

Flygtningenævnets baggrundsmateriale

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Freedom in the World - ↓ Russia (2007)

Population:
142,300,000

Capital:
Moscow

Political Rights Score: 6
Civil Liberties Score: 5
Status: Not Free

Trend Arrow

Russia received a downward trend arrow for the government's intensified crackdown on NGOs, particularly those receiving foreign funding.

Overview

In 2006, the Kremlin continued to infringe on the rights and liberties of Russian society. New legislation on terrorism and extremism contained formulations so vague that critics fear it could be used against the Kremlin's political opponents as well as its ostensible targets. The assassination of investigative journalist Anna Politkovskaya silenced the most tenacious critic of the government's Chechnya policy, while the murder of Russia's top bank regulator highlighted the dangers of efforts to clean up corruption in this crucial sector of the economy. The authorities' continuing campaign against nongovernmental organizations (NGOs), particularly those with foreign funding, curtailed the activities of human rights groups, and fine-tuning of the electoral laws made life more difficult for opposition parties. Russia's official crackdown on Georgians living in the country led to accusations of selective application of the law against specific ethnic groups.

With the collapse of the Soviet Union in December 1991, the Russian Federation emerged as an independent state under the leadership of President Boris Yeltsin. In 1993, Yeltsin used tanks to thwart an attempted coup by hard-liners in Parliament, after which voters approved a new constitution codifying a powerful presidency and a bicameral national legislature, the Federal Assembly. The December 1995 parliamentary elections, in which 43 parties competed, saw strong support for Communists and ultranationalist forces. Nevertheless, in the 1996 presidential poll, Yeltsin easily defeated Communist leader Gennady Zyuganov with the support of powerful economic oligarchs. The August 1998 collapse of the ruble and Russia's financial markets provided a useful corrective to the Russian economy, ushering in years of rapid growth. In 1999, Yeltsin appointed Vladimir Putin, then the head of the Federal Security Service (FSB), as prime minister.

Conflict with the separatist region of Chechnya, which had included a brutal two-year war from 1994 to 1996, resumed in 1999. After a Chechen rebel attack on the neighboring Russian republic of Dagestan in August 1999 and a series of deadly apartment bombings in Russian cities that were blamed by the Kremlin on Chechen

militants the same year, the central government responded with an attack on the breakaway region. The second Chechen war dramatically increased Putin's popularity, and after the December 1999 elections to the State Duma, the lower house of the Federal Assembly, progovernment forces were able to shape a majority coalition.

An ailing Yeltsin—who was constitutionally barred from a third presidential term—resigned on December 31, 1999, transferring power to his hand-picked successor, Putin. The new acting president subsequently secured a 53 percent–29 percent first-round victory over Zyuganov in the March 2000 presidential election. After taking office, Putin moved to consolidate his power, reducing the influence of the legislature, regional leaders, the business community, and the news media, while strengthening the FSB. He considerably altered the composition of the ruling elite through an influx of personnel from the security and military services; they now represent approximately 25 percent of the country's ministers, deputy ministers, legislators, regional governors, and heads of multiregional federal districts. Overall, Putin garnered enormous personal popularity by stabilizing the Russian political system after years of chaos under Yeltsin and overseeing a gradual increase in the standard of living for most of the population.

Nevertheless, the December 2003 Duma elections were marred by extensive bias in media coverage. The Kremlin-controlled United Russia political party captured 306 of the Duma's 450 seats. With the national broadcast media and most print media uniformly favorable to the incumbent, no opponent was able to mount a respectable challenge in the March 2004 presidential election. Putin, who refused to debate the other candidates, received 71.4 percent of the vote, compared with 13.7 for his closest rival, Communist Nikolai Kharitonov, in a first-round victory. Voter turnout was 64.3 percent.

