



A "Death-List" published at different Russian web blogs, calling for human rights defenders, journalists and democratic activists to be killed. Other similar web lists provided even for the individuals' names and addresses.

The human rights situation in Russia deteriorated further as the government continued its efforts to limit the influence of opposition forces. Politically motivated persecution of opponents; misuse of anti-extremism legislation to put pressure on civil society and restrictions of the rights to freedom of speech, assembly and association were of major concern. Lack of independence of the judiciary, weak implementation of the rule of law, arbitrary conduct and abuse by law enforcement and prison officials, violence against military conscripts, racism and xenophobia and violations of

the rights of migrants and refugees were also pressing human rights problems. In the name of fighting terrorism, gross human rights abuses continued to be committed in Chechnya, and the rest of the North Caucasus region (for the North Caucasus, see part two of this report).

Although subjected to growing pressure, human rights activists stepped up their efforts to raise awareness of human rights violations and promote compliance with international human rights standards. A greater number of public human rights events were organized than ever before, at both the fed-

eral and the regional level, and numerous joint appeals, resolutions and calls for action were adopted during such events.¹

Independence of the judiciary, right to a fair trial and effective remedies

While the constitution and other legislation in force guaranteed the independence of the judiciary, courts were in practice highly dependent on the executive power. Judges who handed down verdicts that did not correspond to the position of the heads of courts, who typically were under the direct influence of the executive, were vulnerable to pressure and punishments, such as disciplinary sanctions or dismissal. This was also true for judges who openly criticized the current state of affairs within the judiciary.

A growing number of not-guilty sentences passed by lower courts were annulled by the Supreme Court,² raising concern about political control of the highest instance of the judicial system.

The conduct of criminal proceedings was also negatively impacted by close connections between the judiciary and public prosecutors, with most courts routinely overlooking flaws in preliminary investigations.

After the entry into force of a new criminal procedure code in 2002, jury trials have gradually been introduced in the country. However, this procedure was rarely used, and jury members were sometimes subject to pressure. In an open letter to President Putin, a number of jury representatives stated that they had been "persecuted, degraded [and] belied in TV and newspapers" for seeking to ensure honest and legal verdicts and the acquittal of innocent people.³

In civil cases, legal proceedings were frequently lengthy, and non-execution of court decisions remained a major concern.

Mistrust toward the judicial system was widespread among the citizens.

Torture and inhuman treatment

Torture and other forms of ill-treatment continued to be perpetrated by police, prison and army officials in a climate of widespread impunity. The country's prosecutor's offices remained reluctant to initiate investigations into allegations of torture, even when clear evidence of abuse was present, and such investigations were typically only opened in response to complaints filed by or on behalf of victims. When investigations were opened, they were frequently characterized by repeated postponements or delays, as a result of which they dragged out for years, or were closed without any conclusion having been made.⁴

When examining Russia's record under the UN Convention against Torture at its November session, the UN Committee against Torture (CAT) expressed concern about "numerous, ongoing and consistent allegations of acts of torture and other cruel, inhuman or degrading treatment or punishment" as well as the failure of prosecutor's offices to "conduct prompt, impartial and effective investigations into allegations of torture and ill-treatment." The committee called on the Russian authorities, as a matter of priority, to reform the procuracy so as to ensure its independence and impartiality, and to separate the function of criminal prosecution from the function of supervision of investigations into torture allegations. It, further, urged the Russian authorities to establish effective and independent oversight mechanisms to ensure adequate measures to investigate and prosecute cases of torture.⁵

While brutal hazing ("*dedovshchina*") remained a common practice in the army, most such cases went uninvestigated as victims refrained from reporting their experiences out of fear of repercussions, and military authorities sought to conceal the true events.⁶ A particularly shocking case reported at the beginning of 2006 served to highlight the problem:

◆ On New Year's Eve 2005, a soldier in the Chelyabinsk Tank Academy in the Urals was made to crouch for hours and was severely beaten, as a result of which he developed a gangrenous infection. He was, however, only hospitalized on 4 January, when he was already in a critical condition and unable to stand. Both his legs and genitals had to be amputated.⁷ In a September trial, a sergeant of the Chelyabinsk Tank Academy was convicted to four years in prison for exceeding his authority and using violence. The prosecutor and the family of the victim criticized the sentence as far too lenient and said that they would appeal it.⁸

The CAT called on the Russian authorities to apply "a zero tolerance approach" to hazing and take immediate measure to prevent and remedy such abuses.⁹

As in previous years, abusive practices were frequently reported in the context of the purported "anti-terrorism campaign" conducted in Chechnya and neighboring republics. In this campaign, federal and local law enforcement officials engaged in

kidnappings, secret detention, "disappearances," brutal torture, fabrication of criminal cases using forced confessions and extra-judicial executions with little or no accountability.¹⁰

Freedom of expression, free media and access to information

Respect for freedom of expression and the media deteriorated, with state and state-controlled media increasingly promoting political state propaganda and contributing to manipulating public opinion.

