



OPEN SOCIETY INSTITUTE  
NETWORK WOMEN'S PROGRAM  
VAW MONITORING PROGRAM

V I O L E N C E  
A G A I N S T  
W O M E N

DOES THE GOVERNMENT CARE  
IN  
R U S S I A ?

Country Monitoring Reports  
and Fact Sheets

from  
Central and Eastern Europe,  
the Commonwealth of  
Independent States,  
and Mongolia

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Október 6. u. 12.  
H-1051 Budapest  
Hungary

*Website*

<[www.soros.org/women](http://www.soros.org/women)>

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## Preface

*“...states have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, whether those acts are perpetrated by the state or private persons, and provide protection to victims...”*

(Recommendation No. R (2002) 5 of the Committee of Ministers of the Council of Europe to member states on the protection of women against violence)

Violence against women is a global epidemic, constituting the serious violation of women’s human rights and fundamental freedoms. Combating this phenomenon has been one of the main priority areas of the Network Women’s Program (NWP) of the Open Society Institute since its establishment in 1998.

NWP’s main activities in this field included initiating, managing and supporting several international projects,<sup>1</sup> by acquiring and transferring knowledge throughout the regions where OSI has traditionally worked.<sup>2</sup> The activities of NWP in the field of violence against women were transformed into a separate program, the Violence against Women (VAW) Monitoring Program, which operated until the end of 2006.

A main focus of the Program was introducing and managing the Stop Violence Against Women (STOPVAW) website,<sup>3</sup> and establishing the National Violence against Women (VAW) Monitor Network. The website was developed by Minnesota Advocates for Human Rights in 2003, with the support of NWP and UNIFEM. Subsequently, in May 2004 NWP initiated the National VAW Monitor Program by

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<sup>1</sup> Such as the “16 Days” Campaigns against Gender Violence, and the Coordinated Community Response to Violence against Women (Duluth Program). The “16 Days” Campaigns Against Gender Violence program supported NGOs in 19 countries of the Soros foundations network to organize national public awareness campaigns on violence against women. NWP and the OSI Network Media Program provided grants, along with training workshops, in order to build the capacity of women’s NGOs and media experts, and to improve the quality of the media campaigns. Grants were offered exclusively for cross-country cooperation in 2003.

In introducing the Duluth Model, an innovative community-coordinated strategy, NWP organized several training workshops for national teams from 16 countries as well as special training for police officers and other law enforcement professionals, and supported the adaptation of the model for several years.

<sup>2</sup> These are the countries of Central and Eastern Europe and the former Soviet Union.

<sup>3</sup> See: [www.stopvaw.org](http://www.stopvaw.org).

establishing a network of NGOs from 24 countries. Non-governmental organizations in the fields of violence against women and gender equality take on the role of National VAW Monitors and facilitate the continued development and maintenance of the English and national-language Country Pages of the STOPVAW website.

The responsibilities of the National Monitors include the monitoring of government compliance with international obligations and the distribution of information to the international community about the successes and failures of their governments in combating violence against women. The website and the Network are active forums for information sharing, knowledge transfer, and advocacy work.

At the end of 2005 a new, comprehensive Survey to Monitor Violence against Women was initiated by NWP, inviting the National VAW Monitors and other experts to map the situation on violence against women in their respective countries, with special regard to state responses. The survey methodology prepared for the Monitors and experts to follow built upon the Council of Europe Committee of Ministers' Recommendation No. R (2002) 5 on the protection of women against violence. The goal was to collect concise and comparative information from those who are in the field, as a basis for further analysis and update. Another aim was to contribute to the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence.

By following the words and spirit of the Recommendation of the Council of Europe, the examined fields include, among others:

- responsible government bodies and their mandates regarding violence against women;
- action plans and their implementation;
- state budgets to combat violence against women, including support for NGOs;
- laws, regulations, and codes of conduct;
- services and assistance to victims (shelters, hotlines, crisis centers, legal aid, etc.);
- training and education at all levels;
- role of the media;
- awareness-raising activities; and
- research and statistics.

As a result of the monitoring survey, Country Fact Sheets and Country Monitoring Reports were prepared. These Fact Sheets and Country Reports issue a non-

governmental assessment of the countries' situation in the above fields, and formulate clear recommendations to the governments.<sup>4</sup>

Data collection for the monitoring survey was closed on December 1, 2006. Updated information on further developments in the efforts to combat violence against women in the countries concerned is available on the STOPVAW website.

We hope that both the Fact Sheets and Country Reports will be useful advocacy tools at the national and international levels, and that, by generating legal and policy changes, they will urge the states to fully meet their international commitments to combat violence against women.

Éva Földvári  
*Program Director*  
*Open Society Institute*  
*Violence against Women Monitoring Program*

Enikő Pap  
*Program Officer and Project Coordinator*  
*Open Society Institute*  
*Violence against Women Monitoring Program*

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<sup>4</sup> The reports are available online at [www.soros.org/women](http://www.soros.org/women) and [www.stopvaw.org/Country\\_Pages](http://www.stopvaw.org/Country_Pages).



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#### THE EDITORIAL TEAM

Enikő Pap  
 Judit Herman  
 Judit Wirth  
 Miklós Vörös  
 Minnesota Advocates for Human Rights (English editing only)  
 Q.E.D. Publishing

# 1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN

## 1.1 National institutions or government bodies responsible for policy coordination and implementation

No specialized gender equality machinery exists in the Russian Federation. This fact was the main concern expressed by Yakin Erturk, UN Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, in her Report on the Russian Federation:

“The fact that there is no specialized body, with clout, authority and resources, to address women’s rights and equality issues will seriously jeopardize the coordination and monitoring of the implementation of the Convention and the Beijing Platform for Action and the identification of areas where gender equality policies are needed in view of new needs and developments.”<sup>5</sup>

However, there are institutions established to address women’s human rights in Russia, namely: the Committee on Women, Family, and Youth of the State Duma (Parliament); the Interagency Commission on Equality between Men and Women (founded on June 5, 2006); the Social Commission of the Federal Council for Ensuring Equal Rights and Equal Opportunities for Men and Women; and the Department on Medical and Social Problems of Family, Maternity, and Children of the Ministry of Health and Social Development. These organizations do not have special tasks allocated regarding the issue of violence against women.<sup>6</sup>

On June 5, 2006 the Interagency Commission on Equality between Men and Women in the Russian Federation was founded. The Decree on the Commission was signed by the Minister of Health and Social Development, the Minister of Foreign Affairs, the Minister of Education and Science, the Minister of Interior, and the Minister of Agriculture. M. Zurabov, Minister of Health and Social Development, is the Chairperson of the Commission. The first meeting of the Commission was held on September 27, 2006.<sup>7</sup>

“The Commission on the Status of Women, with representatives from all ministries, was created under the vice-president’s office in 1996 as the main national machinery to

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<sup>5</sup> Yakin Erturk (2006) *Integration of the Human Rights of Women and a Gender Perspective: Violence against Women*, E/CN.4/2006/61/Add.2 January 2, (2006).

<sup>6</sup> Telephone interview with Tatiana Melnikova, Consultant, Department for Social Policy, Family and Women, Ministry for Health Care and Social Development of the Russian Federation; August 11, 2006.

<sup>7</sup> See: [www.owl.ru/content/news/vestnik2006/p71744.shtml](http://www.owl.ru/content/news/vestnik2006/p71744.shtml).

coordinate gender equality policies and practices within the public sector.<sup>8</sup> Parallel structures were established in 89 localities throughout the Federation. In accordance with a law adopted on March 9, 2004, the national machinery was reorganized and subsequently dissolved by a resolution.<sup>9</sup>

According to Yakin Erturk, “Violence against women in the Federation poses a major challenge to the Government in terms of its human rights obligations and sustained security.”<sup>10</sup>

There are no special government coordination institutions or bodies in charge of the implementation of measures to combat violence against women in the Russian Federation. The only government, multi-agency commission on domestic violence, sexual violence, and trafficking working under the Russian Ministry for Internal Affairs initiated by Colonel Tamara Veligurova stopped its activities after her retirement in 2005.

## 1.2 National action plans and other policy documents

No special national plan of action for combating violence against women exists in the Russian Federation.

From 2001 to 2005, the *National Action Plan for Gender Equality* adopted by the Ministry of Labor and Social Development was functioning. Problems occurred in implementing the plan because of the lengthy reorganization of the Ministry of Labor and Social Development and the Ministry of Health. The plan was an interagency plan with the Ministry of Interior being a key institution responsible for the legal protection of survivors. However, special laws or acts on violence against women were not adopted, except the amendment on human trafficking in the Criminal Code. The Ministry of Labor and Social Development (currently Ministry of Health and Social Development) has been responsible creating social centers for family support with special departments for women and children suffering from domestic violence.

There has been no special budget allocated for the work on violence against women; only the general budget of the different ministries exist for the work within the plan. No information is available concerning the exact amount spent.<sup>11</sup>

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<sup>8</sup> The Commission does not exist any longer. (Telephone interview with Elena Ershova, President of Consortium of Women’s NGOs of Russia.)

<sup>9</sup> Resolution No. 215 of April 16, 2004 on Regulating of Composition of the Coordination, Advisory and Other bodies, Established by the Government of Russia.

<sup>10</sup> Yakin Erturk, *ibid*.

There are no other national action plans focused on equal rights or violence against women.<sup>12</sup> There are no other policy documents either aiming to combat violence against women or its different forms in the Russian Federation.

### 1.3 State monitoring of existing legislation and policies

The Russian Federation is a party to international and regional human rights treaties, all of which require the government of the Russian Federation to protect, respect, and fulfill the human rights of those under its jurisdiction. The Russian Federation has ratified The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol. The Russian Federation is therefore obliged to challenge those aspects of its culture that reinforce hierarchical stereotypes and that dissuade women from seeking remedies that will protect them from further violence.

In the Russian Federation, the Head of the Department on Health Care and Social Issues of Family and Children at the Ministry of Health Care and Social Development is responsible for preparing and submitting government periodic reports to the CEDAW Committee. There is no role for the NGOs of Russia in this mechanism so far. Besides fulfillment of international reporting requirements, there have not been any special review mechanisms established for monitoring existing legislation and policies regarding violence against women in Russia.

### 1.4 State budget earmarked for combating violence against women

According to Tatiana Melnikova, Chief Consultant, Department for Social Policy, Family and Women, Ministry for Health Care and Social Development of the Russian Federation, there is no specialized budget for the fight against violence against women or its different forms in the Russian Federation. Funds might be allocated for implementing social programs on the local level due to shifting obligations from the Federal level to local authorities.

There are no funds for fighting against violence against women in the budget of law enforcement authorities.<sup>13</sup>

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<sup>11</sup> Report on the outcomes of the *National Action Plan for Gender Equality* provided by its author, Tatiana Melnikova.

<sup>12</sup> Telephone interview with Elena Ershova, President of the Consortium of Women's NGOs of Russia.

