

# Human Rights in Post-Soviet Russia

JONATHAN D. WEILER

In this article I explore two specific areas of human rights concern in contemporary Russia: violence against women and conditions in Russian prisons. As I explain below, these areas clearly do not exhaust the human rights problems facing Russia today. However, they do highlight a confluence of factors that are evident in many new democracies, and they are having profoundly negative consequences for socially vulnerable groups. Specifically, I argue that declining state capacity, fiscal austerity, and growing social inequality, characteristic features of many of the new democracies, translate into gross violations of the rights of socially vulnerable groups. Furthermore, although civil society development and its implications for human rights are not central to this article, I do argue that the kind of civil society<sup>1</sup> that may be evolving in Russia and other new democracies is not that characteristic of a larger liberal project in the historic Western sense, which among other things protects human rights.<sup>2</sup> Instead, it may be that the non-governmental organization (NGO) model for civil society, now central to U.S. Agency for International Development democracy building and implicitly accepted by many scholarly accounts, is more conducive to what William Robinson and others view as a neoliberal project. Thus, rather than supporting democracy as a system in which citizens are empowered to effect change at all political levels and in which they have the power to defend their most fundamental rights, civil society may reflect accommodation to a political order in which “a small group actually rules and mass participation in decision-making is confined to leadership choices in elections carefully managed by competing elites.”<sup>3</sup> In other words, although an increasing number of citizens are involved in a growing NGO sector, civil groups remain unable to influence meaningfully larger questions of public policy, especially the overall shape of economic reform and social transformation, or to mitigate the increasing incivility of life in Russia.<sup>4</sup>

I do not intend to criticize the activities of NGOs themselves, and I will, in the discussion of human rights violations, comment on some of the impressive work that independent human rights activists are carrying out in Russia. As I discuss later on, the burgeoning activity of NGOs is having a positive impact on certain specific policy areas, especially in the prison system. However, in the face of

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Jonathan D. Weiler is a visiting assistant professor at Bowdoin University.

widespread poverty, great economic inequality, and reduced social spending,<sup>5</sup> the proliferation of NGOs in Russia, including human rights NGOs, may be no more than a finger in the proverbial dike.<sup>6</sup> Particularly, as I will address in more detail below, the weakness of the Russian state, especially the dearth of material resources available to it, creates obstacles to the realization of human rights that no amount of civil society development, understood as the emergence of large numbers of NGOs, will be able to overcome.

Scholars writing on Latin America have argued that the neoliberal project has yielded a proliferation of problems.<sup>7</sup> These include dramatic increases in income inequality and poverty; skyrocketing crime rates and attendant draconian crime-fighting policies characterized by an increase in incarceration and widespread human rights abuses; a criminalization of poverty; growing distance between ruling elites and masses; and an attendant cynicism about the responsiveness of authorities to popular concerns. In this article, I focus specifically on the human rights dimension of these problems. It is my contention that despite the development, however haphazard, of some form of democratic governance in Russia in the past ten years, human rights have suffered significantly.<sup>8</sup> Scholarly expectations about the relationship among democracy, democratization, and human rights are so strong, in fact, that there is only minimal consideration generally given to the possibility that once on the road to democracy, a state could experience a significant backsliding in the area of human rights.<sup>9</sup> However, I argue that despite the promulgation of a constitution granting to ordinary citizens a full range of internationally recognized human rights, and despite the growth in the past ten years of a human rights movement consisting of thousands of organizations, violations of life-integrity rights, or what Peter Juviler calls rights to personal inviolability, have grown significantly.<sup>10</sup>

