Russia

October 2017

This submission has been prepared for the third cycle review of Russia in the framework of the Universal Periodic Review (UPR) by Human Rights Watch and International Partnership for Human Rights. It covers a period of unprecedented deterioration in human rights protections in Russia, which began in May 2012 and intensified in the wake of the 2014 events in Ukraine. The submission includes information about new laws and measures that:

- stigmatize many nongovernmental organizations (NGOs) and restrict their work;
- impose new restrictions on free assembly and harsher penalties for violators, resulting in the detention of hundreds of peaceful protesters;
- stigmatize and discriminate against LGBT people;
- impede freedom of expression and information, and are transforming Russia's online media landscape to place it under greater state control;
- have been used to imprison people on politically motivated prosecutions, notably with regard to people who criticize Russia's actions in Ukraine.

The submission describes a fierce human rights crackdown in Chechnya. It also describes human rights violations by Russian authorities in Crimea, which Russia has been occupying since 2014. Finally, the submission includes information about domestic violence, interference with freedom of religion, the rights of construction workers on World Cup construction sites, and the rights of people with disabilities.

Freedom of Association

During the UPR in 2013, several governments recommended that Russia revise restrictive legislation on NGOs. Instead, Russia toughened its NGO legislation and stepped up actions against independent groups.

The authorities use the 2012 "foreign agents" law, which applies this label to groups that accept foreign funding and engage in supposed "political activities" to marginalize independent civil society groups and demonize them in the public eye. High level officials and state-controlled media consistently portray rights groups and other independent organizations as saboteurs paid by foreign actors to destabilize Russia.

Authorities also resort to the 2015 law on "undesirable organizations" to ban from the country an increasing number of foreign and international donor organizations and to intimidate independent Russian groups and activists.

Law on "Foreign Agents"

Update, amendments

As of September 2017, 88 NGOs were on the government's "foreign agent" registry, down from 150 in January 2017: some groups have chosen to either give up foreign funding or close. Since the adoption of the law in 2012 over 30 interdependent groups, including several human rights organizations, closed rather than accept the label.

The registry includes groups working on human rights, media, capacity-building, the environment, groups that help people with HIV/AIDS, victims of Soviet repression, and migrants and refugees, as well as think tanks and groups that provide free legal aid.

In 2014, the foreign agents' law was amended to authorize the government to forcibly register groups as "foreign agents."

Nongovernmental groups are branded as "foreign agents" if they engage in "political activity" while receiving foreign funding. The 2012 law defined "political activity" as actions aimed at influencing the government or public opinion. In 2014, parliament amended the law to include a more specific definition of "political activity," which codified established designations and includes legal or policy analysis, monitoring the work of government institutions, conducting public opinion surveys, engaging in research, petitioning government officials, etc.–as long as those efforts are aimed at somehow influencing the government or public opinion.

Impact, consequences
To avoid placement on the registry or to get off the registry, many NGOs are compelled to refuse foreign funding, reduce activities that risk retaliation, reduce publicity, and engage in self-censorship; some choose to close.

Among the consequences of the "foreign agent" designation is a significant loss of capacity and effectiveness: government institutions and public officials refuse to cooperate with "foreign agents," municipalities terminate discounted rent agreements, and the promotion of reports and events is increasingly difficult. Consequences also include reputational loss, hindered access to school and university students, children in state institutions, people with disabilities in institutions, etc.) who can be accessed only with cooperation from public officials; significant time wasted in court proceedings; intrusive inspections and audits which paralyze NGO's work; more time-consuming, cumbersome reporting; and hefty fines for alleged failure to comply with the law's requirements, such as marking "foreign agent" on all publications and event announcements.

NGOs on the "foreign agents" list are slapped with penalties and end up paying thousands of dollars in fines.

In 2017, authorities brought criminal charges against Valentina Cherevatenko, a prominent rights activist with Women of the Don group, for "malicious evasion" of the "foreign agents" law, but dropped the case several weeks later. However, the case serves as a reminder to leaders of other groups that they could face criminal charges, and a two-year prison term, for violating this law.