<sup>13</sup> Telephone interview with Tatiana Melnikova, *ibid.*

According to Elena Ershova, President of the Consortium of Women's NGOs of Russia, state authorities give no yearly amount to support NGOs specifically working in the field of violence against women.<sup>14</sup> NGOs are provided with grants if they participate in joint projects in cooperation with government institutions. However, this type of funding is not done on a regular basis, but only within the framework of projects or programs (e.g., the current joint project on raising awareness of domestic violence among young families of Moscow undertaken by the Moscow Committee on Family and Youth with the ANNA National Center for the Prevention of Violence).

Information is not available on the number of total awarded NGO grants. So, information regarding the number of awarded grants in the field of violence against women compared to the total number of NGO grants awarded is not available, either.

### **1.5 State financing system to compensate victims**

There are no general provisions related to any forms of violence against women in the legislation of the Russian Federation; thus, victims of violence are not entitled to get compensation. There are general provisions on compensation of victims of crimes within the Civil Code of the Russian Federation. Thus, victims of violence against women may also apply for compensation within the relevant Article.<sup>15</sup>

### **1.6 Recommendations of the UN CEDAW Committee to the state and their implementation**

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) requires State Parties to “adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women” (Article 2(b)). As General Recommendation No. 19 of CEDAW emphasizes that the definition of discrimination against women in Article 1 of the Women's Convention includes gender-based violence, State Parties are under a legal duty to provide protection for the victims of violence against women and not to allow acts of violence to be committed with impunity, whether the perpetrator is a state agent or a private individual. The Russian Federation is a State Party to the Women's Convention and its Optional Protocol. That requires the Russian Federation to respect, protect, promote and fulfill the human rights of everyone within its jurisdiction. It must act with due diligence to prevent and to investigate violence against women and to hold perpetrators of violence accountable.

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<sup>14</sup> Telephone interview with Elena Ershova, *ibid.*

<sup>15</sup> See Section 2.3 below.

The main concerns of the CEDAW Committee based on the Fifth Periodic Report of the Russian Federation about measures to comply with regulations of the Convention on Elimination of all the Forms of Discrimination against Women<sup>16</sup> presented at the 26th Session, January 14 – February 1, 2002 are the following:

- high scale of domestic violence, particularly of murders of women as a result of domestic violence;
- attitudes of law enforcement agencies that view domestic violence as a private matter, not a crime;
- lack of effective government measures to combat violence against women;
- lack of domestic violence laws in the Russian Federation;
- high scale of sexual violence in prisons and in war conflict in Chechnya; and
- increasing numbers of trafficked women and girls to and from Russia.

In 2002, the CEDAW urged the government of the Russian Federation to take action to strengthen the protection of women who are subjected to violence in the family:

37. The Committee, in accordance with its General Recommendation 19, urges the immediate enactment of specific domestic violence legislation to facilitate the prosecution of offenders. It also urges the Government to take immediate and effective measures to provide training to all levels of law enforcement officers and judges as to the serious and criminal nature of domestic violence. It recommends the provision of training to health-care professionals and social workers to improve recognition and reporting of domestic violence. It recommends the provision of measures of physical protection for women who are victims of domestic violence, such as removal of the violent person from the family home, and state budgeting for a sufficient number of shelters for the victims of violence. All such measures should be accompanied by a vigorous awareness-raising campaign emphasizing that domestic violence is a criminal offence and not a “private matter.”<sup>17</sup>

Some of the suggested measures are being addressed in parts of the Russian Federation, for instance, as part of action plans of working groups combating issues such as inequality between men and women, violence against women in the family, trafficking of women and violent sexual assault, and of commissions for the advancement of the situation of women. According to the Ministry of Health and Social Development, there were 23 state-funded crisis centers for women in 2005. While the above mentioned working groups and commissions exist on regional and local levels, and

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<sup>16</sup> Concluding Observations of the Committee on the Elimination of Discrimination against Women on the 5<sup>th</sup> Periodic Report of the Russian Federation, 26th session, 14 January – 1 February 2002, CEDAW/C/2002/I/CRP.3/Add.3, at paragraph 37.

<sup>17</sup> *Rossiskaia Gazeta*, No. 266, 25. 11. 2005.

usually bring together government officials, health, social and legal experts, and activists from non-governmental organizations (NGOs), they often lack the funds and the power to implement new measures to prevent violence against women in the family.<sup>18</sup>

The Russian Government, however, still does not consider the issue of violence against women to be a separate, important priority, despite the Committee's recommendations. Violence against women is still not on the agenda of the institutions established to address women's human rights in Russia; even at the first session of the newly founded Interagency Commission on Equality between Men and Women the issue of violence against women was not discussed. There have been no state or non-state reports responding to the suggested measures.

At the second session of the UN Human Rights Council held in Geneva in September 2006, the problems faced by women in different countries including Russia were highlighted. The attitude to violence against women and to the report of Ms. Yakin Erturk, Special Rapporteur on Violence Against Women, is reflected in the following statements of a representative of Russia:

“Russian representative Valery Loshchinin said the report was politicized and not impartial – it gave the impression that there was a State policy of violence against women, which was occurring against a background of prevailing insecurity at large. Those familiar with the contemporary reality in Russia and the role of women in society could not accept these affirmations, he added.”<sup>19</sup>

The next regular state report will be submitted to the CEDAW Committee in January 2007, by the Department on Medical and Social Problems of Family, Maternity and Children of the Ministry of Health and Social Development.<sup>20</sup>

In her report regarding the Russian Federation, the UN Special Rapporteur on Violence against Women expressed her concern on contradictory implications for the situation of women in general and for those in the North Caucasus, in particular, caused by multiple challenges of the transition process. One of the negative

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<sup>18</sup> Several such working groups and commissions were established after the Fourth World Conference on Women in 1995. In 2001, the Russian Ministry of Internal Affairs set up a Working Group on combating domestic violence, trafficking of women, prostitution and violent sexual assault. The Working Group stopped its activities after its leader Colonel Tamara Veligurova retired in 2005.

<sup>19</sup> See: [www.unog.ch/unog/website/news\\_media.nsf/\(httpNewsByYear\\_en\)/7EEC2079D85E31F5C12571EF004FB052?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/7EEC2079D85E31F5C12571EF004FB052?OpenDocument).

<sup>20</sup> Telephone interview with Tatiana Melnikova, *ibid.*, Chief Consultant, Department for Social Policy, Family & Women, Ministry for Health Care and Social Development of the Russian Federation; August 11, 2006.



consequences of transition was an upsurge in patriarchal attitudes towards gender relations. According to the UN Special Rapporteur, violence against women, particularly domestic violence, sexual abuse and trafficking are widespread.

In addition, one of the main concerns expressed by the UN Special Rapporteur regarding the situation of women in the North Caucasus was that these women suffered additional abuses as a result of ongoing military operations. Chechen women suffer direct and indirect consequences of widespread destruction and diverse forms of violence in the region. According to the report, violence against women threatens the advancement of the Russian Federation and the security of all its citizens. Thus, in this regard, prioritizing women's rights and addressing violence against women in policy development and legislative reform are urgent challenges confronting the Government.<sup>21</sup>

## **2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE**

### **2.1 Laws addressing violence against women or its different forms. Restraining or protection orders**

There is no special law (act) on violence against women or on its different forms in the Russian Federation. There are no restraining, protection, or barring orders in the Russian legal system, either.

### **2.2 Applicable provisions in criminal law**

#### **2.2.1 Criminal offences**

In the Northern Caucasus region of Russia women are subjected to strong traditional patriarchal norms of family honor and forced to keep silent about family matters. Local communities run by older men (*"stareishina"*) would blame, harass or even physically punish women, if they reported domestic violence. Such violent practices as bride abduction, forced marriages, polygamy, blood feuds, honor killings, and marital rape still exist in rural areas of the Northern Caucasus Republics. This situation was even made worse by the consequences of war in Chechnya, terrorist acts (Beslan), destroyed infrastructure, and the general level of stress and instability in the region. All of these

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<sup>21</sup> E/CN.4/2006/61/Add.2 26 January 2006 Integration of the Human Rights of Women and a Gender Perspective: Violence against Women.

factors make women more vulnerable and force many of them to stay in abusive relationships.<sup>22</sup>

The Criminal Code of the Russian Federation is gender neutral. Violence against women, particularly domestic violence, is not recognized by criminal law as a separate offence. The Criminal Code has no specific definition of domestic violence. The Criminal Code makes few references to the relationship between those involved in an act of crime. Cases of domestic violence against women are often considered by law enforcement officials as part of “violence in the private sphere” (*bytovoe nasilie*).<sup>23</sup> The only way to protect a victim and to punish a batterer through criminal procedures is by referring to the articles of the criminal law on bodily injuries or other crimes.

Acts of domestic violence against women, like any violent crime against a person, are punishable under Part VII of the Criminal Code (crimes against the person). They may be prosecuted under the following articles:<sup>24</sup>

- Article 112 on “Intentional infliction of average gravity harm to health;”<sup>25</sup>
- Article 115 on “Intentional infliction of light injury;”<sup>26</sup>

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<sup>22</sup> Research on the situation of violence against women in the Northern Caucasus of Russia was conducted by Marina Pisklakova-Parker, Director of ANNA Center for the meeting with Yakin Erturk in Ulan-Bator, Mongolia, on September 11–13, 2006.

<sup>23</sup> *Bytovoe nasilie* is thus different from organized crime or state violence.

<sup>24</sup> The translation of these articles follows *Criminal Code of the Russian Federation*, translated by William E. Butler, Fourth Edition (London: Wildy, Simmonds, and Hin) 2004.

<sup>25</sup> Article 112 on “Intentional infliction of average gravity harm to health”

1. Intentional infliction of injury of average gravity, which is not hazardous to human life and which has not involved consequences referred to in Article 111 of this Code, but which has caused protracted injury to health or considerable stable loss of general capacity for work by not less than one-third, shall be punishable by arrest for a term of three to six months or by deprivation of liberty for a term of up to three years.

2. The same act committed:

*a)* against two or more persons; *b)* against a person or his relatives in connection with his official activity or the discharge of his public duty; *c)* with especial cruelty, mockery or torture for the victim, or against a person who is known by the offender to be helpless; *d)* by a group of persons, a group of persons under a preliminary conspiracy, or an organized group; *e)* out of malicious motives; *f)* by reason of national, racial, or religious hatred or enmity; *g)* repeatedly, by a person who earlier committed an intentional infliction of grave injury, or murder as envisaged in Article 105 of this Code, shall be punishable by deprivation of liberty for a term of five years.

- Article 116 on “Battery;”<sup>27</sup>
- Article 117 on “Torture;”<sup>28</sup>
- Article 118 on “Infliction of grave injury or injury of average gravity by negligence;”<sup>29</sup>

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<sup>26</sup> Article 115 on “Intentional infliction of light injury”

Intentional infliction of light injury which has caused temporary damage of health or an insignificant stable loss of general capacity for work, shall be punishable by a fine in the amount from 50 to 100 minimum wages, or in the amount of the wages or salaries or any other income of the convicted person for a period of up to one month, or punishable by compulsory works for a term of from 180 to 240 hours, or corrective labor for a term of up to one year, or by arrest for a term of from two to four months.

