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RUSSIA 2022

Russia's war of aggression against Ukraine was accompanied by escalating repression against dissent within Russia. Peaceful anti-war protests were dispersed, often forcibly, and those speaking out against the war faced prosecution. New legislation was introduced restricting protests and the activities of NGOs and civil society activists. Prosecutions of Jehovah's Witnesses continued. Torture and other ill-treatment remained endemic in places of detention. Abductions and enforced disappearances continued to be reported in Chechnya. Fair trial standards were repeatedly violated. Conscientious objectors were refused alternative civilian service. New legislation further stigmatized and discriminated against LGBTI people.

Background

Russia launched a full-scale military invasion of Ukraine on 24 February. It occupied large areas of the country and announced the annexation of four Ukrainian regions in September. Thousands of civilians in Ukraine were killed and Russian forces committed war crimes and other crimes under international law (see Ukraine entry). Ukrainian forces apparently attacked military bases, communications and fuel depots on Russian territory; Russian media reported at least 21 civilians killed and 39 injured.

Hundreds of thousands of Russians left the country, particularly after a “partial mobilization” began in September and resulted in scores of men being sent to the front line without adequate training or provisions. Thousands of prisoners were reportedly recruited by a private military company and deployed to Ukraine. This practice was legalized retroactively under a law passed in November.

Russia faced growing isolation internationally and economic sanctions were introduced by the EU, USA and other countries in response to the invasion of Ukraine. A mass exodus of international companies followed. The proportion of people living in poverty increased.

Russia withdrew from the Council of Europe on 15 March and in June adopted a law allowing Russian authorities to ignore judgments of the European Court of Human Rights (ECtHR), including those envisaging compensation payments, retroactive to 15 March.

In April, the UN General Assembly voted to suspend Russia from the UN Human Rights Council. In October, the Council created a new Special Rapporteur on the situation of human rights in the Russian Federation.

In November, a Dutch court found that Russia had had overall control of the separatist-held region in eastern Ukraine from where a civilian aircraft was shot down in July 2014, killing the 298 people on board. The court convicted three men in their absence – two Russian and one Ukrainian – in connection with the attack and sentenced them to life imprisonment.

Freedom of expression and assembly

The authorities introduced further severe restrictions on freedom of expression and peaceful assembly in an ongoing clampdown on dissent. Police dispersed peaceful protests against the war and the military draft, often with excessive use of force. More than 19,400 people, including journalists covering the protests, were arrested. Most faced heavy fines or administrative detention.¹

In March, new legislation was adopted penalizing “discreditation” of and “disseminating deliberately false information” about the Russian armed forces. As of December, there were over 100 and 180 criminal cases, respectively, under these charges and at least 5,518 administrative prosecutions for “discreditation”. More than 200 further criminal cases were initiated for anti-war activities under other criminal charges.

In April, artist Aleksandra Skochilenko was arrested and remanded on charges of “disseminating deliberately false information” about the armed forces. She faced up

to 10 years' imprisonment for replacing price tags with anti-war messages in a supermarket in Saint Petersburg. She was denied medical care while in detention. Her trial began in December.

In July, municipal councillor Aleksei Gorinov was sentenced to seven years' imprisonment for criticizing Russia's invasion of Ukraine at a council session.² In December, opposition politician Ilya Yashin was sentenced to eight-and-a-half years' imprisonment for speaking on YouTube about mass killings of civilians by Russian forces in the Ukrainian town of Bucha.

Dozens of independent media outlets were closed and thousands of websites blocked. In March, the Echo Moskvyy radio station closed down and its website was blocked. Also in March, social media platforms Twitter, Facebook and Instagram were blocked by the media regulator. Meta, which owns Facebook and Instagram, was subsequently declared an "extremist organization".

In September, a Moscow court stripped the independent newspaper Novaya Gazeta of its licence. From November, the Dagestan-based independent newspaper Chernovik went digital-only after printing houses stopped printing it, under pressure from the authorities.

Such pressure also led to the cancellation of concerts, exhibitions and other events by cultural figures who expressed dissenting views. Some, including rock musician Yuri Shevchuk and rapper Oxxxymiron, were fined for "discreditation" of the armed forces. Others, including rock musician Andrey Makarevich and writer Dmitry Bykov, were declared "foreign agents". In April, the chief editor of Khakassia-based media website Novyi Focus, Mikhail Afanasyev, was detained pending trial for "disseminating deliberately false information" about the armed forces. In Yekaterinburg, media outlet Vechernie Vedomosti, its publisher and its editor were fined a total of RUB 450,000 (USD 7,828) in June and July for "discreditation" of the armed forces.

In July, vaguely defined amendments to the Criminal Code were introduced prohibiting any "confidential cooperation" with international or foreign organizations and foreign states, punishable by up to eight years' imprisonment. By December, the first two arrests under this amendment had been reported, although the specific grounds for the charges were not disclosed.

