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Freedom in the World 2009 - Russia

Capital: Moscow

Population: 141,900,000

Political Rights Score: 6

Civil Liberties Score: 5

Status: Not Free

Explanatory Note

The numerical ratings and status listed above do not reflect conditions in Chechnya, which is examined in a separate report.

Trend Arrow ↓

Russia received a downward trend arrow due to a presidential election that was neither free nor fair.

Overview

Outgoing president Vladimir Putin manipulated the 2008 presidential election to install a designated successor – Dmitry Medvedev – and retain real power for himself as the new prime minister. The arrangement effectively subordinated constitutional structures to informal relationships, and the ostensibly new administration continued to implement Putin's authoritarian restrictions on media coverage and the activities of nongovernmental organizations, particularly those with foreign funding. For the first time since 1993, Russia amended its constitution to extend the presidential term from four to six years, strengthening the power of the executive. Medvedev complained about the country's "legal nihilism" but offered no realistic policies to improve judicial independence. He enacted new legislation designed to cut the corrupt ties between the state and business activity, introducing the concept of conflict of interest into Russian law. However, critics argued that the reforms will have little effect.

With the collapse of the Soviet Union in December 1991, the Russian Federation emerged as an independent state under the leadership of President Boris Yeltsin. In 1993, Yeltsin used tanks to thwart an attempted coup by opponents of radical reform in the parliament, after which voters approved a new constitution establishing a powerful presidency and a bicameral national legislature, the Federal Assembly. The December 1995 parliamentary elections, in which 43 parties competed, saw strong support for Communists and ultranationalist forces. Nevertheless, in the 1996 presidential poll,

Yeltsin defeated Communist leader Gennady Zyuganov with the financial backing of powerful business magnates, who used the media empires they controlled to ensure victory. The August 1998 collapse of the ruble and Russia's financial markets provided a traumatic but ultimately useful corrective to the Russian economy, ushering in years of rapid growth. In 1999, Yeltsin appointed Vladimir Putin, then the head of the Federal Security Service (FSB), as prime minister.

Conflict with the separatist republic of Chechnya, which had included a brutal two-year war from 1994 to 1996, resumed in 1999. After a Chechen rebel-led incursion into the neighboring Russian republic of Dagestan in August 1999 and a series of deadly apartment bombings in Russian cities that the Kremlin blamed on Chechen militants the same year, the central government responded with a second military attack on the breakaway region. The second Chechen war dramatically increased Putin's popularity, and after the December 1999 elections to the State Duma, the lower house of the Federal Assembly, progovernment forces were able to form a majority coalition.

An ailing and unpopular Yeltsin – who was constitutionally barred from a third presidential term – resigned on December 31, 1999, transferring power to his handpicked successor, Putin. The new acting president subsequently secured a 53 percent to 29 percent first-round victory over Zyuganov in the March 2000 presidential election. After taking office, Putin moved quickly to consolidate his power, reducing the influence of the legislature, eliminating elections for regional leaders, taming the business community and the news media, and strengthening the FSB. He considerably altered the composition of the ruling elite through an increased influx of personnel from the security and military services. Overall, Putin garnered enormous personal popularity by overseeing a gradual increase in the standard of living for most of the population resulting from rising energy prices and economic reforms that followed the 1998 ruble collapse.

The December 2003 Duma elections were marred by extensive bias in media coverage. The Kremlin-controlled United Russia party captured 306 of the Duma's 450 seats. With the national broadcast media and most print outlets favorable to the incumbent, no opponent was able to mount a significant challenge in the March 2004 presidential election. Putin, who refused to debate the other candidates, received 71.4 percent of the vote in a first-round victory, compared with 13.7 percent for his closest rival, Communist Nikolai Kharitonov.

Putin's second term featured an increase in state power over civil society, with little progress on overall administrative and military reform. In September 2004, Putin introduced legislative changes that eliminated direct gubernatorial elections in favor of presidential appointments; the move was justified by the ineffectiveness of the leadership of the North Ossetia region during a hostage-taking crisis at a school in the town of Beslan, in which hundreds, mostly children, were killed. The government also began a crackdown on democracy-promotion groups and other nongovernmental organizations (NGOs) inside Russia, especially those receiving foreign funding. Although the police raided the office of a few small groups, the main thrust of the campaign was to chill the overall atmosphere for independent activity. The authorities removed another possible threat in 2005, when a court sentenced billionaire energy magnate Mikhail Khodorkovsky, founder of the oil firm Yukos, to eight years in prison for fraud and tax evasion. A parallel tax case against Yukos itself led to the transfer of most of its assets to the state-owned Rosneft. Although an oligarch with a checkered past, Khodorkovsky had transformed his company into one of the most transparent in Russia and was using his wealth to bankroll opposition political activities.

