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Freedom in the World 2012 - Russia

2012 Scores

Status: Not Free
Freedom Score: 5.5
Civil Liberties: 5
Political Rights: 6

Overview

President Dmitry Medvedev announced in September 2011 that he would not seek reelection in 2012 so that Prime Minister Vladimir Putin could return to the presidency. Putin had changed titles in 2008 to avoid violating the constitutional ban on serving more than two consecutive terms as president. Heavy manipulation of State Duma elections in early December barely preserved United Russia's majority in the lower house of parliament, as voters apparently sought to punish the ruling party by casting ballots for three Kremlin-approved opposition groups. In the weeks following the vote, tens of thousands of antigovernment demonstrators turned out to protest electoral fraud and official corruption in an unprecedented Putin-era display of peaceful dissent. Also during the year, insurgent and other violence originating in the North Caucasus continued, with a high-profile attack on Moscow's Domodedovo airport in January.

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 force to thwart an attempted coup by parliamentary opponents of radical reform, after which voters approved a new constitution establishing a powerful presidency and a bicameral national legislature, the Federal Assembly. The 1995 parliamentary elections featured strong support for the Communist Party and ultranationalist forces. Nevertheless, in the 1996 presidential poll, which suffered from electoral manipulation by all sides, Yeltsin defeated Communist leader Gennady Zyuganov with the financial backing of powerful business magnates, who used the media empires they controlled to ensure victory. In 1999, Yeltsin appointed Vladimir Putin, then the head of the Federal Security Service (FSB).

Conflict with the separatist republic of Chechnya, which had secured de facto independence from Moscow after a brutal 1994-96 war, resumed in 1999. Government forces reinvaded the breakaway region after Chechen rebels led an incursion into the neighboring Russian republic of Dagestan in August and a series of deadly apartment bombings – which the Kremlin blamed on Chechen militants and some of Putin's critics

blamed on him – struck Russian cities in September. 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 parties were able to form a majority coalition.

An ailing and unpopular Yeltsin, who was constitutionally barred from a third presidential term, resigned several months early on December 31, 1999, transferring power to Putin – allegedly in exchange for immunity from prosecution for corruption. The new acting president subsequently secured a first-round victory over Zyuganov, 53 percent to 29 percent, in the March 2000 presidential election. After taking office, Putin moved quickly to reduce the influence of the legislature, tame the business community and the news media, and strengthen the FSB. He considerably altered the composition of the ruling elite through an influx of personnel from the security and military services. Overall, Putin garnered enormous personal popularity by overseeing a gradual increase in the standard of living for most of the population; the improvements were driven largely by an oil and gas boom and economic reforms that had followed a 1998 financial crisis.

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

Putin introduced legislative changes in 2004 that eliminated direct gubernatorial elections in favor of presidential appointments, citing a need to unify the country in the face of terrorist violence. The government also began a crackdown on democracy-promotion groups and other nongovernmental organizations (NGOs), 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 Yukos, to eight years in prison for fraud and tax evasion. A parallel tax case against Yukos itself led to the transfer of most of its assets to the state-owned Rosneft. Khodorkovsky had antagonized the Kremlin by bankrolling opposition political activities; his prosecution was widely interpreted as a signal to other business magnates to toe the government line.

A law enacted in 2006 handed bureaucrats wide discretion in monitoring and shutting down NGOs, which the authorities used to target organizations critical of official policy. In another sign that safe avenues for dissent were disappearing, an assassin murdered investigative journalist Anna Politkovskaya in October of that year. She had frequently criticized the Kremlin's ongoing military campaign in Chechnya and the excesses of Russian troops in the region.

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

Constitutionally barred from a third consecutive term, Putin handpicked his successor, First Deputy Prime Minister Dmitry Medvedev, who won the March 2008 presidential election with 70.3 percent of the vote. Medvedev appointed Putin as his prime minister, and the former president continued to play the dominant role in government. At the end of 2008, the leadership amended the constitution for the first time since it was adopted in 1993, extending future presidential terms from four to six years. Although Medvedev discussed a variety of liberal ideas over the next few years, in practice he did not make any significant changes to the system Putin had developed as president. Despite this political stagnation and ongoing violence against the regime's most serious critics, civil society became more active in 2010 on issues including corruption and environmental protection.

In September 2011, just as the campaign for the December State Duma elections was heating up, Medvedev announced that he would step aside so that Putin could run for the presidency in March 2012. The move raised the prospect that Putin would serve two, six-

year terms as president, remaining in office until 2024. Putin immediately said he would appoint Medvedev as his prime minister. The two claimed that Putin's return had been long planned, though there had been intense speculation during Medvedev's presidency that he might stay on for another term. Putin announced his plans at a time when his popularity was declining, largely as a result of Russia's extensive corruption and a plateau in the improvement of living standards.