In 2015, the Justice Ministry accused Human Rights Center Memorial of undermining the country's "constitutional rule" and using foreign funding to harm Russia. It stated that this "foreign agent" group was paid by foreign donors to foster negative public opinion, and asked the prosecutor's office to examine Memorial's allegedly unlawful activities. To date, these allegations have not triggered criminal proceedings, but the ministry's claim sent a chilling message to others.

Once branded “foreign agents,” independent organizations are likely to be targeted by radical nationalist groups and nationalist smear campaigns. In 2016 a history education event organized by Memorial was attacked by radical nationalists, who threw eggs and antiseptic solution at participants. The attackers shouted that the participants were “national traitors.” Police at the scene did little to stop the violence.

Several weeks earlier, a Russian state television nationwide news program ran a story about a Memorial exhibit that examined how schoolbooks from various countries interpret the history of World War II. The program accused Memorial of being “foreign agents” and defiling Russia by “re-writing” its history in the interests of their foreign funders.

In October 2016, aggressive individuals twice raided a photography exhibition at the Andrei Sakharov Center, which is on the “foreign agents” registry. The exhibition included photographs from the armed conflict in eastern Ukraine. The attackers vandalized several photo exhibits and yelled abuse at the center’s staff, accusing them of supporting “fascists.” Several Kremlin-controlled nationwide broadcasters appeared just before both attacks and then aired the footage with contemptuous comments about the Andrei Sakharov Center. No charges were brought against the attackers.

Law on “Undesirable Organizations”

Adopted in 2015, the law on “undesirable organizations” empowers the prosecutor general to extrajudicially ban from the country foreign or international groups that allegedly undermine Russia’s security, defense, or constitutional order. There is no judicial review or appeal against the designation. Russian nationals involved with such organizations face first administrative fines and then criminal charges which can result in a six-year prison term.

The registry of “undesirable organizations” currently includes 11 entities, most of them American foundations and capacity-building groups.

In June 2017, a court in Krasnodar fined an activist 15,000 rubles (US$260 USD) for supposed involvement in the UK-based “Open Russia,” blacklisted as “undesirable.” In August, a court in Tula fined another activist 1,000 rubles ($17) also for supposed involvement with “Open Russia.” In September, the Moscow city prosecutor’s office charged SOVA Center, a prominent Moscow-based independent think-tank, and its director, Alexander Verkhovsky, with involvement with “undesirable organizations.” The charges stemmed from hyperlinks on SOVA’s website to sites of two American foundations, which had funded some of SOVA’s past projects until they were banned as “undesirable” in 2015.

Recommendations

- Repeal the “foreign agents” law and the law on “undesirable” organizations.

Freedom of Assembly

Since 2012, new legislation has imposed new restrictions on free assembly. Authorities increasingly refused to authorize protest rallies, arbitrarily detained and ill-treated peaceful protesters and subjected them to administrative and criminal penalties.

Several dozen protesters have been criminally prosecuted and 15 received multi-year prison terms for involvement with the May 2012 Bolotnaya Square rally, including participating in,

calling for, and organizing mass riots, and using violence against police. International experts and members of the Presidential Council on Civil Society Development and Human Rights questioned the proportionality and appropriateness of the charges.

In 2014, parliament amended the law on public rallies, imposing steeper fines for violating rules on public gatherings, and establishing criminal responsibility for repeated involvement in unauthorized rallies and a maximum five-year prison sentence.

In December 2015, Ildar Dadin became the first person imprisoned under this provision, receiving a 30-month prison term for a series of peaceful, single-person pickets. In February 2017, Russia's Constitutional Court ruled that criminal sanctions for repeated breaches of public assembly regulations should not be applied in cases where protesters do not constitute a threat. The Supreme Court subsequently quashed Dadin's criminal sentence and he was released.

