential to defeat authorities' favored candidates was permitted to pass through the municipal filter, while progovernment candidates were passed through the filter without fulfilling technical requirements. For example, three candidates in the St. Petersburg gubernatorial election admitted that they passed through the municipal filter without having gone to municipal council districts to collect deputies' signatures. At the same time, Yabloko party candidate Boris Vishnevskiy failed to pass the filer because he faced opposition in municipalities controlled by the ruling party, United Russia.

In some cases opposition parties were repeatedly denied registration. On May 27, authorities denied opposition leader Aleksey Navalny's application to register a political party for the ninth time in six years, a decision that observers believed was politically motivated.

Opposition politicians often faced violence and threats. Media outlets described a spate of threats and attacks on independent candidates who tried to register for the St. Petersburg municipal elections. For example, on July 26, an unidentified assailant attacked Navalny associate Aleksandr Shurshev when he tried to submit candidate registration documents to the local election commission. He claimed that a guard who stood nearby did nothing to stop the attack.

Authorities continued to engage in a pattern of harassment, including threats of violence, against Navalny and his supporters (see sections 1.d., 2.a., and 2.b.). On July 24, a district court in Moscow sentenced Navalny to 30 days in jail for encouraging Muscovites to participate in an unsanctioned protest. Several municipal deputy candidates linked to Navalny faced threats and obstacles from unidentified persons and claimed that government officials did not intervene.

Systemic opposition parties (i.e., quasi-independent parties permitted by the government to appear on the ballot) also faced pressure. For example, according to media reports, a group of 30 masked men (some of whom were on horseback) attacked a bus carrying journalists and observers from the Liberal Democratic Party (LDPR) in the Republic of Tuva on the eve of the September 8 elections. The assailants threatened the driver and the passengers, punctured the bus's tires, and demanded that the group abandon the trip. One LDPR candidate named the head of the Tuva Equestrian Federation as a participant in the attack.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate. Women held approximately 17 percent of legislative seats during the year. While members of national minorities took an active part in political life, ethnic Russians, who constituted approximately 80 percent of the population, dominated the political and administrative system, particularly at the federal level.

Section 4. Official Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, but the government acknowledged difficulty in enforcing the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

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

On April 26, police detained FSB Colonel Kirill Cherkalin and his former colleagues Dmitriy Frolov and Andrey Vasilyev after they found approximately 30 bags and suitcases filled with billions of rubles in Cherkalin's home and office. He was arrested and accused of taking large-scale bribes while investigating commercial bank fraud cases as part of the FSB's Economic Security Service. Press reports named several individuals, including other FSB employees, bankers, and businessmen, as having been involved.

There were reports of corruption by government officials at the highest level. For example, on July 31, investigative outlet *The Insider* published a report indicating that a former flight attendant, who was alleged to be the mistress of Defense Minister Sergey Shoygu, was the owner of companies that received 6.5 billion rubles ($102 million) in contracts from the Ministry of Defense for construction, uniforms, and food provisions. There were no indications of an investigation by authorities.

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

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

A variety of domestic and international human rights groups generally operated in the country, investigating and publishing their findings on human rights cases. Government officials were rarely cooperative or responsive to their concerns. Official harassment of

independent NGOs continued and in many instances intensified, particularly of groups that focused on election monitoring, exposing corruption, and addressing human rights abuses. NGO activities and international humanitarian assistance in the North Caucasus were severely restricted. Some officials, including the ombudsman for human rights, regional ombudsman representatives, and Mikhail Fedotov, who was the chair of the Presidential Human Rights Council until late October, regularly interacted and cooperated with NGOs.

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

Officials often displayed hostility towards the activities of human rights organizations and suggested that their work was unpatriotic and detrimental to national security. For example, on May 15, the head of the Federal Prison Service, Gennadiy Kornienko, called human rights defenders who brought cases to the ECHR that involved abuses taking place in prisons "odious persons."

Authorities continued to apply a number of indirect tactics to suppress or close domestic NGOs, including the application of various laws and harassment in the form of prosecution, investigations, fines, and raids (see sections 1.e. and 2.b.).

Authorities generally refused to cooperate with NGOs that were critical of their activities or listed as a foreign agent. International human rights NGOs had almost no presence east of the Ural Mountains. A few local NGOs addressed human rights problems in these regions but often chose not to work on politically sensitive topics to avoid retaliation by local authorities.

The United Nations or Other International Bodies: Authorities refused to cooperate with the OSCE Moscow Mechanism rapporteur investigating human rights abuses in the Republic of Chechnya in 2018 and did not permit him to visit the country.

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

Many observers did not consider the 126-member Civic Chamber, composed of government-appointed members from civil society organizations, to be an effective check on the government.

The Presidential Council for Civil Society and Human Rights (HRC) is an advisory body to the president tasked with monitoring systemic problems in legislation and individual human rights cases, developing proposals to submit to the president and government, and monitoring their implementation. The president selects some council members by decree, and not all members operated independently. On October 21, President Putin overhauled the HRC, replacing its head, Mikhail Fedotov, with Valeriy Fadeyev, a senior member of the ruling United Russia party. Officially, Fedotov was dismissed because he had turned 70, the age limit for service in the government. President Putin could have

issued a waiver that would have allowed him to stay on, leading human rights activists to speculate that authorities wanted an HRC head who would be more loyal to the president and less critical of restrictions on political freedoms. Some members of the HRC who were well-respected human rights defenders were also dismissed at the same time as Fedotov, compounding observers' concerns.

