

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** RUS17524  
**Country:** Russia  
**Date:** 21 September 2005

Keywords: Russia – Jews – Kazan – Mafia – Pensioners – Forced evictions – Department of Internal Affairs – State protection – Internal relocation – Israel

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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#### Questions

1. Please provide details of any discrimination against Jews in Russia, particularly in the Kazan area.
2. Please provide details of any mafia type activity in the area, particularly against pensioners, including attempts to evict them.
3. Please advise regarding role of the Government in increasing fees for pensioners occupying public facilities and the role of the Department of Internal Affairs in the Vakhitovsky region.
4. Does the government provide any assistance against the mafia in this area/city/province?
5. Can a Jewish woman move anywhere else where she would receive more protection from the government?
6. Please advise on a Jewish person's rights to reside in Israel, if any.

#### RESPONSE

1. Please provide details of any discrimination against Jews in Russia, particularly in the Kazan area.

#### Background

According to the *International Religious Freedom Report 2004*, from a population of approximately 144 million “an estimated 600,000 to 1 million Jews remain in the country (0.5 percent of the total population) following large-scale emigration over the last 2 decades” (US Department of State 2004, Russia in *International Religious Freedom Report 2004*, 15 September, Section I. Religious Demography – Attachment 1). The report also notes that “approximately 80 percent [of Jews] live in Moscow or St. Petersburg”.

#### The general situation in Russia

A 2002 paper presented at the ACCORD/UNHCR: 8th European Country of Origin Information Seminar, states, "there is no official discrimination by the government against the Jewish population ... [h]owever, Jews were and are under special observation, and whenever any racist trends appear in Russia, Jews will be affected" (Gannushkina, Svetlana 2002, 'Country Report – Russian Federation', ACCORD/UNHCR: 8th European Country of Origin Information Seminar, Vienna, 28-29 June, p. 218 (<http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=402d08082>) – Accessed 9 September 2005 – Attachment 2).

The US Department of State's 2005 *Country Reports on Human Rights Practices 2004*, specifically discusses discrimination against Jews in Russia.

Many in the Jewish community continued to state that conditions for Jewish persons in the country had improved, primarily because there was no longer any official, "state sponsored," anti-Semitism. At the federal level and in some regions, officials have shown an interest in hearing the concerns of the Jewish community. However, anti-Semitic incidents against individuals and institutions continued, including attacks on individuals identifiable as Jews and attacks on Jewish property and cemeteries. Preliminary Anti-Defamation League (ADL) statistics for the year indicated that, while the number of anti-Semitic incidents remained roughly stable, the nature of the attacks had become more violent. There were no reports that the Government encouraged anti-Semitic statements; leaders condemned them and even prosecuted some individuals for making them; however, many lower level officials continued to be reluctant to call such acts anything other than "hooliganism" (US Department of State 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, February, Sec.2c 'Freedom of Religion' - Attachment 3).

However, the report noted a reluctance to take action against extremist publications:

Anti-Semitic themes continued to figure in some local publications around the country, unchallenged by local authorities. In cases where Jewish or other public organizations attempted to take legal action against the publishers, the courts generally were unwilling to recognize the presence of anti-Semitic content. Some NGOs claimed that many of these publications were owned or managed by the same local authorities who refused to prosecute. (US Department of State 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, February, Sec.2c 'Freedom of Religion' - Attachment 3).

The report provides the following three examples of attacks against Jews:

- In April, Jewish youth leader Aleksandr Golynskiy was beaten near his home in Ulyanovsk and sent to the hospital. Two days later, extremists stormed the Ulyanovsk Jewish Center screaming, "don't pollute our land," smashing windows, and tearing down Jewish symbols as Jewish women and children hid inside. No one was injured, but police failed to respond quickly, arriving 40 minutes after they were called. A member of the extremist National Bolshevik Party was later arrested in connection with the attack. The investigation was ongoing at year's end.
- In Voronezh, on April 29, two young skinheads attacked Aleksey Kozlov outside the headquarters of the Inter Regional Human Rights Movement of which he is in charge. Kozlov is the regional monitor for an anti-Semitism and racism project in Russia sponsored by the European Commission. Authorities detained the two teenagers but did not charge them; one was below the age of criminal responsibility, and the other allegedly shouted threats but did not use force.
- In December, two Jews were beaten in separate hate crimes in Moscow, one while riding a train and the other while walking on the street (US Department of State 2005,

'Russia' in *Country Reports on Human Rights Practices 2004*, February, Sec.2c  
'Freedom of Religion' - Attachment 3).