In spring and summer 2017, government critics in numerous cities across Russia held peaceful anti-corruption protests that authorities refused to approve. Officials harassed and intimidated protesters, including schoolchildren and university students, and parents whose children participated. University administrators threatened students with expulsion for involvement.

Police arbitrarily detained hundreds of peaceful protesters on June 12, 2017, in Moscow and St. Petersburg. If protesters questioned their detentions, police in some cases beat them. One protester in Moscow was hospitalized for a week with a concussion after a police officer hit her. Police apprehended people who, in many cases, were not even chanting slogans or carrying posters; courts fined or handed most of them 10 to 15 days' jail time, following flawed, proforma hearings.

In 2017, police throughout Russia interfered with political campaigning by Alexei Navalny, an opposition politician, by, among other things, detaining Navalny's campaigners on groundless administrative charges, including violating the regulations for public gatherings.

Recommendations:

- End criminal sanctions for repeat violations of regulations on public gatherings;
- When public assemblies are unauthorized, refrain from resorting to detention against peaceful participants; ensure accountability for police who use excessive force against peaceful protesters.

Freedom of expression

Since 2012, parliament adopted laws that have dramatically increased the state's control over media. With few exceptions, mainstream media outlets have become the voice of the state, with some of them using elaborate propaganda tools to mobilize patriotic support for the government.

Internet freedom and online censorship

The government has sought to control the narrative on politically sensitive issues, particularly online. The number of active internet users grew rapidly and, by 2017, comprised around 70 percent of Russia's population. The rise of global Internet platforms and services allowed Russian users to easily and instantly communicate, share user-generated content, access independent information through social networks, email services, search engines and other cloud-based services. Russia's political opposition began actively using social media, blog platforms and independent news sites to reach their supporters.

In an attempt to control the internet, the parliament has since 2012 adopted numerous laws that limit or can be used to interfere with freedom of speech and information. Some of the laws threaten privacy and secure communication on the internet and effectively make no digital communication in Russia safe from unchecked government surveillance. For example, in 2016, parliament passed legislation requiring telecommunication and internet companies to retain the content of all communications for six months. The new laws made it easier for the authorities to identify users and access personal information without judicial oversight, unjustifiably interfering with privacy and freedom of expression.

A 2015 Data Storage law, which applies to email services, social media networks, and search engines prohibits storage of Russian citizen's personal data on servers located outside Russia. In 2016, Russian authorities blocked access to LinkedIn, a business social networking site with over 400 million users worldwide for noncompliance with the data storage legislation. In April 2017, authorities blocked four online messaging applications for failure to share the data about their users with the authorities and register with the Russian government. In September 2017, Russia's state agency responsible for overseeing online and media content publicly threatened to ban the social network Facebook in Russia, unless it complies with the Data Storage law. Also in September, authorities demanded that Telegram messaging application hand over encryption keys or face blocking in Russia.

Prosecution of critics under anti-extremism legislation

After Russia's occupation of Crimea and the start of the armed conflict in eastern Ukraine in 2014, authorities have stepped up their practice of using vague and overly broad anti-extremism laws to stifle dissenting voices and promote self-censorship. They have selectively enforced anti-extremism measures against individuals for critical views of the government, even when such views do not call for violence, in some cases conflating criticism of the government with extremism.

For instance, in 2017, Natalia Sharina, the director of the Moscow Library of Ukrainian literature, was found guilty of an extremist crime of "inciting hatred," through "providing public access to extremist literature" in the library. A court handed her a four-year suspended sentence. Throughout the 19-month investigation and the trial, Sharina, 59, was under house arrest.

Legislative amendments adopted since 2012 in the name of countering extremism have further increased fines and prison terms for extremism violations via online speech. Authorities designated some social media posts critical of the government's action as "extremist speech," namely "calls to mass rioting," "precursors to incitement," and the like, and have unjustifiably prosecuted dozens on criminal charges for social media posts, online videos, media articles and interviews. For example, in 2016 a court sentenced Alexei Kungurov, a blogger from Tyumen, Western Siberia, to two-and-a-half years in prison for criticizing Russia's intervention in Syria on charges of "justification of terrorism."