Human rights ombudsperson Tatyana Moskalkova was viewed as a figure with very limited autonomy. The country had regional ombudsmen in all its regions with responsibilities similar to Moskalkova's. Their effectiveness varied significantly, and local authorities often undermined their independence.

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

Women

Rape and Domestic Violence: Rape is illegal, and the law provides the same punishment for a relative, including the spouse, who commits rape as for a nonrelative. The penalty for rape is three to six years' imprisonment for a single offense, with additional time imposed for aggravating factors. According to NGOs, many law enforcement personnel and prosecutors did not consider spousal or acquaintance rape a priority and did not encourage reporting or prosecuting such cases. NGOs reported that local police officers sometimes refused to respond to rape or domestic violence calls unless the victim's life was directly threatened. Authorities typically did not consider rape or attempted rape to be life-threatening and sometimes charged a victim with assault if he or she harmed the alleged perpetrator in self-defense.

For example, as of December the trial of 19-year-old Darya Ageniy for criminal assault in Krasnodar region continued. In July 2018 authorities charged her for stabbing an assailant who tried to assault her sexually while she was vacationing in Tuapse the month prior. She claimed the man pressed her against a wall and attacked her; she took out a small knife and stabbed him until he let go of her, after which she fled to her hotel. Two months later police arrested her at her home in the Moscow region and took her back to Tuapse, where her attacker had filed a complaint against her for causing him "grievous bodily harm." Although she initially faced up to 10 years in prison, her lawyer worked with investigators to reclassify her case so that she would only face one year.

Domestic violence remained a major problem. There is no domestic violence provision in the law and no legal definition of domestic violence, making it difficult to know its actual prevalence in the country. The antidomestic violence NGO ANNA Center estimated that 60 to 70 percent of women suffering from some type of domestic violence do not seek help due to fear, public shame, lack of financial independence from their partner, or lack of confidence in law enforcement personnel. Laws that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. The burden of collecting evidence in such cases typically falls on the alleged victims. The law prohibits threats, assault, battery, and killing, but most acts of domestic violence did not fall within the jurisdiction

of the prosecutor's office. The law does not provide for protection orders, which experts believe could help keep women safe from experiencing recurrent violence by their partners.

There were reports that women defending themselves from domestic violence were charged with crimes. According to a *Mediazona* study, 80 percent of women sentenced for murder between 2016 and 2018 killed a domestic abuser in self-defense. In one case in July 2018, three teenaged sisters allegedly killed their father, Mikhail Khachaturyan, in their Moscow home. On October 1, authorities confirmed that the father had physically and sexually abused the girls for many years without any repercussions. As of December the girls remained under house arrest as they awaited their trial for murder, which prosecutors argued was premeditated. The case ignited widespread support for the sisters across the country during the year, with many persons calling for their release.

According to a Human Rights Watch report on domestic violence published in October 2018, when domestic violence offenses were charged, articles under the country's criminal law were usually applied that employed the process of private prosecution. The process of private prosecution required the victim to gather all necessary evidence and bear all costs after the injured party or their guardian took the initiative to file a complaint with a magistrate judge. The NGO believed that this process severely disadvantaged survivors.

On July 9, the ECHR issued its first ruling on a domestic violence case in the country, ordering the state to pay 20,000 euros ($22,000) to Valeriya Volodina, who had filed a complaint in 2017. Volodina stated that her former boyfriend severely beat her several times, threatened to kill her, and abducted her. Volodina also claimed that police ignored numerous calls she made for authorities to investigate. In 2018 authorities agreed to charge the man with violating her privacy after he published intimate photographs of her, but the investigations never led to a trial, and Volodina changed her name and fled the country.

According to NGOs police were often unwilling to register complaints of domestic violence, often saying that cases were "family matters," frequently discouraged victims from submitting complaints, and often pressed victims to reconcile with abusers. The majority of domestic violence cases filed with authorities were either dismissed on technical grounds or transferred to a reconciliation process conducted by a justice of the peace whose focus was on preserving the family rather than punishing the perpetrator. NGOs estimated that 3 percent of such cases eventually reached the courts.

A 2017 law made beatings by "close relatives" an administrative rather than a criminal offense for first-time offenders, provided the beating does not cause serious harm requiring hospital treatment. According to official statistics released in 2018, since the law was passed, the number of reported domestic violence cases has fallen by half. NGOs working on domestic violence noted that official reporting of domestic violence decreased because the decriminalization deterred women suffering domestic violence from going to police. In contrast, an antidomestic violence hotline center noted an

increase in domestic violence complaints after the 2017 amendments, which the center considered to be a direct effect of decriminalization. According to *Gazeta.ru*, the number of cases of women beaten by relatives or partners increased by 40 percent in 2018. Human Rights Watch identified three major impacts of the 2017 decriminalization: fostering a sense of impunity among abusers, weakening protections for victims by reducing penalties for abusers, and creating new procedural shortcomings in prosecuting domestic violence.

