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RUSSIA 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Russian Federation has a highly centralized, authoritarian political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and an appointed upper house (Federation Council), both of which lack independence from the executive. The March 18 presidential election and the 2016 State Duma elections were marked by accusations of government interference and manipulation of the electoral process, including the exclusion of meaningful opposition candidates.

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 forces in eastern Ukraine. Credible observers attributed thousands of civilian deaths and injuries, as well as numerous abuses, to Russian-led forces in Ukraine's Donbas region (see the *Country Reports on Human Rights* for Ukraine). Authorities also conducted politically motivated arrests, detentions, and trials of Ukrainian citizens in Russia, many of whom claimed to have been tortured.

Human rights issues included extrajudicial killings, including of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in Chechnya by local government authorities; enforced disappearances by government authorities; pervasive torture by government law enforcement personnel that sometimes resulted in death and sometimes involved punitive psychiatric incarceration; harsh and life-threatening conditions in prisons; arbitrary or unjust 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; increasingly severe suppression of freedom of association, including overly restrictive laws on "foreign agents" and "undesirable foreign organizations;" severe restrictions on religious freedom; undue restrictions on freedom of movement of those charged with political offenses; credible reports

of refoulement; 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; trafficking in persons; government decriminalization of domestic abuse, which created an atmosphere of impunity for domestic violence against women; and crimes involving violence or threats of violence against 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 local authorities in the Republic of Chechnya had renewed a campaign of violence against individuals perceived to be members of the LGBTI community. Local Chechen authorities reportedly illegally detained and tortured at least 40 individuals, including two who reportedly died in custody from torture.

On May 15, Justice Minister Aleksandr Konovalov stated during the country's UN Universal Periodic Review that the government's "preliminary investigation" into the 2017 campaign of extrajudicial killings and mass torture of gay men in Chechnya by state agents had been closed after authorities had been unable to find evidence of any human rights violations or evidence of the existence of gay men in Chechnya. In 2017 the independent newspaper *Novaya Gazeta* had reported that, during an "antigay purge" that took place from late 2016 through March 2017, local Chechen security services kidnapped, held prisoner, and tortured more than 100 male residents in Chechnya based on their presumed sexual orientation, resulting in at least three deaths. An independent fact-finding mission launched in November by 16 member states of the Organization for Security and Cooperation in Europe (OSCE), as well as multiple independent human rights organizations, including Human Rights Watch (HRW), the Russia LGBT Network, and

Memorial, subsequently confirmed *Novaya Gazeta*'s allegations. According to the Russian LGBT Network, as of July 30, at least 125 LGBTI persons had fled Chechnya, the majority of whom had also left the country.

On August 22, a court in Stavropol denied for the fifth time an appeal brought by survivor Maksim Lapunov that sought to compel authorities to open an investigation into his allegations of torture and illegal detention by Chechen officials. Lapunov was the only survivor of the antigay purge in Chechnya willing to be publicly named and cooperate with investigative bodies.

There were multiple reports that, in some prison colonies, authorities systematically tortured inmates (see section 1.c.), which in some cases resulted in death. According to press reporting, on July 25, authorities charged prison guard Ivan Marshalko from prison IK-6 in the Bryansk region with murder and abuse of power after he allegedly intentionally asphyxiated an unnamed inmate on July 22. On September 24, Marshalko's pretrial detention was extended for two months.

Physical abuse and hazing, which in some cases resulted in death, continued to be a problem in the armed forces, but authorities took steps in some cases to hold those responsible to account. For example, on January 5, according to media reports, soldier Rustam Avazov committed suicide at an airbase in Perm after alleged continual physical and psychological hazing by fellow soldier Ramazan Magomedov. Magomedov was subsequently charged with driving Avazov to commit suicide, and his trial began in August. On October 1, the Perm Regional Military Prosecutor announced at least four officials had been discharged from duty or stripped of their commands following Avazov's death and that at least 11 others had been reprimanded. According to media reports, this was the third recent death of a conscript at the airbase.

In June media outlets citing confidential sources reported that authorities had reopened their investigation into the 2015 murder of opposition leader Boris Nemtsov and had been conducting new interviews with the five men convicted in 2017 for the killing. Authorities made no official announcement to confirm the report. Human rights activists and the Nemtsov family still believed that authorities were intentionally ignoring the question of who ordered and organized the killing and noted that these persons were still at large.

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 March 4, according to British authorities, agents of Russian military intelligence

spread the nerve agent Novichok on the front door of the home of former Russian military intelligence officer Sergei Skripal in Salisbury, England, in an apparent attempt to kill him. Skripal and his daughter Yulia Skripal were hospitalized in serious condition after coming in contact with the nerve agent, but both ultimately survived. On June 30, Salisbury residents Dawn Sturgess and Charlie Rowley were hospitalized after accidentally coming in contact with a bottle of Novichok that the assassins had discarded. Sturgess died from her exposure to the nerve agent on July 8.

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 Russian-led forces. Russian occupation authorities in Crimea also committed widespread abuses (see *Country Reports on Human Rights* 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 purposefully targeted civilian infrastructure (see *Country Reports on Human Rights* for Syria).

The news website *Caucasian Knot* reported that at least 50 deaths in the North Caucasus resulted from clashes with security forces in the region during the first half of the year. Dagestan was the most affected region in the first half of the year with 25 deaths, followed by Chechnya, where 15 persons were killed, and Ingushetia, where eight 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 2017 report of the UN Working Group on Enforced or Involuntary Disappearances, there were 808 outstanding cases of enforced or involuntary disappearances in the country. 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.).

On October 6, men who identified themselves as officers with the Ingushetia Center for Combatting Extremism abducted, beat, and subjected Amnesty International researcher Oleg Kozlovskiy to mock executions. Kozlovskiy was in

Ingushetia to monitor a series of peaceful protests against a new border agreement signed by the leaders of Ingushetia and Chechnya. According to Kozlovskiy, a man claiming to be a representative of the protest organizers lured him into a car. The man and several accomplices then beat him, drove him to a field, forced him to remove his clothes, beat him again (breaking his rib), photographed him naked, and twice subjected him to a mock execution. Afterward, they held a gun to his head, demanded information about his contacts, attempted to recruit him as an informant, and threatened to kill his wife and children if he reported the abduction. Amnesty International lodged a formal complaint with authorities.

On January 17, Chechen Republic head Kadyrov, suggested that Chechen singer Zelimkhan Bakayev, who had disappeared in August 2017 after allegedly being detained by Chechen police, may have been killed by family members due to his sexual orientation. This marked the first instance a government official suggested the singer may not be alive. Bakayev's family denied the allegations, and his whereabouts remained unknown at year's end.

There were continued reports of abductions related to apparent counterterrorism efforts in the North Caucasus. For example, according to Amnesty International, on September 1, several dozen armed men wearing Federal Security Service (FSB) and Ministry of Interior insignias came to the house where Azamat Bayduyev was staying in the Chechen village of Shalazhi and took him to an unknown location with no explanation. Chechen authorities denied detaining Bayduyev, a Chechen refugee who had been deported to the country from Poland on August 31 after he was suspected, but not charged, by Belgian authorities of involvement in planning a terrorist attack. His whereabouts were unknown.

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

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

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

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 multiple reports of the FSB using torture against young anarchist and antifascist activists who were allegedly involved in several “terrorism” and “extremism” cases. Multiple defendants, whom authorities alleged were planning terrorist attacks under the auspices of previously unknown supposed organizations called “the Network” and “New Greatness,” alleged they were subjected to torture to coerce confessions, including severe beatings and electric shocks.

In one of many cases with a similar pattern of allegations, on January 23, FSB officers detained software engineer and antifascist activist Viktor Filinkov at St. Petersburg airport, placed him in a minivan, and subjected him to electric shocks for more than five hours while attempting to force him to memorize a confession to planning a terrorist act. On January 25, the Dzerzhinskiy District Court in St. Petersburg authorized Filinkov’s pretrial detention for two months on charges of alleged involvement in a terrorist organization the FSB called “the Network,” which was allegedly comprised of young activists in St. Petersburg and Penza. After visiting him in detention, Filinkov’s lawyer and two members of the St. Petersburg Public Oversight Commission noted burns on his right thigh and chest and handcuff marks on both hands that were consistent with his allegations of torture by electric shock. On a later visit the Public Oversight Commission members noted that the Prison Service did not allow Filinkov to take prescribed medications with him to the St. Petersburg pretrial detention center. As of mid-November, Filinkov remained in pretrial detention.