There were almost no live broadcasts, with the exception of sport events, on state and state-controlled TV and radio stations. These media also did not feature any genuine political discussions and adhered to a tacit rule of denying broadcasting space to opposition politicians and a range of dissidents.¹¹

Newspapers and journalists reporting critically about government policies experienced different obstacles in their work, such as limited access to information of le-



The October murder of journalist Anna Politkovskaya, who was well-known for her investigative and critical reporting on Chechnya, represented a serious blow to independent journalism in Russia.

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gitimate public interest, and were subjected to intimidation, arrests, attacks and other forms of pressure. Numerous newspapers faced lawsuits for allegedly undermining the dignity of state officials, and given the dependency of courts on the executive power such lawsuits typically resulted in findings against these newspapers. Several such cases were brought to, and admitted by the European Court of Human Rights.

Moreover, according to Reporters without Borders, three journalists were killed in Russia in 2006.¹² In total, more than a dozen journalists have met this fate since President Putin took office in 2000, with none of the perpetrators being brought to justice.¹³

◆ The murder of Anna Politkovskaya (see photo), who was shot dead in her Moscow apartment building on 7 October, represented a particularly serious blow to independent journalism in Russia.¹⁴ As a correspondent for the *Novaya Gazeta* newspaper, Politkovskaya had built a strong reputation for her investigative and critical reporting on Russian policies in Chechnya as well as for her compassionate fight on behalf of the victims of human rights violations in this region. While her murder resulted in widespread international denunciation, President Putin only condemned it days after it took place¹⁵ and, when doing so, he sought to play down the significance of Politkovskaya's journalistic contributions. "This journalist was a severe critic of the incumbent authorities in Russia; she was well known among journalists and human rights campaigners and in the West. However, her influence on the country's political life... was minimal," stated Putin.¹⁶ At the end of the year, an investigation into the killing was ongoing.

Freedom of assembly

Hundreds of violations of the 2004 law on public meetings and demonstrations were reported. The law was either di-

rectly disregarded by different authorities or interpreted in such a way so as to restrict the right to freedom of assembly and other fundamental rights protected by the Russian constitution and international treaties to which Russia is a party. Most violations were a result of the conduct of local officials and police officers, while a relatively small number of violations were perpetrated by high-ranking officials, such as heads of the Russian regions. However, the latter cases had a more serious impact as they established an example for lower-ranking officials.

Participants in civil society meetings were vulnerable to harassment.

◆ In connection with the Second All-Russian Social Forum and "The Other Russia" Conference, which took place in the summer of 2006, numerous participants were followed by special services and were subjected to different forms of harassment.¹⁷

There were also reports of the use of excessive force by police against participants in peaceful assemblies.

◆ On 25 April, law enforcement authorities used gas against the participants in a peaceful demonstration in the Dokuzparinsk district of Dagestan, killing one person and injuring two. Several dozen other participants were beaten up.¹⁸

◆ On September 3, police and the special police force OMON GUV D violently dispersed a legal picket held in Moscow to commemorate the victims of the Beslan tragedy, on the Day of Solidarity with Victims of Terrorism.¹⁹

Freedom of association²⁰

The situation with respect to freedom of association worsened significantly in 2006, and civil society groups experienced growing difficulties in carrying out their activities.

Restrictive amendments to the laws on non-commercial and public organiza-

tions, which were adopted in late 2005, came into force in April. This legislation provided for enhanced oversight of NGOs, in particular those receiving funding from abroad. It, *inter alia*, introduced stricter registration procedures and new cumbersome reporting obligations for NGOs and vested the authorities with wide powers to close down NGOs, thus opening up an avenue for arbitrary and discriminatory measures.²¹ All foreign NGOs operating in Russia were required to re-register by mid-October, a deadline which hundreds of groups failed to meet, frequently because of technical and bureaucratic difficulties created by authorities. While these groups were granted additional time to revise or complement their applications, they were forced to suspend their activities pending a re-consideration of their cases.²²

Restrictive tax legislation also created serious obstacles for the activities of NGOs, and numerous leading NGOs well-known for their critical positions were subjected to punitive measures by tax authorities, such as lengthy inspections resulting in the imposition of high fines.²³

According to the Moscow Helsinki Group (MHG), the so-called public chamber, a consultative body that was created on the initiative of President Putin in 2005 and partly consisted of civil society representatives,²⁴ was used as a means by the authorities to sidestep independent civil society groups in the political process.