On November 19, in response to the ECHR's questions on whether Russian officials acknowledged the seriousness and scale of domestic violence and discrimination against women in Russia, the Justice Ministry responded that claims about the scale of domestic violence in the country were "quite exaggerated" and these women's claims were undermining "the efforts that the government was making to improve the situation." The ministry added that men were more likely to suffer discrimination in the context of domestic violence because they did not ask for protection from abuse by women.

At the time of Human Rights Watch's 2018 report, there were 434 shelter spaces nationally for women in crisis situations. NGOs noted, however, that access to shelters was often complicated, since they required proof of residency in that particular municipality, as well as proof of low-income status. In many cases these documents were controlled by the abusers and not available to victims.

Female Genital Mutilation/Cutting (FGM/C): The law does not specifically prohibit FGM/C. NGOs in Dagestan reported FGM/C was occasionally practiced in some villages, estimating that 1,240 Dagestani girls are subjected to it every year. In November 2018 *Meduza* reported that a private clinic in the Best Clinics network was offering FGM/C procedures to girls between ages five and 12, which the Federal Service for Health Supervision (Roszdravnadzor) later confirmed. The Best Clinics case was referred to the Investigative Committee in February.

Other Harmful Traditional Practices: Human rights groups reported that "honor killings" of women persisted in Chechnya, Dagestan, and elsewhere in the North Caucasus but were rarely reported or acknowledged. Local police, doctors, and lawyers often collaborated with the families involved to cover up the crimes. A December 2018 study by human rights defenders, the first ever conducted, found 39 cases of honor killings (36 women, three men) between 2008 and 2017 in the North Caucasus region but estimated that the real number could be much higher.

In some parts of the North Caucasus, women continued to face bride kidnapping, polygamy, forced marriage (including child marriage), legal discrimination, and forced adherence to Islamic dress codes.

Sexual Harassment: The law contains a general provision against compelling a person to perform actions of a sexual character by means of blackmail, threats, or by taking advantage of the victim's economic or other dependence on the perpetrator. There is

no legal definition of harassment, however, and no comprehensive guidelines on how it should be addressed. Sexual harassment was reportedly widespread, but courts often rejected victims' claims due to lack of sufficient evidence.

On September 27, the Main Directorate of the Ministry of Internal Affairs for Moscow opened an investigation into a Moscow police station after two female employees complained of sexual harassment by one of its directors. Both stated that he pressured them into intimate relationships and threatened them with career repercussions when they did not comply. One victim told journalists that when she reported the incidents to the station's management, they told her to keep quiet and ignore them.

Coercion in Population Control: There were reports of coerced abortion or involuntary sterilization. Multiple media outlets during the year, including the Dozhd television channel on October 4 and the *Izvestiya* newspaper on November 7, published articles containing allegations that female residents of long-term psychiatric care facilities have been involuntarily sterilized or subjected to forced abortions. Data about the extent of the practice were not available. On April 30, a psychologist who worked with persons with disabilities in state care facilities published an account of at least two young women who were recently forced to have abortions at psychoneurological dispensary #30 in the Moscow region.

Discrimination: The constitution and law provide that men and women enjoy the same legal status and rights, but women often encountered significant restrictions, including prohibitions on their employment in 456 jobs. Although the government promised to open most of these jobs to women by 2021, the approximately 100 jobs that the Ministry of Labor has ruled especially physically taxing, including firefighting, mining, and steam boiler repair, would remain off limits.

Children

Birth Registration: By law citizenship derives from parents at birth or from birth within the country's territory if the parents are unknown or if the child cannot claim the parents' citizenship. Failure to register a birth resulted in the denial of public services.

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

Child Abuse: The country does not have a law on child abuse but the law outlaws murder, battery, and rape. The penalties for such crimes range from five to 15 years in prison and, if they result in the death of a minor, up to 20 years in prison. A 2017 law that makes beatings by "close relatives" an administrative rather than a criminal offense for first-time offenders, provided the beating does not cause serious harm requiring hospital treatment, applies to children as well. Some Duma deputies claimed that children need discipline and authority in the family, condoning beating as a mode of discipline.

Studies indicated that violence against children was fairly common. According to a report published in April by the National Institute for Child Protection, one in four parents admitted to having beaten their children at least once with a belt. For example, on July 6, seven-year-old "Aisha" (not her real name) was taken to a hospital near her home in Ingushetia. She had countless bruises, bites, and burns all over her body; it turned out that her aunt, who had been her guardian for six months, had been abusing her. Aisha had to have extensive surgery to save her severely damaged arm. Her aunt was detained under the suspicion of causing grievous bodily harm to a minor.

Early and Forced Marriage: The minimum legal age for marriage is 18 for both men and women. Local authorities may authorize marriage from age 16 under certain circumstances. More than a dozen regions allow marriage from age 14 under special circumstances, such as pregnancy or the birth of a child.

Sexual Exploitation of Children: The age of consent is 16. The law prohibits the commercial sexual exploitation, sale, offering, or procuring for prostitution, and practices related to child pornography. Authorities generally enforced the law. For example, on September 25, authorities arrested an Orthodox priest, Nikolay Stremskiy, who had adopted 70 children and charged him with sexual assault and debauchery. He was alleged to have sexually abused seven of the minors in his care. As of December Stremskiy remained in pretrial detention.