There were also recent reports of extremist youth organisations in the republic. The 2005 US Department of State's 'Russia' in *Country Reports on Human Rights Practices 2004* claimed, "the number of underground nationalist extremist organizations (as distinguished from such quasi public groups as Russian National Unity) appeared to be growing" (US Department of State 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, February, Sec.2c 'Freedom of Religion' - Attachment 3). The report states:

The continuing proliferation of skinhead groups was a phenomenon of particular concern. According to one human rights observer, there were approximately 50,000 skinheads in 85 cities, including 5,000 in Moscow. The rise of extremist youth organizations was also troubling. As of March, the MVD [The Ministry of Internal Affairs] was aware of 453 extremist youth organizations in Russia, with membership totaling over 20,000 people. Most of the skinhead groups were in Moscow, St. Petersburg, Nizhniy Novgorod, Yaroslavl, and Voronezh (US Department of State 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, February, Sec.2c 'Freedom of Religion' - Attachment 3).

A November 2004 research paper provides a list of incidents in the 2 year period to September 2004 and the government's reaction to these incidents (Immigration and Refugee Board of Canada 2004, *RUS43106.E - Russia: Anti-Semitism and the government's reaction to it (January 2002 - October 2004)*, 5 November - Attachment 4).

#### Kazan

Kazan is the capital of the Tatarstan Republic. According to The Federation of Jewish Communities in the CIS website, there is a community of 10,000 Jews in Kazan ('Rabbi Yitzchak Gorelik' 2004, The Federation of Jewish Communities in the CIS website <http://www.fjc.ru/communities/CityLeader.asp?AID=91713> – Accessed 8 September 2005 – Attachment 5).

Only one specific report of discrimination against Jews in the Kazan area was located in the sources consulted although there is a growing number of extremist youth groups.

An article on The Federation of Jewish Communities in the CIS Website, reported the desecration of Jewish graves in a Kazan cemetery. However, the report states it is "the first major racially-motivated attack to occur in Kazan in many years" and "the Jewish community is appreciative of the timely manner in which local authorities have responded to this incident" ('Suspects Detained over Desecration of Tatarstan Jewish Cemetery' 2005, The Federation of Jewish Communities In The CIS Website, 23 June <http://www.fjc.ru/news/newsArticle.asp?AID=292068> – 9 September 2005 – Attachment 6).

However, the Russia section of *Country Reports on Human Rights Practices 2004* claimed the Tatarstan Republic was the region with the greatest number of extremist youth organisations. The report states:

**The region with the greatest number of extremist youth organizations was Tatarstan there were 108 known groups in the Republic compared with 62 in Moscow and Moscow region and 31 in St. Petersburg** [researcher's emphasis]. Skinheads primarily targeted foreigners and individuals from the Northern Caucasus, but they also expressed anti Muslim and anti Semitic sentiments and hostility toward adherents of "foreign" religions (US

Department of State 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, February, Sec.2c 'Freedom of Religion' - Attachment 3).

Tatarstan has a significant Islamic population and the *International Religious Freedom Report 2004* states the government has made efforts to promote cultural and religious diversity (US Department of State 2004, Russia in *International Religious Freedom Report 2004*, 15 September, Section II – Attachment 1).

The *International Religious Freedom Report 2004* also stated, "The U.S. Agency for International Development (USAID) awarded a grant to the Bay Area Council for Jewish Rescue and Renewal to continue promoting its "Climate of Trust" program, which focuses on forming and strengthening Regional Tolerance Councils in Kazan, Ryazan, and Leningrad Oblast". The report noted "ethnic and religious leaders, local government officials, and NGO representatives participate in the Councils" (US Department of State 2004, Russia in *International Religious Freedom Report 2004*, 15 September, Section IV - Attachment 1).

