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World Report 2016 - Russia

The Kremlin's crackdown on civil society, media, and the Internet took a more sinister turn in 2015 as the government further intensified harassment and persecution of independent critics. For the fourth year in a row, parliament adopted laws and authorities engaged in repressive practices that increasingly isolated the country. Against the backdrop of the armed conflict in eastern Ukraine and sanctions against Russia over Crimea, anti-Western hysteria has been at its peak since the end of the Cold War.

Freedom of Association

By the end of the year, the authorities had used a 2012 law that demonizes advocacy groups that accept foreign funding to list as "foreign agents" more than a hundred nongovernmental organizations (NGOs), including the country's leading human rights groups. More than a dozen chose to close rather than bear the stigmatizing "foreign agent" label.

The authorities fined many for failing to display "foreign agent" labels on their publications. In November, the Ministry of Justice informed one of Russia's most outspoken and prominent human rights NGOs, the Human Rights Center Memorial, that the group's work amounted to undermining the country's "constitutional rule," calling for the overthrow of the government, and using foreign funding to harm Russia. The accusations may result in criminal charges against its leadership. They also send a chilling signal to other organizations on the "foreign agents" list regarding the government's readiness to resort to criminal prosecution of critics.

In June, a new law on "undesirable foreign organizations" came into force, authorizing the extrajudicial banning of foreign or international groups that allegedly undermine Russia's security, defense, or constitutional order. Russians who maintain ties with "undesirables" face penalties ranging from fines to a maximum of six years in prison.

In August, the authorities banned as "undesirable" the National Endowment for Democracy, an American donor institution that had funded Russian rights groups. Various politicians urged the government to ban many other groups, further deepening the climate of suspicion and fear. In November, the authorities designated the Open Society Foundation as "undesirable." Two other large foreign donors stopped their Russia funding preemptively.

Freedom of Expression

Russian authorities blocked several independent websites, adopted new laws, proposed measures that would further stifle freedom of expression, and prosecuted critics for speaking out online.

In May, President Vladimir Putin amended Russia's official list of classified information to include information on military losses during peacetime and "special operations," which could potentially include, for example, operations in eastern Ukraine or Syria. Violations draw a maximum eight-year prison sentence.

A law that will enter into force in 2016 allows Russian citizens to request the removal of certain types of information about them from search engine results without a court order. The law requires the censoring of any link providing such information regarding events that took place three or more years previously.

In September 2015, a law entered into force banning the storage of Russian Internet users' personal data on foreign servers and requiring foreign sites that collect such data to store it within Russia. International social network sites, among others, could be blocked for refusal to comply with this new requirement.

In several cases, the authorities prosecuted those who voiced online criticism of Russia's occupation of Crimea. In September, a court in Tatarstan sentenced Rafis Kashapov to three years in prison for allegedly undermining Russia's territorial integrity and inciting hostility towards the Russian people. The allegations stem from several posts he published on VKontakte, a popular social media network, criticizing Russia's actions in Crimea and elsewhere in Ukraine. In June, a consumer protection group, Public Control, became the target of a criminal investigation after publishing online a memo for tourists that called Crimea "occupied territory." If prosecuted, the group's leader faces up to five years in prison on charges of calling for violation of Russia's territorial integrity.

Political Opposition

In February, political opposition leader Boris Nemtsov was assassinated. Five suspects were arrested and are in custody. Investigative officials have been unable to arrest and question another suspect, Ruslan Geremeev, deputy commander of a battalion under de facto control of Ramzan Kadyrov, the head of Chechnya.

In February, a court upheld a December 2014 conviction against Russian opposition leader Alexei Navalny and his brother, Oleg, on politically motivated fraud charges. Oleg Navalny is serving a three-and-a-half-year sentence; Alexei Navalny, who received a three-and-a-half-year suspended sentence with five years' probation, was released from prolonged house arrest following the February ruling.

North Caucasus

The confrontation between Islamist insurgents and law enforcement agencies continued in the North Caucasus, particularly in Dagestan. Law enforcement and security forces carried out several successful operations against insurgents. At the same time, hundreds of North Caucasus residents reportedly left Russia to join forces of the armed extremist group Islamic State (also known as ISIS) in Syria.

As part of their counterinsurgency efforts, law enforcement and security in Dagestan largely equated Salafi Muslims with insurgents or their collaborators. Police put Salafis on special watch lists, repeatedly detaining, questioning, photographing, and fingerprinting them—often without grounds—and in some cases carried out forced DNA sampling. Police also raided Salafi mosques across Dagestan and conducted numerous, abusive special operations using excessive force in detaining suspects and holding them incommunicado in undisclosed locations. Local residents whose houses had been destroyed or severely damaged in counterinsurgency operations in the villages of Vremenny and Gimry in 2014 and 2013, respectively, did not receive adequate compensation.