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

Institutionalized Children: There were reports of neglect as well as physical, sexual, and psychological abuse in state institutions for children. Children with disabilities were especially vulnerable. For example, on October 1, media reported on the death of a 15-year-old girl from a home for children with mental disabilities in Sakhalin. A nurse admitted leaving her alone in a bathtub after turning on the hot water; the girl was scalded and later died at the hospital. Authorities opened an investigation into the nurse's actions, and Sakhalin governor Valery Limarenko ordered an internal review of the institution.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html (https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html).

Anti-Semitism

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

While anti-Semitism is not widespread, media reported several cases during the year. For example, on Passover eve on April 18, unidentified perpetrators drew a swastika on and set fire to the country's largest yeshiva, located in the Moscow region. No one was injured, but a storehouse burned down.

In late August a group of Krasnodar residents entered a synagogue and interrogated a rabbi for an hour, accusing him of spreading alien religious practices. The group's leader later announced that she would commence "partisan actions" against a Jewish community center.

Although leading experts in the Jewish community noted that anti-Semitism had decreased in recent years, some political and religious figures made anti-Semitic remarks publicly. On a visit to Jordan in August, Chechen Republic head Kadyrov allegedly told a group of ethnic Chechens that Jews were "the main enemy of Islam." The month prior he allegedly told a group of Chechen police that Israel was a "terrorist organization."

On April 24, the acting mayor of Lipetsk, Yevgeniy Uvarkin, answered a question at a public hearing from a local resident seeking to halt local stadium construction by wondering aloud whether the resident had a "Jewish last name." He apologized for the remark the next day.

On May 6, presidential advisor Sergey Glazyev wrote an op-ed article in which he speculated that Ukrainian president Zelensky, along with the president of the United States and "far-right forces in Israel," would seek to replace "Russians" in eastern Ukraine with "the inhabitants of the Promised Land tired of the permanent war in the Middle East." On May 7, Glazyev asserted that his words were being misinterpreted.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/ (https://www.state.gov/trafficking-in-persons-report/).

Persons with Disabilities

The law provides protection for persons with physical, sensory, intellectual, and mental disabilities, including access to education, employment, health services, information, communications, buildings, transportation, the judicial system, and other state services. The government often did not enforce these provisions effectively.

The conditions of guardianship imposed by courts on persons with mental disabilities deprived them of almost all personal rights. Activists reported that courts declared tens of thousands of individuals "legally incompetent" due to mental disabilities, forcing

them to go through guardians to exercise their legal rights, even when they could make decisions for themselves. Courts rarely restored legal capacity to individuals with disabilities. By law individuals with mental disabilities were at times prevented from marrying without a guardian’s consent.

In many cases persons with mental or physical disabilities were confined to institutions, where they were often subjected to abuse and neglect. A June report by Nyuta Federmesser, the head of the Moscow Multidisciplinary Center for Palliative Care, compared these facilities to “gulags,” where many residents spend significant time in restraints and are denied medical care, nutrition, or stimulating environments.

Federal law requires that buildings be accessible to persons with disabilities. While there were improvements, especially in large cities such as Moscow and St. Petersburg, authorities did not effectively enforce the law in many areas of public transportation and in buildings. Many individuals in wheelchairs reported they continued to have trouble accessing public transportation and had to rely on private cars.

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

The government began to implement inclusive education, but many children with disabilities continued not to study in mainstream schools due to a lack of accommodations to facilitate their individual learning needs. Many schools did not have the physical infrastructure or adequately trained staff to meet the needs of children with disabilities, leaving them no choice but to stay at home or attend specialized schools. For example, according to a local organization of persons with disabilities, a kindergarten in the Leningrad region refused to admit Nikita Malyshev, a child with a disability, instead directing him to a specialized school more than 30 miles from his home. His mother filed a claim against the school, and on February 12, the Supreme Court ruled that the local administration must propose a reasonable alternative that is physically close and takes the family’s needs into account if the neighborhood school cannot accommodate the child. Activists praised the ruling but questioned how municipalities intended to implement it.

While the law mandates inclusive education for children with disabilities, authorities generally segregated them from mainstream society through a system that institutionalized them through adulthood. Graduates of such institutions often lacked the social, educational, and vocational skills to function in society.

There appeared to be no clear standardized formal legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities by category of disability often followed them through their lives. The official designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at age three, signified that authorities considered a child uneducable. These designations were almost always

irrevocable. The designation "weak" (having a slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

National/Racial/Ethnic Minorities

The law prohibits discrimination based on nationality, but according to a 2017 report by the UN Committee on the Elimination of Racial Discrimination, officials discriminated against minorities, including through "de facto racial profiling, targeting in particular migrants and persons from Central Asia and the Caucasus." Activists reported that police officers often stopped individuals who looked foreign and asked them for their documents, claiming that they contained mistakes even when they were in order, and demanded bribes. On July 23, human rights activist Aleksandr Kim, a Russian citizen of Korean descent, filmed police as they stopped migrants in an underpass to check documents. One officer asked for Kim's documents, admitting on camera that it was because he looked Asian. Kim was ultimately fined 1,000 rubles ($16) for disobeying police orders.