Putin's second term has seen an increase in state power over civil society with little progress on overall administrative and military reform. In September 2004, Putin introduced legislative changes that eliminated direct gubernatorial elections in favor of presidential appointments. Acting in the wake of a deadly hostage-taking raid by Chechen rebels in Beslan, in the Caucasus republic of North Ossetia, he argued that the tighter centralized control was necessary to help prevent Russia's dissolution at the hands of ethnic separatists. Later the same year, a popular protest movement overturned fraudulent election results in Ukraine, leading to the defeat of the Russian-backed presidential candidate. Russia itself faced mass protests in early 2005, after the government attempted to replace long-standing in-kind social benefits for certain vulnerable groups with inadequate cash payments. The events sparked concerns in the Kremlin that a future protest movement could topple the current leadership. To prevent such an outcome, Russian officials and state-controlled media promoted loyalist groups, such as Nashi, to counter potential opposition protesters. The government also began a crackdown on nongovernmental organizations (NGOs) inside Russia, especially those receiving foreign funding.

The authorities removed another possible threat in 2005, when a court sentenced billionaire energy magnate Mikhail Khodorkovsky, founder of the oil firm OAO Yukos, to eight years in prison for fraud and tax evasion. A parallel tax case against Yukos itself led to the transfer of many of its assets to the state-owned OAO Rosneft. Although an oligarch with a checkered past, Khodorkovsky had transformed his company into one of the most transparent in Russia, and was

using his wealth to bankroll opposition political activities.

Putin in early 2006 signed a new law that handed bureaucrats wide discretion in registering NGOs and placed extensive reporting requirements on the groups. Critics feared that the legislation would make it easier for the authorities to shut down NGOs critical of official policy. In October, a Nizhny Novgorod court ordered the closure of the Russian-Chechen Friendship Society, which monitored human rights in Chechnya, on the grounds that an NGO cannot be headed by a person convicted of extremist activities. In February, the organization's leader, Stanislav Dmitrievsky, had been found guilty of publishing articles by Chechen separatist leaders, an offense labeled an act of "extremism."

The Kremlin that year also continued efforts to fine-tune Russia's electoral legislation in advance of the 2007 parliamentary and 2008 presidential elections to ensure a favorable outcome. One new law stripped legislators of their seats if they changed parties and prohibited parties from supporting other parties during elections. Those provisions weakened opposition parties by preventing them from setting up informal coalitions; previous changes had banned formal electoral blocs. In addition, the authorities removed the option of voting "against all" from the ballot. While this option is not usually available in democratic systems, voters used it to express frustration with elections that provide no real choices, particularly when there has been extensive official interference. An election was declared invalid if "against all" won the most votes. Officials removed minimum turnout requirements from the ballot, a practice also not widely used elsewhere, but seen by the opposition as a way of preventing the election of unpopular candidates through a boycott. Other legislation banned critical comments in television ads, a move to spare incumbents from the barbs of their opponents.

In another sign that safe avenues for dissent were disappearing, an unidentified assassin murdered investigative journalist Anna Politkovskaya on October 7. She had frequently criticized the Kremlin's brutal crackdown in Chechnya and the excesses of Russian troops in the region. Thirteen journalists have been killed since Putin came to power, and there have been no convictions in any of the cases.

Russia's already poor relations with Georgia broke down further that fall, when Georgian authorities temporarily detained a group of Russian service personnel as spies. Russia responded in part by harassing ethnic Georgians, many of them citizens of the Russian Federation. It deported more than 1,000 Georgians migrants, ordered tax checks on prominent Georgians, and closed many Georgian-owned businesses. Some Russian and Western observers denounced these policies aimed against a specific ethnic group as shameful.

New laws on combatting terrorism and extremism further opened the door for abuses of civil liberties. A new counterterrorism law includes vague formulations that allow for the banning of any organization that justifies or supports terrorism. Amendments to the law on extremism expand the definition of extremist activities to include slandering a government official in the performance of his duties. Likewise, a new law bars parties from contesting elections if one member is convicted of extremism. Critics of these measures argue that existing laws are already strong enough to address these problems, while the new laws are so vaguely worded that they can be used to silence opposition politicians and the press. Against this background, foreign media reported a number of cases in which opposition-minded activists who crossed the authorities were taken to insane

asylums, a common practice during the Soviet era.

Political Rights and Civil Liberties

Russia is not an electoral democracy. In the State Duma elections of December 2003, the Kremlin's United Russia political party won more than two-thirds of the seats, while many of the remaining seats were captured by parties friendly to the Kremlin. The Parliament now serves as a rubber stamp for Kremlin decisions. The Communists represent the sole party in the legislature that remains relatively free of Kremlin influence. In the presidential election of March 2004, state dominance of the media was in full display, debate was absent, and incumbent Vladimir Putin won a first-round victory with 71.4 percent of the vote, more than five times that of his closest rival.

