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Nations in Transit 2021 - Russia

CONSOLIDATED AUTHORITARIAN REGIME

7

/ 100

Democracy Percentage 6.55 / 100

Democracy Score 1.39 / 7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

7 / 100 Consolidated Authoritarian Regime

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic.

Score changes in 2021

- National Democratic Governance rating declined from 1.25 to 1.00 due to the absolute control of the government by Vladimir Putin as seen in the fraudulent referendum to zero out his presidential terms and thereby allow for the potentially indefinite extension of his rule. Additionally, the poisoning of opposition leader Alexei Navalny demonstrates the regime's undeterred abuse of the security services to silence dissenting voices.
- Civil Society rating improved from 1.75 to 2.00 due to the demonstrated resilience and increased capability of civil society to endure in the face of multiple challenges, including the COVID-19 pandemic and ongoing state attacks, both physical and legal.

As a result, Russia's Democracy Score did not change.

Executive Summary

By Nicholas Trickett

Even before the COVID-19 pandemic struck in Russia, there was growing evidence that 2020 would reveal increasing disorder in the country's internal politics as President Vladimir Putin and his administration maneuvered to ensure control over any potential succession of power. The snap decision to dismiss Prime Minister Dmitry Medvedev and his cabinet in mid-January was publicly framed as a necessity to ensure the president's freedom in "renewing" Russia's political system and attempting to spur the return of real income growth.¹ The PM's dismissal was timed with the president's address to the nation on the need for a constitutional amendment regarding his own right to serve past 2024.² Putin put forward Mikhail Mishustin, the little-known head of the Federal Tax Service, as Medvedev's replacement; other leading voices in Moscow similarly signaled that economic growth was again foremost on the agenda and Mishustin was the right figure to make progress.³ As PM, he immediately pushed through a 3 percent increase in social benefits paid to veterans, the disabled, and families with children, while tasking the cabinet with budget reforms to help increase the nation's flagging birth rate.⁴ The regime sent a clear message that it demanded better results in order to defuse public discontent with state services, yet it still operated within the traditional constraints of political interest groups, public opinion, and a broader refusal among political elites to upset long-standing policy orthodoxy.

The change of government was quickly swept into a much bigger crisis. The spread of COVID-19 in Russia confronted local, regional, and federal authorities with spiraling economic losses amid existing budget constraints, perpetually inadequate medical care and coordinated action due to state corruption and inefficiency, and the negative impacts of the novel coronavirus on the economy and everyday life. But the crisis also presented the country's political operators and institutions with an opportunity: while newer, more stringent controls on public assembly and behavior could be enacted, any exceptional performance in combating the virus or managing the public response could be leveraged. Russia's legislative assembly, the Duma, amended the Criminal Code in late March to introduce increased fines for quarantine violations and online posts containing "fake news" about the pandemic, a useful tool for pressuring opposition figures and others who criticize state policy.⁵ By late April, 69 percent of Russians polled

supported limitations on their civil rights in order to combat the spread of COVID-19.⁶ Observers noted that Russia's administrative and legal measures were the most extreme in Eurasia, and that the erosion of digital privacy protections was accelerated by attempts to track citizens' behavior and foot traffic, even though the government had been initially reticent to acknowledge the scale of the crisis.⁷ The Kremlin eventually settled on a social support package mandating that nonessential workers stay home from mid-April to mid-May in an attempt to curb the virus's spread, using digital passes in Moscow to grant or deny permission to individuals traveling more than 100 meters from their homes.⁸ Lockdowns were slowly eased afterward. Eventually, a rush to produce and distribute vaccines was adopted as a key national policy priority. Yet, through the end of the year, over 40 percent of the population consistently said they had no intention of getting vaccinated.⁹