Hate crimes targeting ethnic minorities continued to be a problem, although the NGO SOVA Center reported that the number of such crimes declined thanks to authorities' effectively targeting groups that promoted racist violence. As of December 2, six individuals had died and at least 33 had been injured in racially motivated attacks since the beginning of the year. One victim was an Uzbek migrant stabbed in St. Petersburg on September 16. Law enforcement bodies detained two young men from Moscow with ties to nationalist movements as the main suspects in what they have classified as a hate crime.

According to a 2017 report by the human rights group Antidiscrimination Center (ADC) Memorial, Roma faced widespread discrimination in access to resources (including water, gas, and electrical services); demolitions of houses and forced evictions, including of children, often in winter; violation of the right to education (segregation of Romani children in low-quality schools); and other forms of structural discrimination.

On June 17, a local official from the village of Chemodanovka in the Penza region admitted that authorities forcibly relocated approximately 900 Roma to the Volgograd region after a mass brawl erupted along ethnic lines on June 13, leaving one person dead and another in a coma. He subsequently retracted the comment and stated that the Roma had left the village voluntarily. On June 15, local residents burned the homes of Roma in the neighboring village of Lopatki.

Indigenous People

The constitution and various statutes provide support for members of "small-numbered" indigenous groups of the North, Siberia, and the Far East, permitting them to create self-governing bodies and allowing them to seek compensation if economic development threatens their lands. The government granted the status of "indigenous" and its associated benefits only to those ethnic groups numbering fewer than 50,000 and maintaining their traditional way of life. A 2017 report by ADC Memorial noted the

major challenges facing indigenous persons included "seizure of territories where these minorities traditionally live and maintain their households by mining and oil and gas companies; removal of self-government bodies of indigenous peoples; and repression of activists and employees of social organizations, including the fabrication of criminal cases."

Indigenous sources reported state-sponsored harassment, including interrogations by security services, as well as employment discrimination (see section 7.d.). Such treatment was especially acute in areas where corporations wanted to exploit natural resources. By law indigenous groups have exclusive rights to their indigenous lands, but the land itself and its natural resources belong to the state. Companies are required to pay compensation to local inhabitants, but activists asserted that local authorities rarely enforced this provision. Activists stated that there was a constant conflict of interest between corporations and indigenous persons.

On November 7, a Moscow court ordered the closure of the Center for Support of Indigenous People of the North, a nearly 20-year-old indigenous advocacy group that was at the forefront of representing indigenous legal, economic, and environmental rights. The court cited incomplete paperwork as the reason for its closure, but activists called it an excuse to silence the indigenous voice that was critical of corporations and authorities.

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

The law criminalizes the distribution of "propaganda" of "nontraditional sexual relations" to minors and effectively limits the rights of free expression and assembly for citizens who wish to advocate publicly for rights or express the opinion that homosexuality is normal. Examples of what the government considered LGBTI propaganda included materials that "directly or indirectly approve of persons who are in nontraditional sexual relationships" (see section 2.a.). The law does not prohibit discrimination against LGBTI persons in housing or employment or in access to government services, such as health care.

During the year there were reports of state actors' committing violence against LGBTI individuals based on their sexual orientation or gender identity, particularly in the Republic of Chechnya (see sections 1.a. and 1.c.).

There were reports government agents attacked, harassed, and threatened LGBTI activists. For example, on June 17, an LGBTI activist from Novocherkassk told media outlets that an officer from the Ministry of Internal Affairs' Center for Combating Extremism had surveilled and harassed him in early June and then attacked him on June 14. Doctors diagnosed him with a closed head injury and concussion. When he went to file a police report, the officers allegedly laughed and joked about his situation.

Openly gay men were particular targets of societal violence, and police often failed to respond adequately to such incidents. For example, according to the Russian LGBT Network, in July police refused to reopen a criminal case into the 2017 beating of

Volgograd teenager, Vlad Pogorelov, because they did not see "hatred and enmity" as the assailants' motive. Instead, they fined each of the attackers 5,000 rubles ($78). In June 2018 Pogorelov had filed a complaint with the local prosecutor's office against the local police decision to close a criminal investigation into the 2017 attack. Pogorelov, then 17 years old, was lured into a meeting by homophobic persons posing as gay youth on a dating website. They beat and robbed Pogorelov, who filed a police report. Police opened a criminal investigation into the attack but closed it within a month, citing the "low significance" of the attack and informing Pogorelov that police were unable to protect LGBTI persons. According to the Russian LGBT Network, the case was emblematic of authorities' unwillingness to investigate adequately or consider homophobia as a motive in attacks on LGBTI persons.