The 1993 constitution established a strong presidency with the power to appoint, pending parliamentary confirmation, and dismiss the prime minister. The bicameral legislature consists of a lower chamber (the 450-seat State Duma) and an upper chamber (the 172-seat Federation Council). Amendments to the electoral law introduced in 2005 mean that, starting with the December 2007 elections, all seats, rather than just half, will be elected on the basis of party-list proportional representation; parties must gain at least 7 percent of the vote, rather than the previous 5 percent, to enter the Duma. Parties cannot form electoral coalitions, and would-be parties must have at least 50,000 members and organizations in half of the federation's 86 administrative units in order to register. In practice, these changes will make it extremely difficult for opposition parties to win representation in the State Duma. The upper chamber is made up of members appointed by governors and regional legislatures. Although the governors were previously elected, a 2004 reform gave the president the power to appoint them, meaning he heavily influences the appointment of half of the members of the upper house. The president and members of Parliament serve four-year terms, and the president is limited to two terms.

Corruption throughout the government and business world is pervasive, and Putin has identified his lack of progress on this issue as one of his greatest failures. In fact, Putin's anticorruption efforts are selectively applied and have often targeted critics and potential political adversaries. The size of the bureaucracy has grown rapidly during the last few years, adding to the complexity of doing business and creating opportunities for graft and bribery. The central bank has made efforts to crack down on the endemic money laundering in the Russian banking system, but the September 2006 assassination of Andrei Kozlov, the senior bank official behind the anticorruption drive, showed that the problem remains acute. Recent reports by the World Bank suggest that the amount of bribes paid in Russia is rising. Russia was ranked 121 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

Although the constitution provides for freedom of speech, the government continues to put pressure on the dwindling number of media outlets that are still critical of the Kremlin. Since 2003, the government has controlled directly, or through state-owned companies, all of the national television networks. While the independent Ekho Moskvyy radio station airs a wide range of viewpoints, it is vulnerable because it is owned by the state-controlled OAO Gazprom natural gas conglomerate. The gas monopoly expanded its media empire in September 2006, when a subsidiary added the newspaper *Kommersant* to its 2005 purchase of another major paper, *Izvestiya*. Some independent outlets remain in the regional

media and on the internet, but even these areas are under threat as the Kremlin extends further control. The military continues to impose severe restrictions on Russian and foreign journalists' access to the restive republic of Chechnya, issuing accreditation primarily to those of proven loyalty to the government. The October 2006 murder of well-known investigative reporter Anna Politkovskaya, who had covered Chechnya extensively, highlighted the intimidation faced by many Russian journalists, in addition to threats of libel suits and other pressures.

Freedom of religion is respected unevenly. A 1997 law on religion requires churches to prove that they have existed for at least 15 years before being permitted to register. As registration is necessary for a religious group to conduct many of its activities, new, independent congregations are consequently restricted in their functions. Orthodox Christianity increased its privileged status as public schools in four regions introduced courses on it into their curriculums in fall 2006, bringing the total number to 19 of the federation's 86 regions. Regional authorities continue to harass nontraditional groups, with the Jehovah's Witnesses and Mormons among the frequent targets. In a positive development, the recently appointed president of Kabardino-Balkaria, Arsen Kanokov, agreed to reopen mosques that had been closed by his predecessor. The earlier repression provided a backdrop of official religious intolerance to an October 2005 insurgent attack on official institutions in that republic. However, religious organizations fear that the new law on NGOs will be used against them.

Academic freedom is generally respected, although the academic system is marred by corruption at the higher levels and by very low salaries for educators. The arrest and prosecution of scientists and researchers on charges of treason, usually for discussing sensitive technology with foreigners, has engendered a climate in some research institutes that is restrictive of international contacts. In December 2006, a new law required that the Russian president appoint the president of the Russian Academy of Sciences after he has been elected by the academy's general assembly. Critics claim that the new requirement of the presidential appointment means that the academy has lost its independence. Although it was dependent on the federal budget, the academy has so far retained autonomy over management and spending. It remains unclear how the change will affect the academy's funding priorities.