Putin in early 2006 signed a new law that handed bureaucrats wide discretion in registering NGOs and imposed extensive reporting requirements on the groups. The legislation made it easier for the authorities to shut down NGOs that were critical of official policy. In another sign that safe avenues for dissent were disappearing, an assassin murdered investigative journalist Anna Politkovskaya in October of that year. She had frequently criticized the Kremlin's brutal military campaign in Chechnya and the excesses of Russian troops in the region.

The heavily manipulated December 2007 parliamentary elections gave a solid majority to progovernment parties. The ruling United Russia party captured 315 of the 450 Duma seats. Two other parties that generally support the Kremlin, Just Russia and the nationalist Liberal Democratic Party, took 38 and 40 seats, respectively. The opposition Communists won 57 seats in the effectively toothless legislature.

Putin's handpicked successor, then first deputy prime minister Dmitry Medvedev, won the March 2008 presidential election with 70.3 percent of the vote and nearly 70 percent voter turnout. As with the 2007 parliamentary elections, the Organization for Security and Cooperation in Europe (OSCE) refused to monitor the voting due to government constraints on the number of monitors and the amount of time they could spend in the country. Medvedev immediately appointed Putin as his prime minister, and the former president continued to play the dominant role in government. In November and December, the authorities hurriedly amended the constitution for the first time since it was adopted in 1993 to extend the presidential term from four to six years. The change is aimed at further strengthening the power of the executive branch.

Toward the end of the year, Russia was buffeted by the emerging global financial crisis that drove oil prices dramatically downward from the record highs reached during the summer and sparked an exodus of capital from the country. It remained unclear at year's end how the political system would cope with the new economic conditions, especially since the government could no longer deliver improving living standards.

Political Rights and Civil Liberties

Russia is not an electoral democracy. The December 2007 State Duma elections were carefully engineered by the administration, handing pro-Kremlin parties a supermajority in the lower house, which was powerless in practice. In the presidential election of March 2008, state dominance of the media was on full display, debate was absent, and incumbent Vladimir Putin was able to pass the office to his handpicked successor, Dmitry Medvedev.

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. However, the current political system no longer respects the constitutional arrangement, since Prime Minister Putin's personal authority eclipses that of the president, highlighting the authoritarian characteristics of the current Russian regime. The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the 166-seat Federation Council. Beginning with the December 2007 elections, all Duma seats were elected on the basis of party-list proportional representation. Parties must gain at least 7 percent of the vote to enter the Duma. Furthermore, parties cannot form electoral coalitions, and would-be parties must have at least 50,000 members and organizations in half of the federation's 83 administrative units to register. These changes, along with the tightly controlled media environment and government use of administrative resources, including the courts, make it extremely difficult for opposition parties to win representation in the Duma. The upper chamber is made up of members appointed by governors and regional legislatures. Although the governors were previously elected, a 2004 reform gave the president the power to appoint them, meaning he heavily influences the appointment of half of the members of the upper house. Following constitutional amendments in 2008, after the next round of elections, the president will serve a six-year term (limited to two consecutive terms). The members of the lower house will serve five-year terms. Before the changes, both president and parliament had served four-year terms.

Corruption in the government and business world is pervasive, and Medvedev signed into law a new package of reforms to address the problem at the end of 2008. The legislation for the first time defines the concepts of corruption and conflict of interest. It requires bureaucrats and their family members to declare their incomes, and prevents former bureaucrats from working for companies they did business with for two years. Critics argue that business and the state are too tightly intertwined, and Russia's system is too authoritarian, for the plan to be effective. Russia was ranked 147 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

Although the constitution provides for freedom of speech, the authorities continue to put pressure on the dwindling number of media outlets that are still critical of the Kremlin. Since 2003, the government has controlled, directly or through state-owned companies, all of the national television networks. Only a handful of radio stations and publications with limited audiences are able to include a wide range of viewpoints. Discussion on the internet is free, but government devotes extensive resources to manipulating the information and analysis available there. Sixteen journalists have been killed since Putin came to power, with only one case resolved. Two journalists were killed in 2008. Most prominently, Magomed Yevloyev, founder of the opposition website Ingushetiya.ru, died while he was in police custody, demonstrating the safety challenges faced by critics of the authorities and the difficulty of providing critical analyses in Russia's restive North Caucasus. The authorities have further limited free expression by passing vague laws on extremism that make it possible to crack down on any organization that lacks official support. In 2008, a Syktyvkar court gave a blogger a one-year suspended sentence for a post in which he called for setting fire to police officers in a public square.

Freedom of religion is respected unevenly. A 1997 law on religion gives the state extensive control and requires churches to prove that they have existed for at least 15 years before they are permitted to register. As registration is necessary for a religious group to conduct many of its activities, the operations of new and independent congregations are restricted. Orthodox Christianity has a privileged position in Russian society. Regional authorities continue to harass nontraditional groups, such as Jehovah's Witnesses and Mormons.