There were reports that authorities failed to respond when credible threats of violence were made against LGBTI persons. For example, authorities failed to investigate the appearance of a website in spring 2018 called the Homophobic Game "Saw," which called for acts of violence against specific LGBTI persons and human rights defenders. While the site was blocked several times by Roskomnadzor, it would periodically reappear under a new domain name. After the July 23 killing of LGBTI activist Yelena Grigoryeva, whose name appeared on the "Saw" list, the site was blocked again. Although police arrested a suspect on August 1 who apparently confessed to the crime, authorities gave no indication of his motive, and human rights defenders believed that investigators were pursuing the theory that the killing was unrelated to Grigoryeva's activism for the rights of LGBTI persons. On August 4, the Ministry of Internal Affairs informed individuals who had filed a complaint about the "Saw" site that, since the site was blocked and inaccessible, they were unable to investigate its contents. On August 14, the FSB informed the individuals who filed the complaint about the site that they had examined it and found no evidence of a crime.

In April 2018 the Russian LGBT Network released a report that documented 104 incidents of physical violence, including 11 killings, towards LGBTI persons in 2016-17. The report noted the continuing trend of groups and individuals luring gay men on fake dates to beat, humiliate, and rob them. The report noted that police often claimed to have found no evidence of a crime or refused to recognize attacks on LGBTI persons as hate crimes, which impeded investigations and perpetrators' being fully held to account. During investigations of attacks, LGBTI persons risked being outed by police to their families and colleagues. LGBTI persons often declined to report attacks against them due to fears police would mistreat them or publicize their sexual orientation or gender identity.

There were reports that police conducted involuntary physical exams of transgender or intersex persons. For example, according to press reports, on May 1, police in Makhachkala, Dagestan, arrested Olga Moskvitina, who is intersex, at a protest. When police discovered that she was marked as male in her passport, she was forced to strip to the waist so that officers could examine her and was questioned about her genitals. She was reportedly humiliated and threatened by the officers. On May 1, her personal identifying information was published on social networks along with threats against her,

which Moskvitina believed was done by or with the support of local police. On May 5, Moskvitina's landlord was reportedly visited by plainclothes officers, who pressured him to evict her from her apartment, which he did.

The Association of Russian Speaking Intersex reported that medical specialists often pressured intersex persons (or their parents, if they were underage) into having so-called normalization surgery without providing accurate information about the procedure or what being intersex means.

The law prohibiting the "propaganda of nontraditional sexual orientations" restricted freedom of expression, association, and peaceful assembly for LGBTI persons and their supporters (see sections 2.a. and 2.b.). LGBTI persons reported significant societal stigma and discrimination, which some attributed to official promotion of intolerance and homophobia.

High levels of employment discrimination against LGBTI persons reportedly persisted (see section 7.d.) Activists asserted that the majority of LGBTI persons hid their sexual orientation or gender identity due to fear of losing their jobs or homes as well as the risk of violence.

LGBTI students, as well as those suspected of being LGBTI persons, also reported discrimination at schools and universities. Roman Krasnov, a vice rector at the Ural State University of Economics in Yekaterinburg, admitted that the institution monitored the social media accounts of its students in order to ensure that they showed proper "moral character," which students claimed was monitoring targeted at LGBTI individuals. A student who wished to remain anonymous told media outlets in September that Krasnov threatened him with expulsion after his social media accounts showed that he might identify as LGBTI because he was sympathetic to LGBTI matters.

Medical practitioners reportedly continued to limit or deny LGBTI persons health services due to intolerance and prejudice. The Russian LGBT Network's report indicated that, upon disclosing their sexual orientation or gender identity, LGBTI individuals often encountered strong negative reactions and the presumption they were mentally ill.

Transgender persons faced difficulty updating their names and gender markers on government documents to reflect their gender identity because the government had not established standard procedures, and many civil registry offices denied their requests. When documents failed to reflect their gender identity, transgender persons often faced harassment by law enforcement officers and discrimination in accessing health care, education, housing, transportation, and employment.

There were reports that LGBTI persons faced discrimination in the area of parental rights. The law does not allow for same-sex couples to adopt children together, only as individuals. The Russian LGBT Network reported that LGBTI parents often feared that the country's prohibition on the "propaganda of nontraditional sexual orientation" to minors would be used to remove custody of their children. For example, Andrey Vaganov and Yevgeniy Yerofeyev fled the country in August after the Investigative Committee announced that it had opened a criminal negligence case against the

officials who had allowed the adoption of their two sons. Although the couple had married in Denmark in 2016, only Vaganov had a legal relationship to the children. A statement on the Investigative Committee's website accused the men of "promoting nontraditional relationships, giving the children distorted perceptions about family values and harming their health and their moral and spiritual development." The state learned that the children were living with two fathers after a doctor treating one of the children reported it to police. The couple told media outlets they had no choice but to leave the country in view of the probability that their children would be removed from their home.

HIV and AIDS Social Stigma

Persons with HIV/AIDS faced significant legal discrimination, growing informal stigma-based barriers, and employment discrimination (see section 7.d.). They also continued to face barriers to adopting children in many cases.

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

Prisoners with HIV/AIDS experienced regular abuse and denial of medical treatment and had fewer opportunities for visits with their children.

Children with HIV faced discrimination in education. For example, on April 10, a woman in the small village of Iskitim, in the Novosibirsk region, reported that local authorities refused to register her adopted six-year-old son for school because the child was HIV-positive. Staff at a local clinic had reportedly violated doctor-patient confidentiality rules and were warning other village residents about her child's diagnosis. The family received threats demanding that they leave the village. On April 18, the local Investigative Committee opened an investigation into the violation of the child's privacy.