The following extract from an interview with a Rabbi based in Kazan indicates the Jewish community operates in an open environment and feels free to practice the full range of religious life without fear of harassment. The report claims:

[the Rabbi] has been able to establish the framework of Jewish life, create community institutions, educate their children in Judaism, and gather without fear to celebrate Jewish holidays ('Rabbi Yitzchak Gorelik' 2004, The Federation of Jewish Communities in the CIS website <http://www.fjc.ru/communities/CityLeader.asp?AID=91713> – Accessed 8 September 2005 – Attachment 5).

## **2. Please provide details of any mafia type activity in the area, particularly against pensioners, including attempts to evict them.**

No information on the targeting of pensioners in Russia or the Tatarstan Republic was located in the sources consulted.

The sources consulted indicate that organised crime, predominantly mafia based, is still widespread but to a much lesser extent than in the early and mid-1990s. The reports refer to threats and extortion of businesses and businesspeople. The targets of the crimes reported in the sources are businesses or influential politicians, and as noted above no information was located in relation to attacks on pensioners.

*Wikipedia*, the free encyclopedia website provides a good background and summary of the Russian Mafia's involvement in Russia. Please note the entries on this site are publicly created documents which may also be edited by the public, meaning articles are subject to change by nearly anyone. *Wikipedia's* home site states that volunteers attempt to uphold a policy of "neutral point of view" under which views presented by notable persons or literature are summarized without an attempt to determine an objective truth. This information is sourced to Finckenauer and Waring and Robert Friedman.

The **Russian Mafia**, also known as the *Organizatsiya*, is a name given abroad to groups of organized criminals of various ethnicity which appeared from the Soviet Union after its

disintegration. Apart from ethnic Russians, the term comprises the Chechen, the Georgian, the Armenian, the Ukrainian, and the Azeri mafiosi.

The Russian Mafia appears to be organized in similar ways to the legendary Italian mafia. However it is believed to be a very loose organization with internal feuds and murders, which are often brutal, being commonplace.

Despite seeming to arise during the Fall of the Soviet Union, organized crime had existed throughout the Imperial and Communist eras as a form of open rebellion against the systems ...

Despite the Kremlin's attempts to reform, the criminals continued to grow in power. Nevertheless, the real breakthrough for criminal organizations occurred during the economic disaster of the 1990s that followed the fall of the Soviet Union. Desperate for money, many former government workers turned to crime and the Mafia became a natural extension of this trend. According to official estimates, some 100,000 Russians are hard-core mobsters, with a large, but unknown number engaging in these criminal practices on and off.

... Many of the bosses and main members of the Russian mafia are believed to be ex-Soviet Army and ex-KGB officers who lost their posts in the reduction of forces that began in 1993 after the end of the Cold War. It is also believed that many of the groups' enforcers are ex-Russian Spetsnaz special forces, an organisation renowned for its brutality. Russian mob recruited a lot of sportsmen - boxers and other martial artists, and weightlifters, as funding for sports had decreased sharply, and they could offer decent income to strong men ('Russian Mafia' 2005, *Wikipedia*, the free encyclopedia website, 7 September [http://en.wikipedia.org/wiki/Russian\\_Mafia](http://en.wikipedia.org/wiki/Russian_Mafia) - Accessed 13 September 2005 – Attachment 7).

Annelise Anderson in her 1995 article, 'The Red Mafia: A Legacy Of Communism', provides an account of the development of the mafia from the informal economy and corruption of the former Soviet Union (Anderson A. 1995, 'The Red Mafia: A Legacy Of Communism' in Lazear, Edward P., ed. *Economic Transition in Eastern Europe and Russia: Realities of Reform*, The Hoover Institution Press, Stanford, p.9

<http://andrsn.stanford.edu/Other/redmaf.html> - Accessed 19 September 2005 – Attachment 8).