In the North Caucasus region, there were widespread reports that security forces abused and tortured both alleged militants and civilians in detention facilities. (see section 1.a. for reports of torture against members of the LGBTI community in the Republic of Chechnya). For example, on January 16, the media outlet *Republic* published an article describing the mass arrest and torture of at least 70 suspected drug addicts in the Shali District of the Republic of Chechnya. One victim described how in August 2017 Chechen police tortured both him and his brother with electric shocks for a week to coerce confessions of drug possession.

Police and persons who appeared to be operating with the tacit approval of authorities conducted attacks on political and human rights activists, critics of government policies, and persons linked to the opposition (see sections 2.b. and 3).

Observers noted an emerging pattern of poisoning of government critics. For example, on September 11, Pyotr Verzilov, the 30-year-old manager of Pussy Riot and editor of the human rights-focused media outlet Mediazona, fell ill after attending a court hearing in Moscow and later suffered seizures and began losing his sight, speech, and mobility. On September 15, he was transported for treatment to Germany, where doctors stated that it was “highly likely” he had been poisoned by an undetermined substance. Press reports indicated that, on the day he was hospitalized, Verzilov was planning to receive a report from “foreign specialists” investigating the July killings of a team of independent Russian journalists who were investigating the activities of the Wagner Battalion, a private militia linked to the Russian government, in the Central African Republic.

Reports by refugees, NGOs, and the press suggested a pattern of police and prison personnel carrying out beatings, arrests, and extortion of persons whom they believed to be Roma, Central Asian, African, or of a Caucasus nationality.

There were multiple reports of authorities detaining defendants for psychiatric evaluations for 30 days or longer to exert pressure on them, or sending defendants for psychiatric treatment as punishment. Beginning July 19, new amendments to the administrative procedure code gave prosecutors the ability to request suspects be placed in psychiatric clinics on an involuntary basis; the law previously only allowed certified medical professionals to make this request, although human rights activists noted that in practice, prosecutors already had this ability.

For example, on August 31, a court in Barnaul ruled to send Andrey Shisherin to a psychiatric clinic for a one-month evaluation. Shisherin was facing blasphemy charges for posting memes on his social network account that ridiculed the patriarch of the Russian Orthodox Church. The court ignored independent psychiatric assessments attesting to Shisherin’s good mental health and sided with the prosecutor, who argued that psychiatric incarceration was required because Shisherin had behaved suspiciously by renouncing a confession he alleged he had previously given under duress.

Nonlethal physical abuse and hazing continued in the armed forces, although violations related to hazing in the military were fewer than in previous years. Activists reported hazing was often tied to extortion schemes.

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

Prison and Detention Center Conditions

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

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

The NGO Penal Reform International reported conditions were generally better in women's colonies than in those for men, but they remained substandard.

Physical abuse by prison guards was systemic. For example, on July 20, *Novaya Gazeta* published a YouTube video provided by the NGO Public Verdict that showed 17 prison guards from prison IK-1 in Yaroslavl Oblast appearing to torture prison inmate Yevgeniy Makarov in June 2017. At least 11 prison officials, including the deputy head of the prison and an investigator who had refused to act on prior complaints, were arrested for abusing Makarov and at least five other inmates. On July 24, Makarov's lawyer, Irina Biryukova, fled the country after receiving death threats, but she later returned. By the time the video was published, Makarov had been transferred to IK-8 in Yaroslavl Oblast, where he reported prison guards severely beat him on several occasions. On September 19, the Investigative Committee announced it had opened a criminal investigation into Makarov's beatings in IK-8. On October 1, Makarov was released from prison. The Makarov case sparked significant public outcry and led to the public reporting of many other similar cases of inmate torture from prisons across the country, including some instances resulting in the prosecution of prison personnel.

Prisoner-on-prisoner violence was also a problem. For example, according to media reports, on July 5, Ukrainian prisoner Pavlo Hryb was admitted to a medical facility with broken legs and severe bruises. His lawyer alleged Hryb had been beaten by his fellow prisoners while being transported to Rostov-on-Don.

There were also reports prison authorities recruited inmates to abuse other inmates. For example, on August 1 in Vladimir, two inmates and six officials were charged with torture after authorities discovered a torture chamber at a pretrial detention facility. A previous court decision had noted that the pretrial detention center “held inmates that used physical and psychological violence to force other detainees to self-incriminate.”

Overcrowding, nutrition, ventilation, heating, and sanitation standards varied among facilities but generally were poor. The NGO Russia Behind Bars reported minimal opportunities for movement and exercise. 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.

A 2017 Amnesty International report described the country’s prison transport practices as part of a “Gulag-era legacy” and documented how authorities often transported prisoners for weeks in tiny train compartments with no ventilation, natural light, little water, and infrequent access to toilets and other sanitation.

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

There were reports political prisoners were placed in particularly harsh conditions of confinement and subjected to punitive treatment within the prison system, such as solitary confinement or punitive stays in psychiatric units. For example, on September 21, Ukrainian prisoner Oleksander Kolchenko was put in solitary confinement for three days in a prison in Chelyabinsk. His attorneys believed the action was in retaliation for his request for a visit from the Ukrainian consul.

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

While prisoners can 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.

NGOs reported that some prisoners who alleged torture were later charged with making false accusations, which often resulted in additional prison time. For example, on January 11, the Investigative Committee of Kirov Oblast opened a criminal case against an unidentified inmate for allegedly making false accusations of torture in a complaint alleging he had been beaten and subjected to electric shocks at prison IK-1. According to press reports, this was the second inmate in two years to be prosecuted for filing a torture complaint against the facility.

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 81 regions with a total of 1,154 commission members. Human rights activists expressed concern that some members of the commissions were individuals close to authorities and included persons with law-enforcement backgrounds.

A law adopted on July 19 gave members of oversight commissions the right to videotape and photograph inmates in detention facilities and prisons with their written approval. Commission members may also collect air samples and conduct other environmental inspections, and they may also conduct safety evaluations and access prison psychiatric facilities.

Authorities allowed the Council of Europe's Committee for the Prevention of Torture to visit the country's prisons but continued to withhold permission for it to release any reports, with the exception of one released in 2013 on a visit conducted in 2012.

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.

Role of the Police and Security Apparatus

The Ministry of Internal Affairs, the FSB, the Investigative Committee, the Office of the Prosecutor General, and the National Guard are responsible for law enforcement at all levels of government. The FSB is responsible for 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 combatting 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.

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

Arrest Procedures and Treatment of Detainees

By law authorities may arrest and hold a suspect for up to 48 hours without court approval, provided there is evidence of a crime or a witness; otherwise, an arrest warrant is required. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Officials generally honored this requirement, although bribery or political pressure sometimes subverted the process of obtaining judicial warrants. After arrest, police typically 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.

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.

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

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

Arbitrary Arrest: There were many reports of arbitrary arrest, often in connection with demonstrations (see section 2.b.). For example, on March 2, a St. Petersburg court sentenced Denis Mikhaylov, the St. Petersburg campaign manager for opposition leader Aleksey Navalny, to 25 days in jail for participating in protests in January. Earlier that day, Mikhaylov had been released from a 30-day jail term for organizing the same protests. On March 7, a St. Petersburg court upheld his second detention. These "immediate rearrest" scenarios occurred in several cases of Navalny supporters during the year as well as with Navalny himself.

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

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

Detainee's Ability to Challenge Lawfulness of Detention before a Court: By law a detainee may challenge the lawfulness of detention before a court. Given 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.

There were reports of pressure on defense attorneys representing clients who were being subjected to politically motivated prosecution and other forms of reprisal. For example, on September 9, police in Krasnodar beat and then charged defense lawyer Mikhail Benyash with disobeying police by “injuring himself.” Police warned Benyash previously he would be arrested if he appeared in downtown Krasnodar on that day to provide legal assistance to individuals who had been illegally detained during protests. Police claimed that injuries visible on Benyash’s head resulted from Benyash’s striking his own head against the glass of a police car contrary to their orders.

On April 24, the Moscow Bar Association disbarred human rights lawyer Mark Feygin, who had represented some of the most high-profile defendants in politically motivated trials in recent years. Observers saw the move as retaliation for his work on behalf of these clients.

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 have the opportunity to review their criminal file following the completion of the criminal investigation.

Non-Russian defendants have the right to free interpretation as necessary from the moment charged through all appeals, although the quality of interpretation is not always good. During trial the defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses, although judges may deny the defense this opportunity. Defendants have the right not to be compelled to testify or confess guilt. Defendants have the right of appeal. Appellate courts reversed approximately 1 percent of sentences where the defendant had been found guilty.

The law allows prosecutors to appeal acquittals, which they did in most cases. Prosecutors may also appeal what they regard as lenient sentences. On April 5, a court in Petrozavodsk acquitted renowned historian of the gulag and human rights activist Yuri 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. On June 14, the Supreme Court of the Republic of Karelia granted the prosecutor's appeal of the acquittal and sent the case for retrial. On June 27, Dmitriyev was again arrested and as of November remained in pretrial detention.