The violations have particularly fallen upon what I refer to as socially vulnerable groups, whose social status and personal circumstances make them especially susceptible to violence and who are unable to defend their most basic rights (to bodily integrity) in the face of deteriorating social conditions and an indifferent and inadequate institutional environment for protecting those rights.<sup>11</sup> I specifically analyze the plight of prisoners and the problem of violence against women, partly because of the enormous numbers involved.<sup>12</sup> An estimated 4 million Russians have passed through the prison system since 1992, and as I will discuss in some detail, the extent of morbidity and mortality among that population has been extremely high.<sup>13</sup> Likewise, although it is difficult to identify the precise figures, it is likely that thousands of women have been murdered in domestic circumstances annually in the past ten years. Not only have the numbers not abated over the past ten years, but evidence suggests that they have increased dramatically. Consequently, the human toll has been of the greatest significance. Furthermore, the confluence of economic and social changes, the attendant level of violence in society, and its implications for the suffering of socially vulnerable individuals reflect larger patterns within Russian society, not to mention in many new democracies generally. Oxhorn, writing about Latin America, has observed that "the overall level of state violence in these countries has generally not

declined. Instead it has undergone a qualitative change, as it is no longer directed against the political opposition, but the poor."<sup>14</sup> In my view, Oxhorn's assessment aptly characterizes Russia in the post-Soviet era.

I have excluded from analysis other categories of individuals who have experienced comparable deterioration in their social position and therefore have become more susceptible to violence (see note 12). Given that in this article I discuss human rights developments in Russia in the past ten years, three other omissions merit mention. The first is Chechnya. Without considering the relative legal merits of the Russian government's position, there is no gainsaying the fact that many thousands of civilians have died during the conduct of the two wars and that the Russian army has carried

out numerous atrocities of significant scale against civilian populations. Obviously, these actions constitute human rights violations of the most serious kind. However, because of the military and legal context within which the abuses have occurred, they represent a distinct analytical problem. The other two developments are the

recent machinations surrounding Russia's two formerly independent national television stations and the "spy mania" that recently claimed the journalist Grigory Pasko as a victim. Those issues also merit serious attention as human rights concerns. However, as with Chechnya, the issues have been extensively covered elsewhere and there are complicated political entanglements involving the principal players. This observation is not meant to trivialize those developments. Rather, it is to suggest that they, too, require a separate space and distinct framework for analysis.

This article, then, contains an in-depth discussion of the extent of human rights violations facing prisoners and women in post-Soviet Russia, and I consider the degree to which, despite the tireless work of a growing number of human rights NGOs, a decline in state resources and a persistent indifference to particular forms of suffering have contributed to Russia's human rights problems in the past ten years.<sup>15</sup>

### **State Authority and Human Rights Violations**

Before I proceed, I wish to note briefly the source of the notion that the state represents the fundamental threat to human rights. Stephen Holmes argues that a contemporary bias against the state derives from the nature of the cold war, during which the West understood its liberal freedoms primarily as negative freedoms, "as rights against the state, as shields guarding vulnerable individuals from governmental abuse."<sup>16</sup> Holmes also argues that "the image of the lone refusenik, crushed by a remorseless behemoth[,] reinforced a one-sided interpretation of lib-

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eral rights. It placed the accumulated weight of painful experience behind the assumption that rights are essentially 'walls' erected against state power."<sup>17</sup> The abuses that we commonly associate with the Soviet Union—political repression in the most widely accepted sense—derived from a too-intrusive state, one that used its overwhelming resources to interfere in virtually every sphere of life.<sup>18</sup> State agents continue to abuse their power in egregious and systematic ways, notably in the war in Chechnya and the recent wave of spy mania already noted.<sup>19</sup> However, the massive violations of the most fundamental rights of criminals and criminal suspects and of women in the home have, throughout the past ten years, stemmed as much from the inadequacy of the state as from its repressive qualities. The way in which violence has especially targeted socially vulnerable groups is, to a significant degree, a product of the decline of the resources and capacity of the state in post-Soviet Russia.