A 1996 Office of the Attorney General report for the State of California claimed "an estimated 80 percent of the private enterprises and commercial banks in Russia's major cities are forced to pay a tribute of 10 to 20 percent of their profits to organized crime" (State of California - Office of the Attorney General 1996, 'Russian Organized Crime', March <http://members.tripod.com/~orgcrime/ruscali.htm> - Accessed 19 September 2005 – Attachment 9). According to the FBI, by 1995 the Russian Mafia had taken control over 70-80% of all Russian commercial enterprises (Konanykhine A. and Gratcheva E. undated, 'Mafiocracy in Russia', Konanykhine.com website <http://konanykhin.com/mafocracy.htm> - Accessed 19 September 2005 – Attachment 10).

Alexandre Konanykhine, a Russian businessman who gained refugee status in the US as a result of his encounter with the Russian mafia, claimed the mafia largely controlled the economy and that 'mafocracy' had replaced communism. He argued:

Today it is practically impossible for a profitable business in Russia to avoid control of the Mafia and regular extortion. Any attempt of resistance to the Mafia is ruthlessly and effectively crashed by the methods, which include kidnappings, assassinations, attacks on the family members, or malicious persecution by corrupt government officials affiliated with the Mafia. For example, dozens of bankers were assassinated and kidnapped by the Mafia in

1992-1994, when Mafia was taking control over the country's financial system; victims included presidents of major Russian banks.

Having demonstrated its power to the politicians, entrepreneurs, and to the nation in whole, the Mafia in Russia now enjoys total and undisputed power. In this respect the current situation is similar to the "mild totalitarianism" of 1960s-1980s, when, having murdered millions of their political enemies in the first decades of their rule, the Communists were able to enjoy full control over the country without need to use harsh methods too often. It took the Mafia only a few years to place under its command the nation broken by the decades of the Communist terror and totalitarianism (Konanykhine A. and Gratcheva E. undated, 'Mafiocracy In Russia', Konanykhine.com website <http://konanykhin.com/mafiocracy.htm> - Accessed 19 September 2005 – Attachment 10).

Konanykhine describes three types of criminal activity amongst the mafia. The third group align themselves with government officials, including law enforcement agencies, and the actions of this group may impact on pensioners and others relying on government subsidies. Konanykhine claims in respect of this group:

The third type of organized criminal groups derive most of their income through the power of their officials. Such a group, for example, may control the city administration and use it to "privatize" the city's real estate and factories for a fraction of their value, siphon funds from the city budget, and extract extortion payments from businesses located in the city. The businessmen in such a group operate a bank which manages the city budget money, and operate companies-contractors through which the city funds are being siphoned away. The thugs protect the government administration and the group's bosses (Konanykhine A. and Gratcheva E. undated, 'Mafiocracy in Russia', Konanykhine.com website <http://konanykhin.com/mafiocracy.htm> - Accessed 19 September 2005 – Attachment 10).

*Wikipedia*, the free encyclopedia website, also claims many ethnic Russians perceive a strong link between Jews and the mafia (this is apparently taken from Robert Friedman's *Red Mafiya* (2002):

The term *Russian Mafia* is considered offensive by many ethnic Russians, since a large percentage of the alleged "Russian" mafiosi, especially in the United States, claim to be ethnic Jews from the former Soviet Union. Due to strong anti-semitic feelings in parts of Russia, many Russians do not feel that Jews are authentically Russian. In fact, the Russian mafia is sometimes described as "the Russian mafia, made up of Jews and Chechens". The predominance of Jewish-identifying Russian mobsters can be explained by the fact that many immigrants from the former Soviet Union were ethnic Jews. However, it should also be noted that many Russian gangsters claim Jewish descent in order to get an Israeli passport, as the activities of the Russian mafia are particularly concentrated there - by one 1998 estimate, the Russian mafia had put some \$4 billion into the Israeli economy ('Russian Mafia' 2005, *Wikipedia*, the free encyclopedia website, 7 September [http://en.wikipedia.org/wiki/Russian\\_Mafia](http://en.wikipedia.org/wiki/Russian_Mafia) - Accessed 13 September 2005 – Attachment 7).

A book review in the *Jewish Times* of Friedman's book *Red Mafiya*, notes he provides no analysis of this alleged link between the mafia and Jews (Katz, L. 2000, 'Book Reviews – Red Mafiya: how the Russian Mob has invaded America' *Jewish Times*, 15 December – Attachment 11).