In December, amendments to the law regulating public assemblies extended the list of places where protests were banned to include administrative buildings, schools, universities, hospitals, airports and train and bus stations. Regional authorities were also permitted to introduce further restrictions.

Freedom of association

The clampdown on civil society groups and opposition movements escalated.

The Ministry of Justice listed 166 more “foreign agents” and 23 “undesirable organizations”. In June, the ECtHR found Russia’s “foreign agents” law to be in violation of the right to freedom of association. A new “foreign agents” law came into force in December. It extended the list of who could be designated a “foreign agent” and introduced broader grounds for so designating a person or organization, as well as tougher penalties and further discriminatory measures limiting their participation in public life.

In December, opposition politician and activist Yulia Galyamina was informed that her contract with a Moscow university would be terminated on the grounds of her “foreign agent” status.

In May, the authorities blocked the website of the unregistered youth movement Vesna and initiated prosecutions against some of its members in apparent retaliation for Vesna’s anti-war activism. In September, a court suspended Vesna’s activities altogether and, in October, Vesna and two of its members were declared “foreign agents”. In December, the movement was designated “extremist”.

The authorities continued their reprisals against activists from the disbanded Open Russia movement and supporters of imprisoned opposition politician and prisoner of conscience Aleksei Navalny. In February, a court in Novosibirsk ordered the blogger Timur Khanov and local parliamentarian Anton Kartavin to pay between them RUB 3,024,877 (USD 47,000) towards the cost of policing a peaceful protest against the prosecution of Aleksei Navalny in January 2021. The judgment was upheld in November. Similar rulings were issued in other parts of Russia.

In July, former Open Russia leader and prisoner of conscience Andrey Pivovarov was sentenced to four years’ imprisonment for alleged violations of the “undesirable organizations” law. The sentence was upheld on appeal in November.³

Human rights defenders

Alongside the “foreign agents” and “undesirable organizations” legislation, the authorities used diverse mechanisms to put pressure on human rights defenders.

In February, longstanding Memorial member Bakhrom Khamroev was remanded under spurious charges of “public justification of terrorism”. In October, charges of “organizing the activities of a terrorist organization” were added to his case.

In October, a court in the Moscow region ruled that Arshak Makichyan, an exiled climate activist and organizer of Fridays for Future actions in Russia, be stripped of his Russian citizenship. The activist, who as a result became a stateless person, believed that the ruling was in retaliation for his peaceful activism.

In November, President Putin removed several prominent human rights defenders from the Presidential Council for Human Rights and replaced them with candidates widely perceived to be supportive of the government.

Freedom of religion and belief

In June, the ECtHR ruled that Russia had violated several articles of the European Convention on Human Rights in relation to the ban on and prosecution of Jehovah's Witnesses for practising their faith. The Court held that Russia must stop all pending criminal proceedings and release Jehovah's Witnesses who were already imprisoned. Despite this and two other ECtHR judgments which had been issued in February, harassment and prosecution of Jehovah's Witnesses continued, with sentences ranging from heavy fines to seven years' imprisonment.

In May, Danish citizen and prisoner of conscience Dennis Christensen, the first Jehovah's Witness to be imprisoned since the organization was banned in 2017, was released from a penal colony after serving his six-year sentence.

Torture and other ill-treatment

Torture and other ill-treatment in places of detention remained endemic and prosecutions of perpetrators were rare. Provision of medical care to detainees remained inadequate. Prohibition of contact with the outside world and the arbitrary placing of prisoners in punishment cells were widely used to exert pressure on prisoners, especially dissidents.

Opposition politician Aleksei Navalny was placed in a punishment cell (SHIZO) 10 times during the year, spending over 90 days in inhuman and degrading conditions for "violations" of prison rules such as "wearing the wrong clothes". In November, the authorities placed him in a confinement cell (PKT) and denied him any contact with his family, including correspondence.

Ukrainian citizen Aleksandr Marchenko continued serving a 10-year sentence for espionage, based on a confession he maintains was extracted under torture. He was regularly denied urgent medical care, intermittently placed in punishment or confinement cells on spurious grounds and denied contact with his family.

Police continued to use torture to put pressure on dissidents. In March, some protesters detained at anti-war rallies complained of torture and other ill-treatment in police stations. In September, poet Artyom Kamardin was beaten and allegedly subjected to sexual violence by the police during a raid on his home in connection with his recital of a poem in support of Ukraine. He and two other people were arrested under “incitement of hatred” charges and placed in pretrial detention. His allegations of torture had not been investigated by the end of the year.

Enforced disappearances

Enforced disappearances continued in Chechnya.

The 2020 enforced disappearance of Salman Tepsurkaev, a moderator of the 1ADAT Telegram channel, was not investigated. In August, his associates from 1ADAT reported that he had been extrajudicially executed in September 2020.