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 January 9, police in Grozny arrested human rights activist and Memorial Chechnya office head Oyub Titiyev, known for his work exposing violations of human rights in Chechnya, most recently on the 2017 reports of a summary execution of at least 27 men. Police pulled him over, searched his car, and supposedly found 180 grams of marijuana, which observers believed was planted by police to provide a pretext for his imprisonment. Police held Titiyev incommunicado for almost seven hours and threatened to harm his family if he did not plead guilty. On January 10, prosecutors charged Titiyev with drug possession. His trial began on July 19, and he remained in pretrial detention. Some sessions of his trial were closed to the public on vague "national security" grounds, which observers considered baseless.

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 used 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 November the NGO Memorial Human Rights Center's list of political prisoners included 204 names, including 153 individuals who were allegedly wrongfully imprisoned for exercising religious freedom. The list included journalists jailed for their writing, such as Igor Rudnikov and Zhelaudi Geriyev; human rights activists jailed for their work, such as Oyub Titiyev and Yuri Dmitriyev; many Ukrainians imprisoned for their vocal opposition to the country's occupation of Crimea, such as Oleh Sentsov and Oleksander Kolchenko, and dozens of 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, this year. 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.

Civil Judicial Procedures and Remedies

Although the law provides mechanisms for individuals to file lawsuits against authorities for human rights violations, these mechanisms often did not work well. For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. While this legal mechanism exists in principle, in practice it was very cumbersome to use. Persons who believed their human rights had been violated typically sought redress in the European Court of Human Rights (ECHR) after domestic courts had 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 can only be made by states and not individuals.

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

The law forbids officials from entering a private residence except in cases prescribed by federal law or when authorized by a judicial decision. The law also prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While the law previously prohibited government monitoring of correspondence, telephone conversations, and other means of communication without a warrant, these legal protections were significantly weakened by 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 active 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 to monitor telephone calls in real time, with a warrant, but this safeguard is largely pro forma in practice. 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 human rights NGO Agora described the development in recent years of a system of "total oversight targeted at civic activists, independent journalists, and representatives of the political opposition" 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, 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.

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 issues, especially of Ukraine and Syria, LGBTI issues, the environment, elections, criticism of local or federal leadership, as well as issues of secessionism, or federalism. Censorship and self-censorship in television and print media and on the internet was increasingly widespread, particularly regarding points of view critical of the government or its policies. The government used direct ownership or ownership by large private companies with government links to control or influence major national media and regional media outlets, especially television.

Freedom of Expression: Government-controlled media frequently used 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 climate intolerant of dissent.

Authorities continued to misuse the country's expansive definition of extremism as a tool to stifle dissent. As of September 11, the Ministry of Justice expanded its list of extremist materials to include 4,507 books, videos, websites, social media pages, musical compositions, and other items, an increase of more than 200 items from 2017. According to the prosecutor general, authorities prosecuted 1,500

extremism cases in 2017, some of which included charges of “extremism” levied against individuals for exercising free speech on social media and elsewhere.

Several persons were charged with extremism under the criminal code for comments and images posted in online forums or social networks. For example, on February 11, a court in Stariy Oskol sentenced 23-year-old doctoral student Aleksandr Kruze 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.

In September the Supreme Court amended its 2011 decree regarding publication of extremist material online to require authorities to have proof of criminal intent in order for them to prosecute. Authorities must now prove in court that publications or reposts were made with the intent “to incite hate or ill will.”

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 August 7, a court in Biysk fined 16-year-old Maxim Neverov 50,000 rubles (\$750) for posting images of shirtless men on a social network. The Russia LGBT Network attributed the case against Neverov to his organizing of a May public protest called “Gay or Putin.” On October 26, an appeals court overturned the lower court decision.

During the year authorities prosecuted individuals for speech allegedly violating a law that prohibits “offending the feelings of religious believers.” On May 8, authorities raided the home and seized the computers of Barnaul resident Maria Motuznaya. Motuznaya was interrogated and shown pictures of her social media posts from 2015 in which she shared memes that satirized the Russian Orthodox Church. On June 23, she was charged with “offending the feelings of religious believers” and “extremism.” On October 9, a judge returned the case to prosecutors for further development.

During the year authorities prosecuted individuals for speech that allegedly violated a law prohibiting the “rehabilitation of Nazism.” On August 6, police in the Tyva Republic detained journalist Oyuuma Dongak because of photographs of Nazi Germany which contained a swastika posted on her Facebook page in 2014. Dongak said that the photos accompanied an article she had shared about the rebirth of fascism. A court fined her 1,000 rubles (\$15) on August 8. Observers described the case as retribution for Dongak’s support of opposition politicians.

During the year authorities prosecuted individuals for speech that allegedly “insulted government officials.” For example, on August 3, a court in Magadan fined two men for “insulting” local mayor Yuri Grishan when they demanded his resignation in messages on the platform WhatsApp, using language authorities deemed “unacceptable.”

During the year authorities used a law banning the “propaganda of narcotics” to prosecute the independent press for their coverage of independent political candidates. On June 20, a court in Syktyvkar fined the independent online news outlet 7x7 800,000 rubles (\$12,000), and fined its editor 40,000 rubles (\$600) for publishing an interview in March with a libertarian politician who noted that synthetic drugs killed people at a higher rate than heroin. Authorities considered this statement an endorsement of heroin.

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 February 26, a St. Petersburg court sentenced opposition activist Artem Goncharenko to 25 days in prison for “organizing an unsanctioned meeting” because he displayed a large inflatable rubber duck in the window of his apartment. Yellow rubber ducks have been used to signal support for the anticorruption protests organized by opposition leader Navalny.

Press and Media Freedom: The government continued to restrict press freedom. As of 2015, the latest year for which data was available, the government and state-owned or state-controlled companies directly owned more than 60 percent of the country’s 45,000 registered local newspapers and periodicals. Government-friendly oligarchs owned most other outlets. The federal government or progovernment individuals completely or partially owned all of the so-called federal television channels, the only stations with nationwide reach. The 29 most-watched stations together commanded 86 percent of television viewership; all were owned at least in part by the federal or local governments or by progovernment individuals. Government-owned media outlets often received preferential benefits,

such as rent-free occupancy of government-owned buildings. At many government-owned or controlled outlets, the state increasingly dictated editorial policy. While the law restricts foreign ownership of media outlets to no more than 20 percent, another provision of the ambiguously worded law seemingly bans foreign ownership entirely. The government used these provisions to consolidate ownership of independent outlets under progovernment oligarchs and to exert pressure on outlets that retained foreign backers. In its annual report on freedom of the press, Freedom House rated the country “not free.”

A 2017 law requires the Ministry of Justice to maintain a list of media outlets that are designated “foreign agents.” As of September 20, there were nine outlets listed. The decision to designate media outlets as foreign agents could be made outside of court by other government bodies, including law enforcement agencies.

In some cases courts imposed extremely high fines on independent media outlets, which observers believed were intentionally disproportionate and designed to bankrupt the outlets and force their closure. For example, on October 26, a Moscow court fined independent news outlet The New Times 22.3 million rubles (\$338,000) for errors in information it had provided to the government, as required by the “foreign agents” law. Press reports indicated this was the highest fine imposed on a media outlet in the country’s history. Prosecutors alleged that the newspaper had not properly accounted for money it received from a foundation affiliated with the paper, the Press Freedom Support Foundation, which is designated by the government as a “foreign agent.” Observers believed the case against The New Times to be in retaliation for the newspaper publishing an interview with opposition leader Navalny.

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 Fund, as of September incidents of violence and harassment against journalists included two killings, 42 attacks, 82 detentions by law-enforcement officers, 14 prosecutions, 42 threats, 21 politically motivated firings, and one attack on media offices. Journalists and bloggers who uncovered forms of 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.

On April 14, Maksim Borodin, a Yekaterinburg journalist with the independent newspaper *Novyy Den*, died in a fall from his fifth-floor apartment balcony in an incident seen by observers as suspicious. Borodin had been reporting on the

foreign activities of the Wagner battalion, a private oligarch-sponsored militia aligned with the government.

On April 12, two unknown assailants in Yekaterinburg attacked Dmitriy Polyandin, editor in chief of the regional progovernment newspaper *Oblastnaya Gazeta*, which had recently published articles about local disputes related to the housing market. Polyandin was hospitalized with a concussion and a broken rib.