Recommendations:

- Amend vague and overly broad extremism legislation, end politically motivated prosecutions on "extremism" charges;
- Amend the 2012 "child protection" legislative amendments to ensure they include due process safeguards, preventing the authorities from blocking content that should enjoy protection from government interference under international law;

- Repeal the 2013 law authorizing the prosecutor general to extrajudicially block access to online sources that "disseminate calls for mass riots, extremist activities or participation in unsanctioned public events." The authorities have repeatedly used this excessively restrictive law to target critics;
- Repeal the 2013 law making it a criminal offense to "offend the religious feelings of believers." The law provides no definition of "religious feelings" and sets no threshold for offending them, allowing prosecutors and courts tremendous discretion to target critical speech;
- Repeal the 2015 data storage legislation, requiring service providers to store Russian personal data on Russian territory;
- Repeal the 2016 counterterrorism legislation requiring telecommunication providers and internet companies to store all communications data for six months for potential access by security services and requiring companies to provide security services with encryption keys;
- Repeal the 2017 legislation prohibiting owners of virtual private network services and internet anonymizers from providing access to websites banned in Russia;
- Repeal the 2017 legislation banning anonymity for users of online messenger applications. Anonymity protects the rights of internet users and freedom of expression online.

Use of anti-extremism and other laws to curb free expression in Crimea

Since Russia's occupation of Crimea in February 2014, Russian and de facto Crimean authorities have created a climate of pervasive fear and repression, nearly eliminating free speech and media on certain issues. Authorities have pressured and persecuted journalists who have openly criticized Russia's actions in Crimea.

For example, in 2016, Russian authorities charged Mykola Semena, a Crimea-based pro-Ukrainian journalist, with "making public calls threatening the territorial integrity of the Russian Federation." The separatism charges stemmed from Semena's article criticizing the occupation of Crimea. In 2017, a Russian court in Crimea handed Semena a two-year suspended sentence.

The authorities have targeted Crimean Tatars, a predominantly Muslim ethnic minority that is native to Crimea, and that has openly opposed Russia's occupation. In 2016, Crimea's Supreme Court banned Mejlis, the Crimean Tatar representative body, as extremist. Authorities have banned two Crimean Tatar leaders, Mustafa Dzhemilev and Refat Chubarov, from the peninsula, shut down Crimean Tatar media outlets, including ATR, 15 Minutes, and Krym.Realii, and harassed and imprisoned Crimean Tatar activists and Mejlis members on extremism charges.

In May 2016, authorities charged Ilmi Umerov, a former chairman of Mejlis, with separatism in connection with a live interview, in which Umerov criticized Crimea's occupation. In August 2016, Umerov was forcibly transferred to a psychiatric facility for three weeks. In September 2017, a Russian court in Crimea sentenced Umerov to two years in prison. In a separate trial, also in September 2017, another Russian court in Crimea sentenced another former Mejlis leader, Akhtem Chiygoz, to eight years in prison, following an unfair trial, on groundless charges of organizing "mass riots." Oleg Sentsov, a filmmaker, was sentenced in 2015 to 20 years of prison following an unfair trial, on politically motivated terrorism-related charges.

Recommendations:

- Take the necessary steps to have the verdicts of Ilmi Umerov, Mikola Semena, Akhtem Chiygoz, and Oleg Sentsov, set aside, and free Akhtem Chiygoz and Oleg Sentsov; Cease harassment and politically motivated prosecution of people in Crimea for expressing their opinions about the occupation of the peninsula.

Freedom of Religion

Persecution against Salafi Muslims

Dagestan

In 2013, law enforcement and security agencies in Dagestan boosted efforts to control Salafi Muslims (adherents of Salafism, a fundamentalist interpretation of Sunni Islam) by equating them with Islamist insurgents or their collaborators. Police raided Salafi mosques, rounding up and detaining believers. In 2016, authorities closed several Salafi mosques.