COVID-19 also complicated the regime's efforts to head off fears about a potential succession struggle at the end of President Putin's current term in 2024. The pandemic introduced new conflicting incentives for subnational political and economic decision-makers, who adopted stricter or harsher lockdowns and extensive or limited stimulus plans to get through the recession. Despite logistical complications, a national referendum was held on a constitutional amendment to "nullify" Putin's four terms as president, thereby allowing him to remain in power for another two consecutive six-year terms.¹⁰ The fact that this national vote was pushed ahead reflected the urgency to preserve as much flexibility as possible so that any final decisions regarding succession could be delayed, and Putin's political capital preserved.¹¹ Rushing the vote through was of the utmost importance since 3.5 million Russians had reportedly been laid off due to the pandemic by the time the referendum was held.¹² The public narrative was controlled to foster as much legitimate support as possible, or at least to inspire high enough levels of apathy to accept the result. For that reason, functionally insignificant amendments were bolted onto the referendum, including a further strengthening of the president's control of the cabinet and the PM's duties, a declaration of Russia's sovereignty from the application of international law within its borders, and more.¹³ Furthermore, the voting period for the referendum was legally extended to 3 days, which then became 7 days, on what were widely seen to be unconstitutional grounds to ensure administrative resources could drive up turnout to manipulate vote totals.¹⁴

As the Kremlin worked to further cement Putin's control, events in the eastern city of Khabarovsk provided a salient example of federal overreach as well as local challenges to central power. Khabarovsk governor Sergei Furgal, a member of the systemic opposition Liberal Democratic Party and veteran of the Duma (2007–18), was arrested on suspicion of helping to organize the murder of entrepreneur Aleksandr Smol'skiy and two other businessmen in 2005–06.¹⁵ Protests erupted, primarily in the country's Far East but also elsewhere in Russia, over the arrest as it was widely seen as a Kremlin ploy to remove a governor with considerable local support who could challenge United Russia's party power in the region as well as to send a signal to other regional leaders to toe the line.¹⁶ Putin eventually bowed to public pressure, naming a deputy from the Liberal Democratic Party, Mikhail Degtyarev, to replace Furgal, but the protests continued throughout the year though with less fervent support.¹⁷ Neither the pandemic nor the Kremlin's spin machine could contain local discontent. Though the electoral performance of United Russia was not significantly threatened, the ability of local political organizers and groups to sustain public pressure on officials—whether on matters of democratic governance or, more commonly, on local and municipal issues like waste management, pollution, and public health responses to COVID-19—was notable and impressive. Civil society faced increasing state pressure through the use of legal administrative resources, intimidation, and violence, as well as through public measures related to the pandemic.¹⁸ Yet, with the failed attempt on Alexei Navalny's life by the Federal Security Service (FSB)—confirmed by the British investigative news outlet Bellingcat and Navalny's own independent investigation¹⁹—the civic sector took on a more visible role in national politics heading into 2021.

According to wide opinion, the change in government in January was partially designed to "reset" the regime's public legitimacy by taking pressure off Putin's polling numbers, which held steady after recovering from the lows of April–May. Levada Center data shows that as much as 69 percent of Russians currently support Putin's actions as president, and VTsIOM polling puts an analogous measure at 68.1 percent as of late September.²⁰ By contrast, PM Mishustin came into power with an initial public trust rating of 52.1 percent, which remained largely consistent throughout the year most likely due to the public perception of him as an able technocrat.²¹ This shows that the gap between the regime's ability to maintain power and political capital and its ability to deliver concrete policy results is widening. Whereas the year 2019 showed an encroaching incoherence in Russian politics, 2020 signaled the deepening rupture in the social contract between the regime and the public. Positive turns in the regime's stability and legitimacy are regularly accompanied by public policy failures, such as the attempts to cope with the devastation of COVID-19 despite success rolling out the Sputnik V vaccine. The attempted murder of Alexei Navalny is proof that every political threat, no matter how minute, is now cause for public concern. Repression appears to be the preferred policy course to prevent any emergent political pluralism.

Looking ahead, no improvements are expected in the democratic nature of the ruling regime or its hostile relationship with independent media and civil society. Six years of lower oil prices and austerity have given way to yet more looming austerity, now paired with increasingly repressive measures designed to allow the regime, law enforcement, and security institutions to act unilaterally to clamp down on dissent. Events in the country's Far East portend an increasingly divided relationship between the center and regions where systemic or non-systemic parties and political actors have managed to cultivate a base of public support. In this political situation, the continued centralization of political capital and influence in the presidential administration no longer affords enough "slack" to build more durable consensus on key policy matters. Any emergent threat of substantial political pluralism is likely to be suppressed, violently if need be, as the institutions managing elections and local governance struggle to react to endemic economic problems, limited local resources, or dictates from the federal government in pursuit of the Kremlin's preferred stability.²² Still, political pressures from the opposition or public discontent are not yet necessarily a threat to the regime's survival.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, 1.00 / effectiveness, and accountability of the legislative and executive branches. 7.00