On January 31, the FSB raided the apartment of journalist Pavel Nikulin and brought him to their headquarters for several hours of interrogation in response to a 2017 article he wrote about a man who had gone to Syria to fight for ISIS. A regional court named Nikulin as a witness in a criminal investigation into “illegal terrorist training” in connection with the article and had approved a search warrant for his apartment. In July, Nikulin and a colleague were detained by police in Krasnodar on suspicion of extremist activity and attacked by unknown assailants with pepper spray. On September 16, Nikulin and two colleagues were again arrested in Nizhniy Novgorod on suspicion of distributing “extremist materials.”

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 the media, much of which occurred online (see Press Freedom, Internet Freedom, and Academic Freedom and Cultural Events sections). Self-censorship in independent media was also reportedly widespread.

There were multiple reports that the government retaliated against those who published content it disliked. For example, on January 23, the website Russiagate.com was blocked with no formal notification hours after it published evidence of corruption by the head of the FSB, Aleksandr Bortnikov. The website’s editor reported that investors in the website immediately informed her that they were ending their financing of the project.

On April 4, the independent Kaliningrad newspaper *Novyye Kolesa* announced it would cease publication following a campaign of harassment and censorship by authorities. Following an FSB raid in November 2017, authorities arrested the newspaper’s editor, Igor Rudnikov, and charged him with extortion. Human rights organizations believed there to be no legitimate basis for the charges, which could

bring 15 years in prison. On March 29, unidentified individuals went to newsstands, seized all copies of the newspaper on sale, and threatened vendors. The lead story in that edition of the newspaper alleged that the FSB had tortured to death a local resident in detention. Distribution network representatives gave orders to hide all remaining copies, and later informed *Novyye Kolesa* leadership it would no longer be profitable for them to continue to sell the newspaper.

Libel/Slander Laws: Officials at all levels used their authority to restrict the work of journalists and bloggers who criticized them and to retaliate against them, including taking legal action for alleged slander or libel. For example, on July 23, a Moscow court ruled in favor of Nizhigorodskiy Prison Colony Number 2, which had filed a lawsuit against the newspaper *Sobesednik* and Pussy Riot-member Maria Alekhina for damaging its reputation in a 2017 article describing forced labor conditions at the prison. The court obliged the newspaper to print a retraction and pay a 3,000-ruble (\$45) fine.

On April 23, President Putin signed a law allowing the state to block online information that “offends the honor and dignity” of an individual, if the author of the information has defied a court order to delete it.

On October 3, President Putin signed a law that strengthened penalties for the dissemination of “false” information related to defamation or information that violates privacy restrictions. International and domestic experts believed the introduction of criminal responsibility for noncompliance with court decisions ordering the takedown or retraction of content in civil defamation cases would expand the tools available to officials and public figures to interfere with public access to information detrimental to their interests.

National Security: Authorities cited laws protecting national security to restrict criticism of government policies or officials, or to retaliate against critics.

On May 18, authorities raided the home of independent Omsk journalist Viktor Korb, conducted a 10-hour search, and charged him with incitement to terrorism, justification of terrorism, and terrorist propaganda, which carry a sentence of up to seven years in prison. The charges stemmed from Korb’s 2015 publication on a news and discussion website of a portion of remarks given by political activist Boris Stomakhin, during Stomakhin’s trial on terrorism charges. Korb did not endorse Stomakhin’s remarks.

Authorities also charged independent journalists with espionage. On June 4, a Moscow court convicted Ukrainian journalist Roman Sushchenko of espionage and sentenced him to 12 years in prison. Sushchenko, a Paris-based correspondent for the Ukrinform news agency, was detained in Moscow in 2016 on suspicion of collecting classified information, an allegation human rights groups claimed was politically motivated.

Internet Freedom

The government took significant new steps to restrict free expression online. According to data compiled by the International Telecommunication Union, approximately 76 percent of the country's population used the internet in 2017.

The government monitored all internet communications and prohibited online anonymity (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 enabled police to track private email communications, identify internet users, and monitor their internet activity.

The law requires domestic and foreign businesses to store citizens' personal data on servers located in the country. In 2016 Roskomnadzor blocked the foreign-based professional networking website LinkedIn for failure to comply with the law. Telecommunications companies are required to store user data and make it available to law enforcement bodies. As of July 1, companies are required to store users' voice records for six months. As of October 1, companies are required to store 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. Providers face fines of one million rubles (\$15,000) for noncompliance.

On April 13, a Moscow court ruled in favor of Roskomnadzor's 2017 request to block the Telegram messaging service for failing to share with the FSB encryption keys to users' correspondence. Telegram maintained that the FSB's request was both unconstitutional and technically impossible, as the messenger uses end-to-end encryption (when the encryption keys are stored only by users). The Supreme

Court upheld the FSB's arguments on August 8. For several months beginning in mid-April, Roskomnadzor actively attempted to block Telegram. Since the messenger was using dynamic internet protocol (IP) addresses, however, blocking it proved impossible. Roskomnadzor was forced to block more than 20 million other IP addresses, which resulted in a major loss in accessibility to a wide range of unrelated online services. Despite Roskomnadzor's efforts, Telegram remained mostly accessible to users. In August press reports indicated that Roskomnadzor and the FSB were testing systems designed to allow more precise blocking of individual sites to enable blocking Telegram.

The law requires commercial virtual private network (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 the FSB, to identify VPN services that do not comply with the ban by Roskomnadzor. Under the law Roskomnadzor can 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 May, Roskomnadzor reported it had blocked 50 VPN services.

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 can be blocked. The law came into force in January. On August 27, Roskomnadzor expanded the list of designated "organizers of information dissemination" to include several new sites, such as the blogging platform Livejournal, the online dating site LovePlanet, and the car sharing app BlaBlaCar. Beginning in July these "organizers of information dissemination" were required to store and provide to the FSB in-depth user information, including user name; full real name; date of birth; exact address; internal passport number; lists of relatives, friends, contacts, all foreign languages spoken; date and time of account's creation; date and time of all communications; full text of all communications; full archives of all audio and video communications; all shared files; records of all e-payments; location for use of each service; IP address; telephone number; email address; and software used.

On November 6, Prime Minister Medvedev signed a decree requiring anonymous messenger applications to obtain verification of a user's phone number from mobile phone network providers within 20 minutes of initial use of the application.

If the phone network provider cannot verify the phone number, then messenger services are required to block the user. The government also required network operators to keep track of messenger apps for which users have registered.

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 October, a total of 3.8 million websites were unjustly blocked in the country.

On November 26, Roskomnadzor filed a civil law suit against Google seeking to fine the company 700,000 rubles (\$10,500) for declining to connect its search engine to an automated system that prevents blocked web sites from appearing in search results. On December 11, a court fined Google 500,000 rubles (\$7,530).

During the year authorities blocked websites and social network pages that either criticized government policy or purportedly violated laws on internet content. For example, on April 28, Roskomnadzor blocked the LGBTI health awareness site Parni Plus. The site’s administrators said they received a notice from Roskomnadzor on April 28 informing them about a January 26 ruling by a district court in the Altai Territory to block Parni Plus for distributing information that “challenges family values” and “propagates nontraditional sexual relations.” The notice did not specify what content broke the law, and the notice came so late that the website missed its opportunity to appeal the verdict.

In some cases authorities coerced sites into taking down content by threatening to block entire platforms. For example, on February 13, Roskomnadzor threatened to block YouTube, Instagram, and several dozen media outlets if, based on a court decision, they did not delete an anticorruption investigation video made by opposition activist Navalny that described a meeting between government-linked oligarch Oleg Deripaska and Deputy Prime Minister Sergey Prikhodko on a luxury yacht. All but YouTube complied. On February 20, Roskomnadzor stated it would not seek to block YouTube for its noncompliance.

In 2017 amendments to the Federal Law on Information, Information Technologies, and Protection of Information and to the administrative code came

into force requiring owners of internet search engines (“news aggregators”) with more than one million daily users to be accountable for the truthfulness of “publicly important” information before its dissemination. Authorities can demand that content deemed in violation be removed and impose heavy fines for refusal. Dunja Mijatovic, the special representative on freedom of the media of the OSCE, raised concerns the law “could result in governmental interference of online information and introduce self-censorship in private companies.”

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 2018 *Freedom on the Net* report, there were several instances of courts ordering that content be removed from search results on these grounds in 2017.

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 Freedom of Expression).

There were reports of disruption of communications during demonstrations. For example, media reported that, during opposition protests in Moscow on May 7, authorities switched off phone and mobile internet coverage in the protest area.