From 2013 to 2016, police placed hundreds of presumed Salafis on special “watch lists,” which meant subjecting them to routine stops at road checkpoints, repeated questioning, unjustified short-term detentions and fingerprinting, and, in some cases, coerced DNA testing.

Law enforcement justified the watch lists, which had no legal basis, as necessary for preventing religious extremism. In 2017, local authorities stated that the Dagestani Interior Ministry stopped placing “adherents of non-traditional Islam” on police watchlists. However, harassment and arbitrary detention of Salafi continue.

Chechnya

Authorities in Chechnya also equate local Salafi Muslims with insurgents or their collaborators. Calling them Wahhabis, Ramzan Kadyrov, the head of the Chechen Republic, made repeated public assertions that they have no place in Chechnya. Kadyrov instructed police and local communities to closely monitor how people pray and dress and to punish those who stray from Sufi Islam, traditional to the region. From 2013 through 2017, police raids on presumed Salafis were widespread. According to Memorial Human Rights Center (Memorial), a leading Russian rights group that has long-term expertise on the North Caucasus, in the last three months of 2015 alone, local law enforcement and security agencies detained several hundred men in these raids, ill-treating many. The detentions were not officially registered, and the detainees’ families were not informed about the detainees’ whereabouts.

Ban on Jehovah’s Witnesses Organization

In April 2017, Russia’s Supreme Court ruled that the Jehovah’s Witnesses Administrative Center was an extremist organization, closed it on those grounds, and banned all Jehovah’s Witnesses’ activities throughout Russia, which has about 100,000 Jehovah’s Witnesses worshippers. Violators could face fines of 300,00 to 600,000 rubles (US$5,343 to $10,687) to a maximum of six to 10 years in prison. Jehovah’s Witnesses are prohibited to congregate for worship at their church or anywhere in Russia.

The “Yarovaya Law”

In July 2016, the “Yarovaya Law” entered into force, banning people who are not clerics with registered religious organizations from proselytizing outside of officially recognized religious institutions and cemeteries. Since then, authorities fined over 100 religious activists, mainly evangelist Christian, for either preaching without special authorization or distributing religious literature without the religious distributor’s name on the cover.

Recommendations:

- Reverse the ban on the Jehovah’s Witnesses organization;
- Drop excessive interference with freedom of religion, including the ban on proselytizing that does not go beyond the boundaries of legitimate free speech;
- Stop singling out Salafis for police raids, searches, and the like, solely on the grounds of their religious affiliation.

Human Rights Crisis in Chechnya

With the Kremlin’s tacit approval, Kadyrov continued to run Chechnya through brutal repression. Law enforcement and security agencies under his control have been involved in abductions, enforced disappearances, torture, extrajudicial executions, and collective punishment to eliminate dissent. The main targets are alleged insurgents, their relatives, suspected jihadist sympathizers, Salafi Muslims, and even the mildest government critics.

Counter-insurgency abuses

In December 2014, Kadyrov publicly pledged to destroy houses of insurgents’ families and several highly publicized episodes of house burnings followed. On December 18, 2014, President Vladimir Putin, for the first time, issued a mild, unprecedented public rebuke of Kadyrov. But the punitive house-burnings in Chechnya continued.

From December 2016 to January 2017, Chechen security officials carried out numerous abusive counter-insurgency operations, illegally detaining and torturing presumed jihadists. Human Rights Center Memorial found that 25 of the detainees forcibly disappeared and died after they were abducted.

Silencing critics

Kadyrov’s crackdown on human rights defenders and critical journalists worsened and spread to any local critics who speak out openly or in closed groups on social media or mobile messenger apps, and intensified starting in 2015. The authorities, acting directly or through proxies, punish dissenters by unlawfully detaining them—including through abductions and enforced disappearances— subjecting them to beatings, death threats, and threatening and physically abusing their family members.