Although the authorities made extensive use of their incumbency in the December 4 elections, United Russia captured 238 seats, down from 314 seats in the 2007 elections. The Communist Party took 92 seats, followed by A Just Russia with 64 seats, and the Liberal Democratic Party of Russia with 56 seats. The Organization for Security and Cooperation in Europe reported irregularities during the election, including media bias, interference by state authorities, and a lack of independence by the election administration.

In the weeks following the election, large antigovernment demonstrations – the largest since Putin came to power – were held in Moscow, with smaller protests taking place in other cities in Russia. The demonstrations, which began as a reaction to the flawed legislative elections, included demands for annulment of the election results, an investigation into vote fraud, and freedom for political prisoners. Hundreds of people were arrested, and several protest leaders were imprisoned, including prominent blogger and anticorruption activist Alexey Navalny, who was released from jail after two weeks in custody. By the end of the year, public support for the protests was growing, along with questions about Putin's legitimacy and the country's future stability.

Political Rights and Civil Liberties

Russia is not an electoral democracy. The deeply flawed 2011 Duma elections were marked by a "convergence of the state and the governing party, limited political competition and a lack of fairness," according to the OSCE, but many voters used them to express a protest against the status quo. In the 2008 presidential election, state dominance of the media was on full display, debate was absent, and incumbent Vladimir Putin was able to pass the office to his handpicked successor, Dmitry Medvedev.

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. However, under the current de facto political arrangement, Prime Minister Putin's personal authority and power base among the security services make him the dominant figure in the executive branch. Putin's announced decision to return to the presidency in 2012 will formalize his status as paramount leader. The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the 166-seat Federation Council. Under constitutional amendments adopted in 2008, future presidential terms will be six years rather than the current four, though the limit of two consecutive terms will remain in place. The terms for the Duma increased from four years to five.

Beginning with the 2007 elections, all Duma seats were elected on the basis of party-list proportional representation. Parties must gain at least 7 percent of the vote to enter the Duma. Furthermore, parties cannot form electoral coalitions, and would-be parties must have at least 40,000 members (as of January 2010 – a symbolic reduction from 50,000) and organizations in half of the federation's 83 administrative units to register. These changes, along with the tightly controlled media environment and the misuse of administrative resources, including the courts, make it extremely difficult for genuine opposition parties to win representation.

Half the members of the upper chamber are appointed by governors (who are themselves appointed by the president under a 2004 reform) and half by regional legislatures, usually with strong federal input in all cases. As of January 2011, only locally elected politicians are eligible to serve in the Federation Council; the change was expected to benefit United Russia, as most local officeholders are party members. In mid-2011, longtime Federation Council speaker Sergei Mironov of the Just Russia party, who had grown increasingly critical of United Russia, was replaced with Putin ally Valentina Matviyenko, the unpopular governor of St. Petersburg. She had to win a seat on a local council to qualify, and did so only after the registration process was manipulated to thwart potential challengers.

Corruption in the government and business world is pervasive. A growing lack of accountability enables bureaucrats to act with impunity. In April 2011, Medvedev ordered all government officials to leave any positions they held on the boards of state-owned companies. Despite the formal change, however, the state still has extensive control over these important and lucrative firms. In May, the president signed new laws raising the fines for bribe taking to as much as 100 times the amount of the bribe, but such anticorruption laws are selectively enforced and have had little impact.

Although the constitution provides for freedom of speech, since 2003, the government has controlled, directly or through state-owned companies, all of the national television networks. Only a handful of radio stations and publications with limited audiences offer a wide range of viewpoints. At least 19 journalists have been killed since Putin came to power, including three in 2009, and in no cases have the organizers of the murders been prosecuted. The authorities have further limited free expression by passing vague laws on extremism that make it possible to crack down on any speech, organization, or activity that lacks official support. Discussion on the internet is ostensibly free, but the government devotes extensive resources to manipulating online information and analysis. As the 2011 Duma elections approached, businessmen close to Putin purchased additional television, radio, and newspaper assets. Hackers attacked the website of Golos, Russia's only independent election monitoring group, on election day, bringing down a site displaying a map of campaign and voting violations. However, after initially ignoring the December post-election demonstrations, the main state-controlled television channels broke with recent practice and began covering the protests in their broadcasts.

Freedom of religion is respected unevenly. A 1997 law on religion gives the state extensive control and makes it difficult for new or independent groups to operate. Orthodox Christianity has a privileged position, and in 2009 the president authorized religious instruction in the public schools. Regional authorities continue to harass nontraditional groups, such as Jehovah's Witnesses and Mormons.