There are few current reports on the influence or activities of the Mafia in Russia. The most recent commentary is on the *Wikipedia*, the free encyclopedia website, and it states:

Some Russians tend to deny the existence of the Russian Mafia, claiming it to be a thing of the past and that it has considerably decreased in influence since the 90's. This is not a proven



fact, and the potential for dangerous activity by the Russian organized crime continues to be high. The Russian Mafia is claimed to control a very large portion of the Russian economy, and this is a very difficult control to remove. The Russian government has done better in recent years in repressing organized crime since the chaotic 90's years, and it looks like the mafia's power is on the verge of diminishing ('Russian Mafia' 2005, *Wikipedia*, the free encyclopedia website, 7 September

[http://en.wikipedia.org/wiki/Russian\\_Mafia](http://en.wikipedia.org/wiki/Russian_Mafia) - Accessed 13 September 2005 – Attachment 7).

### Tatarstan

A number of references to the 'Kazan mafia' were located but these were all reports of incidents outside the Tatarstan state. No explanation for the origin of the name was provided but many of the reports were in Moscow and it is possible the name originates from the area around Kazan railway station in Moscow. No reference to groups called Khadi-Taktash or Tagiriyanovskaya were found in the sources consulted.

No recent mafia type activity in Tatarstan was located although older reports noted it was one of the main areas of mafia activity and the state still endeavouring to remove the association in people's minds. Patrick Gill in a 2000 article in *The Russia Journal* wrote:

Ten years ago, Kazan, Tatarstan's capital, was one of the hotspots of youth gang violence in Russia, and **during the 1990s, the post-Soviet mafia ruled much of the city** [researcher's emphasis].

These days, most of the street violence appears to have been consigned to the past, but authorities are still faced with an uphill battle to rid the city of its notoriety (Gill, P. 2000, 'Kazan's police facing uphill battle', *The Russia Journal*, 13 March <http://therussiajournal.com/index.htm?obj=2487> – Accessed 20 September 2005 – Attachment 12).

A 1993 article claimed that as a result of mafia fighting in Kazan, in "the second half of May ... an average of three or four corpses were being collected off the streets every day" ('Daily Mafia Shoot-Outs In Tatarstan's Capital', 1993, *BBC Monitoring Service: Former USSR*, 11 June – Attachment 13).

Patrick Gill in his article in *The Russia Journal* in 2000, wrote of the general crime situation in Kazan at that time:

And even today, many types of crime are more prevalent here than in most other Russian regions.

"The youth gangs of the 1980s disappeared for various reasons," said Razbayev [the public prosecutor of Kazan's Novosavinsky District]. "The police started taking a harder line, the problem was addressed in schools, and when the Soviet Union collapsed, the troublemakers started going into business and making money, albeit semi-legally or illegally."

Tatarstan's police force is fighting to lower the crime rate. In 1999, there were 690 recorded murders in this republic of 3.5 million (Gill, P. 2000, 'Kazan's police facing uphill battle', *The Russia Journal*, 13 March <http://therussiajournal.com/index.htm?obj=2487> – Accessed 20 September 2005 – Attachment 12).

**3. Please advise regarding the role of the Government in increasing fees for pensioners occupying public facilities and the role of the Department of Internal Affairs in the Vakhitovsky region.**

## Subsidised housing

No information on the government's role in increasing housing costs for pensioners or trying to force pensioners out of subsidised housing was located.

In January 2005 the government introduced reforms to the welfare state affecting the country's 20 million pensioners. The report noted "Under the Soviet system, housing as well as utilities like water and gas, were provided at extremely low, subsidised prices" ('Protests catch Russia off guard' 2005, BBC News Online, 21 January 2005 - Attachment 14). The new government legislation replaces across-the-board benefits for elderly people and invalids with a system of means tests which give only the poorest free services ('Thousands in Russia protest end to Soviet-era pension rights' 2005, *Agence France Presse*, 15 January – Attachment 15). These changes resulted in widespread protests across the country with many pensioners claiming it is impossible to live on a pension in Russia ('The Russian family: devalued values' 2004, RIA Novosti Russia Infodoc E-mail, 17 December – Attachment 16).