Intolerance, racism and xenophobia

According to statistics compiled by the Russian Analytical and Information Center SOVA, a total of 439 persons were victims of violence motivated by racial and ethnic hatred in Russia during the period January–November 2006. Out of these 44 died because of the injuries they sustained. Attacks were reported from across the country, but most occurred in Moscow and St. Petersburg.²⁵

Victims of racist violence included foreign students, asylum seekers, refugees, migrants and minority members, as well as anti-racism activists and others viewed as sympathizing with foreigners or minority groups and therefore as being “unpatriotic.”²⁶

The perpetrators of racially and ethnically motivated hate crimes continued to act with relative impunity as existing criminal law provisions for punishing such offenses were not adequately implemented.²⁷ Although the number of cases in which hate motives were taken into account in the prosecution of violent assaults increased in comparison to previous years, the number of such cases (25 in the first 11 months) still remained low in comparison to the total number of attacks reported, and the sentences handed down by courts in these cases were frequently suspended.²⁸ Moreover, in many cases, attacks were prosecuted as acts of “hooliganism” rather than as hate crimes and, in other cases, they were not investigated, prosecuted or punished at all.²⁹

Hate crimes took place in a climate in which racist and intolerant views were highly prevalent in public debate and opinion.

In response to the arrest in Georgia of four Russian military officers on espionage charges in late September, a discriminatory campaign against ethnic Georgians was pursued by Russian authorities. Ethnic Georgians were arrested and deported from Russia, Georgian-owned businesses were inspected and forced to temporarily close down, and Russian schools were requested to provide lists of students with Georgian last names. Anti-Georgian media reports accompanied these measures.³⁰

Human rights defenders³¹

Human rights activists were subjected to growing pressure. They faced, *inter alia*, threats, defamation in state and state-controlled media, arbitrary tax controls and other administrative inspections, arrests

and interrogations, searches of their homes and offices, politically motivated charges and abuse.

The situation was most critical for human rights defenders working in the North Caucasus, as well as groups based elsewhere that addressed issues relating to the so-called anti-terrorism activities conducted in this region.³² Among these groups was the Russian-Chechen Friendship Society (RCFS).

◆ In February 2006, Stanislav Dmitrivsky, the director of the RCFS was found guilty of “inciting hatred or enmity on the basis of ethnicity and religion” and given a two-year suspended prison sentence. The charges against him were brought after the RCFS published appeals by the late Chechen separatist leader Aslan Maskhadov and his envoy, Akhmed Zakayev, for a peaceful resolution of the Chechen conflict.³³ The sentence was subsequently upheld on appeal.³⁴ Applying the new NGO law, the Regional Court of Nizhny Novgorod ordered in October that the RCFS be closed down on a number of grounds, including the failure of Dmitrivsky to resign from his positions within the RCFS despite his conviction for an “extremist” crime and the failure of the RCFS to publicly denounce Dmitrivsky after his conviction.³⁵ The RCFS appealed the decision to the Russian Supreme Court, which rejected it on 23 January 2007.³⁶

Human rights activists in other regions were also increasingly the targets of various forms of harassment. At the beginning of

the year, the MHG and a number of other leading Russian human rights NGOs were accused of espionage for receiving project funding from the British government.³⁷ These groundless accusations, which never resulted in any formal investigation or proceedings, were widely distributed by state-controlled media and thereby tarnished the reputation of the NGOs in question.³⁸

New problematic provisions to the 2002 anti-extremism law were adopted in July, reinforcing concerns that the law may be interpreted to impede legitimate civil society activities.³⁹ In recent years, there have been several cases in which anti-extremism provisions have been used against outspoken civil society activists and groups.