Academic Freedom and Cultural Events

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

On June 21, the Federal Education and Science Supervision Agency revoked the accreditation of the Moscow School of Social and Economic Sciences (Shaninka), claiming the school violated multiple education standards. Shaninka, a Russian-British higher education institution founded in 1995, continued to operate but will not be able to issue state-approved diplomas or provide deferment from military service. Media outlet *Meduza* speculated the loss of accreditation was due to the school’s extensive international connections, and constituted a move to disable the country’s only remaining private institution of higher education.

On November 7, the trial began of well known theater director Kirill Serebrennikov 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 has been in custody since August 2017.

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. Citing a bomb threat, police disrupted a June 13 theater production about imprisoned Chechen human rights activist Oyub Titiyev in Moscow and evacuated the theater.

In November media outlets reported a notable increase in the number of incidents in which authorities forced the cancellation of concerts of musicians who had been critical of the government. Monitoring by *Meduza* identified 13 such cases across the country during the month of November, compared with 10 during the rest of the year. Of the 13 cases, nine involved the rapper Husky or the electronic music group IC3PEAK, both of whom perform songs containing lyrics critical of the government. In most cases the concerts were canceled after the FSB or other security forces visited and threatened the managers or owners of music venues.

Persons expressing views of historical events that run counter to officially accepted narratives faced harassment. For example, on January 23, the Ministry of Culture recalled the rights to air the comedy film *The Death of Stalin* after a number of cultural figures sent a complaint to the department. The authors of the collective letter claimed *Death of Stalin* was a "spit in the face" of veterans that "blackened the memory of our citizens who defeated fascism." Police disrupted a January 25 screening of the film at the Pioneer cinema in Moscow. On February 22, a Moscow court fined the theater 100,000 rubles (\$1,500) for the screening.

b. Freedom of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provides for freedom of assembly, but local authorities 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 laws--up to 300,000 rubles (\$4,500) for individuals, 600,000 rubles (\$9,000) for organizers, and one million rubles (\$17,140) for groups or companies. Protesters with multiple violations within six months may be fined up to one million rubles (\$15,000) or imprisoned for up to five years.

On May 10, President Putin signed a decree limiting freedom of assembly in cities hosting the 2018 International Federation of Football Associations (FIFA) World Cup in conjunction with enhanced security, although protests in cities that did not host the tournament were allowed to take place.

Arrests for organizing or taking part in unsanctioned protests were common. For instance, on August 25, police arrested opposition leader Navalny for allegedly organizing an unsanctioned “voters’ strike” rally on January 28. His arrest came shortly before planned rallies in opposition to pension reform scheduled nationwide on September 9. Immediately following his release on September 24, police from a different precinct rearrested Navalny for 20 more days for allegedly organizing the unsanctioned September 9 demonstration, which purportedly caused “bodily harm to a government official.”

There was a reported increase in authorities charging individuals with “inciting mass riots” based upon their social media activities. For example, following the

May 5 antigovernment protests, 28 organizers and activists with opposition leader Navalny's Anticorruption Foundation were detained and charged with inciting mass riots based on their tweets or retweets. While some were fined and released, others were sentenced to 30-day prison terms.

Activists were at times subject to threats and physical violence in connection with organizing or taking part in public events or protests. On May 5, police stood by as unknown persons in Cossack uniforms beat participants in peaceful opposition rallies in Moscow and other cities. More than 1,300 persons were arrested during these protests, 572 in Moscow alone.

Police often broke up demonstrations that were not officially sanctioned, at times using disproportionate force. For example, on September 9, police throughout the country detained 1,195 persons who were demonstrating against pension reform. Media reports of the Moscow protest described unprovoked and disproportionate police beatings of protesters with rubber batons.

Authorities regularly arrested single-person picketers. For example, on June 14 authorities arrested UK-based activist Peter Tatchell in Moscow for staging a single-person picket against restrictions on LGBTI persons in the country, citing a breach of antiprotest rules put in place for the World Cup. Tatchell was released the same day and departed the country before appearing in court.

Authorities continued to deprive LGBTI persons and their supporters of free assembly rights. 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. On November 27, the ECHR ruled that the country's blanket refusal to grant permission to hold public assemblies related to LGBTI issues could not be justified by public safety concerns and constituted a violation of the right to freedom of assembly.

On April 8, police detained approximately 30 gay rights activists who took part in an unsanctioned rally in St. Petersburg. City authorities had turned down their request to hold a parade, so each participant demonstrated alone, in a bid to avoid the protest being called a gathering, which did not prevent their arrest.

Moscow authorities refused to allow an LGBTI pride parade for the 13th 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. During the year, however, the government instituted new measures and expanded existing restrictive laws to stigmatize, harass, fine, close, and otherwise raise barriers to membership in organizations that were critical of the government.

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

The government continued to use a 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 October the Ministry of Justice had added five NGOs to the “foreign agents” registry during the year, and its registry of organizations designated as “foreign agents” included 73 NGOs.

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 their public materials. Authorities fined NGOs for failing to disclose their “foreign agent” status on websites or printed materials. For example, on August 13, a court in the Mari-El Republic fined the human rights group Man and Law 300,000 rubles (\$4,500) for failing to mark its Facebook page as belonging to a “foreign agent.” According to the NGO, the page had previously been marked but the marking disappeared when Facebook had updated its user interface.

The government placed additional restrictions on NGOs designated as “foreign agents.” On October 11, President Putin signed a law prohibiting “foreign agent” NGOs and foreign NGOs from receiving an accreditation from the Ministry of Justice that would allow them to submit anticorruption analysis of legislation. NGOs designated “foreign agents” were already prohibited from participating in election observation.

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.

The law requires the Ministry of Justice to maintain a list of “undesirable foreign organizations.” The list expanded during the year as the Ministry of Justice added the European Platform for Democratic Elections, the International Elections Study Center, the German Marshall Fund, and Pacific Environment. As of October the total number of “undesirable foreign organizations” was 15. According to the law, a foreign organization may be found “undesirable” if that group is deemed “dangerous to the foundations of the constitutional order of the Russian Federation, its national security, and defense.” Authorities have not clarified what specific threats the “undesirable” NGOs posed to the country. 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.

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 “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 October more than 50 Jehovah's Witnesses were facing criminal charges for taking part in the activities of a banned extremist organization (see the Department of State's *International Religious Freedom Report* at 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. As of September the legal NGO Agora had identified more than 80 such attacks during the year. For example, there were multiple reports of physical attacks on the Memorial and its activists in the North Caucasus during the year, which human rights organizations believed to be a coordinated campaign of pressure aimed at silencing Memorial and halting its human rights work. On January 17, two masked men set fire to the Memorial office in Nazran, Ingushetia. On January 23, unknown perpetrators set fire to one of Memorial's cars in Makhachkala, Dagestan. On March 29, Sirazhutdin Datsiyev, the head of Memorial's office in the Republic of Dagestan, was hospitalized with a head injury after an attack by unknown assailants.

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 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 internal movement, foreign travel, and repatriation.

The Office of the UN High Commissioner for Refugees (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 internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern. In one case NGOs reported that 102,944 refugees remained in the country, including 101,019 Ukrainians, of whom nearly 2,000 struggled to maintain legal status. The government considered Ukrainian asylum seekers to be separate from asylum seekers from other countries, such as Afghanistan, Georgia, Syria, and Yemen. According to NGOs, two Syrian refugees and 150 Ukrainian refugees received citizenship in during the year. In some cases temporary asylum holders who received refugee status from third countries were not granted exit visas or allowed to depart the country.

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.

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 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 on procedures for departing from and entering the country stipulates that a person who violates a court decision does not have a right to leave the country. A court may prohibit a person from leaving the country for failure to satisfy debts; if the individual is suspected, accused, or convicted of a crime; or if the individual had access to classified material. The law allows for the temporary restriction of a bankrupt citizen's right to leave the country. Authorities imposed travel

restrictions on individuals facing prosecution for political purposes. For example, the government temporarily stopped opposition leader Navalny from leaving the country to attend an ECHR hearing on November 13 because he had an outstanding debt from embezzlement charges that most observers considered politically motivated. He was permitted to leave the country the following day.

According to press reports, since 2014 the government restricted the foreign travel of approximately five million of its employees. This included employees of the Prosecutor General's Office, the Ministry of Internal Affairs, the Ministry of Defense, the Federal Prison Service, the Federal Drug Control Service, the Federal Bailiff Service, the General Administration for Migration Issues, and the Ministry of Emergency Situations.

Internally Displaced Persons (IDPs)

In 2017 the Internal Displacement Monitoring Center (IDMC) estimated the country was home to 19,000 internally displaced persons, down from 22,600 in 2016. Of the 19,000 IDPs, the IDMC asserted that 5,900 were new displacements. According to the government's official statistics, the number of forced migrants 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 USSR republics, namely Georgia, Kazakhstan, and Uzbekistan, with between 3,500 and 4,000 persons displaced due to the first Chechen conflict in 1995-96.