According to Holmes, "Statelessness is such a deplorable condition because it signals the absence of the sole institution that is capable of extending its protection to the vulnerable."<sup>20</sup> The state's formal commitments, as evinced by the constitution of the Russian Federation and the various legal reforms undertaken over the past ten years, are to uphold individual human rights (something that the Soviet state expressly denied). However, the action of state agents, or frequently, their inaction, has tended in a very different direction. Therefore, the interaction of declining state resources with the lack of accountability of state authority for its actions and inaction has created a deadly combination for socially vulnerable individuals.

### **Prisons**

The economic chaos unleashed during the late Gorbachev period, especially in 1990–91, engendered a growing incidence of organized crime and other criminal activity. These developments must be borne in mind in appreciating the sources of the social upheaval that has characterized post-Soviet Russia.<sup>21</sup> However, the adoption of shock therapy in 1992, when Russia became independent from the defunct Soviet Union, produced a new level of social chaos. The ensuing levels of crime, the state response to that crime, and the state's incapacity to manage the burgeoning prison system have led to a substantial reversal of the actual gains made under Gorbachev for prisoners—a reversal so extreme that Sergei Kovalov, Russia's best-known human rights activist and a former resident of the gulag under Brezhnev, was moved to remark, "Stalin was a splendid torturer, but prison life in Russia today may be even worse than it was under him."<sup>22</sup> I do not intend to compare prison conditions today with those of Stalin's gulag, in which, in addition to the barbaric conditions confronting millions, summary executions were routine. However, I do contend that hopeful changes initiated under Gorbachev in the late 1980s buckled under the strain of social upheaval and political indifference throughout the 1990s, as well as the unreformed juridical structures left in place from the Soviet era. These developments gave rise to conditions that many knowledgeable observers considered more severe than had even existed in the period following Stalin's death.<sup>23</sup>

A major reason for the terrible conditions in Russian prisons is the sheer size of the prison population. Russian state statistics reveal that in 1990, there were 1.84 million crimes committed. That figure jumped to 2.8 million in 1993, the year after the introduction of shock therapy, before falling off slightly, and it has remained at the higher level since then.<sup>24</sup> As was true of Soviet crime statistics, current data understate the true extent of the problem. Police are judged on their conviction rates and, therefore, have a strong disincentive to register crimes they might have difficulty solving. This is an especially serious problem when it comes to violence against women. However, there is no dispute that crime, on the whole, has increased dramatically since the late 1980s. One clear indicator of the trend is the number of homicides. In 1990, there were 15,600 homicides in Russia. By 1994, that figure had more than doubled, to 32,300, and it has remained around 30,000 a year since then.<sup>25</sup>

Such statistics have provided the authorities with wide latitude for cracking down on crime, as have concerns over the extent of organized criminal activity in the Russian Federation. However, although growing violence and organized crime remain the professed targets of anticrime measures, evidence shows that the crackdown often victimizes petty criminals. For example, the Moscow Center for Prison Reform reported the case of a woman held in pretrial detention for several months because she stole three cucumbers. A sixteen-year-old boy was convicted and received two-and-a-half years in prison for stealing three hamsters from a pet shop.<sup>26</sup> Russia's human rights ombudsman, Oleg Mironov, cited the case of a man who received four years for stealing two chickens.<sup>27</sup> These examples are not isolated; rather, they exemplify a policy of maximum incarceration, the centerpiece of the regime's "crime-fighting efforts," which has caused the population of Russia's prisons to expand significantly in the past ten years. According to Moscow Center for Prison Reform, "[I]nstead of reducing the number of prisoners and penal institutions down to the level suitable to the state budget, arrest as a measure of restraint is applied more often, incarceration is the main punishment."<sup>28</sup> Escalating poverty has also contributed to growth in crime, as individuals resort to petty theft and other crimes to survive under current economic conditions. One Russian commentator noted that "life has pushed many more adult citizens, who had previously not committed crimes, onto a path of crime. The fight for reforms [has] degenerated into a fight for survival."<sup>29</sup>