The government provides some space for freedom of assembly and association. However, at the beginning of 2006, Putin signed a new law on NGOs that gave government bureaucrats extensive discretion in deciding which organizations could register. The law imposes onerous reporting requirements on the organizations that will hamper their ability to operate effectively. Putin said that a key purpose of the law was to block foreign funding of political activities, but the law does not define what these activities are. The new law could also create extensive new opportunities for corruption, as bureaucrats seek bribes in exchange for not harassing some organizations.

The NGO sector is composed of thousands of diverse groups, with many of them dependent on funding from foreign sources. The new law places extensive controls on the use of these foreign funds. The April 2006 closure of imprisoned oil magnate Mikhail Khodorkovsky's Open Russia charitable foundation, which had supported NGOs focused on democratic reform, has had a chilling effect on Russian funding for such groups. To fill the vacuum, Putin established a Public Chamber whose task is to coordinate NGO activities and channel funding to state-approved

organizations. At the end of the year, the chamber handed out nearly 473 million rubles to 1,054 organizations, but there were no well-known human rights groups among the recipients. Most did not bother to apply, fearing they had no chance of winning.

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests occur, but antiunion discrimination and reprisals for strikes are not uncommon, and employers often ignore collective bargaining rights. In a rapidly changing economy in transition from the former system of total state domination, unions have been unable to establish a significant presence in much of the private sector. The largest labor federation works in close cooperation with the Kremlin.

The judiciary suffers from corruption, inadequate funding, and a lack of qualified personnel. After judicial reforms in 2002, the government has made progress in implementing due process and holding timely trials. The new code also gives the right to issue arrest and search warrants to the courts instead of prosecutors. Although the 2002 law abolished trials in absentia, this provision was revived in 2006 for suspected terrorists. Since January 2003, Russia's reformed criminal procedure code has provided for jury trials throughout the country, a plan set to be fully implemented by the beginning of 2007. While juries are more likely than judges to find defendants not guilty, these decisions are frequently overturned by a higher court, which can then send the case back for retrial as many times as is necessary to achieve the desired outcome. In 2006, Russia announced plans to move the Constitutional Court from Moscow to St. Petersburg, reducing its overall status.

Critics charge that Russia has failed to address ongoing criminal justice problems, such as poor prison conditions and the widespread use of torture and ill-treatment by law enforcement officials to extract confessions. New prison rules adopted in 2005 mean that prisoners are treated more harshly than they had been in the past, according to human rights activists. On the positive side, in April 2006, Putin signed a law transferring FSB pretrial detention centers to the Justice Ministry, meeting one of the commitments Russia made when it joined the Council of Europe in 1996.

Long before the 2006 government crackdown on Georgians, ethnic minorities, particularly those who appear to be from the Caucasus or Central Asia, were subject to governmental and societal discrimination and harassment. Local observers fear that racially motivated attacks by skinheads and other extremist groups are increasing. During the year there were 520 racist attacks in Russia, including 54 murders, according to Sova, a group that tracks ultra-nationalist activity in the country. An August 2006 bomb blast killed 10 people at a market frequented by migrants from the Caucasus and Central Asia, and was seen as an escalation in the sophistication and preparation of attacks against immigrants. In September, after men from Azerbaijan and Chechnya killed two ethnic Russians in a bar fight in the northern town of Kondopoga, a mob of 2,000, mostly young men, burned the bar and attacked homes and businesses owned by Caucasus migrants. Many ethnic minorities fled the city that night.

The government places some restrictions on freedom of movement and residence. All adults are legally required to carry internal passports while traveling, documents that they also need in order to obtain many government services.

Some regional authorities impose residential registration rules that limit the right of citizens to choose their place of residence freely.

Property rights remain shaky. Prosecutions of wealthy business people critical of the Kremlin, coupled with large tax liens on select companies, have reinforced perceptions that property rights are being eroded and that the rule of law is subordinated to political considerations.

Domestic violence continues to be a serious problem, and police are often reluctant to intervene in what they regard as internal family matters. Economic hardships contribute to widespread trafficking of women abroad for prostitution. Forced labor among male migrant workers is also a problem. There is credible evidence that women face considerable discrimination in the workplace, including lower pay than their male counterparts for performing similar work.

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