Protection of Refugees

Refoulement: The government provided some protection against the expulsion or return of persons to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The responsible agency, the Main Directorate for Migration Affairs of the Ministry of Internal Affairs (GAMI), did not maintain a presence at airports or other border points and did not adequately publicize that asylum seekers could request access to the agency. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials. Otherwise, they faced immediate deportation to neighboring countries or return to their countries of origin, including in some cases to countries where they may have had reasonable grounds to fear persecution. There were no known statistics on the number of persons subjected to such actions.

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 during the year, and NGOs cited cases in which officials detained persons (most commonly from Central Asia) and returned them clandestinely to their country of origin.

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. NGOs reported applicants commonly paid informal "facilitation fees" of approximately 33,000 rubles (\$495) to GAMI adjudicators to have their application reviewed. Applicants who did not speak Russian often had to pay for a private interpreter. Human rights organizations noted that nearly all newly arrived refugees and temporary asylum seekers in large cities, in particular Moscow and St. Petersburg, were forced to apply in other regions, allegedly due to full quotas. With the exception of Ukrainians, GAMI approved a small percentage of applications for refugee status and temporary asylum.

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

Human rights organizations noted the country's 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.

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

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of temporary asylum and refugee applicants who lacked residential registration. When parents encountered difficulties enrolling their children in school, authorities generally cooperated with UNHCR to resolve the problem.

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

Stateless Persons

According to the 2010 population census, 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. Laws, policies and procedures allow stateless persons to gain nationality, and for their children born in the country to gain nationality. Some NGOs estimated there were approximately 500,000 stateless persons in the country and reported that authorities urged stateless persons to depart the country, but, in most cases, they failed to provide temporary legal status that would facilitate their departure.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: The March 18 presidential election and the 2016 parliamentary elections were marred by accusations of government interference and manipulation of the electoral process.

The OSCE reported the March 18 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, 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 contestants equally, and instances of misuse of administrative resources were noted. The election day generally proceeded in an orderly manner, but numerous procedural irregularities were noted during counting.”

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 (CEC) for certification. Nominees from parties without State Duma representation must collect 100,000 signatures. An independent candidate is ineligible to run if the commission finds more than 5 percent of signatures to be invalid.

Candidates to the State Duma can 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 3 percent of voters' signatures 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 said 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. The election monitoring group Golos also stated that independent candidates were not able to collect the necessary number of municipal deputy signatures as a result of pressure from authorities. During the year the filter prohibited opposition candidates Dmitriy Gudkov and Ilya Yashin from participating in the Moscow mayoral elections.

In some cases opposition parties were repeatedly denied registration. On August 27, authorities denied opposition leader Navalny's application to register a political party for the fifth time in five years, a decision observers believed to be politically motivated.

Authorities sought to restrict the work of independent monitors and promote government-sponsored monitoring. Observers are 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 intend to monitor, three days before elections. Burdensome registration regulations also hampered the work of journalists wishing to monitor elections as well as independent or nonparty-affiliated groups, whose monitors registered as journalists for their affiliated publications. On March 7, the CEC denied observer

accreditation to 850 observers with the Golos-affiliated media outlet *Molniya* as well as 4,500 observers with the Navalny-affiliated media outlet *Leviathan*.

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

On January 16, the country’s leading independent pollster, the Levada Center, announced that it would no longer publish the results of its opinion polls on the March presidential elections, fearing legal repercussions. The center had been designated a “foreign agent” in 2016, barring it from participating in election-related work. The center’s director expressed fears the government would forcibly close the pollster if it were to publish its election polling data.

Once elected, many opposition politicians reported efforts by the ruling party to undermine their work or remove them from office. For example, on May 22, the independent mayor of Yekaterinburg, Yevgeniy Roizman, resigned from office after the city’s legislature voted to abolish mayoral elections. Observers saw the change as designed to ensure that a progovernment official occupied the position.

Opposition politicians often faced violence and threats. Media outlets described a spate of threats and attacks on independent municipal deputies who had won seats in the Moscow city district councils in 2017, including several vandalism incidents involving severed pig heads being left in their homes and vehicles. In June an unknown assailant poured motor oil on independent Moscow local city council member Anastasia Muralova shortly after she had successfully halted street repairs in the district that were being carried out illegally without a contract.

Authorities continued to engage in a pattern of harassment, including threats of violence, against opposition leader Navalny and his supporters (see sections 1.d., 2.a., and 2.b.). On September 24, Navalny’s press secretary stated that, since the start of the year, Navalny had been arrested five times and spent 120 days in jail. On November 15, the ECHR upheld a previous decision that found rights violations in Navalny’s seven arrests and two instances of pretrial detentions between 2012 and 2014. They noted these arrests “lacked a legitimate aim,” and “had not been necessary in a democratic society.” On September 11, the head of the National Guard, Viktor Zolotov, challenged Navalny to a duel and threatened to make a “nice, juicy steak” out of him.

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

Section 4. Official Corruption and Lack of Transparency in Government

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

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

There were reports of corruption by government officials at the highest level. For example, on February 25, *Novaya Gazeta* published an article describing how then deputy prime minister Dmitriy Rogozin, who oversaw the country's military-industrial complex, directed hundreds of millions of rubles in government financing and loans to defense sector firms run by his nephew. 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 own and any large expenditure involving land, vehicles, and securities, as well as their incomes. The law was inconsistently and selectively enforced, and investigative bodies rarely acted upon media reports of undeclared assets held overseas and other alleged violations. According to Transparency International and investigative reporters, the information officials provided often did not reflect their true income or that of close family members.

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

A variety of domestic and international human rights groups generally operated in the country, investigating and publishing their findings on human rights cases. Government officials were rarely cooperative or responsive to their concerns. Official harassment of independent NGOs continued and in many instances intensified, particularly of groups that focused on election monitoring, exposing corruption, and addressing human rights abuses. NGO activities and international humanitarian assistance in the North Caucasus were severely restricted. Some officials, including the ombudsman for human rights, regional ombudsman representatives, and the chair of the Presidential Human Rights Council, Mikhail Fedotov, regularly interacted and cooperated with NGOs.

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

High-ranking officials often displayed hostility towards the activities of human rights organizations and suggested that their work was unpatriotic and detrimental to national security. On January 18, hours after masked men had set fire to the office of human rights NGO Memorial, the only remaining human rights NGO in Chechnya, Chechen Republic head Kadyrov stated that human rights activists are “people without kith or kin, without a nation, and without religion” and that “their work won’t fly in our republic.” On August 22, Kadyrov stated the entry of “human rights defenders into Chechnya is to be prohibited” and compared them to armed militants. Subsequently Chechen Republic minister of mass media Djambulat Umarov explained that Kadyrov’s statement also included journalists.

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.

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

Human rights ombudsperson Tatyana Moskalkova was viewed as a figure with very limited autonomy. The country had regional ombudsmen in 83 of its 85 regions with responsibilities similar to Moskalkova's. Their effectiveness varied significantly, and local authorities often undermined their independence.

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

Women

Rape and Domestic Violence: Rape is illegal, and the law provides the same punishment for a relative, including the spouse, who commits rape as for a nonrelative. 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.

For example, on June 1, online news portal *Meduza* published allegations by an actress that the director of the Vologorodskiy Drama Theater, Zurab Nanobashvili, had raped her in 2015. Three other actresses also accused Nanobashvili of attempted rape and sexual harassment. Two of the women, one of whom was 17 years old, filed a complaint with the local Investigative Committee that Nanobashvili had groped, licked, and attempted to rape them in April. On June 8, the local Ministry of Culture fired Nanobashvili from his position. On the same day, the Investigative Committee informed the women that, while Nanobashvili's actions "bore the hallmarks of sexual abuse," no criminal case would be opened against him because the women were older than age 16.

Domestic violence remained a major problem. There is no significant domestic violence provision in the criminal code and no legal definition of domestic violence. The laws that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. The burden of collecting evidence in such cases typically falls on the alleged victims. Federal law prohibits battery, assault, threats, and killing, but most acts of domestic violence did not fall within the jurisdiction of the prosecutor's office.

According to an HRW report on domestic violence published in October, when domestic violence offenses were charged, articles 115 and 116.1 under the country's Criminal Procedure Code were usually applied, which use the process of private prosecution. These private prosecutions are launched only if the injured party or their guardian takes the initiative to file a complaint with a magistrate judge. In such cases the injured party bears the burden of gathering all evidence necessary for prosecution and must pay all costs of the prosecution, which HRW believed severely disadvantaged survivors.