A January 2005 article reports protests by pensioners in Kazan against increased prices and calling for a commission to examine the state and republican budget and increased housing charges. The article reported:

The protesters passed a resolution in which they demanded from the State Council (local parliament), government and president of Tatarstan that they "grant a decent pension to all categories of pensioners, ensuring it is doubled to take account of the rise in charges for housing and local services, fuel and inflation".

The protesters also demanded the creation of a joint independent expert commission of the public and the state authorities to monitor how effectively the republican budget and the municipal budget of Kazan are used, and to investigate the grounds for increasing charges for housing and local services ('Russian pensioners in Volga region set up rights movement' 2005, BBC Monitoring, 24 January (originally sourced from RIA, 22 January 2005) – Attachment 17).

## The Ministry of Internal Affairs

The US Department of State's 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, provides the following information on the Ministry of Internal Affairs:

The Ministry of Internal Affairs (MVD), the Federal Security Service (FSB), and the Office of the Prosecutor are responsible for law enforcement at all levels of Government. ... The primary mission of the armed forces is national defense. **Members of the security forces, particularly within the internal affairs apparatus, continued to commit numerous and serious human rights abuses** [researcher's emphasis] (US Department of State 2005, 'Russia' in *Country Reports on Human Rights Practices 2004*, February, intro - Attachment 3).

The same report states of the police force:

The national police force, which falls under the MVD, is organized on the federal, regional, and local levels. Although regulations and national laws prohibit corrupt activities, they were widespread and there were few crackdowns on illegal police activity. ... Government agencies such as the MVD have begun to educate officers about safeguarding human rights during law enforcement activities through training provided by foreign governments; however, the security forces remained largely unreformed (US Department of State 2005, 'Russia' in



*Country Reports on Human Rights Practices 2004*, February, section 1d. 'Arbitrary Arrest and Detention' - Attachment 3).

Only two reports were located mentioning the MVDs role in the Vakhitovsky region. One report relates to the recent desecration of Jewish tombs and notes the Vakhitovsky Department of Internal affairs is investigating the matter ('Muslims are indignant of the fact of Jewish tombs being defiled' 2005, Independent Islamic Information Channel website, 30 May <http://eng.islam.ru/press/rus/2005-05-30/#up> – Accessed 9 September 2005 – Attachment 18).

The second report is more damning. A 2005 report from the International Helsinki Federation for Human Rights claims a human rights organization in Kazan was reportedly subject to numerous attacks in retaliation for reporting violations by Tatarstan police. The report alleged:

The Kazan Human Rights Center experienced a series of problems after releasing a book in April that discussed torture by law enforcement authorities in Tatarstan. Local authorities initiated, without any obvious reason, a financial audit of the organization, local TV broadcasted information discrediting the organization and its leaders, and two masked men broke into the office of the organization and destroyed computers, a scanner, a printer and a TV set. The Heter publishing house said that it was having "difficulties" because it had published the book on torture, and in late May the publishing house informed the Kazan Human Rights Center that it had filed a lawsuit with an arbitration court demanding that the center reimburses it for 220,000 rubles (about EUR 6,100) of lost profit. The publishers also demanded that the entire print of the book be destroyed and that all copies already sold be "withdrawn." At the end of the year, the lawsuit was still pending. In addition, in June, the Department of the Ministry of Justice in Tatarstan initiated an audit of the Human Rights Center (International Helsinki Federation 2005, 'The Russian Federation: Human Rights in the OSCE Region: Europe, Central Asia and North America', *Report 2005 (Events of 2004)*, 27 June 2005 - Attachment 19).

#### **4. Does the government provide any assistance against the mafia in this area/city/province?**

Information has been included concerning government assistance from the mafia and also from discrimination.

##### Mafia

The information located in the sources consulted on government assistance against the mafia in Russia come from two sources, dated 1999 and 2002 respectively. Although somewhat dated, both reports confirm a complete lack of faith by the Russian public in the state providing protection against the mafia. Even the Interior Minister admitted in 1997, "there is a general consensus that organised crime has penetrated every aspect of government" (Immigration and Refugee Board of Canada 1999, *RUS31025.E - Russian Federation: Police and/or state protection available to persons in fear of members of Russian and/or Ukrainian organized crime groups*, 4 February – Attachment 20). Refer to this attachment for pertinent, though dated information on state protection from the mafia.