Anti-gay purge

From late February 2017 through early April, security officials unlawfully rounded up dozens of men on suspicion of being gay and tortured them into naming their gay acquaintances. They exposed some of the captives to their families as gay and encouraged honor killings. At least two high-level local officials watched police humiliate, beat, and electrocute the detainees.

Chechen authorities responded to the allegations by denying the existence of gay people in Chechnya, suggesting obliquely that families kill their gay relatives, and accusing journalists and human rights defenders of seeking to destabilize the republic.

The Russian LGBT Network opened a special hotline for those in immediate danger and provided evacuation-related assistance to over 50 persons. Chechen police allegedly harassed relatives of those who fled.

Faced with consolidated international outcry, federal authorities eventually launched an investigation. By summer 2017, the investigation apparently stalled.

Treatment of women

For over a decade, Chechen authorities have been implementing a “women’s virtue campaign” aimed at ensuring that women wear headscarves in public and adhere to traditional family roles. With apparent approval by local authorities, Carthage, a Chechen online group, published photos of numerous women and called for their punishment. In September, federal authorities blocked the website for “extremist” content.

In June 2017, Kadyrov launched a “family reunification” program, creating local councils of public officials and religious authorities, who draw up lists of divorced couples and approach the spouses separately, suggesting reconciliation. In September, Chechen media reported that the program led to the reuniting of over 1000 divorced couples. Those reluctant to cooperate, including women who had fled abusive marriages, were allegedly pressured by the councils.

Recommendations

- Publicly condemn the 2017 anti-gay violence in Chechnya, and ensure a thorough and impartial investigation that provides anonymity and other protections so that victims and witnesses may participate. This includes allowing them to testify remotely;
- Ensure all Chechen authorities, including law enforcement and security agencies, fully comply with Russia’s domestic legislation and international human rights obligations;
- Ensure an immediate shut down of all unofficial detention facilities in Chechnya;
- Ensure Chechen authorities immediately stop collective punishment and public humiliation practices in Chechnya;
- Ensure victims have effective access to meaningful remedies and accountability mechanisms for violations of human rights;
- Bring perpetrators of abuses in Chechnya to justice and ensure transparency regarding investigations and/or prosecutions undertaken, including their outcome;
- End the “women’s virtue” campaign and take proactive step to ensure the rights and equality of women and girls in Chechnya;
- Condemn pressure on partners or spouses to reconcile, particularly when such reconciliation may entail risks, such as in cases of abusive relationships. Ensure essential services and protections for those who have escaped abusive relationships.

Domestic violence

Domestic is widespread in Russia. Certain violent acts committed by family members are prosecuted as crimes, but domestic violence is not classified as a separate criminal offense despite public awareness campaigns, ongoing advocacy by women ’s groups, and two decades of discussion. Official statistics show that around 40 percent of all violent crimes in Russia are

committed within the family, but chronic underreporting and the lack of a separate domestic violence offense make it difficult to ascertain the real scope of domestic violence

According to human rights groups, officials routinely fail to investigate or even respond to domestic violence allegations. Domestic violence victims suffer social stigma. Support services are lacking and do not provide victims with immediate and long-term solutions. A country with over 75 million women, Russia has only 400 shelter beds, far below Council of Europe standards. Shelter space specifically for domestic violence survivors is very limited.

In 2016, criminal code amendments decriminalized all first assault and battery offenses that did not cause serious harm to health, except when such offenses occurred within a family. In February 2017, President Putin signed into law a bill decriminalizing a first offense of violence against a family member that did not cause serious harm to health. The 2017 law applies to violence against any family member, including women and children. Abusers, if found guilty of a first domestic abuse offense, would face a minimal fine, up to 15 days' administrative detention, or compulsory community service, rather than the penalty of up to two years' imprisonment they would face under the criminal code.