In 1991, reporting on the state of prisons in Russia and Uzbekistan, Human Rights Watch noted substantial improvements in Russian prisons over the previous few years, particularly due to the mass amnesty of 1987–88. Human Rights Watch said that in virtually every prison that it investigated "[l]ong-term inmates uniformly reported that physical abuse, once common, is now rare," which it partly attributed to the far less crowded facilities and the attendant decreases in stress on both inmates and guards.<sup>30</sup> Human Rights Watch still regarded prison conditions and prison transport facilities as harsh.<sup>31</sup> It also reported that conditions in the pretrial detention centers were especially severe, primarily because of overcrowding. Human Rights Watch also warned that a significant increase in crime, which was apparent in Russia by 1990, would threaten some of the gains. Subsequent devel-

opments have more than justified those concerns. There have been, broadly speaking, two ways in which prison life has posed a mortal threat to inmates in contemporary Russia. One stems from physical abuse and torture; the other from prison conditions themselves. Both are, in part, attributable to overcrowding.

### **Overcrowding**

Russian crime-fighting strategy has centered around maximum incarceration for perpetration of a crime and has provided few alternatives to prison in its handling of criminal suspects. Furthermore, individuals in detention are regularly denied the right to legal services, and many detainees are held from three to five times longer than necessary while awaiting sentencing, further contributing to the burgeoning pretrial detention centers.<sup>32</sup> In its comprehensive report on Russian prisons in 1997, Amnesty International noted that alternative sentencing is seldom used and bail has been extremely rare in Russia, even if suspects are neither violent nor flight risks.<sup>33</sup>

Overcrowding has been so severe that there is sometimes literally insufficient oxygen for prisoners to breathe, prompting Amnesty International and other observers to contend that the conditions themselves amount to torture. Nigel Rodley, the UN special rapporteur, wrote of his visit to Russian prisons in 1994: "The senses of smell, touch, taste and sight are repulsively assailed. The conditions are cruel, inhuman and degrading; they are torturous."<sup>34</sup> Yuri Kalinin, then head of the Directorate of Corrections for the Ministry of Internal Affairs, essentially agreed with Rodley's contention, saying that "conditions in our pre-trial centers, according to international standards, can be classified as tortuous—the deprivation of sleep, air and space."<sup>35</sup> Moscow Helsinki Group's 2001 report observes that overcrowding is particularly severe in Khanty Mansiisky autonomous district, where the pretrial centers are at 430 percent of capacity; Tver (350 percent); the Chuvash Republic (324 percent); and the St. Petersburg and Leningrad region (321 percent).<sup>36</sup>

### **Physical Abuse**

One scholar, describing the prison conditions in the Brezhnev era, writes that "[i]t appears from the existing documentation that beatings, rapes and torture are the reality which most Soviet prisoners experience, witness or are involved in with the approval of the prison authorities."<sup>37</sup> As noted above, the level of brutality abated under Gorbachev, but violence by prison officials against inmates has apparently increased dramatically since 1992, partly a result of the overcrowding.<sup>38</sup>

In its 1997 report on prisons in Russia, Amnesty International observed that "[t]orture and ill-treatment occur at all stages of detention and imprisonment . . . but [are] most often reported during preliminary or pre-trial detention."<sup>39</sup> Amnesty International speculates that "a general feeling of impunity and state protection apparently experienced by the police . . . is often the reason why innocent people, sometimes no more than passers-by, become victims of torture."<sup>40</sup> It is impossible to quantify the extent of the physical abuse in the Russian penal system, but all observers agree that the problem is pervasive.<sup>41</sup>

### **Prison Conditions**

Conditions in contemporary Russian prisons have severe repercussions for the life-integrity rights of prisoners. Declining physical plant, inadequate medical care, and poor, though apparently improving, diets are characteristic of all Russian prisons and especially acute in the pretrial centers. Inmates often sleep in shifts and food is scarce. One inmate reported that “when you’re not sleeping you are standing. The prison administrators provide the bare minimum to keep a person alive. We had tea every morning. For lunch watered down soup and porridge, for dinner more porridge.”<sup>42</sup>