<sup>27</sup> Article 116 on “Battery”

Battery or the commission of similar violent actions, which have caused physical pain but not involved the consequences referred to in Article 115 of this Code, shall be punishable by a fine in the amount of up to 100 minimum wages, or in the amount of the wages or salary or any other income of the convicted person for month, or by compulsory works for a period of time from 120 to 180 hours, or by corrective labor for a term of up to six months, or by arrest for a term of up to three months.

<sup>28</sup> Article 117 on “Torture”

1. The infliction of physical or mental suffering by means of systematic beating or by any other violent actions, unless this has involved the consequences referred to in Articles 111–112 of this Code, shall be punishable by deprivation of liberty for a term of up to three years.

2. The same act committed:

*a)* against two or more persons; *b)* against a person or his relatives in connection with the official activity of this person or the discharge of his public duty; *c)* against a woman who is in a state of pregnancy, which is evident to the convicted person; *d)* against an obvious juvenile or a person who is in a helpless state, as known by the convicted person, or in material or any other dependence on the convicted person, and also in respect of a person, kidnapped or seized as a hostage; *e)* with the use of torture; *f)* by a group of persons, a group of persons under a preliminary conspiracy, or an organized group; *g)* by hire; *h)* by reason of national, racial, or religious hatred or enmity, shall be punishable by deprivation of liberty for a term of three to seven years.

- Article 119 on “Threat of murder or infliction of grave injury to health”.<sup>30</sup>

None of the above articles take note of the relationship between the perpetrator and victim. The law does not recognize the seriousness of domestic violence against women where the acts of violence often cause only minor damage to victim’s health but the impact of repeated abuse can have long-term psychological consequences on the victim. Only Article 117 considers such aggravating circumstances as: if the victim is a minor, is apparently helpless “or... is materially or otherwise dependent on the guilty person.” However, this article is rarely invoked in cases of violence against women.

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<sup>29</sup> Article 118 on “Infliction of grave injury or injury of average gravity by negligence”

1. The infliction of grave injury to health by negligence shall be punishable by a fine in the amount from 100 to 200 minimum wages, or in the amount of the wage or salary of any other income or of the convicted person for a period of one to two months, or by compulsory works for a term of up to two years, or by restraint of liberty for a term of up to three years, or by arrest for a term of three to six months.

2. The same deed committed in consequence of the improper discharge by a person of his professional duties, shall be punishable by restraint of liberty for a term of four years or deprivation of liberty for a term of up to two years, with the deprivation of the right to hold specified offices or engage in specified activities for a term of up to three years, or by the permanent deprivation of such right.

3. The infliction of injury of average gravity by negligence shall be punishable by a fine in the amount of from 50 to 100 minimum wages, or in the amount of the wage or salary or any other income of the convicted person for a period of one month, or by compulsory works for a term of 180 to 240 hours, or corrective labor for a term of up to one year, or by restraint of liberty for a term of up to two years, or by arrest for a term of up to three months.

4. The same deed committed in consequence of the improper discharge by a person of his professional duties, shall be punishable by restraint of liberty for a term of up to three years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to one year, with the deprivation of the right to hold specified offices or engage in specified activities for a term of up to three years, or with the permanent deprivation of such right.

<sup>30</sup> Article 119 on “Threat of murder or infliction of grave injury to health”

Threat of murder or infliction of grave injury to health, if there were grounds to fear the realization of this threat, shall be punishable by restraint of liberty for a term of up to two years, or by arrest for a term of four to six months, or by deprivation of liberty for a term of up to two years.

Articles 131–133 of the Russian Criminal Code criminalize rape,<sup>31</sup> violent sexual acts,<sup>32</sup> and compulsion to perform sexual acts.<sup>33</sup>

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<sup>31</sup> Article 131 on “Rape”

1. Rape, that is sexual relations with the use of violence or with the threat of its use against a victim or other persons, or in taking advantage of the victim’s helpless condition, shall be punishable by deprivation of liberty for a term of three to six years.

2. Rape:

*a)* committed repeatedly or by a person who has earlier committed violent sexual actions; *b)* committed by a group of persons, a group of persons under a preliminary conspiracy, or an organized group; *c)* connected with the threat of murder or the infliction of grave injury, or committed with especial cruelty towards the victim or to other persons; *d)* entailing the infection of the victim with a venereal disease; *e)* of an obvious juvenile, shall be punishable by deprivation of liberty for a term of four to ten years.

3. Rape:

*a)* entailing, by negligence, the death of the victim; *b)* entailing, by negligence, the infliction of grave injury to the victim, the infection of the victim with HIV, or other grave consequences; *c)* of a victim who obviously has not attained fourteen years of age, shall be punishable by deprivation of liberty for a term of eight to fifteen years.

<sup>32</sup> Article 132 on “Violent sexual acts”

1. Pederasty, lesbianism, or any other sexual actions with the use of violence or with the threat of its use against the victim or against other persons, or with the taking advantage of the helpless condition of the victim, shall be punishable by deprivation of liberty for a term of three to six years.

2. The same deeds:

*a)* committed repeatedly or by a person who has committed rape previously; *b)* committed by a group of persons, a group of persons under a preliminary conspiracy, or an organized group; *c)* connected with the threat of murder or the infliction of grave injury, or committed with especial cruelty against the victim or other persons; *d)* entailing the infection of the victim with a venereal disease; *e)* committed against an obvious juvenile, shall be punishable by deprivation of liberty for a term of four to ten years.

3. Deeds specified in the first and second parts of this Article, if they:

*a)* have entailed, by negligence, the death of the victim; *b)* have entailed, by negligence, the infliction of grave injury to the victim, the infection of the victim with HIV or other grave consequences; *c)* have been committed against a person who obviously has not attained fourteen years of age, shall be punishable by deprivation of liberty for a term of eight to fifteen years.

<sup>33</sup> Article 133 on “Compulsion to perform sexual acts”

Compulsion of a person to enter into illicit relations, pederasty, lesbianism, or the commission of other sexual actions by means of blackmail, threat of destruction, damage, or taking of property, or with the advantage of material or any other dependence of the victim, shall be punishable by a fine in the amount of 200 to 300 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of two to three months, or by corrective labor for a term of up to two years, or by deprivation of liberty for a term of up to one year.

The Criminal Code of the Russian Federation was amended to include anti-trafficking provisions in 2003.<sup>34</sup>

The term ‘sexual harassment’ is not included in the law of the Russian Federation. Cases of sexual harassment can be prosecuted under Article 133 on “Compulsion to perform sexual acts” of the Criminal Code.

Crimes as honor killings, war crimes, early marriages, female genital mutilation, enforced sterilization or abortion, contraception imposed by coercion or force, and pre-natal selection by sex are not included in the Criminal Code.

In 2005 the Ministry of Interior of the Russian Federation has developed a draft Law No. 159515-4 on the Amendment on Bride Abduction to the Criminal Code of Russia. The draft has been submitted for consideration to the State Duma of the Federal Council of the Russian Federation. Further information on the law draft is not available.

As for the involvement of officials committing crimes during their professional duties, some articles in the Criminal Code mention such cases. Article 109 prescribes

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<sup>34</sup> Article 152 on “Trafficking in minors”

1. Purchase or sale of a minor, or the commission of other deals involving a minor, in the form of his transfer and control, shall be punishable by compulsory works for a term of 180 to 240 hours, or by corrective labor for a term of one year to two years, or by restraint of liberty for a term of up to three years, or by deprivation of liberty for a term of up to five years.

2. The same acts committed:

*a)* repeatedly; *b)* against two or more minors; *c)* by a group of persons under a preliminary conspiracy or an organized group; *d)* by a person through his official position; *e)* with the illegal removal of a minor abroad, or with his illegal import from abroad; *f)* for the purpose of involving a minor in the commission of a crime or any other antisocial action, and also for committing acts of sexual nature; *g)* for the purpose of withdrawing from a minor his or her organs or tissues for transplantation, shall be punishable by deprivation of liberty for a term of three to ten years.

3. Deeds provided for by the first or second part of this Article, and entailing, by negligence, the death of a minor or any other serious consequences, shall be punishable by deprivation of liberty for a term of five to fifteen years.

punishment for negligent homicide owing to the improper discharge by a person of his professional duties.<sup>35</sup>

Based on Article 136 on “Violation of the equality of human and civil rights and freedoms,” such acts committed by a person through his official position, shall be punishable as well.<sup>36</sup>

### 2.2.2 Criminal procedures and prosecution

There are no special procedures and procedural provisions for violence against women cases prescribed by law. However, the Article 241 of the Russian Code of Criminal Procedure establishes conducting the judicial proceedings in camera under the following circumstances:

“2. Conducting the judicial proceedings in camera shall be permissible by court ruling or resolution, if: (3) an examination of the criminal cases on the offences of the sexual immunity and sexual freedom of the personality and on other crimes may lead to an indulgence of the information on the intimate aspects of life of the participants in the criminal court proceedings or of information humiliating their honor and dignity”;

Violence against women is not defined as an aggravating or decisive factor in deciding whether a prosecution is in the public interest.

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<sup>35</sup> Article 109 on “Infliction of death by negligence”

1. Negligent homicide shall be punishable by restraint of liberty for a term of up to three years or by deprivation of liberty for the same term.

2. Negligent homicide owing to the improper discharge by a person of his professional duties, and also the infliction of death by negligence on two or more persons, shall be punishable by restraint of liberty for a term of up to five years or by deprivation of liberty for the same term with deprivation of the right to hold specified duties or to engage in specified activity for a term of up to three years or without such right.

<sup>36</sup> Article 136 on “Violation of the equality of human and civil rights and freedoms”

1. Violation of the equality of human and civil rights and freedoms, based on sex, race, nationality, language, origin, property or official status, place or residence, attitude to religion, convictions, or affiliation with public associations which has caused harm to the rights and legally-protected interests of individuals, shall be punishable by a fine in the amount of 200 to 500 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of two to five months, or by deprivation of liberty for a term of up to two years.

2. The same deed committed by a person through his official position, shall be punishable by a fine in the amount of 500 to 800 minimum wages, or salaries or in the amount of the wage or salary, or any other income of the convicted person for a period of five to eight months, or by deprivation of the right to hold specified offices or to engage in specified activities for a term of two to five years, or by deprivation of liberty for a term of up to five years.

The Criminal Code of Russia recognizes aggravating or mitigating circumstances in relation to punishment for all crimes. There are no specialized indications regarding the violence against women cases. These aggravating circumstances may be found in some offences, such as:

- Article 112 on “Intentional infliction of average gravity harm to health”  
2(c) committed with especial cruelty, mockery, or torture for the victim, or against a person who is known by the offender to be helpless;
- Article 117 on “Torture”  
2(c) committed against a woman who is in a state of pregnancy, which is evident to the convicted person; d) against an obvious juvenile or a person who is in a helpless state, as known by the convicted person, or in material or any other dependence on the convicted person, and also in respect of a person, kidnapped, or seized as a hostage;
- Article 127 on “Illegal deprivation of liberty”  
2(f) committed against a woman who is in a state of pregnancy, which is evident to the convicted person.