The crackdown on activists and journalists reporting on abusive treatment of Salafi Muslims intensified. Several left Dagestan for security reasons. Unknown individuals beat Murad Magomedov, a human rights lawyer in Dagestan's capital of Makhachkala, breaking his jaw, knocking out his front teeth, and causing other injuries. The authorities did not question him as a victim or carry out an effective investigation into the attack.

Authorities in Chechnya viciously cracked down on their critics. Unidentified pro-government thugs destroyed the office of the Joint Mobile Group of Human Rights Defenders in Chechnya (JMG) in December 2014 and again in June 2015. The authorities did not carry out an effective investigation.

The attacks followed a formal complaint the JMG's head had filed regarding public threats by Kadyrov to expel insurgents' relatives and destroy their homes. After these threats, security personnel under his de facto control destroyed more than a dozen homes. In December 2014, President Vladimir Putin publicly stated that the Chechen leadership should act within the law. However, the Kremlin took no steps to rein in Kadyrov.

In mid-January, five men forcibly entered one of the Chechnya offices of Human Rights Center Memorial and pelted the staff with eggs, screaming, "This is for [supporting] Kalyapin [head of JMG]!" Memorial subsequently closed the office for security reasons.

Chechen authorities continued their "female virtue campaign," including by requiring women to wear headscarves. In May, a middle-aged Chechen police chief wed a 17-year-old girl under at least some form of duress in what appeared to be a polygamous marriage, with Kadyrov's public backing. Russian law forbids

polygamous marriages and marriage before 18. A prominent Russian investigative journalist received death threats when reporting on the story. Authorities failed to carry out an effective investigation into her complaint.

Sexual Orientation and Gender Identity

Authorities continued to use the country's anti-lesbian, gay, bisexual and transgender (LGBT) "propaganda" law to disrupt pro-LGBT rights events and harass LGBT people and their supporters.

In March, police detained an activist as soon as she unfurled a rainbow flag at a demonstration in Moscow on International Women's Day. In April, Moscow police dispersed a small public event protesting LGBT stigmatization. Also in April, unidentified people pepper-sprayed activists from an LGBT group in their office in the city of Murmansk. Police failed to carry out an effective investigation.

In May, several activists applied for a permit to hold three LGBT rights rallies in central Moscow, but local authorities refused to authorize the events. When several LGBT people and activists gathered at a square, they were immediately attacked by homophobic counter-protesters. Police detained around 20, including several attackers. A court sentenced three of the activists to 10 days' detention and a fine for allegedly failing to obey police orders.

Russian authorities continued legal harassment of an online support group for LGBT children, Deti-404. In August, a Russian court banned information published on Deti-404 from distribution in Russia. Elena Klimova, founder and administrator of the online group, is fighting the "propaganda" charges against her in court.

Following a smear campaign, Dmitry Isayev, chief of the clinical psychology department at a St. Petersburg medical school, was forced to resign after a prosecutor visited the university to investigate allegations that Isayev was spreading "gay propaganda." The university also shut down a medical committee headed by Isayev, which authorized access to gender reassignment surgeries for transgender people.

The authorities largely failed to prosecute homophobic and transphobic violence. In May, two men attacked Alexander Ermoshkin, a prominent LGBT activist from the city of Khabarovsk who had been fired from his job for being gay. Ermoshkin received a serious head injury; his attackers have not been identified or caught. In July, Russian state TV aired a smear story alleging that the United States had recruited Ermoshkin to carry out anti-Russian activities, including by organizing LGBT rallies. Ermoshkin subsequently left Russia for security reasons.

Palliative Care

At least 300,000 Russians die from cancer each year, and many of them suffer avoidable, treatable pain. The lack of access to effective pain treatment and palliative care remains a systemic problem. At least 27 cancer patients in several Russian regions committed suicide in 2015 because they reportedly experienced untreated, cancer-related pain. A new law, which entered into force in July 2015, eased some of the many restrictions regulating the prescription and use of opioid analgesics for chronic pain. However, access to morphine remained overly restricted for the vast majority of patients.

Russia and Ukraine

Russia provides political and material support to rebels in eastern Ukraine, and mounting evidence, including the capture of several Russian officers, indicates that Russian forces are involved in hostilities. Yet Russia has taken no public steps to rein in abuses by rebels (see Ukraine chapter).

Russia held two high-profile trials against Ukraine's nationals. At time of writing, the trial of Nadezhda Savchenko—a military pilot and a member of Ukraine's parliament—on charges of premeditated murder in connection with the deaths of two Russian journalists in a shelling attack in eastern Ukraine in 2014, was ongoing. Many inconsistencies plagued the investigation, and there are credible allegations by Savchenko that she was kidnapped and brought illegally to Russia.

In August, a military court found Oleg Sentsov, a Ukrainian filmmaker, and Olexander Kolchenko, a Ukrainian activist, guilty of operating an anti-Russian "terrorist organization" in Crimea, and sentenced them to 20 and 10 years in prison, respectively. Russian rights groups branded both trials as "political" and reported numerous procedural violations. Sentsov and one of the key witnesses for the prosecution alleged torture in custody, and the authorities failed to carry out an effective investigation into those allegations.