Svetlana Gannushkina, head of the Migration and Law Network of the Memorial Human Rights Centre, stated in a 2002 address entitled 'Country Report – Russian Federation':

There are many news articles about how the Minister of the Interior is taking action against organized crime, but it is important to discern whether this is just propaganda or whether something is really being done to solve the problem. From my point of view in reality people cannot get any protection from the law enforcement agencies. ...

In a survey on Russian TV, in which people were asked whom they feared more, the police or the Mafia, an enormous number of answers - more than 22,000 - were given. Out of those 20,000 stated that they fear the militia more, 2,000 were undecided, and about 500 were more afraid of bandits. This general mistrust is one of the reasons why people do not want to file charges with the courts and why organizations like Memorial have to convince them to register a formal legal complaint (Gannushkina, Svetlana 2002, 'Country Report - Russian Federation', ACCORD/UNHCR: 8th European Country of Origin Information Seminar, Vienna, 28-29 June, p. 216-7 <http://www.unhcr.ch/cgi-bin/texis/vtx/home/openssl.pdf?tbl=RSDCOI&id=402d08082> - Accessed 9 September 2005 - Attachment 2).

She continues:

It is difficult to judge whether the entire police system is corrupt. Unlawful actions committed by the police can be found at all levels of law enforcement, even in the police department that is in charge of combating organized crime. ... On the other hand, there certainly are police units, even military units, that act according to their mandate and stay within the confines of the law although they seem to be the rather than the rule. This is different from region to region and from city to city and therefore something that cannot be generalized across Russia. (Gannushkina, Svetlana 2002, 'Country Report - Russian Federation', ACCORD/UNHCR: 8th European Country of Origin Information Seminar, Vienna, 28-29 June, p. 218 <http://www.unhcr.ch/cgi-bin/texis/vtx/home/openssl.pdf?tbl=RSDCOI&id=402d08082> - Accessed 9 September 2005 - Attachment 2).

A 2003 article in 2 parts in *RFE/RL Organized Crime and Terrorism Watch* discusses the continued power of organised criminals since Putin became President and provides some analysis of his apparent inaction against organised crime ('Crime In Putin's Russia (Part 1)' 2003, *RFE/RL Organized Crime and Terrorism Watch*, Vol.3 No.5, 13 February - Attachment 25; 'Crime In Putin's Russia (Part 2)' 2003, *RFE/RL Organized Crime and Terrorism Watch*, Vol.3 No.6, 20 February - Attachment 26).

A 2004 Research response provides further information on state protection from the mafia (RRT Country Research 2004, *Research Response RUS17009*, 13 October, Q.3 - Attachment 22).

### Discrimination

Information generally addressing government initiatives to prevent racial discrimination is included in the *International Religious Freedom Report 2004* which noted:

In March, then Russian Minister for Nationalities Vladimir Zorin brought extremism to the forefront of public attention by calling anti-Semitism and xenophobia major threats to the country. Zorin called for stricter enforcement of the country's existing statutes outlawing extremism, specifically article 282 of the Criminal Code (inciting ethnic hatred), and anti-Semitism and tolerance education programs. In addition, Russian Interior Minister Rashid Nurgaliyev became the first high government official to acknowledge the existence of right-wing extremist youth groups in the country. Combating this extremism was one of the top priority tasks for the MVD and FSB, he said. These statements marked a positive step on

behalf of the Government in its willingness to prosecute those who commit acts of anti-Semitism, although few concrete steps have been taken to solve high-profile cases, such as the killing of a 9-year-old Tajik girl that prompted Nurgaliyev's statement (US Department of State 2004, Russia in *International Religious Freedom Report 2004*, 15 September, Section II - Attachment 1).