As for mitigating circumstances that may apply to violence against women cases, they may be referred to Article 61 of the Criminal Code on “Circumstances mitigating punishment,” item (c) pregnancy.<sup>37</sup>

Cases of human trafficking and rape are cases of *ex officio* prosecution.

Severe cases of domestic violence under Article 117 on “Torture” are also the cases of *ex officio* prosecution. In other cases of violence against women, such as domestic violence (not involving systematic and severe beating) and sexual harassment, the victim’s request is necessary to start the procedure.

The Code of Criminal Procedure allows for the procuring to undertake investigations into cases that usually require only a private complaint.<sup>38</sup> This option is rarely chosen. In many cases of domestic violence against women under the above articles, it is the

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<sup>37</sup> Available in English at [www.russian-criminal-code.com](http://www.russian-criminal-code.com).

<sup>38</sup> Article 318(3) of the Code of Criminal Procedure.



woman who files a complaint against her violent partner to the justice of the peace.<sup>39</sup> She is then responsible for collecting evidences and inviting eye-witnesses.

To assess whether a beating or another act of violence has caused light or serious bodily harm, the victim has to get a statement from a forensic expert. Usually the police refer a person to the forensic institute responsible for the city or region, where her bodily injuries are examined. The forensic expert will then issue a statement to the individual. This statement is important evidence in court. It is provided free of charge if the police have ordered the victim to go to the forensic expert. In these cases the medical reports will be sent directly to the court. Anybody has the right to get such an expert statement for a fee if he or she wants it.<sup>40</sup>

The police are obliged to record and to investigate all reported cases. This obligation is stated in the internal regulation documents of the law enforcement agencies of Russia.<sup>41</sup>

### 2.2.3 Special provisions in the defense of children

There are special provisions in the defense of children in cases of child abuse.

Article 134 prohibit illicit sexual relations or other sexual actions with a person who has not attained fourteen years of age;<sup>42</sup> while Article 135 regulates depraved actions

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<sup>39</sup> Article 319 on “Powers of the Justice of Peace in a criminal case of private prosecution” says:  
1. If the lodged application does not satisfy the demands of the fifth and the sixth parts of Article 318 of the present Code, the justice of the peace shall pass a resolution sending the application back to the person who has filed it, in which it is suggested to the latter that he bring the application into compliance with the said demands and the term is fixed to do so. If this directive of the justice of the peace is not fulfilled, the justice of the peace shall refuse to accept the application for proceedings and shall notify the person who filed it of this result.

2. At the petition of the parties, the justice of the peace shall have the right to render them assistance in collecting that evidence that they cannot obtain on their own.

<sup>40</sup> Amnesty International (2005) *Russian Federation: Nowhere to Turn to – Violence against Women in the Family*.

<sup>41</sup> Interview with Julia Antonova, Director Attorney of the Gender Justice Program, ABA/CEELI, Moscow Office.

<sup>42</sup> Illicit sexual relations, pederasty, or lesbianism, committed by a person who has attained eighteen years of age with a person who obviously has not attained fourteen years of age, shall be punishable by restraint of liberty for a term of up to three years or by deprivation of liberty for a term of up to four years.

without the use of violence, in relation to a person who obviously has not attained fourteen years of age.<sup>43</sup>

### **2.3 Applicable provisions in civil and family law for cases of violence against women**

There are no special provisions or procedures in civil/family law for violence against women cases, including remedies or compensation for pecuniary and non-pecuniary damage.

The Civil Code of the Russian Federation, however, contains a general provision on compensation, stipulating that a person, whose right has been violated, shall be entitled to demand full recovery of the losses inflicted upon him/her. The losses include both the compensatory damages, and the missed profit.<sup>44</sup> Moreover, based on Article 42 of the Code of Criminal Procedure, a victim shall be guaranteed compensation for

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<sup>43</sup> Commission of depraved actions without the use of violence, in relation to a person who obviously has not attained fourteen years of age, shall be punishable by a fine in the amount of 300 to 500 minimum wages, or in the amount of the wage or salary, or any other income of the convicted person for a period of three to five months, or by restraint of liberty for a term of up to two years, or by deprivation of liberty for a term of up to three years.

<sup>44</sup> Chapter 2 on Civil Rights and Duties, Exercising and Protection of Civil Rights  
Article 15 on “Compensation”

1. The person, whose right has been violated, shall be entitled to demand full recovery of the losses inflicted upon him, unless the recovery of losses in a smaller amount has been stipulated to by the law or by the agreement.

2. Included in these losses are expenses, which the person, whose right has been violated, made or will have to make to restore the violated right, the loss or the damage done to his property (the compensatory damage), and also the unreceived profits, which this person would have derived under the ordinary conditions of the civil turnover, if his right were not violated (the missed profit). If the person, who has violated the right of another person, has derived profits as a result of this, the person, whose right has been violated, shall have the right to claim, along with the compensation for his other losses, also the compensation of the missed profit in an amount not less than such profits.

See: [www.russian-civil-code.com/PartI/SectionI/Subsection1/Chapter2.html](http://www.russian-civil-code.com/PartI/SectionI/Subsection1/Chapter2.html).

property damage, inflicted by the crime, as well as for his/her expense related to the criminal procedure.<sup>45</sup>

## 2.4 Victim protection and protection of witnesses

There is no special law on victim protection and protection of witnesses. The Criminal-Procedural Code, however, includes some articles on victim protection. For the safety of the victims, witnesses, and their relatives, the investigator has the right not to supply the data on these persons in the protocol of the investigative action, in which they have taken part.<sup>46</sup> In such cases, the court also has the right to interrogate without making public the genuine data of the witness's person, precluding a visual observation of the witness by the other participants in the judicial proceedings.<sup>47</sup>

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<sup>45</sup> Article 42 on "The victim"

3. A victim shall be guaranteed compensation for property damage, inflicted by the crime, as well as for the expense he has had to pay in connection with his participation in the process of the preliminary investigation and of the trial, including the outlays on the representative, in conformity with the demands of Article 131 of the present Code. On the victim's claim for the recompense of the moral damage, inflicted upon him, in the monetary expression, the amount of the damages shall be determined by the court in the course of court proceedings in the criminal case, or by way of civil court proceedings.

<sup>46</sup> Article 166 on "Protocol of an investigative action"

9. If it is necessary to provide for the safety of the victim, of his representative and witness, of their close relatives, relations and their near and dear persons, the investigator shall have the right not to supply the data on these persons in the protocol of the investigative action, in which the victim and his representative or witness have taken part. In this case, the investigator, with the consent of the public prosecutor, shall pass a resolution, which shall include the reasons for the adoption of the decision to keep data secret, the pseudonym of the participant in the investigative action, and a sample of his signature which he will be using in the protocols of the investigative actions performed with his participation. The resolution shall be put into an envelope, which shall be sealed and enclosed to the criminal case file.

<sup>47</sup> Article 278 on "Interrogation of witnesses"

5. If it is necessary to provide for the security of a witness, his close relatives, relations, and near persons, the court shall have the right to conduct his interrogation without making public the genuine data of the witness's person under the conditions, precluding a visual observation of the witness by the other participants in the judicial proceedings, on which the court shall pass a ruling or a resolution.

For security purposes, the Code also allows for precluding the visual observation of the identifying person by the identified one when presenting for and identification.<sup>48</sup>

In case of a threat or other criminal actions towards the victims, the monitoring and recording of telephone and other conversations shall be admissible.<sup>49</sup>

There are no special conditions prescribed for hearings in order to avoid secondary victimization, repetition of testimony, and unwarranted questioning. However, Article 193 of the Code of Criminal Procedure provides some options for that presented above.

There is no definition of violence against women or of any form of violence against women in the Russian legislation. Thus, there is no data protection law in cases of violence against women. There are no general provisions that may be applied in cases of violence against women.

There are special provisions in the defense of children in Article 191 of the Code of Criminal Procedure, regulating the interrogation of an underage victim or witness.<sup>50</sup>

There are no specific legal provisions of professional confidentiality in cases of sexual violence against children. However, Article 241 on “Openness” of the Code of Criminal Procedure provides some confidentiality options. (See above.)

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<sup>48</sup> Article 193 on “Presenting for an identification”

8. For the purpose of ensuring the security of the identifying person, the presentation of the person for an identification may be carried out, at the investigator’s decision, under the conditions, precluding the visual observation of the identifying person by the identified one. In this case, the attesting witnesses shall also be placed by the side of the identifying person.

<sup>49</sup> Article 186 on “Monitoring and recording of conversations”

2. If there is a threat of the use of violence, extortion, and other criminal actions with respect to victim, to a witness or their close relatives, relations, and near persons, the monitoring and recording of telephone and other conversations shall be admissible at a written application of the said person, and if there is no such application – on the ground of a court decision.

<sup>50</sup> Article 191 on “Specifics in an interrogation of an underage victim or witness”

1. An interrogation of a victim or of a witness, aged less than fourteen years of age, and at the investigator’s discretion also an interrogation of a victim or of a witness, aged from fourteen to eighteen years of age, shall be conducted with the participation of a pedagogue. At the interrogation of an under-age victim or witness, his legal representative shall also have the right to attend.

2. Victims and witnesses, aged less than sixteen years, shall not be warned about their responsibility for refusing to give evidence and for giving deliberately false evidence. When explaining to the said victims and witnesses their procedural rights, stipulated by Articles 42 and 56 of the present Code, respectively, the necessity to tell the truth shall be pointed out to them.

There are no special provisions in the law in the defense of the professionals or service providers dealing with violence against women cases. Only Article 241 on “Openness” (provision 2.3) can be applied.

## **2.5 Legal assistance and representation for the victims of violence against women**

There is no free legal aid for the victims of violence against women before and during the procedures required by law. Only the accused has the right to obtain free legal advice and free legal representation in court.

It may be possible for victims to access legal representation and assistance by representatives of non-governmental crisis centers working in the field of violence against women only when informal contacts with the authorities are established by local NGOs and only after the NGOs receive approval for their participation as experts or specialists (according to Articles 57–58 of the Code of Criminal Procedure).<sup>51</sup>

No funds are usually allocated for this activity; it is done by NGO representatives on a voluntary basis. This activity may be funded within advocacy projects (e.g. the ANNA Center Project on Cooperation with Justices of Peace, 2004–2005, funded by the Ford Foundation).

## **2.6 Providing information for victims about their rights, obligations, and the services available**

There is a legal requirement to provide victims with information about their rights, obligations, and services where they can seek help. This requirement is applies to all

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<sup>51</sup> Source: [www.akdi.ru](http://www.akdi.ru) (in Russian).

victims, regardless of the type of a crime. Article 42 of the Code of Criminal Procedure provides the definition of the victim, and lists his/her rights in the criminal procedure.<sup>52</sup>

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<sup>52</sup> Article 42 on “The victim”

1. Seen as the victim shall be a natural person, upon whom a physical, property, or moral damage was inflicted by the crime, as well as a legal entity, if its property and business reputation were damaged by the crime. The decision about whether to recognize a person as a victim shall be formalized by the resolution of the inquirer, investigator or prosecutor, or of the court.