The lack of adequate health care for detainees or prisoners is especially significant. Infectious diseases in prisons have spread dramatically, accompanied by a deterioration of medical services in the prisons. According to data provided by Moscow Center for Prison Reform, more than ten thousand individuals die in the prison system each year, from malnutrition, tuberculosis, or other infectious diseases. About one quarter of those have yet to be sentenced for their crimes and are thus still considered innocent under the law. It is estimated that approximately eighty-six thousand prisoners suffer from tuberculosis, a substantial number of whom have contracted an incurable strain of the disease.<sup>43</sup> In addition to tuberculosis, evidence suggests a general deterioration of prison health conditions throughout Russia in the past ten years. The Kovalev Commission on Human Rights, in its report for 1994–95, noted that gross violations of Russian law in the prisons were reported in Novokuznetsk, Tambov, Buryatia, and Volgograd, as well as other regions of the Russian Federation.<sup>44</sup> Summarizing the situation in the prisons as a whole, Valery Abramkin, of Moscow Center for Prison Reform, says, “We are talking about a system which is bringing about mass death from disease, a true hell on earth where prisoners are now asking their neighbors to kill them to end their misery.”<sup>45</sup>

### **Recent Reforms**

In 2000 and 2001, recognizing the egregious problems of the system, the government undertook mass amnesties that reduced the prison population from a high of 1.2 million to slightly under 1 million, allowing Russia to drop behind the United States as the top incarcerator in the world.<sup>46</sup> Furthermore, recent penal legislation has aimed to reduce penalties substantially for a range of crimes that fall outside the most severe type, including provision for early release of those already serving time.<sup>47</sup>

Furthermore, judicial reforms have begun under Putin. For example, legislation passed last fall promises that by the end of 2003, jury trials will be available in all eighty-nine regions to those accused of grave crimes, whereas jury trials are now available in only nine regions. Proponents believe that the expansion of jury trials will reduce the unusually high conviction rate of Russian defendants, though critics note that the new legislation also gives judges expanded powers to overturn jury decisions.<sup>48</sup>

Another potentially significant area of reform stems from President Putin’s efforts to consolidate control over Russia’s constituent regions. One feature of this

process has been Putin's insistence that the regions bring their laws into conformity with federal law, to replace the patchwork that prevailed in Russian federalism under Yeltsin. Given the often quite enlightened state of federal laws and the Russian constitution in the sphere of human rights, such changes could be most welcome. Additionally, new laws stipulate that courts are to be funded through the central budget and not the regions, which could lead to a more even-handed application of the law and to diminished political influence by regional authorities over judges.<sup>49</sup> Also, the first significant efforts toward introduction of alternative sentencing and bail instead of incarceration could reduce the burden on the penal system. The tireless work of human rights organizations in this realm,

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including Moscow Center for Prison Reform, Penal Reform International, Moscow Helsinki Group, and many regional organizations has undoubtedly spotlighted the problems. As a consequence of their work the news media have devoted considerable attention to problems in the penitentiary systems. These developments are all to be praised.<sup>50</sup> Finally, pilot projects,

including an effort to educate prison officials in Nizhny Novgorod about the myths and realities of HIV-infected inmates and programs in Tambov and other regions may yield positive results for more humane management of the system.<sup>51</sup> Despite these more hopeful signs, the trends in the past ten years have been, on the whole, negative. In its report, Moscow Helsinki Group summarized the situation by arguing that “the persistent growth of the prison population over the past decade, inadequate government financing and, as a consequence, the deterioration of available facilities, have resulted in a dire situation.”<sup>52</sup>