Recommendations

- In line with CEDAW's 2015 conclusions and recommendations on Russia, adopt legislation to prevent and address violence against women, including domestic violence, and introduce ex officio prosecution of domestic violence;
- Provide mandatory training for law enforcement and judicial personnel on domestic violence;
- Ensure adequate shelter spaces and other protection for survivors of domestic violence, as well as medical and mental health care;
- Gather statistics on domestic violence disaggregated by the sex, age, nationality, and relationship between the victim and the perpetrator.

Sexual Orientation and Gender Identity

In June 2013, President Putin signed into law a federal bill banning the promotion of information among children about "nontraditional" sexual relationships, widely understood to mean relationships among lesbian, gay, bisexual, and transsexual (LGBT) people. The law sets out administrative (not criminal) penalties, including heavy fines and the deportation and detention of foreigners found to have violated the law. During the 2013 UPR, Russia's peers flagged as discriminatory similar laws that had been adopted, beginning in 2006, in ten Russian regions.

Also in June 2013, parliament passed a law banning the adoption of Russian children by foreign same-sex couples and by unmarried individuals from countries where marriage for same-sex couples is legal.

The federal "gay-propaganda" law specifically bans spreading among children information promoting the "attractiveness of nontraditional sexual relationships" and providing a "distorted notion of social equivalence of traditional and nontraditional sexual relationships." The ban applies to the press, television, radio, and the internet.

The law is fundamentally discriminatory because it presumes that relationships among LGBT people do not have the same "social equivalency" as "traditional" relationships. It treats information that puts LGBT people in a positive light as harmful to children, and sets out similar sanctions for promoting among children drug and alcohol use and suicide.

In June 2017, the European Court of Human Rights ruled that the “gay propaganda” law violated freedom of expression, was discriminatory, encouraged homophobia, and was harmful to children.

While administrative cases under the law have so far been few, the law has clearly had harmful effects on Russia’s LGBT community. Public debates in the lead-up to and aftermath of the law’s adoption occasioned some instances of hateful, discriminatory, degrading rhetoric about LGBT people in Russia, including on state television stations. During the same period, Human Rights Watch and Russian rights groups documented an upsurge in violent attacks and harassment of LGBT people across Russia. In 2013 and 2014, dozens of LGBT people described to Human Rights Watch being beaten, abducted, humiliated, and called “pedophiles” or “perverts,” in some cases by radical homophobic groups, and in others by strangers on the subway, on the street, at nightclubs, at cafes, and in one case, at a job interview. Many of the victims did not report attacks against them to the police because they feared direct harassment from police and did not believe the police would take the attacks seriously. With regards to those who lodged complaints with the police, few effective investigations followed.

LGBT activists also face physical violence and harassment at public events supporting LGBT equality, and the police consistently fail to take adequate measures to prevent the attacks and protect them from violence. Also, local authorities across Russia have frequently used the “gay propaganda” law to prohibit demonstrations in support of LGBT rights.

Since the adoption of the “gay propaganda” law, Russian courts have issued fines in 15 cases for spreading “gay propaganda,” including fines against Deti-404, an online group that offers psychological support, advice, and a safe community for LGBT children who experience violence and aggression because of their real or perceived sexual orientation or gender identity.

Recommendations

- Condemn the use of hate speech in regard to lesbian, gay, bisexual, and transgender (LGBT) people and issues related to their lives and health;
- Publicly acknowledge the scope and gravity of the problem of violence and harassment against LGBT people in Russia, and commit to taking steps to end these abuses;
- Repeal the 2013 “gay propaganda” law and ensure that legislatures of Russian regions where regional anti-LGBT “propaganda” laws remain in force also repeal;
- Direct the country’s law enforcement authorities to fulfill their responsibility to investigate in a thorough, impartial, and timely manner all allegations of violence against LGBT people and hold perpetrators to account;
- Introduce legislation to protect the rights of all LGBT people, including children, such as legislation to explicitly proscribe discrimination against them in public services and to make sexual orientation and gender identity a protected category against discrimination in relevant provisions of Russia’s criminal and civil laws;