- Russia is a consolidated authoritarian regime that controls dissent and political disagreement through a combination of executive power, rule by law, and managed democratic institutions. Elections are manipulated through access to administrative resources, handpicked candidates, and “systemic” opposition parties (i.e., ostensibly rival parties that de facto operate at the Kremlin’s bidding) with prescribed roles in managing public dissent. The highly informal nature of political power in Russia tends to exaggerate the regime’s fragile ability to adapt to changing social, economic, and political contexts, but 2020 proved even more challenging for the Kremlin’s traditional balancing act.
- The biggest change in government came in mid-January with the shock announcement that Dmitry Medvedev and the cabinet formed by the prime minister were being dismissed.²³ This news dropped a day after Vladimir Putin publicly proposed a national referendum on constitutional amendments that included repealing the two-term limit for his service as president when his current term ends in 2024.²⁴ Medvedev was deeply unpopular, with a public trust rating of just 25.2 percent according to VTsIOM when he left office. His replacement, the relatively unknown head of the Federal Tax Service, Mikhail Mishustin, entered the job with a trust rating of 52.1 percent, which has edged slightly higher over the course of COVID-19.²⁵ His successes streamlining tax payments and using technology to improve tax collection projected a technocratic profile that Putin has clearly sought to exploit.²⁶
- Broader satisfaction with the government has declined in the last three years from levels above 50 percent, with the public now divided roughly into one-third completely satisfied, one-third partially satisfied, and one-third unsatisfied.²⁷ Levada Center’s more independent polling shows net support for the government a bit lower at around 50 percent.²⁸ Normally, that would call for significant turnover among governors and other officials, since the Kremlin typically blames other figures for policy failures and takes credit for successes. However, the climate in 2020 required a different touch. The national referendum on constitutional amendments to extend President Putin’s legal authority to serve beyond 2024 came in the middle of a pandemic in which the state’s coronavirus task force appeared to have understated the death rate from the virus by half.²⁹
- The ability to achieve national policy targets set in Moscow has utterly collapsed. The 2024 targets set for national projects aiming to produce economic growth, support digitalization, expand the economic share of small and medium-sized businesses, and so forth, were officially pushed back to 2030 by executive order in July.³⁰ COVID-19 alone cannot explain their complete abandonment. The reality is that the Kremlin has reduced the capacity of political institutions to implement policy by depriving them of independence, removing politically inconvenient appointees, or overriding policymakers’ concerns by ordering agencies to act in pursuit of political goals at odds with the public welfare.³¹
- Water quality in Russia is one example of what happens to the efficacy of government policies when formal institutions are hollowed out. On average, 85.5 percent of the population has access to clean water from a centralized source. Yet, 10 regions significantly lag the national average, including the Republic of Tuva in which only 24.7 percent has regular access to clean water.³² Waste management is a similar case. The Audit Chamber found that the federal government’s attempts to reform trash collection and improve waste capacity have failed, with 17 regions likely to exhaust available landfill by 2022.³³