1ADAT reported the abduction, including cases of enforced disappearance, of at least 964 individuals, including some whom the authorities had pressured to fight in Ukraine under threat of criminal prosecution.

Following Russia’s invasion, many Ukrainian civilians were forcibly disappeared by Russian forces or their proxies during so-called “filtration” and allegedly unlawfully transferred from certain parts of occupied Ukraine to Russia and held incommunicado. Among the several hundred individuals, mostly prisoners of war, returned to Ukraine during the year as part of “prisoner swap”, some were civilians who confirmed such allegations and reported being held without charge, and subjected to torture and other ill-treatment in Russian penitentiary institutions.⁴

Unfair trials

The authorities continued to violate fair trial standards.

In February, the Achkhoy-Martan court in Chechnya sentenced Salekh Magamadov and his sibling, Ismail Isaev, to eight and six years’ imprisonment, respectively, on fabricated charges of “aiding and abetting participation in an illegal armed group”. Openly critical of the Chechen authorities, they had been abducted from a safe house in Nizhnii Novgorod, central Russia, by security officials in 2021 and taken to Chechnya.⁵

The trial of Zarema Musaeva on fabricated charges of fraud and violence against a police officer began in Grozny’s Leninsky District court in August. Zarema Musaeva, the mother of Chechen activists Abubakar and Ibraghim Yangulbaev, had been

arbitrarily arrested by the Chechen police at her apartment in Nizhnii Novgorod and driven to Chechnya, allegedly as a witness in another case. There were serious concerns about her health and well-being.

In September, the Moscow City Court sentenced former journalist Ivan Safronov to 22 years' imprisonment on fabricated charges of "high treason" in a politically motivated trial. The sentence was upheld on appeal in December.

Impunity

Victims of human rights violations were deprived of access to the ECtHR after Russia withdrew from the Council of Europe in March.

In December, in the first of three required readings, the Duma (lower house of parliament) passed a new bill according to which "an action will not be regarded as criminal nor penalized" if committed before 30 September 2022 "in defence of the interests of Russia" in the illegally annexed Ukrainian territories.

Conscientious objectors' rights

Despite constitutional guarantees regarding alternative service, requests to perform such service by individuals drafted for deployment in Ukraine were routinely refused by military commissariats and courts. The authorities claimed that in the absence of specific legislative provisions for alternative service at times of "partial mobilization", these guarantees did not apply. Legislation introduced in November stipulated that those deployed on alternative civilian service during mobilization could be sent to serve as civilian personnel in the armed forces.

LGBTI people's rights

In June, feminist artist and LGBTI activist Yulia Tsvetkova was declared a "media-foreign agent" by the Ministry of Justice. In July, she was acquitted of charges of "disseminating pornographic materials". The acquittal was upheld on appeal in November.⁶

In December, legislation was adopted extending the prohibition of "propaganda of non-traditional sexual relations, paedophilia and gender reassignment" from that aimed at minors to all age groups. Its provisions included blocking websites, banning the sale of material containing information prohibited under the law and fines of up to RUB 5,000,000 (USD 80,000) for the vaguely defined administrative offence of "propaganda", "demonstration of non-traditional sexual relations or preferences" or providing information that could "create an urge to change sex".

Refugees' and migrants' rights

According to UNHCR, the UN refugee agency, over 2.8 million displaced persons from Ukraine crossed into Russia. Although many fled to Russia voluntarily, many others who found themselves in Russian-occupied territories and were denied passage to Ukrainian government-controlled parts of the country were subject to unlawful involuntary transfer and deportation from Ukraine by Russian authorities. Volunteers claimed to have helped at least 9,000 Ukrainians to relocate from Russia to third countries. Russian authorities transported Ukrainians to temporary accommodation centres in at least 54 regions, including in Siberia and the Far East, which made their relocation to third countries or return to Ukraine more complicated and costly. The Russian authorities encouraged and sometimes pressured Ukrainian refugees to take Russian citizenship; children without parental care and people with disabilities faced a particular risk of involuntary absorption into Russian society.

1. *Russia: "You Will Be Arrested Anyway": Reprisals Against Monitors and Media Workers Reporting from Protests, 24 November*
2. *"Russia: Municipal councillor sentenced to seven years in jail for opposing the Ukraine war", 8 July*
3. *"Russia: Opposition activist sentenced to four years in prison under repressive 'undesirable organization' law", 15 July*
4. *Ukraine: "Like a Prison Convoy": Russia's Unlawful Transfer and Abuse of Civilians in Ukraine During 'Filtration', 10 November*
5. *"Russia: Court upholds lengthy prison sentences for Chechen LGBTI siblings", 25 October*
6. *"Russia: Feminist activist acquitted of absurd 'pornography' charges", 15 July*