Until June 2018 when the Constitutional Court deemed the practice unconstitutional, HIV-positive parents were prohibited from adopting a child. On May 3, President Putin signed a law that allowed persons with HIV to adopt children already living with them. Several lawsuits preceded this legislation, most notably one filed by an HIV-positive woman in Balashikha. Because she was unable to have children, her sister decided to carry her husband's child through artificial insemination, giving birth in 2015. The woman planned to adopt the child, but her HIV-positive status precluded her from doing so. She filed a lawsuit and won in February, after which she was allowed to adopt the child.

The Ministry of Justice continued to designate HIV-related NGOs as foreign agents, effectively reducing the number of organizations that may serve the community (see section 2.b., Freedom of Association).

Other Societal Violence or Discrimination

The lack of an internal passport often prevented homeless citizens from fully securing their legal rights and social services. Homeless persons faced barriers to obtaining legal documentation as well as medical insurance, without which clinics refused to treat them. Media outlets reported that Moscow authorities relocated a number of homeless shelters from central areas to the city's outskirts prior to the World Cup in 2018 and have not returned them to the original locations, although they were where the majority of homeless citizens resided.

Promotion of Acts of Discrimination

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

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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

The law prohibits strikes in the military and emergency response services. It also prohibits strikes in essential public-service sectors, including utilities and transportation, and strikes that would threaten the country's defense, safety, and the life and health of

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

Laws regulating workers' strikes remained extremely restrictive, making it difficult to declare a strike but easy for authorities to rule a strike illegal and punish the workers. It was also very difficult for those without a labor contract to go on a legal strike. For example, in October 2018, 99 gold miners in Kamchatka walked off their jobs at Zoloto Kamchatki to protest their poor working conditions and low pay. According to media reports, the governor urged the miners not to speak to journalists, while other miners reported threats from police. After a few weeks, the company agreed to raise salaries but fired 54 of the 99 strikers. The company also initiated a lawsuit to declare the strike illegal. The Federation of Independent Trade Unions of Russia noted that they were unable to do anything since the miners were not unionized.

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

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

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

For example, in March and April, the medical workers' union in Anzhero-Sudzhensk led a series of strikes, including a hunger strike by nurses, to protest layoffs and staff transfers. Authorities publicly criticized the striking personnel, with Kemerovo governor Sergey Tsiliyev accusing them of "discrediting the honor of the region." After the first picket on March 11, police ordered the interrogation of all participants. On April 11, the city's mayor demanded that nurses give up their union membership.

b. Prohibition of Forced or Compulsory Labor

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

The government was generally effective in enforcing laws against forced labor, but gaps remained in protecting migrant laborers, particularly from North Korea who generally earned 40 percent less than the average salary. Migrant forced labor occurred in the construction and service industries, logging industry (timber), textile shops, brick making, and the agricultural sector (see section 7.c.). Migrant workers at times experienced exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, nonpayment for services rendered, physical abuse, and extremely poor living conditions.

Under a state-to-state agreement in effect since 2009, North Korean citizens worked in the country in a variety of sectors, including the logging and construction industries in the Far East. In order to comply with the 2017 UN international sanctions prohibiting the employment of North Koreans, the country reduced the number of North Korean laborers who work in the country legally. According to the Foreign Ministry, as of September approximately 4,000 North Koreans were employed in the country legally, a significant drop from 40,000 in 2017. Although the government announced that it intended to return all North Korean workers to their country by December 22, a significant number of North Korean nationals continued to travel to and reside in Russia under student and tourist visas, especially in the Far East.

Authorities failed to screen departing North Korean workers for human trafficking and indications of forced labor.

There were reports of forced labor in the production of bricks and sawmills, primarily in Dagestan. Both men and women were exploited for forced labor in these industries in the Northern Caucasus region; however, victims were primarily male job seekers recruited in Moscow. Media outlet *Coda* also reported on forced labor in illegal sheep farms in the Stavropol region.

Also see the Department of State's *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/ (https://www.state.gov/trafficking-in-persons-report/) and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods (https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods).

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children younger than age 16 in most cases and regulates the working conditions of children younger than 18. The law permits children to work at age 14 under certain conditions and with the approval of a parent or guardian. Such work must not threaten the child's health or welfare. The law lists

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

Child labor was uncommon, but it could occur in the informal service, construction, and retail sectors. Some children, both Russian and foreign, were subjected to commercial sexual exploitation and forced participation in the production of pornography (see section 6, Children).

Also, see the Department of Labor's *Findings on the Worst Forms of Child Labor* at https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings (https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/), and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods (https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods).

d. Discrimination with Respect to Employment and Occupation

The law does not prohibit discrimination based on sexual orientation, HIV status, gender identity, or disability. Although the country placed a general ban on discrimination, the government did not effectively enforce the law.

Discrimination based on gender in compensation, professional training, hiring, and dismissal was common. Employers often preferred to hire men to save on maternity and child-care costs and to avoid the perceived unreliability associated with women with small children. Such discrimination was often very difficult to prove.