Electoral Processes

- Elections and referendums continue to be controlled and manipulated by the Kremlin. Administrative techniques—such as denying permits to rally or appear on the ballot, using systemically controlled political parties to set candidate slates, engineering legal violations and criminal charges to prosecute opposition figures or politicians with an independent power base, and more traditional acts like ballot stuffing—are commonplace across Russia. Yet, there remains a degree of slack in the system allowing for unexpected electoral outcomes. This highlights that the regime’s capacity to rig the system does face some material constraints and still relies on a degree of popular legitimacy to function. But Russian media outlets openly report internal negotiations in the Kremlin over how to best “fix” the next elections for the Duma in September 2021.³⁴ Generating a simple majority for United Russia, Putin’s traditional base of support, is widely thought to be a very difficult task, and the possibility of arranging a variety of coalitions—including smaller, newer parties formed as vectors to diffuse discontent on different policy fronts—is now under consideration after the surprising 2020 regional election results.³⁵
- The regional elections were held across the country on September 11–13, with 20 regions voting for governor and 11 regions voting for local legislative bodies.³⁶ In a shock to many, United Russia only managed to win 24.46 percent of the Tomsk city duma’s seats, a drop from over 50 percent five years ago, thus costing it the majority to opposition parties and candidates running without party affiliation.³⁷ The adoption of “smart voting” techniques (an electoral strategy, created and organized by Alexei Navalny’s team, that identifies and informs citizens of the candidate most likely to defeat the Kremlin’s choice) between “systemic” parties—the Communist Party of the Russian Federation and the Liberal Democratic Party—and opposition groups led by Alexei Navalny’s political team and the Yabloko Party denied United Russia a convincing victory. Still, United Russia won a ruling majority in all 11 regional dumas holding elections. The use of party lists in place of proportional representation made up for United Russia winning less than 50 percent of the vote in 7 out of

11 regions.³⁸ Runoffs were almost held in the Irkutsk and Arkhangelsk regions, but the opposition parties fell short by a hair.³⁹

- Given the environment of political crisis that gripped Moscow since late February, changing electoral rules and regulations was not a serious option to ensure outcomes in 2020. The September regional elections were the first held all year. The biggest change, inspired by the constitutional referendum at the beginning of July, was to extend the legal voting period from 1 to 3 days in response to the constraints posed by COVID-19 in order to boost election turnout and margins for incumbents.⁴⁰
- But the September elections inspired debate among local opposition groups on how best to proceed. In Krasnoyarsk, opposition groups have proposed a return to direct elections for the mayoralty, banking on the regime's weakening ability to win competitive elections.⁴¹

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups. 2.00 / 7.00

- Civil society organizations (CSOs) continued to face considerable constraints and pressures in Russia in 2020, but the civic sector nevertheless found ways to mobilize and sustain political movements around local political issues. The tactics for pressuring and controlling CSOs ran the gamut, including investigations and legal registrations designed to "out" CSOs as foreign agents, concerted efforts to use the police to harass organizers, arrests on false pretenses, denial of registrations and other necessary legal documentation, and even the purchase of CSO debt by private individuals seeking to curry favor with the regime or act out on grudges.⁴²
- Furthermore, CSOs are created and funded by interest groups and individuals with ties to the regime to pursue politically acceptable ends and to shape the public perception of the role of civil society. For example, the Ministry for Enlightenment in Moscow gave a building to a newly created "Fund for the Defense of Children" in early October by presidential order, a move meant to please interest groups that the regime relies on such as the Russian Orthodox Church.⁴³ The Perm-branch chairman of the CSO All-Russian Parents' Resistance complained that this move fit a broader pattern of private, locally run organizations having to fight off ham-handed or unhelpful initiatives and legislation from local, regional, and federal authorities trying to expand the state's role in the civic sector.⁴⁴
- Alexei Navalny, the anticorruption activist and political opposition leader, was poisoned in Omsk on August 20 while being tailed by the Federal Security Service (FSB), then later falling into a coma for weeks before waking to a slow recovery.⁴⁵ Navalny and many of his supporters are adamant that the FSB carried out the attempt on his life on orders from President Putin.⁴⁶ The attack highlights a growing sense of disorder within the regime; observers and analysts struggled to find compelling reasons why Putin would risk legitimizing Navalny, a relatively unpopular political activist and leader with a weak power base, and his movement by ordering him killed.⁴⁷
- In December, the Duma amended existing legislation so that any individual citizen disseminating texts, audio, or visual materials to a mass audience in the interest of foreign mass media and agents with support from abroad could be legally labeled a foreign agent.⁴⁸ This amendment has turned legislation initially intended to influence and control civil society actors into a potential means of mass repression against any opposition figure, as well as a legal instrument banning any named foreign agents (or, effectively, any political figure associated with the West) from holding public office.
- In 2020, COVID-19 undermined emergent forms of local civic sector organizing that had begun in 2019, often protesting local political failures, and thus blunted the ability of the political opposition as well as local, regional, and national groups to organize and protest during the year.⁴⁹ However, Khabarovsk in the Far East stands out as a salient counter-example that local political issues continue to inspire sustained support and engagement from the general public and local CSOs. In this city, the politically motivated arrest of governor Sergei Furgal, a member of the systemic Liberal Democratic Party, prompted an organized response.⁵⁰ On July 18, according to some media reports, as many as 85,000 people—nearly one-fifth of the population of Khabarovsk—gathered to protest the change. Two days later, Putin had named a Duma representative from the Liberal Democratic Party, Mikhail Degtyarev, to replace Furgal in a failed concession to public pressure.⁵¹ Since then, regular protests continued without interruption through year's end, though eventually diminishing in size and pitch.