### **Women**

Feminist scholars have long criticized a conventional human rights focus that stresses limits on state power, which feminists claim facilitates the subordination of women to men in the private sphere. An increasing focus on the context in which rights are recognized exposes the limits of evaluating equality on the basis of the extension of formal rights by states.<sup>53</sup> In this vein, Charlotte Bunch argues that the greatest restriction to liberty, dignity, and movement is the threat and realization of violence.<sup>54</sup> Yet violence in the private sphere, which disproportionately victimizes women, is not regarded as equal in severity to other forms of violence and has only relatively recently been recognized as a human rights concern. International human rights law does increasingly recognize that a state's failure to enforce its laws equally and to make every effort to stop harms perpetrated by some citizens against others represents a violation of its commitments to human rights under existing treaties. UN documents have addressed these issues in depth, notably the Convention to



Eliminate All Forms of Discrimination Against Women (CEDAW), passed in 1979, and the UN Declaration on the Elimination of Violence Against Women, passed in 1993.<sup>55</sup> CEDAW specifically recognizes that “[g]ender based violence is a form of discrimination which seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.”<sup>56</sup> The 1993 declaration reasserts states’ obligation of “due diligence,” particularly in the realm of violence against women. Significantly, that declaration calls on states to “prevent, investigate, and in accordance with national legislation, punish acts of violence against women.”<sup>57</sup> Furthermore, states’ obligations in this matter apply regardless of “whether those acts [of violence] are perpetuated by the State or by private persons.”<sup>58</sup>

My argument here is not that abuse of women’s rights and violence against women are new features of Russian life in the aftermath of the Soviet collapse; rather, it is that the transition has adversely affected, in particular ways, women’s physical well-being and the will of the state to protect that well-being. The collapse of the Communist Party of the Soviet Union’s role as arbiter of the spheres of work and family life and the general liberalization of Russian culture and society have entailed an “anything goes” environment, in which pre-existing imbalances of power in spheres considered beyond the purview of the state make women increasingly vulnerable to violence.<sup>59</sup>

As Dorothy Stetson has argued, “[T]he end of communist rule has been hailed as a victory for international human rights law from the conventional perspective, not a feminist one.”<sup>60</sup> The changes of the last ten years have contributed to a pernicious set of circumstances that is resulting in greater numbers of women suffering grievous bodily harm in a country whose law enforcement agents are indifferent to the fact. The consequences of these changes may be connected to violence in at least three ways.

First, the changes have produced an increasingly criminalized society, which has had particular implications for violence in the home and against women. Crime has increased dramatically in post-Soviet Russia in purely statistical terms, and the evidence strongly suggests that a large portion of that increase is taking place in the home. Second, the economic reforms, particularly state budget cutting, undermine the ability of state structures to enforce laws, and if law enforcement officials must prioritize which crimes to investigate and which to ignore, crimes against women often fall into the latter category. Finally, the relaxation of restrictions on travel abroad, generally recognized as an unmitigated good, has facilitated an explosion in the compulsory sex trade of Russian women. More generally, prostitution and other sexual services have increased dramatically since 1992. This development has had clear implications for violence against women.

Those three points, by no means exhaustive, represent ways in which post-Soviet changes have had negative repercussions for women’s life-integrity rights. They are all in some way a product of the harsh economic climate. They provide a basis for developing more fully my contention that a particular confluence of social and economic changes, in interaction with diminishing state capacity, increasingly threatens groups of individuals who are vulnerable to violence in circumstances from which they cannot extricate themselves.