According to NGOs, police were often unwilling to register complaints of domestic violence, often saying that cases are "family matters," frequently discouraged victims from submitting complaints, and often pressed victims to reconcile with abusers. HRW's report on domestic violence described the case of a woman from a small town in western Russia, who complained to police after her husband severely beat her. The police officer who arrived at her home joked with her husband, insulted her, advised her to reconcile with him, and left, after which her husband beat her again and broke her jaw. He then left for several months with their eight-year-old son. When she called police again, they suggested, mockingly, that she was bitter because the husband must have left her for another woman.

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 during the year, since this law was passed, the number of reported domestic violence cases has fallen by half, with 25,667 cases of domestic violence against women reported in 2017, compared with 49,765 cases reported in 2016. NGOs working on domestic violence noted that official reporting of domestic violence decreased because the decriminalization deterred women suffering domestic violence from going to the police. In contrast, HRW's October report stated that women's rights groups and crisis centers noted an increase in the number of domestic violence complaints after the 2017 amendments were enacted and said that they considered the increase to be a direct effect of decriminalization. HRW

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 creation of new procedural shortcomings in prosecuting domestic violence.

According to Ministry of Internal Affairs statistics cited by NGOs, approximately 12,000 women died annually from domestic violence in the country. The NGO Center for Women's Support asserted that a majority of domestic violence cases filed with authorities were either dismissed on technical grounds or transferred to a reconciliation process conducted by a justice of the peace whose focus was on preserving the family rather than punishing the perpetrator.

HRW's report noted there are few state-run shelters for victims of domestic violence, citing a study that found only 434 shelter spaces nationally reserved for women in crisis situations (which includes, but is not limited to, domestic violence). HRW noted that these shelters set a high entry threshold, require a daunting amount of paperwork and long wait times to determine whether a space may be granted, and often emphasize "preserving the family" and protecting children over women's safety needs.

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. On November 27, *Meduza* reported that a Moscow clinic conducted FGM/C procedures on girls ages five and 12. After the report was published, the clinic ceased advertising FGM/C services.

Other Harmful Traditional Practices: Human rights groups reported that "honor killings" of women in Chechnya, Dagestan, and elsewhere in the North Caucasus were rarely prosecuted, although there were rare instances in which such killings led to convictions. For example, on September 5, a court in Ingushetia sentenced a man to eight years in prison for an "honor killing" of his 31-year-old daughter. The woman's body had been found on the side of a highway on February 20, and her father confessed to strangling her. 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 criminal code contains a general provision against compelling a person to perform actions of a sexual character by means of blackmail, threats, or by taking advantage of the victim's economic or other dependence on the perpetrator. Sexual harassment was reportedly widespread.

In early March, three female journalists accused a senior parliamentarian in the State Duma, Leonid Slutskiy, of sexual assault and harassment, including unwanted and inappropriate touching, kissing, and sexualized comments. On March 7, State Duma speaker Vyacheslav Volodin remarked that journalists who feel unsafe reporting from the Duma should “change jobs.” On the same day, Tamara Pletneva, the head of the State Duma Committee on Family, Women, and Children stated that female journalists seeking to avoid harassment should “look more decent and dress more appropriately” and that “if it’s frightening for them, if they are offended here, then they don’t have to come here.” On March 21, the parliamentary ethics committee cleared Slutskiy of any wrongdoing.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The constitution and law provide that men and women enjoy the same legal status and rights, but women often encountered significant restrictions, including bans on their employment in certain types of jobs in sectors like mining and construction.

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: A 2013 estimate by the Ministry of Internal Affairs indicated that one in four children in the country was subjected to abuse by a parent or foster parent. According to a 2011 report published by the NGO Foundation for Assistance to Children in Difficult Life Situations, 2,000 to 2,500 children died annually from domestic violence. 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 also.

The country does not possess a law on child abuse, but its criminal code outlaws murder, battery, and rape. The range of penalties for such crimes can be from five to 15 years in jail and, if they result in the death of a minor, up to 20 years in jail.

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

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation, sale, offering or procuring for prostitution, and practices related to child pornography. The authorities generally enforced the law. The age of consent is 16. In 2015 the Investigative Committee reported filing charges in 1,645 cases of rape involving children and in more than 5,300 cases of sexual assault of children. For example, according to press reports, on February 1, police arrested a man in the Moscow region after his 13-year-old stepdaughter reported he had raped her on a regular basis for three years.

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 is punishable by two to eight years in prison or to three to 10 years in prison if it involves children younger than age 14. Authorities considered child pornography to be a serious problem.

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

Institutionalized Children: There were reports of physical, sexual, and psychological abuse in state institutions for children. Children with disabilities were especially vulnerable. For example, on February 19, press reported that law enforcement bodies in Chelyabinsk charged a man with child sexual abuse and charged the leadership of a local orphanage with negligence after the man reportedly sexually abused at least seven children with disabilities at the orphanage over several years. According to witness accounts in the press, several teachers may have been aware of and complicit in the abuse.

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.html>.

Anti-Semitism

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

One violent attack with possible anti-Semitic motives was reported. On October 15, the president of the Jewish community of Tatarstan, Mikhail Abramovich Skoblionok, and his aide, were injured by a bomb he received in the mail. Kazan police opened an investigation to determine if it was an anti-Semitic attack; the attack was being investigated as attempted murder.

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

In a March 10 interview, President Putin responded to a question concerning reports of Russian meddling in foreign elections, by suggesting that instead “Ukrainians, Tatars, and Jews” may have been involved.

On January 15, *Russia Insider*, an English language publication linked to progovernment oligarchs, published an anti-Semitic essay by its founder, Charles Bausman, that attacked dozens of Jewish writers and journalists, claiming Jews were the reason for “unreasonable hostility towards Putin’s Russia” and solicited anti-Semitic contributions.

On June 30, the FIFA fined the country’s soccer federation \$10,100 after Russian fans displayed a neo-Nazi banner during a World Cup match in Samara. The banner reportedly featured the number 88, which is far-right code for “Heil Hitler.”

In early October the Supreme Court upheld the revocation of the foreigner residence permit and deportation of the chief rabbi of Omsk Oblast and the Siberian Federal District, Osher Krichevskiy, and his family for advocating “forcible and violent change” in the constitution and creating a security threat to citizens. According to *Novaya Gazeta*’s October 4 report on the decision, the country has deported eight rabbis who held foreign citizenships in recent years.

Trafficking in Persons

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

Persons with Disabilities

While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities, the government generally did not enforce these laws. The law provides protection for persons with disabilities, including access to education, employment, health services, information, communications, buildings, transportation, the judicial system, and other state services. NGOs reported, however, that persons with disabilities still faced widespread discrimination in securing employment and access to some forms of transportation, as well as physical accessibility throughout the country.

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

Federal law requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings and modes of public transportation remained inaccessible.

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

According to HRW, although the government began to implement inclusive education, most children with disabilities did not study in mainstream schools due to a lack of accommodations to facilitate their individual learning needs. The lack of reasonable accommodations left tens of thousands of children with disabilities isolated at home or in specialized schools, often far from their homes.

According to Ministry of Internal Affairs data, more than 45 percent of the country's total population of children with disabilities were institutionalized. While the law mandates inclusive education for children with disabilities, authorities generally segregated them from mainstream society through a system

that institutionalized them through adulthood. Graduates of such institutions often lacked the social, educational, and vocational skills to function in society.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities by category of disability often followed them through their lives. The official designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at the age of three, signified that authorities considered a child uneducable. These designations were almost always irrevocable. The designation “weak” (having a slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

National/Racial/Ethnic Minorities

The law prohibits discrimination based on nationality, but according to a 2017 report by the Committee on 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.”

During the year there were 15 violent attacks against Central Asians and members of other ethnic minorities, resulting in the death of three persons and injury to 12. Typically the police opened investigations into these incidents but did not disclose their conclusions or apprehend assailants. For example, on January 12, a Kyrgyz man died from multiple stab wounds in Noginsk. Media reports alleged that the assailants, who fled the scene, may have belonged to an ultraright wing group.

According to a 2017 report by the human rights group ADC Memorial, Roma faced widespread discrimination in access to resources (including water, gas, and electricity 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. Media outlets reported that Moscow police forcibly evacuated Romani persons from the city in advance of the June FIFA World Cup.

Indigenous People

The constitution and various statutes provide support for “small-numbered” indigenous peoples of the North, Siberia, and the Far East, permitting them to create self-governing bodies and allowing them to seek compensation if economic

development threatened their lands. The government granted the status of “indigenous” and its associated benefits only to those ethnic groups numbering fewer than 50,000 and maintaining their traditional way of life. A 2017 report by the human rights group ADC Memorial noted the major challenges facing indigenous people 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 the security services, as well as employment discrimination (see section 7.d.). For example, on July 24, authorities in Khahasia charged Khahas activist Lidiya Bainova with extremism for a social media post in which she alleged that ethnic Russians subject Khahas people to discrimination. On November 26, authorities dropped the charges.