Independent Media 1.00-7.00 pts

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media. 1.50 / 7.00

- The year 2020 saw the space for independent voices at legacy media outlets and institutions, such as newspapers, television stations, and radio, shrink further. Meanwhile, the internet continued to facilitate reporting and content more critical of the regime and less hidebound by restrictions on speech sought from conservative political figures and lobby groups.
- Journalists have also found that their past professional work is used against them in a political capacity when making career changes. Former *Kommersant* journalist Ivan Safronov was arrested for suspected treason after working as an advisor at Roskosmos, prompting an outpouring of support from fellow journalists.⁵² The

police illegally detained small pickets of protesters, declaring even lone sign holders to be "mass" events. Former *Meduza* editor Ilya Azar was arrested for a 15-day detention in Moscow.⁵³ Azar became a municipal deputy in summer 2019 and has actively protested for the release of journalists arrested under dubious legal circumstances or in retribution for their work, including the detention of Vladimir Vorontsov and Viktor Nemytov who, respectively, have written critically about the Internal Affairs Ministry and detention of political prisoners.

- In mid-June, the board of directors of *Vedomosti*, Russia's leading business journal, named Andrei Shmarov editor-in-chief, who immediately imposed a ban on publishing polling results from the independent pollster Levada Center, as well as pieces criticizing the extension of Putin's term limits.⁵⁴ Journalists and editors at *Vedomosti* complained in April that Shmarov was censoring their work.⁵⁵ The publication's ownership changed hands in May, with Shmarov pointedly pulling a story from the website that shed light on Rosneft's activities in Venezuela. Eventually, five deputy editors tendered their resignation and other columnists, including Andrei Kolesnikov, were forced out.⁵⁶ The team that left *Vedomosti* went on to found a new online independent outlet called *VTimes* partnering with the Financial Times, a move offering a slightly greater degree of protection from political pressure to censor or control content.⁵⁷
- The authorities, however, have proven unable to clamp down on a newer generation of online news sources that keep their financing abroad to avoid domestic interference, have no physical office space in order to keep staff and reporters mobile, and rely on encryption software and related technical solutions to prevent the FSB or other agencies from tracking their movements and work.⁵⁸ Some independent journalists rely on YouTube channels and posts on the social network VK to skirt restrictions on speech. This split is a visible result of the state's limited capacity to suppress online speech, evidenced by the June decision of Roskomnadzor (the Federal Service for Supervision of Communications, Information Technology, and Mass Media) to lift its ban on the messenger app Telegram simply because it could not manage to successfully block it online.⁵⁹
- The continued space for online journalism and decentralized business models, including crowdfunding and subscriptions processed through foreign bank accounts, does not however diminish the increasingly oppressive climate for individuals engaged in political journalism. On October 2, the Nizhny Novgorod-based journalist Irina Slavina committed suicide by immolation in front of the city offices of the Department of the Interior after she and five local activists were criminally charged with "cooperating" with Open Russia despite having no connection to the opposition group.⁶⁰ While control may be weaker over journalism conducted on these newer, more sophisticated platforms, this does not diminish the state's considerable means for physical, psychological, and legal intimidation.