Academic freedom is generally respected, though the education system is marred by corruption and low salaries. The arrest and prosecution of scientists and researchers on charges of treason, usually for discussing sensitive technology with foreigners, has effectively restricted international contacts in recent years. Historians who seek to examine controversial aspects of Russian history, such as the fate of ethnic Germans deported from the Volga and Crimea during WWII who were labeled "enemies of the people," face severe pressure from the authorities.

The government has consistently reduced the space for freedoms of assembly and association. Overwhelming police responses, the use of force, and routine arrests have discouraged unsanctioned protests, though pro-Kremlin groups are able to demonstrate freely. In the wake of the 2011 elections, the authorities allowed two sanctioned demonstrations in Moscow that attracted tens of thousands of protesters, while smaller rallies took place across the country. A 2006 law imposed onerous new reporting requirements on NGOs, giving bureaucrats extensive discretion in deciding which groups could register and hampering activities in subject areas that the state deemed objectionable. The law also places tight controls on the use of foreign funds, and in July 2008 Putin lifted exemptions from tax obligations on grants from most foreign foundations and NGOs. The state has sought to provide alternative sources of funding to local NGOs, including a handful of organizations that are critical of government policy, though such support generally limits the scope of the recipient groups' activities. A few days before the 2011 elections, Putin described the election monitoring group, Golos, as a "Judas" while the authorities exerted heavy pressure to limit its activities.

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

The judiciary lacks independence from the executive branch, and career advancement is effectively tied to compliance with Kremlin preferences. The justice system has been

tarnished by politically fraught cases such as that of jailed former oil magnate Mikhail Khodorkovsky, whose prison term was extended until 2017 after a conviction on dubious new charges in December 2010. A press officer at Moscow's Khamovnichesky Court claimed in early 2011 that the judge in the Khodorkovsky case issued a conviction on the instructions of superiors at the Moscow City Court.

After judicial reforms in 2002, the government has made gains in implementing due process and holding timely trials. Since 2003, the criminal procedure code allows jury trials for serious cases, though they occur rarely in practice. While juries are more likely than judges to acquit defendants, such verdicts are frequently overturned by higher courts, which can order retrials until the desired outcome is achieved. Russia ended the use of jury trials in terrorism cases in 2008. Russian citizens often feel that domestic courts do not provide a fair hearing and have increasingly turned to the European Court of Human Rights.

Critics charge that Russia has failed to address ongoing criminal justice problems, such as poor prison conditions and the widespread use of illegal detention and torture to extract confessions. The circumstances surrounding the 2009 death of lawyer Sergei Magnitsky in pretrial detention, after he accused government employees of embezzling millions of dollars, suggested that the authorities had deliberately denied him medical treatment. As many as 50 to 60 people die each year in investigative isolation wards (SIZOs), according to the Moscow Helsinki Group. In some cases, there has also been a return to the Soviet-era practice of punitive psychiatric treatment.

Parts of the country, especially the North Caucasus area, suffer from high levels of violence. Chechen president Ramzan Kadyrov's relative success in suppressing major rebel activity in his domain has been accompanied by numerous reports of extrajudicial killings and collective punishment. Moreover, related rebel movements have appeared in surrounding Russian republics, including Ingushetia, Dagestan, and Kabardino-Balkaria. Hundreds of officials, insurgents, and civilians die each year in bombings, gun battles, and assassinations. The January 2011 bombing of Moscow's Domodedovo airport, which killed at least 37 people, made clear that the Kremlin had yet to contain the violence. During the first nine months of 2011 in the North Caucasus, there were 444 insurgent and terrorist attacks, slightly less than during the same period the previous year.

Immigrants and ethnic minorities – particularly those who appear to be from the Caucasus or Central Asia – face governmental and societal discrimination and harassment. Institutions representing Russia's large Ukrainian minority have also come under selective government pressure. While racially motivated violence had increased through 2008, the number of attacks continued to decline from 2009 through 2011, according to Sova, a group that tracks ultranationalist activity in the country. Sexual minorities also encounter discrimination and abuse, and gay rights demonstrations are often attacked by counterdemonstrators or suppressed by the authorities.

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

State takeovers of key industries and large tax penalties imposed on select companies have illustrated the precarious nature of property rights in the country, especially when political interests are involved.

Women have particular difficulty achieving political power. They hold 13 percent of the Duma's seats (down from 14 percent in the previous term) and less than 5 percent of the Federation Council's. Only three of 26 cabinet members are women. 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.