Workers’ Rights

Construction workers building stadiums for Russia to host the FIFA 2017 Confederations Cup and 2018 World Cup face exploitation and labor abuses, including non-payment of wages either in full or in part, or several months’ delays in payment of wages; work in temperatures as cold as -25 degrees Celsius without sufficient protections, and the lack of contracts required for legal employment. At least 17 workers have died on World Cup stadium sites since construction began, according to the Building and Wood Workers’ International Global Union. Workers on

several stadiums have organized strikes repeatedly to protest non-payment of wages and other labor abuses. International media have published credible reports about North Korean workers employed on the World Cup Stadium in St. Petersburg in 2016 working long hours with few days off, and compelled to send wages to the North Korean government.

Similarly, in preparation for the Sochi 2014 Winter Olympics, Russian employers violated many migrant workers' rights by refusing to provide them employment contracts, refusing to pay them for their labor, failing to create safe working conditions, requiring them to work long hours without additional compensation, and refusing to allow time off from work. Some employers retaliated against foreign migrant workers who protested abuses by denouncing them to the authorities, resulting in the workers' expulsion from Russia.

Recommendations:

- End widespread worker rights violations in the construction sector, through rigorous inspections and accountability for employers who exploit and abuse workers;
- Issue a high-level public message of zero tolerance for worker abuse;
- Refrain from punishing migrant workers, including through deportations, for the unscrupulous practices of employers;
- Undertake education campaigns to inform workers of their rights, and ensure accessible, effective mechanisms for workers to file complaints without retaliation.

People with Disabilities

Hundreds of thousands of adults and children with disabilities currently live in closed institutions. Many parents are misinformed about their children's disability, and state officials often recommend sending children with disabilities to institutions from a very young age. Reports of serious physical and emotional abuse against children and adults with disabilities in state institutions persist. In 2013-2014, Human Rights Watch researchers visited 10 state orphanages for children with disabilities and found that many children face physical and psychological violence and neglect and are denied adequate healthcare, education, and play.

Russia has committed to addressing the high rates of children in state institutions, but current policies lack concrete implementation and monitoring. In 2016, the Ministry of Labor and Social Affairs proposed reforms intended to improve conditions in institutions for adults with disabilities but has not communicated whether it will develop a policy to move them out of institutions and expand community-based living for adults with disabilities.

The government has made considerable efforts to improve accessibility in public facilities, but adults and children living with various disabilities continue to face many barriers to participating in their communities. These include physical barriers, such as the lack of ramps and elevators and inadequate accommodations in transportation systems; policy barriers, such as lack of inclusive education; and social barriers, such as employers' unwillingness to hire people with disabilities.

Although the government has begun to implement inclusive education, most children with disabilities do not study in mainstream schools due to physical barriers, lack of accessible transportation, and a lack of reasonable accommodations to facilitate their individual learning needs. Tens of thousands of children with disabilities remain isolated at home; some receive home-based education with limited teaching hours. Others are segregated in specialized schools for children with disabilities. Because children with disabilities have not received quality

education they frequently struggle to enroll in universities or gain meaningful professional skills necessary to secure employment once they reach adulthood.

Recommendations

- Develop a time-bound plan for deinstitutionalization, clarifying steps made to move children out of residential institutions and reunite them with their birth families or place them with adoptive or foster families and steps made to ensure available, accessible services in the community to support people with disabilities, including children with disabilities and facilitate their right to live in the community;
- Establish a zero-tolerance policy for staff in state children's institutions who beat, humiliate, or insult children and end the use of physical restraints, sedatives, forced isolation, and forced psychiatric treatment as a means of managing or disciplining children in care;
- Increase accessibility for people with different types of disabilities, including to government facilities as well as in housing, transportation, healthcare services, schools and universities, as well as other buildings and public spaces, and enforce existing accessibility requirements;
- Guarantee access to inclusive quality education for all children with disabilities, including children with intellectual disabilities and children living in state institutions, on an equal basis with others, in line with the Convention on the Rights of Persons with Disabilities.