The law prohibits employer discrimination in posting job vacancy information. It also prohibits employers from requesting workers with specific gender, race, nationality, address registration, age, and other factors unrelated to personal skills and competencies. Notwithstanding the law, vacancy announcements sometimes specified gender and age requirements, and some also specified a desired physical appearance.

According to the Center for Social and Labor Rights, courts often ruled in favor of employees filing complaints, but the sums awarded were often seen as not worth the cost and time to take a legal action. In an uncommon case, on September 9, an entrepreneur who refused to hire a 49-year-old woman in Volgograd because of her age was fined up to 100,000 rubles ($1,570). The court ruled that the entrepreneur represented a legal entity, instead of an individual, which stipulated the relatively large fine.

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

The law includes hundreds of tasks prohibited for women and includes restrictions on women's employment in mining, manufacturing, and construction. Women were banned from 456 jobs during the year. According to the Ministry of Labor, women on average earned 28.3 percent less than men in 2017.

The law requires applicants to undergo mandatory medical screenings when entering into a labor agreement or when enrolling at educational institutions. The medical commission may restrict or prohibit access to jobs and secondary or higher education if it finds signs of physical or mental problems. Persons with disabilities were subjected to employment discrimination. Companies with 35 to 100 employees have an employment quota of 1 to 3 percent for persons with disabilities, while those with more than 100 employees have a 2 to 4 percent quota. An NGO noted that some companies kept persons with disabilities on the payroll in order to fulfill the quotas but did not actually provide employment for them. Inadequate workplace access for persons with disabilities also limited their work opportunities.

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

Employment discrimination based on sexual orientation and gender identity was a problem, especially in the public sector and education. Employers fired LGBTI persons for their sexual orientation, gender identity, or public activism in support of LGBTI rights. Primary and secondary school teachers were often the targets of such pressure due to the law on "propaganda of nontraditional sexual orientation" targeted at minors (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity). On April 9, a St. Petersburg court ruled that a printing house illegally fired Anna Grigoryeva, a transgender woman who had worked there for years as a man. This was the first time that a court ruled in favor of a person fired for their transgender identity.

Persons with HIV/AIDS were prohibited from working in some areas of medical research and medicine. For example, the Ministry of Transport prohibited HIV-positive persons from working as aviation dispatchers until the Supreme Court lifted the ban on September 10.

In September 2018 as part of broader pension reform, amendments to criminal law were adopted to establish criminal liability for employers who dismiss workers due to approaching pension age.

e. Acceptable Conditions of Work

The monthly minimum wage increased to the official "subsistence" level on January 1. Some local governments enacted minimum wage rates higher than the national rate.

Nonpayment of wages is a criminal offense and is punishable by fines, compulsory labor, or imprisonment. Federal law provides for administrative fines of employers who fail to pay salaries and sets progressive compensation scales for workers affected by

wage arrears. The government did not effectively enforce the law, and nonpayment or late payment of wages remained widespread. According to Rosstat, as of September 1, wage arrears amounted to approximately 2.6 billion rubles ($40.8 million). As of September 17, the State Unitary Enterprise Chuvashavtotrans had a debt of 39.8 million rubles ($625,000) for 707 employees, one of the largest wage arrears for a single organization.

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

The law stipulates that payment for overtime must be at least 150 percent for the first two hours and not less than 200 percent after that. At an employee's request, overtime may be compensated by additional holiday leave. Overtime work may not exceed four hours in a two-day period or 120 hours in a year for each employee.

The law establishes minimum conditions for workplace safety and worker health, but it does not explicitly allow workers to remove themselves from hazardous workplaces without threat to their employment. The law entitles foreigners working to the same rights and protections as citizens.

Occupational safety and health standards were appropriate within the main industries. Government inspectors are responsible for enforcement and generally applied the law in the formal sector. Serious breaches of occupational safety and health provisions are criminal offenses. Experts generally pointed to prevention of these offenses, rather than adequacy of available punishment, as the main challenge to protection of worker rights. The number of labor inspectors was insufficient to enforce the law in all sectors. RosTrud, the agency that enforces the provisions, noted that state labor inspectors needed additional professional training and additional inspectors to enforce consistent compliance.

At the end of 2018, an estimated 14 million persons were informally employed. Employment in the informal sector was concentrated in the southern regions. The largest share of laborers in the informal economy was concentrated in the trade, construction, and agricultural sectors, where workers were more vulnerable to exploitative working conditions. Labor migrants worked in low-quality jobs in construction but also in housing, utilities, agriculture, and retail trade sectors, often informally. Labor law and protections apply to workers in the informal sector.

No national-level information was available on the number of workplace accidents or fatalities during the year. According to Rosstat, in 2018 approximately 25,400 workers were injured in industrial accidents, including 1,140 deaths.

---

ecoi.net summary:

Annual report on human rights in 2019

Country:
Russian Federation

Source:
USDOS – US Department of State (/en/source/11558.html)

Original link:
https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/russia/ (https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/russia/)

Document type:
Periodical Report

Language:
English

Published:
11 March 2020

Document ID:
2026343

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

Wiedner Hauptstraße 32, 1041 Wien
T (Telefon) +43 1 589 00 583
F (Fax) +43 1 589 00 589
info@ecoi.net

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