In February, the NGO Memorial was warned by the Moscow city prosecutor that it may be liquidated on grounds of “extremism” unless it removed from its website an expert assessment of materials of the Hizb-ut-Tahrir movement, which has been designated a terrorist organization by the Russian government. Memorial complied with the warning to avoid closure.⁴⁰

At the same time Russian authorities remained largely indifferent to a form of extremism represented by so-called death lists (see photo), and failed to take effective measures to protect those concerned. Such lists were published on extremist nationalist websites and provided names and addresses of human rights defenders and journalists, as well as their families, and called for them to be killed.⁴¹

SOURCES FOR FURTHER INFORMATION:

◆ Moscow Helsinki Group (MHG), at www.mhg.ru

Other organizations:

◆ IHF, at www.ihf-hr.org

◆ Demos Center, at www.demos-center.ru

- ✦ Human Rights Center Memorial, at www.memo.ru/hr/index.htm
- ✦ SOVA, at <http://xeno.sova-center.ru>
- ✦ International Federation for Human Rights, at www.fidh.org
- ✦ Amnesty International, at <http://web.amnesty.org>
- ✦ Human Rights Watch, at www.hrw.org
- ✦ Committee to Protect Journalists, at www.cpj.org
- ✦ Reporters without Borders, at www.rsf.org

Publications:

- ✦ Moscow Helsinki Group publications at www.mhg.ru/publications
- ✦ IHF publications concerning developments in Russia, in particular in the North Caucasus region, at www.ihf-hr.org/documents/?sec_id=58

Endnotes

- ¹ For example, at an NGO gathering in July, which addressed the human rights situation in Russia in the context of the country's chairmanship of the G8 and the Committee of Ministers of the Council of Europe, the participants adopted a statement referring to a "system crisis" in the sphere of human rights and democratic institution in Russia. Further, speaking at a conference called "The Other Russia," which also took place in July and gathered civil society activists and political opponents, MHG Chair and All-Russian Civil Congress Co-Chair Ludmilla Alexeeva warned that the country's leaders are engaging in "deliberate" and "far-reaching" attacks on the fundamental rights of citizens. See www.mhg.ru/news/794900A.
- ² See www.mhg.ru/news/5FD6831.
- ³ MHG, "Juries towards protection of Russian legislation. Extract from the open letter of juries to V. Putin," at www.mhg.ru/news/5FD6831.
- ⁴ *Russian NGO Shadow Report on the Observance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the Russian period for the period from 2001 to 2006*, at www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4349.
- ⁵ *Conclusions and Recommendations of the Committee against Torture: Russian Federation*, November 2006, at www.ohchr.org/english/bodies/cat/docs/AdvanceVersions/CAT.C.RUS.CO.4.pdf.
- ⁶ *Russian NGO Shadow Report on the Observance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the Russian period for the period from 2001 to 2006*.
- ⁷ Radio Free Europe/Radio Liberty, "Russia: Brutal Hazing Incident Rocks Army," 27 January 2006, at www.rferl.org/featuresarticle/2006/01/b84f149f-7911-4f94-b7cd-a43808f2fdb3.html.
- ⁸ BBC News, "Russia soldier jailed for abuse," 26 September 2006.
- ⁹ *Conclusions and Recommendations of the Committee against Torture: Russian Federation*, November 2006.
- ¹⁰ For more information about this campaign see the chapters on the North Caucasus as well as anti-terrorism measures and human rights in part two of this report.