### Violent Crime

The preoccupation with mafia hits and gangland violence obscures the fact that a substantial portion of the increase in violent crime is taking place in the home. Russian law enforcement officials have estimated that 80 percent of all serious crimes occur domestically<sup>61</sup> and that at least 40 percent of all murders are committed by family members of the victims.<sup>62</sup> The victims of these murders are overwhelmingly women and children. For the past several years, officials, advocates, and scholars have asserted that between fourteen and fifteen thousand women are murdered every year by their spouses.<sup>63</sup> It is impossible to verify this figure independently, and the official estimate of the Ministry of Internal Affairs is three thousand.<sup>64</sup> Statistics on violence between unmarried partners are excluded from those data and are impossible to obtain, further complicating an accurate assessment of the general problem. A comparative study of domestic violence in the United States and Russia showed that the sex ratio of spousal homicides was unusually high in Russia compared with the United States and Western Europe, with six out of every seven spousal homicides resulting in the deaths of the woman.<sup>65</sup> Given this high ratio, therefore, and based on the dramatic overall increase in murder and the prevalence of violence in the home, it is plausible to argue that several thousand more women are dying each year in domestic circumstances compared with the late 1980s.<sup>66</sup>

If discerning trends in the incidence of murder is difficult, characterizing trends in rape are much greater. Shelters and hotlines for rape and battered women assert that only a very small percentage of women who are victimized by violence report their claims to the police, for reasons I discuss in more detail below. Workers in this field are clear, however, that the general problem of violence against women, in the context of the overall increase in violence in Russia, has worsened. According to Natalia Gavrilenko, deputy director of a battered women's shelter in Russia, "[W]omen [face] worse violence because the times became so stressful. Men suddenly threatened with unemployment, instability, unbelievably high prices and crime on all sides were far more likely than before to take out their resentments on the women at home."<sup>67</sup>

### Indifference of Police

The rise in violence against women is a disturbing enough problem; the overwhelming indifference of law enforcement officials raises it to the level of a human rights issue. As a case in point, in a 1994 interview, Yevgeny Riabtsev, then head of public relations for the Ministry of Internal Affairs, although acknowledging that domestic violence was a serious problem, went on to assert, "After marriage, many women don't look after themselves. They let themselves go physically, and their husbands lose interest."<sup>68</sup> This exemplifies the type of insensitivity among law enforcement officials in Russia that has been widely reported and that, given the propensity for violent relationships to escalate, may have deadly implications.

Hotlines that have opened in several cities since 1993 have received several thousands of calls from women who are victims of violence, including sexual violence. The data from perhaps the best known of the new services, Syostri, a Moscow-based organization that opened in 1994, suggest that rape is massively

underreported. According to Syostri's phone logs, about 10 percent of women report their rapes to police. Of the reports that the police do receive, about 20 percent are accepted as crimes and investigated. Based on Syostri estimates, then, 2 percent of actual rapes are accepted for investigation. Finally, of the number of cases accepted for investigation, about 3 percent make it to trial.<sup>69</sup>

Budget cuts and the extraordinary increase in crime have strained the ability of state officials to carry out their responsibilities. Violence against women, under such circumstances, tends to become a low priority. According to Marina Pisklakova, executive director of the Moscow Crisis Center for Women, "It used to be that murder or severe injuries [from domestic abuse] would be prosecuted. But now even murder is not punished or the punishment is very brief."<sup>70</sup> Human Rights Watch points out that numerous factors impede the proper processing of complaints of violence, including sexual violence, by women. These include refusal by police to take the complaint; mistreatment of victims; poorly conducted forensic exams and inaccessibility of doctors; and unwillingness to investigate cases even after acceptance of a formal complaint.<sup>71</sup>

The problem of police negligence appears to be more acute for sexual crimes than it is for other types of offenses. Indeed, although shortcomings among police departments in vigorously investigating such cases are partly attributable to financial constraints, the underlying opinion that these cases are not "winnable" is based on long-standing biases. Human Rights Watch's 1997 report contains page after page of testimonials from doctors, prosecutors, and police investigators, both men and women, who insist that in the majority of cases women are at least partly to blame for sexual assault, because they were drinking, wore alluring clothing, or agreed to go home with a man (or men). Human Rights Watch reports one case in which two women were deemed responsible for being raped by four men because they had been drinking, despite the fact that "the two women were held for several days by the men who repeatedly beat and raped them." According to Human Rights Watch's research, "Law enforcement officials overwhelmingly fail to respond to sexual assault as a crime unless the victim is a virgin, the offender is a stranger, and the violation entails the infliction of visible injury."<sup>72</sup>

### **The Traffic in Prostitution**

According to the International Labor Organization, forced labor (or involuntary servitude) is defined as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."<sup>73</sup> Such "work or service" includes the compulsory sex trade, a facet of the sex industry that has grown dramatically as a direct result of the collapse of the USSR and the relaxation of travel restrictions.