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local 1.50 / governmental bodies; and the transparency and accountability of local authorities. 7.00

- The COVID-19 shock put immense pressure on local governments in Russia, which frequently lack resources, clear political authority, competent leadership, or the trust of the governed. The relative power of self-government in the country faces a cloudy future as constitutional amendments attached to the national referendum provide an explicit pretext for the center to make appointments and dismissals at the local level.⁶¹ That doesn't mean, however, that the federal government is particularly good or engaged on local matters. Yet, deputies from regional dumas often appeal to Putin to intervene when they find the work of the regional governor lacking, such as in the Kalmykia and Altai regions in 2020.⁶²
- The rotation of governors via executive appointment is regularly used to prevent any individual governor from accruing too much political capital and creating the appearance of a meaningful response to regional and local discontent. The effects of the pandemic accelerated the timeline for some governors' departure. The heads of the Komi Republic, Arkhangelsk oblast, and Kamchatka krai were dismissed at the beginning of April in advance of the September elections.⁶³ Dismissal remains a crucial stick for the Kremlin to wield power.
- Local elections went ahead as planned on September 11–13, showcasing an emerging dynamic for Moscow: the Communist Party began taking more aggressive stances that suggest it is less interested in playing the role of a "systemic" opposition party, and newer systemic parties—"New People," "For Truth," and "Green Alternative"—got their first chance to appear on the ballot.⁶⁴ Whereas governors' races are tightly controlled, elections for regional dumas and city councils remain somewhat competitive. This dynamic produces split results, such as in Tambov oblast where the United Russia candidate retained the governorship but the nationalist party Rodina won a majority of seats in the regional assembly.⁶⁵ Novosibirsk proved a particularly interesting campaign in which newer parties, created to diffuse dissent and dissatisfaction by covering specific issues, ran competitive races along with opposition campaigns organized by teams connected to Alexei Navalny.⁶⁶ The result was the only opposition ruling coalition elected in Russia.
- Some elections, however, were overshadowed by the politically motivated arrest in July of governor Sergei Furgal, a member of the systemic opposition Liberal Democratic Party, which prompted an organized public response.⁶⁷ On July 18, according to some media reports, as many as 85,000 people, or nearly one-fifth of the population of Khabarovsk, gathered to protest the change. Two days later, Putin named Mikhail Degtyarev, a Duma representative from the Liberal Democratic Party, to replace Furgal in a failed concession to public pressure.⁶⁸ Protests continued into winter without interruption before starting to fall off.
- COVID-19 similarly exposed cracks in the relative quality of regional government responses. This created political risks for the regime, not to mention public health and welfare struggles, due to the uncoordinated (or poorly coordinated) nature of the national response to the pandemic. By early April, regional governments

were scrambling to create their own crisis measures with limited input from Moscow in hopes of preserving employment and preventing a large ramp up in demand for social support.⁶⁹ By early May, the government had lifted all regional debt repayment requirements until the end of the year, a move that helped regional budgets but, more deeply, reflected a refusal to coordinate programs centrally out of Moscow.⁷⁰

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and prisoners, and compliance with judicial decisions. 1.25 / 7.00

- Russia's judicial system continues to be plagued by political interference and corruption, though it retains some degree of independence when litigating business disputes and civil cases that do not endanger any prominent political bloc or lobby. A law passed by the Duma in early March now empowers the president to dismiss judges on the Supreme Court, not just appoint them.⁷¹ This signals a growing desire to take control of legal decisions pertaining to constitutional questions, thereby ensuring greater power for the executive over the judiciary in order to insulate the justice system from external influence and favorably resolve elite disputes.
- The judiciary similarly tries to leverage its role to protect its own interests. In 2020, the Ministry of Finance pushed the Duma to accept bills that would halt the indexation of civil service salaries to inflation in the coming year. This was part of a broad array of revenue increases and spending cuts to avoid a large budget deficit due to the negative impacts of COVID-19.⁷² The Council of Judges issued a decree that the decision to halt the indexing of civil service salaries was illegal and a threat to the independence of the judiciary.⁷³ This ruling came despite the fact that salaries for judges were set to be raised 3 percent as of October by order of the president in the middle of a massive economic crisis.⁷⁴
- Members of Alexei Navalny's anticorruption fund have filed 32 separate complaints with the European Court of Human Rights (ECtHR) in connection not only with his attempted assassination by poisoning but for politically motivated arrests in 25 cities across Russia.⁷⁵ The ECtHR received 15,050 complaints from Russian individuals and organizations in 2019, of which about 1 percent were advanced to a final decision.⁷⁶ The court lacks the capacity to review more cases and is of limited use in improving the country's legal environment. The Russian government has willingly recognized decisions from the ECtHR in the past, awarding damages for claims, but the 2020 constitutional referendum included an amendment now adopted that stipulates Russian law always supersedes international law, ensuring the country's legal sovereignty.
- On December 8, the Duma passed a law to preserve the right of judges and members of the security services to hide their personal assets and information in order to protect them from external pressure while trying to weed out corruption.⁷⁷ This law, however, makes Russia's legal and law enforcement institutions even less accountable by further restricting the space for public oversight, while it further insulates Russia's judicial system from external pressure. These moves following the constitutional referendum reduce the influence of foreign courts and their legal decisions on Russian politics, businesses, and, crucially, its political and economic elites, further binding them to the regime.⁷⁸
- COVID-19 had a noticeable impact on the judiciary's caseload in 2020. In the first half of the year, the caseload referred to the Supreme Court declined by 21 percent year on year for a total of 2,072 cases and complaints, while appellate courts saw their caseload fall by 27.4 percent.⁷⁹