- ¹¹ A particularly telling example of agreed broadcasting policies could be witnessed in connection with the 2004 Beslan events. See the chapter on Russia in IHF, *Human Rights in the OSCE Region. Report 2005 (Events of 2004)*, at www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4057.
- ¹² Reporters without Borders, "Press Freedom Round-up 2006," 31 December 2006, at www.rsf.org/article.php3?id_article=20286.
- ¹³ Committee for the Protection of Journalists (CPJ), "Russia: Thirteen Murders, No Justice," www.cpj.org/Briefings/2005/russia_murders/russia_murders.html.
- ¹⁴ See IHF, "On the Murder of Anna Politkovskaya," 7 October 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4315.
- ¹⁵ This attitude was criticized by the IHF and the MHG. See "President Putin and Russian Officials Must Denounce the Murder of Anna Politkovskaya," 9 October 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4317.
- ¹⁶ Committee to Protect Journalists, "CPJ calls on Putin to take responsibility for Politkovskaya murder probe," 10 October 2006, at www.cpj.org/news/2006/europe/russia10oct06na.html.
- ¹⁷ See resolution of the third All-Russian Congress "On political persecutions," at www.civitas.ru/docs.php?code=54.
- ¹⁸ See www.mhg.ru/publications/81762AD.
- ¹⁹ From the appeal of "Human Rights Movement about crimes to the prosecutor's office of Moscow," at www.mhg.ru/news/7E5302C.
- ²⁰ See also the section on human rights defenders below.
- ²¹ For more information about the new NGO provisions, see the chapter on Russia in IHF, *Human Rights in the OSCE Region, Report 2006 (Events of 2005)*, at www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4255; IHF, *The Assault on Human Rights Defenders in the Russian Federation, Belarus and Uzbekistan – Restrictive Legislation and Bad Practices*, March 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4221; and IHF, *Human Rights Defenders at Risk in Belarus, Russia and Uzbekistan: Briefing Paper to the EU Forum on Human Rights, Helsinki, 7-8 December 2006*, at www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4354.
- ²² Human Rights Watch, "EU: Challenge Russia on Human Rights Abuses," 23 November 2006, at www.hrw.org/english/docs/2006/11/23/russia14661.htm; Center for the Development of Democracy and Human Rights, *Persecution of NGOs and Human Rights Defenders in Russia*, November 2006, available at www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4348; and Bellonia, "Russian NGO Registration Director Calls Suspended Organizations 'Liars,'" 25 October 2006, at www.bellona.org/articles/Movchan_speaks.
- ²³ For example, Center of Assistance to International Defense. See www.ip-centre.ru/modules.php?name=News&file=article&sid=199 and Report "Value of True about Chechnya" at www.mhg.ru/mobil. See also IHF/Moscow Helsinki Group, "Russia: Apparently Politically Motivated Tax Order Threatens the International Protection Centre," 14 August 2006, www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4285.
- ²⁴ See the chapter on Russia in IHF, *Human Rights in the OSCE Region, Report 2006 (Events of 2005)*, at www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4255.
- ²⁵ SOVA, *Autumn 2006: Under the Kondopoga Banner*, 4 January 2007, at <http://xeno.sova-center.ru/6BA2468/6BB4208/884A3C7>.

- ²⁶ Amnesty International, *Russian Federation: Violent Racism Out of Control*, 4 May 2006, p. 1, <http://web.amnesty.org/library/index/ENGEUR460162006>; Human Rights First, *Minorities under Siege – Hate Crimes and Intolerance in the Russian Federation*, June 2006, p. 15-16, at www.humanrightsfirst.info/pdf/06623-discrim-Minorities-Under-Siege-Russia-web.pdf#search=%22%20%22minorities%20under%20siege%22%22.
- ²⁷ Human Rights First, *Minorities under Siege – Hate Crimes and Intolerance in the Russian Federation*, Executive Summary; European Commission on Racism and Intolerance (ECRI), *Third Report on the Russian Federation* (adopted on 16 December 2005, made public on 16 May 2005).
- ²⁸ SOVA, *Autumn 2006: Under the Kondopoga Banner*.
- ²⁹ Amnesty International, *Russian Federation: Violent Racism Out of Control*, p. 18-19.
- ³⁰ SOVA, *Autumn 2006: Under the Kondopoga Banner*.
- ³¹ See also the section on freedom of association.
- ³² See also the chapter on the North Caucasus in part 2 of this report.
- ³³ IHF, "A Fair Trial for Stas Dmitrievsky?," 2 February 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4187.
- ³⁴ IHF Intervention to the 2006 OSCE Human Dimension Implementation Meeting on "Human Rights Defenders Under Attack," September 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4307.
- ³⁵ IHF, "Flawed Court Case Based on Flawed NGO Law Leads to Ruling to Close Down the Russian-Chechen Friendship Society," 13 October 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4323.
- ³⁶ "Statement of the International Helsinki Federation for Human Rights (IHF) regarding the decision of the Russian Supreme Court to deny the appeal against closure of the Russian Chechen Friendship Society," 23 January 2007, at www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4364.
- ³⁷ See www.mhg.ru/smi/6E9572C.
- ³⁸ IHF Intervention to the 2006 OSCE Human Dimension Implementation Meeting on "Human Rights Defenders under Attack"; and Center for the Development of Democracy and Human Rights, *Persecution of NGOs and Human Rights Defenders in Russia*, November 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=54&d_id=4348.
- ³⁹ See IHF, "Open Letter to the leaders of the G8: New and Dangerous Amendments to the Russian Anti-extremism Legislation," 3 July 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=58&d_id=4277; and IHF, *Human Rights Defenders at Risk in Belarus, Russia and Uzbekistan: Briefing Paper to the EU Forum on Human Rights, Helsinki, 7-8 December 2006*.
- ⁴⁰ Center for the Development of Democracy and Human Rights, *Persecution of NGOs and Human Rights Defenders in Russia*, November 2006.
- ⁴¹ See IHF, "Human Rights Defenders Endangered – Helsinki Committees Document Growing Persecution in Europe and Central Asia," 20 November 2006, at www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4345.