Disability Rights

Adults and children living with various disabilities face discrimination and numerous barriers to participating in their communities. Although the government has begun to implement inclusive education, most children with disabilities do not study in mainstream schools due to a lack of reasonable accommodations to facilitate their individual learning needs. Tens of thousands of children with disabilities remain isolated at home; others attend specialized schools for children with disabilities, often far from their homes. Hundreds of thousands of people with disabilities live in closed institutions. Most children with disabilities in orphanages have at least one living parent, and many face violence and neglect, including inadequate health care, education, and opportunities to play.

Key International Actors

International actors were preoccupied in 2015 with Russia's military intervention in Syria; sanctions against Russia for occupying Crimea; and engagement with Moscow to ensure implementation of the Minsk accords to end hostilities in eastern Ukraine. The murder of Boris Nemtsov caused a tremendous international outcry. Russia's international partners widely condemned the prosecution of Sentsov and Savchenko. Key international actors also deplored some of the new threats to human rights in Russia.

Many governments and intergovernmental organizations condemned the law on "undesirable organizations."

In a July report, Nils Muiznieks, the Council of Europe's human rights commissioner, urged Russia to bring its NGO legislation into compliance with the Council of Europe standards. A July European Union statement said that the "foreign agents" law and restrictions on foreign ownership of media were "crippling civil society" and urged Russia not to implement the "undesirables" law.

In November, Thorbjørn *Jagland*, the Council of Europe's secretary general, called the Ministry of Justice's accusations against Human Rights Center Memorial "extremely worrying," and urged the government "to protect the activities of human rights defenders in Russia, including the work of Memorial." He also reiterated that "the recently adopted NGO legislation, including the NGO 'foreign agents' law, should be revised." He said, "It brings about a stigmatization of NGOs, can trigger self-censorship, and creates a chilling effect on the society as a whole."

In its March review of Russia, the United Nations Human Rights Committee noted some positive developments, especially regarding disability rights, but also recommended that Russia, among other measures, "repeal or revise" the "foreign agents" law; end collective punishment in the North Caucasus; and publicly state that it will not tolerate homophobia.

The UN high commissioner for human rights, Zeid Ra'ad Al Hussein, expressed his "dismay" at the stigmatization of foreign-funded NGOs in Russia. He said that the 2012 law has resulted in "marginalizing and discrediting organizations that contribute to the public good."

In its October review of Russia, the Committee on the Elimination of Discrimination against Women (CEDAW) noted its concern about persistent violence against women, including domestic and sexual violence, and called on Russia to take measures to prevent and address such violence, including through comprehensive legislation, provision of critical services for survivors, and training for law enforcement and judicial officials. CEDAW also raised concern about ongoing early, forced, and polygamous marriages in the Northern Caucasus, and called on Russia to demonstrate political will to end these harmful practices.

Foreign Policy

Russia is positioning itself as a global leader in defending "traditional values and state sovereignty," countering what it has claimed is Western excess in the promotion of the rights of the individual. Several states in Eastern Europe and of the former Soviet Union have, to varying degrees, followed Russia's model and proposed stricter rules for NGOs and bills banning LGBT "propaganda."

Russia joined a core group in the UN Human Rights Council that presented a resolution for "protection of the family," with a narrow, non-inclusive conception of "family," and blocked a proposed amendment to the resolution that would have acknowledged that "various forms of the family exist." Russia voted against a resolution adopted by a committee of the UN General Assembly calling on states to guarantee a safe working environment for human rights defenders.

Russia and Iran are the Syrian government's key allies. In September, Russia began air strikes on anti-government forces and ISIS in Syria, which in some cases caused civilian casualties. Russia rejected allegations that its strikes caused civilian casualties.

In October, Russia's ambassador to the UN, Vitaly Churkin, stated in a media interview that Russia had for years been "speaking with the Syrians to try to [get them to] exercise maximum restraint to avoid civilian

casualties.” Churkin said barrel bombs were part of the discussion. Russia persistently blocked Security Council action to curb violations by the Syrian government, including its use of barrel bombs in civilian areas. Yet Russia also supported Security Council resolutions threatening UN action against Syria for continued use of chemical weapons and establishing a joint investigation to identify those responsible for past chemical weapons use in Syria.

Russian authorities gave no public indication they had used their influence to curb abuses among the rebels they back in eastern Ukraine. Some new laws and other measures Russia imposed in Crimea since its occupation of the peninsula restrict civic freedoms.

Russia supported numerous Security Council resolutions that favored human rights, such as those condemning abduction and other violations against children in situations of armed conflict. But it vetoed a Security Council resolution that would have condemned the 1995 killings in Srebrenica as a genocide. Russia voted against a UN General Assembly resolution calling on states to guarantee a safe working environment for human rights defenders.

At the Human Rights Council, Russia continued to oppose all country-specific resolutions, including on Syria, North Korea, Belarus and Iran. It also opposed a resolution requesting a regular briefing on Ukraine to the council from the high commissioner for human rights.

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