2. The victim shall have the right:

1) to know about the charge brought against the accused;

2) to furnish evidence;

3) to refuse to testify against himself, his (her) spouse and other close relatives, whose circle is delineated in Item 4 of Article 5 of the present Code. If the victim consents to bear evidence, he shall be warned that his testimony may be used as evidence in the criminal case, including even if he subsequently renounces this testimony;

4) to submit exhibits;

5) to enter petitions and to file accusations;

6) to give evidence in his native tongue or in a language of which he has a good command;

7) to make use of an interpreter’s services free of charge;

8) to have a representative;

9) to take part with the permission of the investigator or of the inquirer in the investigative actions, performed at his own petition or at the petition of his representative;

10) to get acquainted with the protocols on the investigative actions, carried out with his participation, and to submit comments on them;

11) to get acquainted with the decision on the appointment of a legal expert and with the expert’s conclusion in the cases, stipulated in the second part of Article 198 of the present Code;

12) after the preliminary investigation is completed, to get acquainted with all materials of the criminal case, to write out of the criminal case any information and in any volume, and to make copies of the criminal case materials, including with the use of technical devices. If several victims are participating in the criminal case, each of them shall have the right to get acquainted with those materials of the criminal case, which concern the harm done to the given victim;

13) to receive copies of the decision on initiating a criminal case, on recognizing him as a victim or on the refusal in this, terminating the criminal case, suspecting the proceedings in the criminal case, as well as the copies of the sentence of the court of the first instance and of the decisions of the courts of the appeals and of the cassation instances;

14) to participate in the judicial proceedings in the criminal case in the courts of the first, the second, and the supervisory levels;

15) to take part in the judicial debates;

16) to support the prosecution;

17) to get acquainted with the protocol of the court session and to submit comments on it;

18) to lodge complaints against the actions (the lack of action) and decisions of the inquirer, the investigator, the prosecutor, and the court;

19) to file appeals against the sentence, the ruling, or the resolution of the court;

20) to know about the complaints and presentations, submitted in the criminal case, and to submit objections to them;

21) to plead the application of security measures in accordance with the third part of Article 11 of the present Code;

22) to exercise other powers stipulated by the present Code.

## **2.7 Mainstreaming women's safety in laws and regulations of the national, regional, and urban planning**

N/A

## **3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION**

### **3.1 Professional guidelines and operational protocols for dealing with cases of violence against women**

In the Russian Federation, no professions have special laws, compulsory codes, or guidelines for dealing with violence against women cases or its different forms.

According to Tamara Veligurova, Ex-Deputy Chief, Department on Regional Relations of the Information and Public Relations Agency, Ministry of Interior of the Russia Federation, the police do not consider cases of violence against women as a special type of case due to the absence of specialized laws/acts/articles in the codes concerning violence against women or any forms of violence against women.<sup>53</sup> The same is true in cases of trafficking.

### **3.2 Legal regulations of inter-agency cooperation**

There are no legal requirements for coordinated, multi-agency work and for cooperation among different authorities.

### **3.3 Medium- and long-term coordinated action plans for the different professions**

In the Russian Federation, no medium- and long-term coordinated action plans exist for different professions in the field of violence against women.

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<sup>53</sup> Telephone interview with Tamara Veligurova, former deputy chief of the Department on Regional Relations of the Information and Public Relations Agency, Ministry of Interior August 15, 2006.

### **3.4 Involvement of NGOs and other agencies in drafting laws and shaping policies**

There is no systematic mechanism to involve NGOs working in the field on the drafting, designing, implementation, and evaluation of laws and policies.

Recently, the Committee on Women, Family, and Children of the State Duma (i.e. the parliament) began holding an interagency round table meeting approximately once every two months. Discussions within the forum usually focus on the issue of domestic violence against children and women, with child abuse taking priority.

Participants of the round table include representatives of the legislative departments of the State Duma: the Ministry for Health Care and Social Development, the Ministry for Education, the Ministry of Interior, heads of regional government departments on social/health care issues, and representatives of NGOs dealing with violence against women. There are scholars working on research in gender studies and violence against women in the Moscow Center for Gender Studies as well as representatives of NGOs dealing with the issues of domestic and sexual violence who also take part in the meetings (for example, representatives of the ANNA National Center for the Prevention of Violence [hereafter: ANNA Center], Syostri Sexual Assault Recovery Center, Ozon Center on Child Abuse). Meeting participants are always appointed by the head of the committee. Information was not available about the mandate of the meetings and their outcomes.

### **3.5 Leading NGOs working in the field of violence against women in the country**

The main activities of the NGOs dealing with violence against women are the following: direct or telephone counseling for women suffering from different forms of violence; providing women with legal assistance (upon request); organizing support groups for women suffering from violence; and planning and undertaking public awareness activities.

The funding for NGOs mainly comes from international foundations. State support occurs occasionally through short-term small grants.<sup>54</sup> Information about the proportion of state support at national level is not available.

Due to the lack of funding and government support 18 NGOs working in the field of violence against women were closed in 2005. Among them was the Lana Crisis Center

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<sup>54</sup> An example is the one-year grant for 2006 allocated by the Moscow Committee on Family and Youth to the ANNA Center, Moscow. The grant provides about three percent of ANNA's total yearly budget.



(Nizhniy Tagil), one of the founders of the women's movement in Russia. All the other women's NGOs are also in a critical situation.

Below is the list of the main NGOs working in the field of violence against women in Russia with the names of their leaders included.

- *ANNA Center for the Prevention of Violence*, Moscow (Marina Pisklakova).
- *Syostri (Sisters) Sexual Assault Recovery Center*, Moscow (Maria Mokhova).
- *Alexandra Center for Psychological and Legal Aid*, St. Petersburg (Larisa Korneva).
- *Women's Alliance*, Barnaul (Natalia Sereda).
- *Ekaterina Crisis Center for Women*, Yekaterinburg (Lyudmina Ermakova).
- *Irkutsk Crisis Center for Women*, Irkutsk (Lyudmina Svistunova).
- *Tyoply Dom Center*, Izhevsk (Nadezhda Koksharova).
- *Priyut Crisis Center*, Murmansk (Maria Shtyleva).
- *Nika Crisis Center*, Naberezhniye Chelni (Natalia Kivokurtseva).
- *Chisty Mir Center*, Novokuznetsk (Olga Pak).
- *Social Women's Center*, Pskov (Natalia Vasilyeva).
- *Regional Resource Center*, Rostov-on-Don (Elena Zolotilova).
- *Artemida Regional NGO Women's Club*, Ula-Ude, Buryatiya (Irina Matveycheva).
- *Sodeistviye Women's Center*, Chelyabinsk (Tatiana Lotz).
- *Mosti Miloserdiya Crisis Center*, Arkhangelsk (Olga Liapounova).
- *Anastasia Crisis Center for Women and Children*, Vladivostok (Natalia Lokhmatkina).
- *Fatima Crisis Center*, Kazan' (Venera Ibragimova).
- *Crisis Center*, Perm (Mr. Vasily Vyuzhanin).
- *Crisis Center for Women*, Saratov (Irina Khaldeeva).

Russia, a country with a population of about 150 million people (52 percent of which are women) obviously needs many more crisis centers and shelters for survivors of different forms of violence. Due to the lack of crisis centers and shelters for victims of violence against women in such a vast country as Russia, all of the NGOs working on violence against women issues in Russia are focused on similar goals and activities. According to the database of the ANNA Information Network, the main goals are:

- preventing violence and developing services for women survivors of violence;

- conducting educational and prevention programs;
- collaborating with mass media to raise awareness about the issues of violence against women;
- providing technical assistance for non-governmental and government agencies focused on the issues of violence; and
- providing legal aid, psychological help, and informational support for survivors of domestic violence.

#### **4. SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES**

There are no special units (or responsible persons) in law enforcement agencies dealing with violence against women cases established in a legally required, systematic, and organized way. Such units work as pilot initiatives on a local level. For example, the Ministry of Interior of Karelia undertook measures to strengthen the crime prevention work of the police department for public safety *'Militsia Obshchestvennoi Besopaznosti'*, hereafter: MOB. The police received training on domestic violence against women; local police officers were encouraged to work more with female victims of violence in the family. Female officers of the MOB support those local police officers who are called to intervene in cases of violence against women in the family.<sup>55</sup> Information about the number of police departments involved in this work is not available to date.

#### **5. AVAILABLE SERVICES**

##### **5.1 Shelters**

Women's shelters are an important tool in combating violence against women. They provide safe accommodation where women and their children subjected to domestic violence may live without fear of being abused or killed. According to the recommendation drawn up in 1986 by the European Parliament's Committee on Women's Rights and Equal Opportunities, one shelter place should be available for every 10,000 persons.

At the same time there are only seven state-run shelters for female victims of violence and their children in Russia. Thus, one shelter is available for every 9,000,000 persons.

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<sup>55</sup> Sources: Amnesty International (2005) *Russian Federation: Nowhere to Turn to – Violence against Women*. Telephone interview with Tatiana Melnikova, *ibid*.

Five shelters are for victims of domestic violence and two are for victims of trafficking.<sup>56</sup> They are run by city governments and they cooperate with the police and social services. From ten to twenty spots are available for the victims at each of the existing shelters.

Information about the total number of people on waiting lists, the number of available rooms, and the number of requests for placement is not available either. However, it is obvious that the number of rooms per inhabitants is very low. For instance, in Moscow, the largest city in the Russian Federation with about nine million inhabitants there are no shelters for victims of violence against women.

Accommodation in shelters is not only allocated to victims of domestic violence, but also to other women. One of the reasons is that only women registered in the town or city where the shelter is located are allowed to stay there. This rule deprives many victims of domestic violence of a safe place. It may be possible to provide shelter to women, who have no registration, only via informal contacts established by local NGOs with the authorities. The women who are in need of a shelter are asked to provide a number of medical documents, among them a confirmation that neither they, nor their children suffer from transmittable diseases. In general, in an emergency where a woman's life is in danger, moving to a shelter is not possible.

Women seeking protection in the shelter are initially given approximately two months to sort out their situation. They are expected to be active in finding a new place to live, but considering the difficult housing situation in Russia, if a solution is not found within two months, the woman usually gets an extension of her stay.<sup>57</sup>

Placement in shelters is free of charge. Shelters provide psychological, social, and legal assistance, including legal representation when possible.

The shelters cover such geographical areas as northern Russia (St. Petersburg, Petrozavodsk), the Urals region (Yekaterinburg), central Russia (Moscow region), and the Volga region (Arzamas, Samara).