A 2004 UNHCR report entitled, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation*, provides this assessment:

80. Members of ethnic minorities face physical attacks by non-state actors. The assaults are generally random and carried out by private individuals, mainly “skinheads”, neo-nazis, and other extremist groups inspired by racial hatred. The RF Ombudsman pointed at the unavoidable responsibility of the authorities, not only in repressing, but also in preventing racially motivated crimes, by suggesting that in some regions (e.g. Krasnodar Krai), the activities of the authorities may create a favorable ground for the perpetration of racist incidents against non-Slavic looking migrants. ...

123 Criminal investigations on racially motivated attacks are not systematically initiated by the police. As a matter of practice, the police tend to consider such violent acts as an “intentional infliction of light injury” (Article 115 of the Russian Criminal Code) or as battery (Article 116 of the Code) (UNHCR 2004, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation*, June, pp.34-36 – Attachment 21).

This report also gives UNHCR’s opinion on the validity of claims of fear of organised crime and lack of state protection (UNHCR 2004, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation*, June, pp.8-10 – Attachment 21).

## **5. Can a Jewish woman move anywhere else where she would receive more protection from the government?**

A 2002 report observes of the Jews that although “they are therefore not subjected to persecution by state agents or state structures, [they] cannot rely on adequate protection, either, like the rest of the population” (Gannushkina, Svetlana 2002, ‘Country Report – Russian Federation’, ACCORD/UNHCR: 8th European Country of Origin Information Seminar, Vienna, 28-29 June, p. 217 <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=402d08082> – Accessed 9 September 2005 – Attachment 2).

The report further notes “the situation does not only depend on the security forces and militia operating in the concerned region, but also on the governor of the district [as] it is obvious that the law enforcement personnel quite often work for those who pay best” (Gannushkina, Svetlana 2002, ‘Country Report – Russian Federation’, ACCORD/UNHCR: 8th European Country of Origin Information Seminar, Vienna, 28-29 June, p. 218 <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=402d08082> – Accessed 9 September 2005 – Attachment 2).

The 2004 UNHCR report entitled, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation* notes the case of a Jewish woman given refugee status by the Danish Refugee Appeals Board due to the state’s failure to provide protection.

144. In 1998, the Danish Refugee Appeals Board dealt with a case concerning a Jewish woman with Russian citizenship who claimed she had been subject to persecution by non-state agents. The applicant had been working on the publication of a Jewish newspaper and had received threats, been assaulted and raped. Since it had not been possible for her to obtain protection from the Russian authorities, the Danish Refugee Appeals Board granted her asylum.208 (p. 59) (UNHCR 2004, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation*, June, p.34 – Attachment 21).

Svetlana Gannushkina provides this opinion on relocating in order to avoid persecution:

The effectiveness of moving away in order to flee persecution depends on the importance of the targeted persons for the persecutors. In practice, however, changing the place of residence is not a real alternative for Russian citizens due to the problems involved in finding a new job, adequate housing and obtaining registration (Gannushkina, Svetlana 2002, 'Country Report – Russian Federation', ACCORD/UNHCR: 8th European Country of Origin Information Seminar, Vienna, 28-29 June, p. 216-7 <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=402d08082> – Accessed 9 September 2005 – Attachment 2).

The 2004 UNHCR report entitled, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation*, discusses internal flight alternatives on the basis of UNHCR's position paper (UNHCR 2004, *Basis of Claims and Background Information on Asylum-seekers and Refugees from the Russian Federation*, June, pp.8-10 – Attachment 21).

## **6. Please advise on a Jewish person's rights to reside in Israel, if any.**

A 2001 RRT Country Research confirms the rights of Jewish descendents to reside in Israel (RRT Country Research 2001, *Research Response ISR14666*, 14 June – Attachment 23).

However, a 2004 article in The Jerusalem Post notes the declining intake of immigrants from Russia in recent years (Cashman, G.F. 2004, 'Labor Party courting English speakers', *Overseas Immigration News*, source; The Jerusalem Post, 18 May – Attachment 24).

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<http://www.tatar.ru/english/>

### Databases:

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Reuters Business Briefing

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Country Information

*REFINFO*

IRBDC Research Responses (Canada)

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RRT Country Research database, including

Amnesty International, Human Rights Watch,

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RRT Library      *FIRST*

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