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

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 wished to advocate publicly for rights or express the opinion that homosexuality is normal. Examples of what the government considered LGBTI propaganda included materials that “directly or indirectly approve of persons who are in nontraditional sexual relationships” (see section 2.a.). The law did 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 section 1.a.).

There were reports government agents harassed and threatened LGBTI activists. For example, on September 14, police in Pyatigorsk threatened a student activist after he complained about municipal denial of permission to host an LGBTI rally. Police summoned him to a meeting at the university where he studied, and demanded that he drop his request to hold the demonstration. They hinted at the homophobic “mentality of the Caucasus,” the “irritation” the request was causing the city administration, and mentioned that in the event “something should happen” during the demonstration, police might be unable to protect the participants. They also attempted to get the activist to disclose the names of other LGBTI activists and threatened to “out” him to his parents, family members, and acquaintances.

Openly gay men were particular targets of societal violence, and police often failed to respond adequately to such incidents. For example, according to LGBT Network, in June a Volgograd teenager, Vlad Pogorelov, filed a complaint with the local prosecutor’s office against the local police decision to close a criminal investigation into an attack he had suffered in November 2017. 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 LGBT Network, the case was emblematic of authorities’ unwillingness to adequately investigate or consider homophobia as a motive in attacks on LGBTI persons.

On April 24, the LGBT Network released a report that documented 104 incidents of physical violence towards LGBTI persons in 2016-17, including 11 killings. 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 subject them to mistreatment or publicize their sexual orientation or gender identity.

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 threat of violence. The Russia LGBT Network recorded 13 incidents of discrimination against LGBTI teachers in 2016-17. In most cases homophobic activists wrote letters outing the teachers to the school's administration, which then either fired the teacher, preventing his or her future employment in schools, or forced him or her to resign. The Russia LGBT Network recorded 18 cases of discrimination against LGBTI persons employed in other professions in 2016-17. Polling of LGBTI persons suggested that 17 percent had encountered employment discrimination.

Medical practitioners reportedly continued to limit or deny LGBTI persons health services due to intolerance and prejudice. The Russia 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 Russia LGBT Network reported that LGBTI parents often feared that the country's ban on the "propaganda of nontraditional sexual orientation" to minors would be used to remove custody of their children. In one example, on February 12, the Ordzhonikidzevskiy District Court of Yekaterinburg denied the return of two foster children to the Savinovskiy family on suspicion that the foster mother, Yulia Savinovskiy, was transitioning following breast reduction surgery and social media posts about transgender issues. According to the court, Savinovskiy was seeking the social role of a man, which the court said contradicted the prohibition of same-sex marriages in the country. Savinovskiy lost custody of the two foster children in August 2017. In September 2017 media outlets reported that Children's Ombudsman Anna Kuznetsova said she would investigate the case, but the results of any action were unknown.

HIV and AIDS Social Stigma

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

According to NGO activists, men who have sex with men were 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.

Although the law provides for treatment of HIV-positive persons, drug shortages, legal barriers, and lack of funds caused large gaps in treatment. In 2017 the Ministry of Health forbade the Federal AIDS Center in Moscow from dispensing antiretroviral drugs. The center served persons who could not get treatment at Moscow hospitals because they resided in the city without permanent registration.

On June 21, the Constitutional Court deemed it unconstitutional to prohibit HIV-positive parents from adopting children.

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

Other Societal Violence or Discrimination

The lack of an internal passport often prevented homeless citizens from fully securing their legal rights and social services. Homeless persons faced barriers to obtaining legal documentation. Prior to the World Cup soccer tournament held in June and July, *Moskovskiy Komsomolets* reported that police rounded up homeless persons, beat them, and bussed them to camps and disused military bases.

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. State-controlled media also promoted anti-Semitic conspiracies, such as the supposed control of the world economy by the Rothschild family.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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

The labor code prohibits strikes in the military and emergency response services. It also prohibits strikes in essential public-service sectors, including utilities and transportation, and strikes that would threaten the country’s defense, 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.

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

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

The Federal Labor and Employment Service (RosTrud) regulates employer compliance with labor laws and is responsible for "controlling and supervising compliance with labor laws and other legal acts which deal with labor norms" by employers. Several state agencies, including the Ministry of Justice, the Prosecutor's Office, the Federal Service for Labor and Employment, and the Ministry of Internal Affairs, are responsible for enforcing the law. These agencies, however, frequently failed to enforce the law, and violations of freedom of association and collective bargaining 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.

On January 10, a court in St. Petersburg ruled to liquidate the "Worker's Association" Interregional Labor Union, in the first-ever application of the country's "foreign agents" law to a labor union. The St. Petersburg offices of the Justice Ministry and Federal Tax Service claimed the organization engaged in political activity and received foreign funding. Media reported that prosecutors alleged the union received more than 32 million rubles (\$480,000) from a Swiss-based international union federation to train members. On May 22, however, the Supreme Court overturned the decision and restored the union's legal status.

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. 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. As of 2016 the Federal State Statistics Service, citing GAMI numbers, reported 30,000 North Korean workers were in the country, many of whom worked under conditions of forced labor. Press reports indicated North Korean laborers helped build a new soccer stadium in St. Petersburg used in the World Cup soccer tournament held during the year, a project on which at least one laborer died. Two North Korean laborers died in central Moscow in July while working on a luxury apartment complex, and independent reports characterized as consistent with forced labor conditions in the logging camps in the country's Far East that employed North Korean laborers.

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

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

c. Prohibition of Child Labor and Minimum Age for Employment

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

RosTrud is responsible for inspecting enterprises and organizations to identify violations of labor and occupational health standards for minors. The government

did enforce the law, but violations, such as employing child labor, were at times classified as administrative matters and punished with insufficient fines, doing little to deter future violations.

Child labor was uncommon, but it could occur in brick making, the timber industry, and 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 www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law does not prohibit discrimination based on sexual orientation, HIV status, gender identity, or disability. 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, although NGOs reported several successful lawsuits in St. Petersburg against companies for wrongful termination of women on maternity leave.

A 2013 law prohibits employer discrimination in posting job vacancy information. It also prohibits employers from requesting workers with specific gender, race, nationality, address registration, age, and other factors unrelated to personal skills and competencies. Notwithstanding the law, vacancy announcements sometimes specified gender and age requirements, and some also specified a desired physical appearance.

According to the Center for Social and Labor Rights, courts often ruled in favor of employees filing complaints, but the sums awarded were inconsequential. Many employees preferred not to spend the money and time to take legal action.

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

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

The law requires applicants to undergo mandatory medical screenings when entering into a labor agreement or when enrolling at educational institutions. The medical commission can restrict or prohibit access to jobs and secondary or higher education if they find signs of physical or mental issues. Persons with disabilities were subject to employment discrimination. Companies with 35 to 100 employees have an employment quota of 1 to 3 percent for persons with disabilities, while those with more than 100 employees have a 2- to 4-percent quota. Some local authorities and private employers continued to discourage persons with disabilities from working. Inadequate workplace access for persons with disabilities limited their work opportunities.

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

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

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

In September, as part of broader pension reform, amendments to the criminal code 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 of 11,163 rubles (\$170) on May 1, and it will be regularly revised to keep pace with the increase in the subsistence minimum income. 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 October wage arrears amounted to 3.1 billion rubles (\$48.4 million).

According to *Novaya Gazeta*, 60 coalminers in the TransBaikal region began a hunger strike in June for nonpayment of wages.

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

The labor code stipulates that payment for overtime must be at least 150 percent for the first two hours and not less than 200 percent after that. At an employee’s request, overtime may be compensated by additional holiday leave. Overtime work cannot exceed four hours in a two-day period or 120 hours in a year for each employee. The law establishes minimum conditions for workplace safety and worker health, but does not explicitly allow workers to remove themselves from hazardous workplaces without threat to their employment. The law entitles foreigners working legally to the same rights and protections as citizens.

Occupational safety and health standards were appropriate to the main industries. 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.

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

No national-level information was available on the number of workplace accidents or fatalities during the year. According to Rosstat, in 2015 approximately 28,200 workers were injured in industrial accidents, including 1,290 deaths.

According to HRW at least 21 workers died from work-related accidents at World Cup soccer tournament construction sites. Many suffered from severe working conditions, including lack of proper safety equipment, freezing temperatures, and threats of termination for complaining. Some workers either did not receive employment contracts or received them late, and some went unpaid for months.