Shelters have codes of operation based on guidelines provided by local social authorities; they contain provisions concerning treatment of victims and their children. The mandatory guidelines on crisis centers for women were adopted by the former Ministry of Labor and Social Development in 1997. They contain some guidelines for shelters for women in difficult life situations. The terms 'violence' or 'domestic violence' are not used in these documents but domestic violence is supposed to be one of these difficult situations. Paragraph 11.10 of the document calls for interagency cooperation between crisis centers and health care institutions, educational institutions,

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<sup>56</sup> The shelter for victims of violence in Petrozavodsk, Karelia, was just recently closed.

<sup>57</sup> Amnesty International, *ibid.*

departments of interior, and law enforcement agencies. However, violence against women is not a priority in this cooperation.

Shelter workers usually do not know comprehensive and effective models of operating. In addition, the system of government response to domestic violence is mainly reactive and focused on providing assistance to survivors, not on changing the behavior of perpetrators.

Directors of shelters regularly write reports that include analysis of their work and statistics of referrals. Due to the government status of the shelters, the reports are submitted to local social authorities; they are not available for the general public.<sup>58</sup>

No special services are available for migrant women in Russia.

In the regions of Russia without special shelters, there are no other possibilities to place victims.

## 5.2 Hotlines

There are 160 NGOs and government agencies dealing with violence against women within the ANNA Network. Representatives of all those agencies were trained by ANNA in their regions or within internship programs in Moscow. All the organizations within the network are committed to the idea of eliminating violence against women and of implementing an interagency approach to cases of violence against women. The network development is based on big regional networks with resource centers in such cities as Irkutsk, Rostov-on-Don, Yekaterinburg, Naberezhniye Chelni, St.Petersburg, and Pskov. Information about the members of the network has been included into the *Directory of the Agencies* working on the issue of violence against women in the Russian Federation.

Most of these organizations have hotlines; only a few of these hotlines work 24-hours a day. NGO hotlines operate on a voluntary basis, and they are free of charge for callers. All operators acquire specific skills and knowledge for crisis counseling in the course of their training. State hotlines are funded by municipal authorities. Neither state, nor international foundations finance NGO activities focused on counseling survivors, including hotlines. For example, hotline counselors of the ANNA Center provide women with psychological support, social aid, and necessary information. Since in 1993 the hotline has received about 300 crisis calls each month.

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<sup>58</sup> Source: database of the informal network of ANNA Center.

According to the research of ANNA Center, each NGO hotline receives about fifty calls per month; thus, in one year, one NGO will provide help to at least 1,200 women in situations of abuse.

All hotlines have codes of operation. They contain provisions concerning guidelines for counseling victims. They vary slightly from center to center but they all are founded on the principles developed in the *Charter of Association of Hotlines of the Russian Federation*. Hotline coordinators gather statistical data on referrals and daily work on a regular basis; this data is always included in their yearly reports. These reports are not accessible to the general public.

Below is the summary of statistics from the report of the ANNA hotline coordinator for the year 2005:

- total number of calls: 2,624; 96 percent of calls were from women;
- 45 percent of women called to get support for domestic violence;
- 73 percent of the women callers suffered from physical violence; in 5 percent of the cases physical violence was combined with sexual violence; in 86 percent women suffered both from physical and psychological violence; and
- 3.7 percent of women's calls are related to sexual violence in marriage.<sup>59</sup>

Information and reports from other Russian hotlines were not available.

### 5.3 Crisis intervention centers

There are 19 main crisis (counseling) centers for women providing psychological assistance, such as hotline counseling, face-to-face counseling, and self-help groups. The main centers focused on the issues of violence against women in Russia were listed in Section 3.5.

### 5.4 Intervention programs for the perpetrators

There are no intervention programs for the perpetrators which are accessible in a systematic and regulated way. There is only one example currently available, the government Center of Social and Psychological Assistance for Families in the city of Arzamas, Nizhniy Novgorod region. The Center counsels perpetrators under administrative arrest (these are men who abuse wives, partners, children, or elderly mothers). An administrative arrest shall be imposed by a judge under Article 3.9 of the Administrative Code on Administrative Arrest. The center has been running this

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<sup>59</sup> The information has been provided by Irina Matvienko, Hotline Coordinator, ANNA Center.

program under a contract on interagency cooperation with the Department of Interior of the City. According to the center expert, however, the effectiveness of this counseling work is not high (statistical data on this work was not available).<sup>60</sup>

## **5.5 Other victim support services**

There are self-help and support groups held on a sporadic basis in all crisis centers and agencies dealing with violence against women in Russia.

# **6. EDUCATION AND TRAINING**

## **6.1 The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula, and the availability of sex education programs**

In the Russian Federation there are no special presentations or topics in the school curricula about violence against women, its different forms, and about prejudices and stereotyped roles for the sexes. There are no special topics on equality issues or gender equality in the school curricula either.

There are no sex education programs in the country, either in the elementary or secondary schools. The information about other programs in this topic was not available.

## **6.2 Mandatory and other training programs for future professionals**

There are no mandatory training programs at universities or vocational schools for future professionals in the Russian Federation.

In 2003 the Ministry of Education and Science of the Russian Federation undertook its first steps to incorporate studies about gender issues into university education following the adoption of Resolution No. 480-15 of April 22, 2003 on the Incorporation of Gender Studies into University Education.<sup>61</sup> As a result, at faculties

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<sup>60</sup> Source: telephone interview with Elena Revolyuk, coordinator of the Women's Department, Center of Social and Psychological Assistance for Families in the city of Arzamas, Nizhniy Novgorod region.

<sup>61</sup> Source: [www.ed.gov.ru/junior/rub/gender.doc](http://www.ed.gov.ru/junior/rub/gender.doc).

and academies of social work gender studies/women studies (*feminologiya*) is now a mandatory subject in the curricula.<sup>62</sup>

Other training programs for future professionals about the above topics are held sporadically. They are conducted by representatives of women's NGOs focused on violence against women. The state does not provide any funds for these training/educational programs. It is usually possible to initiate such programs through the projects of women's NGOs funded by international foundations (e.g., gender studies were first conducted at the Tver' State University in 1997, well before the resolution of the Ministry of Education was adopted).

### 6.3 Mandatory and other training programs for practicing professionals

In the Russian Federation there are no mandatory training programs for practicing professionals, including the police, prosecutors, judges, health, social, child and family protection personnel, or teachers.

*Ad hoc* training programs for participating professionals about the above topics are held sporadically. They are usually funded by international foundations and conducted by NGOs focused on violence against women. The number of participants, duration, and content depend on the goals of a specific project and on the funding within this project. Initiators and organizers of the programs are the leading NGOs dealing with the issues of violence against women in Russia.

One example is a project implemented by ANNA Center in 2002–2004 in cooperation with the Austrian Domestic Abuse Intervention Center. The project focused on testing and adjusting the training model developed by WAVE (Women against Violence Europe) about domestic violence for professionals including police officers, social workers, psychologists, health care workers, and judges. The outcomes: a Russian training model was developed after adjusting the European model to the Russian context; a series of training workshops were held on domestic violence cases for the above mentioned professionals in pilot regions of Russia, such as Yekaterinburg, Saratov, and Novokuzhetsk (the centers *Ekaterina*, *Ya Zhenshchina* [I am a Woman], and *Chisty Mir* [Clean World]). There was no state funding allocated for this project; 100 percent of the funds for the project were allocated by the European Commission and Caritas (Austria).

The American Bar Association Central European and Eurasian Law Initiative (CEELI) does a lot of training for law enforcement agencies on issues of violence against women, particularly trafficking in women. After the Criminal Code was amended to include

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<sup>62</sup> Source: [http://edc.pu.ru/new\\_gost/350500.rtf](http://edc.pu.ru/new_gost/350500.rtf).

anti-trafficking provisions in the fall of 2003, in cooperation with the Ministry of Internal Affairs (MVD), CEELI interviewed field investigators and prepared a comprehensive Russia-specific handbook for prosecutors, criminal investigators, and inquiry officers. In February 2005, CEELI published a draft of the handbook and distributed it to all MVD offices in Russia. The handbook was completed in fall 2005.

In addition, CEELI has worked with the U.S. Embassy in Moscow and the Russian Ministry of Interior to conduct train-the-trainers seminars for professors of the MVD institutes from across Russia.

#### **6.4 Gender equality issues in higher education curricula and human rights programs**

There are higher education programs dealing with gender and women's issues conducted in some universities of the Russian Federation in St. Petersburg, Saratov, Samara, and Tver': Non-governmental European University, St. Petersburg (postgraduate level); Saratov State Technical University, Faculty of Social Work (optional course in gender studies, graduate level); Samara State University (course in gender studies, graduate level); and Tver' State University (course in women's and gender studies, graduate level).

In these institutions these courses are not a mandatory part of the curricula; they are optional for students. Courses include the issue of violence against women. The programs are conducted by female professors with expertise in academic research on gender and women's studies. There is no state funding provided at all for such courses in the above mentioned universities. The main source of funding is international foundations.

There are no human rights education programs in university or school curricula.

## **7. THE ROLE OF THE MEDIA**

### **7.1 Media law provisions concerning violence against women and the portrayal of women**

There are no media law provisions concerning violence against women and the portrayal of women in the Russian Federation. Article 4 of the Law No. 2124-1 of December 8, 2003 on the Mass Media only contains a provision prohibiting



distribution of materials inciting terrorism or materials portraying violence and pornography.<sup>63</sup>

## **7.2 Guidelines and codes of conduct for media professionals**

N/A

## **7.3 Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women**

There is no non-state organization of women journalists in the country that would monitor the print and electronic media in terms of stereotyped portrayal of women. There are no relevant violence against women cases in their work so far.

## **7.4 Training programs for media professionals on violence against women**

The issues of violence against women and non-stereotyped images of women are not included in the curricula in media schools.<sup>64</sup>

In 2004 two training programs were held for media professionals on violence against women to raise awareness about this issue among journalists. These two training workshops were held for 30 journalists from different regions of Russia. Funded by the Embassy of Canada based in Moscow, the project was coordinated by Internews, an NGO based in Moscow.<sup>65</sup>

## **7.5 Media activity in raising the awareness of the general public of violence against women**

The media participate in information campaigns to alert the general public to violence against women, particularly domestic violence. The main concern of the NGOs dealing with violence against women is, however, that journalists do not see the violence against women issue as a women's human rights issue; thus, they do not always highlight the news related to the issue in a stereotype-free manner.

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<sup>63</sup> The law is available in English at [www.medialaw.ru/e\\_pages/laws/russian/massmedia\\_eng/massmedia\\_eng.html](http://www.medialaw.ru/e_pages/laws/russian/massmedia_eng/massmedia_eng.html).

<sup>64</sup> Interview with Julia Antonova, director attorney of the Gender Justice Program, ABA/CEELI, Moscow Office.

<sup>65</sup> Telephone interview with Nadezhda Khvorova, Project Coordinator, Internews NGO, Moscow.

Representatives of national television channels and of national newspapers and magazines are usually interested in participating in information campaigns. However, they are active only in terms of their professional duties; they are not really committed to the issue of combating and preventing violence against women. Journalists visit the events held within the campaigns in order to receive information and to highlight it in the media.