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives. 1.25 / 7.00

- Russia's formal and informal political institutions are rife with corrupt practices, but a great deal of what might be considered corruption is, in effect, legally protected or otherwise structured by laws, norms, and regulations. At the start of 2020, Audit Chamber head Alexei Kudrin warned that corruption was still endemic and costing the country trillions of rubles a year.⁸⁰ For instance, the state's response to COVID-19 generated ample opportunity for corruption through state procurement contracts, whose value significantly exceeded the original sum set aside in the central budget.⁸¹ An estimated 60 billion rubles' worth of contracts were effectively classified and excluded from the state's digital reporting platform, hiding who in fact received contracts for key orders. In July, the General Prosecutor estimated that Russia had lost 29 billion rubles to corruption in 2020, a sign that enforcement institutions had little interest in combating corrupt practices that fall into a legal gray area or else are condoned by the government.⁸²
- Pre-pandemic data showed that incidences of bribes worth less than 10,000 rubles had increased 43.1 percent from 364 in December 2019 to 521 in January 2020.⁸³ Despite the growth in smaller bribes, late April data showed that being judged for crimes pertaining to small bribes had declined by 31.5 percent, whereas crimes pertaining to bribes worth 150,000 rubles or more now accounted for approximately half of all cases.⁸⁴
- The year saw a corruption crackdown on civil servants and members of the security services, which suggests a desire to show the public that the regime takes anticorruption efforts seriously. It also reflects interest among political blocs, individual political entrepreneurs, and state officials to use such prosecutions as a political tool. Declines in prosecutions for small bribes also likely reflect people's dwindling savings during the pandemic, a shift in law enforcement resources to focus on bigger crimes during the crisis, and internal political pressure. Prosecutions generally require some sort of provocation in which the suspects expose themselves, therefore material constraints on prosecution are significant, especially during the pandemic.⁸⁵

- The overall decline in corruption cases was not reflected evenly across the country: 55 regions, in fact, saw an increase in crime during the lockdowns and related COVID-19 restrictions, and regions such as Tatarstan and Bashkiria saw an increase in corruption cases pertaining to bribery.⁸⁶ Russia’s anticorruption efforts have primarily been successful at improving declaration of incomes and conflicts of interest by officials, but other efforts remain largely “imitations” of anticorruption activity that do not, in spirit or practice, actually seek to improve conditions in Russia.⁸⁷
- Transparency International (TI) ranked Russia 138 out of 180 countries for perceived corruption with a score of 28/100.⁸⁸ Despite various public initiatives designed to foster a sense that the state is taking action, corruption in Russia is endemic, entrenched, and worsening, based on trends coming into 2020. TI found that between 2016 and 2019, the Russian government had not prosecuted a single case against an individual committing bribery or buying influence abroad.⁸⁹ In effect, Russia is a willing exporter of corruption with no intention of prosecuting Russian nationals caught violating anticorruption laws abroad that may also apply to domestic activity.

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Footnotes

- 1 “Медведев Объяснил, Почему Его Правительство Ушло в Отставку”[Medvedev explained why his government resigned], TASS, January 19, 2020, <https://tass.ru/politika/7553295>.
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