Academic freedom is generally respected, although the education system is marred by corruption and relatively low salaries for faculty. The government has introduced a standardized exam designed to reduce the room for abuse. The arrest and prosecution of scientists and researchers on charges of treason, usually for discussing sensitive technology with foreigners, has engendered a climate in some research institutes that is restrictive of international contacts. Additionally, the Kremlin has sought to emphasize the positive aspects of Stalin's leadership, while historians who examine his crimes have faced charges of being unpatriotic, casting a chill over objective efforts to examine the past.

The government has consistently reduced the space for freedom of assembly and association. Numerous crackdowns in recent years effectively discouraged protests. The authorities flew special police to Vladivostok in December to quell demonstrations against new customs fees imposed on imported cars popular in the Far East.

At the beginning of 2006, Putin signed a new law imposing onerous new reporting requirements on NGOs. The impact of the legislation was to give government bureaucrats extensive discretion in deciding which organizations could register and hamper activities in subject areas that the state deemed objectionable. The diverse NGO sector is composed of thousands of groups, some of them dependent on funding from foreign sources. The 2006 law places extensive controls on the use of these foreign funds, and in July 2008, Putin lifted the tax-exempt status of most Western foundations and NGOs, subjecting them to a 24 percent tax beginning in 2009. The state has sought to provide alternative sources of funding, including to a handful of organizations that are critical of government policy, but such support generally limits the scope of recipient groups' activities. On December 4, masked men from the General Procurator's office raided the Memorial office in St. Petersburg, confiscating the group's archives of information documenting Stalin-era crimes.

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests have occurred in prominent sectors, such as automobile manufacturing, but antiunion discrimination and reprisals for strikes are not uncommon, and employers often ignore collective bargaining rights. With the economy continuing to change rapidly after emerging from Soviet-era state controls, unions have been unable to establish a significant presence in much of the private sector. The largest labor federation works in close cooperation with the Kremlin.

The judiciary suffers from corruption, inadequate funding, and a lack of qualified personnel who can assure the courts' independence from the executive branch. After judicial reforms in 2002, the government has made progress in implementing due process and holding timely trials, though Medvedev complains that this progress is not adequate. The legislation also authorizes courts, rather than prosecutors, to issue arrest and search warrants. Judges presiding over political cases, including hate crime cases and cases from the North Caucasus region, remain subject to pressure from the authorities. Since January 2003, Russia's reformed criminal procedure code has allowed jury trials in most of the country. While juries are more likely than judges to find defendants not guilty, these verdicts are frequently overturned by a higher court, which can send a case back for retrial as many times as necessary to achieve the desired outcome. At the end of 2008, Russian law ended the use of jury trials for crimes of a "terrorist nature" because of the numerous past acquittals in these cases. Russian citizens often feel that domestic courts do not provide a fair hearing and have increasingly turned to the European Court of Human Rights.

Critics charge that Russia has failed to address ongoing criminal justice problems, such as poor prison conditions and law enforcement officials' widespread use of illegal detention and torture to extract confessions. In some cases, there has also been a return to the Soviet-era practices of punitive psychiatry. Parts of the country, such as the turbulent North Caucasus region, face high levels of violence. Although marginalized in Chechnya in recent years, underground rebel movements have appeared in surrounding Russian republics, including Ingushetia, Dagestan, and Kabardino-Balkaria.

Immigrants and ethnic minorities – particularly those who appear to be from the Caucasus or Central Asia – face governmental and societal discrimination and harassment. The government has relied increasingly on anti-Western, anti-Georgian, and anti-Ukrainian rhetoric to shore up its legitimacy. Local observers fear that racially-motivated violence is increasing. Racist and neo-Nazi attacks led to no fewer than 87 murders and 378 injuries in 2008, according to Sova, a group that tracks ultranationalist activity in the country.

The government places some restrictions on freedom of movement and residence. All adults are legally required to carry internal passports while traveling, documents that they also need to obtain many government services. Some regional authorities impose registration rules that limit the right of citizens to choose their place of residence. In the majority of cases, the targets are ethnic minorities and migrants from the Caucasus and Central Asia.

Property rights remain precarious. State takeovers of key industries, coupled with large tax liens on select companies, have reinforced perceptions that property rights are being eroded and that the rule of law is subordinated to political considerations. The government has forcibly changed the terms of Western oil and gas companies working in Russia.

Women in Russia have particular difficulty achieving political power. They hold none of the key positions in the federal government, and the female governor of St. Petersburg is the main exception at the regional level. Domestic violence continues to be a serious problem, and police are often reluctant to intervene in what they regard as internal family matters. Economic hardships contribute to widespread trafficking of women abroad for prostitution.

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