## **7.6 Analyses on violence against women in the media**

No information is available analyzing the presence and presentation of violence against women or its different forms in the Russian media.

# **8. AWARENESS RAISING**

## **8.1 Campaigns on violence against women**

A major campaign against violence against women was launched in 1998 by the ANNA Center. The “National Campaign against Domestic Violence” was funded by the Ford Foundation. It was the first national violence against women campaign in the Russian Federation. The main message of the Campaign was “There is No Excuse for Domestic Violence.”

Campaign events were held in 40 Russian cities, including St. Petersburg, Smolensk, Saratov, Arkhangelsk, Ulad-Ude, Kazan, Kaliningrad, Petrozavodsk, Tver, and Voronezh. As part of the campaign posters, stickers, safety plan cards, and souvenirs were produced and disseminated. In addition, radio and television announcements on the issue of domestic violence were released and broadcasted. Training workshops and round table meetings on domestic violence were held for regional crisis centers and government agencies. The campaign still continues in Russia; so far about two million pieces of educational materials have been disseminated. The target groups are the general public, survivors of domestic violence, and friends and relatives of survivors. The campaign has strengthened the anti-domestic violence movement in Russia.

Amnesty International’s worldwide campaign to “Stop Violence against Women” (SVAW) was launched in Russia in 2004. It started with the Amnesty training workshop for Amnesty Groups of Russia, held on March 26–28, 2004, in a training center near Moscow. Activists from 14 Russian groups and representatives from Belarus, Kyrgyzstan, Moldova, and Ukraine participated in the event. They were provided with information on the goals and strategy of the campaign and with materials prepared for the campaign.

On April 27, 2004 a press conference dedicated to launch the SVAW Campaign of Amnesty International was held in the Central House of Journalists in Moscow. Sergey Nikitin, executive director of Russia AI Resource Center, announced the official start of the campaign focused on combating violence against women worldwide. Nikitin presented the goals and objectives of the campaign. Among other participants of the press conference were Larisa Ponarina, deputy director of the ANNA Center; Natalia Kivokurtseva, director of Nika Crisis Center, Naberezhniye Chelni; Nadezhda Azhgikhina, director of the Center of Creative Programs of the Russia Union of Journalists. The participants spoke about the significance of the SVAW Campaign in Russia; they presented statistics and information about the activities of Russian NGOs dealing with the issue of violence against women.

In December 2005 Amnesty International released its report *Russian Federation: Nowhere to Turn to – Violence against Women in the Family*. As a part of their worldwide campaign “Stop Violence against Women,” the report was based on research in several regions, including Karelia, St Petersburg, Moscow, and Altai, where Amnesty International found that some positive measures had been taken to improve the protection and support mechanisms for victims of violence in the family. The research was conducted by Amnesty International in December 2004 and early 2005.

## **8.2 Conferences and other awareness raising, information, and prevention programs**

The Final International Conference within the framework of the educational project funded by the European Commission was held on November 18–19, 2004, in Moscow. Representatives of crisis centers, government bodies of Russia, and EU experts participated in the event. The conference focused on:

- introducing the adapted model of the European training for professionals to representatives of crisis centers and government officials;
- introducing the project’s achievements in three pilot areas;
- discussing current obstacles to effective responses to domestic violence;
- introducing the EU experts’ recommendations developed as a result of supervision visits to Russian domestic violence agencies;
- reinforcing the international and inter-regional network of organizations dealing with domestic violence established by the project;
- sharing experiences gained in the course of the project;
- collecting opinions of the international expert group; and

- planning further networking among organizations dealing with violence against women.

During the conference, Tamara Veligurova, deputy director of the Department of Relations with NGOs, Institution for Information of Regional and Public Relations, Ministry for Internal Affairs, Russian Federation, and Tatiana Melnikova, consultant for the Department on Social Policy, Family, and Women, Ministry for Health and Social Development of the Russian Federation, presented government views on the issue of violence against women.

Rosa Logar, director of the Vienna Intervention Center, Austria, founder and board member of the European Network WAVE (Women against Violence – Europe) emphasized the importance of cooperation between NGOs and government structures to improve responses to violence against women. She also mentioned that partnership between the Russian and the European organizations working on this issue is a key factor in combating violence against women.

Irina Gorshkova, deputy chairwoman of the Women’s Council at the Moscow State University, presented research data on domestic violence. The research has been done by the University Women’s Council. The data proved the enormous amount of domestic violence in Russia and showed the traditional patriarchal attitudes concerning this issue.

The final outcome of the conference was a list of specific recommendations to improve the response of the government of the Russian Federation to cases of violence against women, including:

- Guarantee protection of domestic violence survivors in the civil and in the criminal judicial systems; these guarantees should be supported by either specific legislation or by change in existing legislation; these guarantees should provide NGOs with the right to represent survivors of domestic violence in court;
- Exclude crimes committed within families from the category of private prosecution and include these into the category of state-initiated prosecution;
- Introduce protective orders into the civil legislation of the Russian Federation; to make this provision available within existing legal remedies;
- Develop and adopt the federal government program on prevention and elimination of domestic violence focused on developing services for survivors of domestic violence; and
- Provide financial support on equal terms and a competitive basis for both non-governmental and government organizations working in the field.

The recommendations were accepted for consideration by representatives of the government authorities present at the conference but none of them has been implemented so far.

The International Conference called “Preventing Domestic Violence: Achievements and Prospective” took place in Moscow, Russia, on April 7–9, 2006. The conference was funded by the Ford Foundation, and was organized by the ANNA Center. Representatives from 100 Russian organizations working in the field of domestic violence participated. The goals of the conference were:

- sharing cross-cultural experiences and best practices among the participants; and
- forming a common vision and strategy for the movement against violence against women in contemporary Russia.

The main issues discussed:

- networking on the local, regional, national, and international level;
- analysis of legislation in terms of the issue of domestic violence in the Russian Federation;
- cooperation between NGOs and government agencies, best practices and obstacles; and
- changing public attitudes, activities focused on raising public awareness.

The main outcome was identifying strategic directions for further activities of the movement against violence against women in general, and domestic violence, in particular. This strategic approval resulted in better coordination of activities of all organizations involved in responding to domestic violence and advancing interests and rights of domestic violence survivors. In addition, the strategic directions have become a strong basis for future joint projects, for developing better cooperation with government agencies and for the further promotion of the issue of violence against women.

On April 17, 2006, a conference on legal protection of survivors of any form of violence was held by the Moscow Charitable Sexual Assault Recovery Center Syostri (“Sisters”). Representatives of state and non-state agencies, sociologists, and other scholars participated in the event. The conference presented outcomes from the completed project on legal protection; contained in the books *Human Rights and Human Trafficking* and *Legal Protection of Survivors of Sexual Assault*.<sup>66</sup>

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<sup>66</sup> Source: Larisa Ponarina, deputy director of ANNA Center.

### **8.3 Information materials for the victims about their rights and the services they can seek help**

Informational brochures are available for victims about their rights and services where they can seek help. They cover issues of domestic violence and trafficking in women. The brochures are published in Russian. They were written and published by non-governmental and government agencies working on preventing and combating violence against women. Funds were mainly provided by international foundations and occasionally by local governments for certain projects. Brochures are generally distributed on a regular or occasional basis depending on the situation in the region.

As there are no laws on violence against women in the country, NGOs and other agencies dealing with violence against women focus their efforts on establishing and maintaining contacts with representatives of state authorities and law enforcement agencies. As soon as contact is made, violence against women agencies do their best to change the attitude of these people concerning violence against women. One such example is the Ekaterina Center in Yekaterinburg, where informational materials on violence against women are disseminated on a regular basis by police departments. In Irkutsk the Crisis Center for Women works in partnership with healthcare institutions where they place their informational brochures. All agencies of Russia dealing with violence against women use every opportunity to announce numbers of their hotlines and crisis centers while making presentations on television or radio and speaking at local social events. For example, representatives of the ANNA Center are often invited to participate in different city, national, or international events on social issues. They always disseminate their brochures at these events.<sup>67</sup> Law enforcement agencies actively distribute the materials only if they are trained on the issues of violence against women or participate in the programs on violence against women prevention. In such cases, they are aware of the problem and committed to combating and preventing violence. Cooperation between the Ekaterina Crisis Center in Yekaterinburg and local law enforcement agencies is a good example of such work.

## **9. RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN**

### **9.1 Research programs and surveys**

In the past five years the first major opinion poll on violence within marriages was carried out by the Council for Women of Moscow State University in the Russian

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<sup>67</sup> Source: database of ANNA informal network on domestic violence.

Federation (2002–2003). There has been no other research or survey on violence against women within the last couple of years. This survey was conducted in cities and villages in seven regions of the Russian Federation, and was funded by the Russian NGO called Gorbachev Foundation. In total about 2,200 women who were married for at least one year took part across 50 towns and rural areas. Results showed that the scale of violence in the family in contemporary Russia is very high.<sup>68</sup> The research showed that an overwhelming number of the women interviewed were victims of violence and were living in fear and despair as a result:

- Seventy percent of women said that they had been subjected to one or more forms of violence (psychological, sexual, physical, or economic) by their husband.
- Thirty-six percent experienced physical and psychological violence from husbands and partners.
- Seven percent endured all forms of violence (physical, economic, sexual and psychological) simultaneously from husbands and partners.

The women interviewed described how they had experienced different types of violence, often at times when they were physically most vulnerable:

- Fifty-eight percent had been subjected to aggression from one or another close male (current or former husband, fiancé, or lover).
- Eighteen percent found themselves in a situation of regular or severe physical abuse by their husbands.
- Forty-eight percent of women beaten were attacked while they were pregnant, breastfeeding, had small children, were ill, had lost their job or were experiencing difficulties at work, or were experiencing physical or mental suffering and found themselves in a position of helplessness.
- Over sixty percent of women beaten by their husband had experienced various degrees of trauma as a result; three percent of all those questioned required medical assistance.
- Men often denied that the use of violence against their wives had changed the relationship while women realized that it had led to a redistribution of resources and power in favor of the men.<sup>69</sup>
- The men interviewed were five times more likely to blame their wives than themselves for starting an argument that led to a beating, and three times more

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<sup>68</sup> Gorshkova, I. D., and Shurygina I. I. (2003) *Nasilie nad zhenami v sovremennikh rossiskikh semiakh* (Violence against Wives in Contemporary Russian Families), Moscow.

<sup>69</sup> *Ibid.*, p. 69.

likely to point to the reason for the argument as her ‘bad’ behavior, rather than his own. Men’s responses often underestimated or underplayed the level and frequency of violence.

- Most women did not seek help the first time they were hit by their husband, opting instead to keep their experiences private. Almost half felt they needed medical or legal help but did not seek it.
- Thirty-five percent of women beaten (seventeen percent of all respondents) turned to a medical doctor or the police.
- Fifty-seven percent of women who had been assaulted by their husband told someone close to them about the violence.
- Sexual violence, though common, went unrecognized in some cases by most respondents. More than half of all those questioned felt that rape within marriage was in principle impossible.
- Forty-three percent of all respondents felt that it was better for the wife not to refuse to have sex with a husband, even if she did not want it.
- Over seventy percent of all respondents did not consider it absolutely necessary to consider the wishes or needs of the wife in marital sex.

From the previous years a research on couples in Russia was conducted in 1997. One part of the research focused on verbal and physical violence in relationships between partners or spouses. Marina Pisklakova-Parker, director of ANNA Center, was one of the authors of the research, which resulted in a book published in Russia and in the United States in 1999.<sup>70</sup>

## **9.2 Violence against women on the agenda of research centers dealing with equality issues**

There are non-governmental research centers for gender studies dealing with equality issues in such cities of the Russian Federation as Moscow, St. Petersburg, Samara, Ryazan’, and Petrozavodsk. They are called Centers for Gender Studies with the names of the cities included. Their agendas include the issue of violence against women. Experts on gender studies (trained sociologists, psychologists, and lawyers) operate the

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<sup>70</sup> Dana Vannoy, Natalia Rimashevskaya, Lisa Cubbins, Marina Malysheva, Elena Meshterkina, and Marina Pisklakova (1999) *Marriages in Russia: Couples during the Economic Transition*. Westport, CT: Greenwood.



centers for gender studies. The sources of funding for these centers are international foundations exclusively.<sup>71</sup>

## 10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN

### 10.1 Official statistics, data collection, and specific indicators on violence against women

There are no common indicators developed by the state to evaluate the scale of violence against women. There are no official statistics, systematic data collection, or registration of violence against women cases.

The data collected on domestic crimes is gender neutral; it contains data on any crimes committed in the home, including crimes against neighbors. The main concern of experts in the violence against women field of Russia is the absence of data on domestic crimes in the statistics of the Ministry of Interior.<sup>72</sup> The same situation occurs in healthcare.

In 2003 some steps were made toward systematic data collection on violence against women. The National Statistical Office of the Russian Federation adopted Resolution No. 41 of March 14, 2003 on Collecting Data on Persons Referred to Government Social Centers for Family Support. The resolution prescribed that centers use a special form for gathering gender-based statistics (number of clients who referred to the institutions after cases of sexual assault).<sup>73</sup> This form was updated and approved by the Federal Statistical Headquarters in December 2005 (No. 108). The Ministry of Health and Social Development was assigned to gather the statistics. The data was planned to be provided by March 2006, but due to re-organizational problems described above, they are not available to date.<sup>74</sup>

The rate of domestic crimes against women is very high in Russia. According to the *National Action Plan on Improvement of Status of Women and Improving Role of Women in the Society for 2003*, the number of crimes against women increased by ten percent

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<sup>71</sup> Telephone interview with Larisa Lunyakova, project manager of the Moscow Center for Gender Studies. ([www.gender.ru](http://www.gender.ru)).

<sup>72</sup> See: [www.mvd.ru/stats/100068/4381/](http://www.mvd.ru/stats/100068/4381/).

<sup>73</sup> Some statistics on women's referrals were available for the ANNA Center – in 2004, 22,553 referrals were for women; and 569 for girls.

<sup>74</sup> The data given above is the outcome of the research of I. Gorshkova and I. Shurygina.

in the last five years (1995–2000); women are victims of 40 percent of all intended murder cases, and 51 percent of those are victims of domestic violence.

The latest available official numbers of domestic violence cases with female survivors registered by police (2003) reflect the dynamics of the problem, provide the base for analysis, and allow to make some conclusions:

Year	1994	1996	1998	1999	2000	2003
Number of cases	78,000	131,000	154,000	171,000	169,000	184,000

Domestic violence cases are growing rapidly: the rate of officially registered crimes has increased more than two times since 1994. The numbers can be explained not only by an increase in the number of such crimes, but also by the success of anti-domestic violence activities and public educational campaigns leading to increased public awareness.

According to the official data, about 2,000 children die every year as a result of domestic violence and 43,000 become victims of violence.<sup>75</sup>

The state's report to the CEDAW Committee in 1999 acknowledged that 14,000 women were killed annually by their husbands or other family members. The report also states that: "the situation is exacerbated by the lack of statistics and indeed by the attitude of the agencies of law and order to this problem, for they view such violence not as a crime but as 'a private matter' between the spouses."<sup>76</sup>

There is no national reporting system by which different professions can report statistics on cases of violence against women or its different forms. There are no other reports on violence against women to date.

There is no genetic data bank in cases of sexual violence in Russia.

## 10.2 NGO statistics on violence against women

Most NGOs dealing with violence against women gather statistics dealing with different forms of violence against women. The statistics are usually based on the numbers of referrals to NGO hotlines.

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<sup>75</sup> Gorshkova and Shurygina, *ibid.*

<sup>76</sup> CEDAW/C/USR/5, paragraph 6.

One such example for 2005 was provided by the ANNA Center: from a total of 2,624 calls 96.3 percent were received from women; 45 percent of women called to get support in their situations of domestic violence; 74 percent suffered from physical violence. In 5 percent of the cases physical violence was combined with sexual violence; in 86 percent women suffered from both physical and psychological violence; and 3.7 percent of them were related to sexual violence in their marriage.

## **11. CASE LAW ON VIOLENCE AGAINST WOMEN**

### **11.1 Cases on violence against women before the national and international bodies dealing with human rights issues**

There are no cases of violence against women before the Ombudsman, the Constitutional Court, and other special bodies in the Russian Federation.

### **11.2 Published court decisions, case studies, and analyses of case law**

There are no published court cases (decisions) concerning violence against women. Guiding principles, decisions for judges on violence against women or its different forms do not exist.<sup>77</sup> There are no case studies in the field of violence against women, either.

## **12. RECOMMENDATIONS TO THE GOVERNMENT**

- Guarantee protection of domestic violence survivors in the civil and criminal judicial systems; these guarantees should be supported by either specific legislation or by amending existing legislation and should provide non-governmental organizations with the right to represent survivors of domestic violence in court;
- Exclude crimes committed within families from the category of private prosecution and include these cases in the category of state-initiated, public prosecution;
- Introduce a protection order in the civil legislation of the Russian Federation and make this provision available within the existing legal remedies;

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<sup>77</sup> Telephone interview with Julia Antonova, director attorney of the Gender Justice Program, ABA/CEELI, Moscow Office.

- Develop and adopt a federal government program on the prevention and elimination of domestic violence, sexual assault, and trafficking; such measures should focus on developing services for victims and survivors of different forms of violence;
- Provide financial support for both non-governmental and government organizations working in the field on equal terms;
- Develop and implement training curricula for all groups of professionals, such as law enforcement agencies, prosecutors, judges, health care providers, teachers, social workers as well as for students, to become aware of the dynamics of domestic violence as well as increase awareness on the serious consequences of violence and methods of effective response to domestic violence cases;
- Increase awareness of the extent of sexual assault, rape, sexual harassment, and trafficking cases among students, young women, teachers, social workers, and law enforcement agencies;
- Introduce domestic violence cases as a specific category of cases in the statistical forms of the Ministry of Interior in order to collect specific, gender-disaggregated data to raise awareness of the scale of domestic violence in the country;
- Include a question about domestic violence as an indicator of women's situations in the screening procedure for women referred to health care institutions, regardless of the type of referral;
- Guarantee the legal protection of victims of sexual harassment in the judicial system; these guarantees should be enforced by amending existing legislation; and
- Include compulsory educational curricula for students on issues of gender equality, nonviolence, and tolerance in the system of secondary school education in the Russian Federation.

## ANNEXES

### Annex A. List of laws and regulations screened

Civil Code of the Russian Federation

Law No. 2124-1 of December 8, 2003 on the Mass Media

Law No. 63-FZ of May 24, 1996 on the Criminal Code of the Russian Federation

Law No. 174-FZ of December 18, 2001 on the Code of Criminal Procedure of the Russian Federation

Law No. 195-FZ of December 30, 2001 on the Code of Administrative Offences of the Russian Federation Draft Law No. 159515-4 on the Amendment on Bride Abduction

Resolution No. 215 of April 16, 2004 on the Regulating of the Composition of the Coordination, Advisory and Other bodies, Established by the Government of Russia

Resolution No. 480-15 of April 22, 2003 on the Incorporation of Gender Studies into University Education

Resolution No. 41 of March 14, 2003 on the Collecting Data on Persons Referred to Government Social Centers for Family Support

Ministry of Labor and Social Development (1997) *Mandatory Guidelines for Crisis Centers for Women*. Moscow.

### Annex B. List of documents, books, and experts consulted

Fifth periodic report of the Russian Federation submitted to the CEDAW Committee (CEDAW/C/USR/5).

Ministry of Labor and Social Development *National Action Plan for Gender Equality (2001–2005)*.

*National Action Plan on Improvement of Status of Women and Improving Role of Women in the Society for 2003*

Erturk, Yakin, UN Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences (January 2, 2006) *Report on the Russian Federation* (E/CN.4/2006/61/Add.2) Integration of the Human Rights of Women and a Gender Perspective: Violence against Women.

Amnesty International (2005) *Russian Federation: Nowhere to Turn to – Violence against Women in the Family*.

*Charter of Association of Hotlines of the Russian Federation*.

Council for Women of Moscow State University (2002–2003) *Survey on Violence in Marriages*. Moscow: MSU.

Gorshkova, I. D. and Shurygina I. I. (2003) *Nasilie nad zhenami v sovremennikh rossiskikh semiakh* (Violence against Wives in Contemporary Russian Families), Moscow.

Melnikova, Tatiana (n.d.) *Report on the outcomes of the “National Action Plan for Gender Equality”*

Moscow State University (2002) *Survey on Violence against Women*. Moscow: MSU.

Vannoy, Dana, Natalia Rimashevskaya, Lisa Cubbins, Marina Malysheva, Elena Meshterkina, and Marina Pisklakova (1999) *Marriages in Russia: Couples during the Economic Transition*. Westport, CT: Greenwood.

Interview with Julia Antonova, Director Attorney of the Gender Justice Program, ABA/CEELI, Moscow Office

Telephone interview with Elena Ershova, President of the Consortium of Women’s NGOs of Russia

Telephone interview with Julia Antonova, director attorney of the Gender Justice Program, ABA/CEELI, Moscow Office

Telephone interview with Larisa Lunyakova, project manager of the Moscow Center for Gender Studies

Telephone interview with Nadezhda Khvorova, Project Coordinator, Internews NGO, Moscow

Telephone interview with Tamara Veligurova, former deputy chief of the Department on Regional Relations of the Information and Public Relations Agency, Ministry of Interior (August 15, 2006)

Telephone interview with Tatiana Melnikova, chief consultant, Department for Social Policy, Family and Women, Ministry for Health Care and Social Development (August 11, 2006)

Telephone interview with Tatiana Melnikova, Consultant, Department for Social Policy, Family and Women, Ministry for Health Care and Social Development of the Russian Federation (August 11, 2006)