In a report published in November 1997, researchers from the Global Survival Network wrote that since 1991, "a growing commerce in human beings has arisen between Russia and the former Eastern Bloc, on the one hand, and Asia, Western Europe, and the United States, on the other. Russian women are in high demand in many countries because of their 'exotic' nature and relative novelty in the sex market."<sup>74</sup> Exact figures are difficult to obtain, but the United States estimates that

fifty thousand women are trafficked into its territory each year, and Russia is among the primary countries of origin. Furthermore, in 1999 and 2000 alone, the Russian border guard stopped five thousand women from trying to leave with invalid papers. Not all of these are trafficking cases. Nonetheless, given the extent to which the International Organization for Migration aids Russian women in trafficking cases, the corruption that allows trafficked women to elude Russian border guards, and the large international demand for Russian women, it becomes clear that the problem is of considerable scale.<sup>75</sup>

In part because of the poor economic circumstances of women in Russia, the allure of job opportunities overseas has been strong in recent years. Typically, a

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woman searching for overseas opportunities will turn to a firm that “specializes” in such placement. Agents for these companies “strike a deal . . . and promise to advance the cost of the airline ticket and arrange for the international documentation, with the understanding that they will be reimbursed once the woman or girl begins working.”<sup>76</sup> Typically,

women will arrive in a country on a work visa registered as dancers, waitresses, or other such professions. However, they will commonly have their passports taken by the agency in question and become, in effect, indentured servants. When they stay in the visiting country beyond the expiration date of their papers they are no longer legal visitors, although they cannot return to Russia because they have no passport. As a result, they are left to “work off their debt,” which the trafficking agencies set at arbitrarily high levels. Global Survivor Network found that the trafficking networks in Russia and elsewhere in the NIS charge women up to \$30,000 for their “services.” Once the women are so indebted, they are at the mercy of their “employer/benefactor.”

During the course of its investigation, Global Survivor Network discovered that one obstacle to combating the problem is that bureaucrats are often in cahoots with traffickers, helping to provide false documentation for underage girls who, because they are virginal (and therefore presumably disease free), are in high demand overseas.<sup>77</sup> Elena Tiuriukanova, of the Institute for Population Studies in Moscow, writes that “although women’s migration has great public resonance, there is practically no official policy aimed at stopping violence, sexual harassment, trafficking in women and other forms of human rights violations in the field of female labor migration.”<sup>78</sup> The issues that are manifest in the sex-slave trade exemplify the more general problems facing women in post-Soviet Russia: dire economic circumstances and desperation in the job market, coupled with a liberalization of certain laws and practices and an inability or unwillingness on the part of state officials to enforce the laws that relate to violence or general exploitation of women.

Women's NGOs and some of the mass media have worked hard to publicize these issues in an attempt to change societal consciousness about violence against women. There are now more than fifty domestic violence or rape crisis centers around Russia, which represents quite remarkable growth over the past five years. Furthermore, recent survey data show that large majorities of both men and women consider family violence to be a crime.<sup>79</sup> As is the case with the work of prison reform advocates, these developments could provide a foundation for future improvement but as of now have had no discernible impact on levels of violence against women nor on police responsiveness to the problem. One sympathetic commentator, reflecting pessimistically on the burgeoning NGO community and its efforts, writes that "social rehabilitation" as conceived by women activists in Russia may be "not so much reintegrating the wounded person back into society, but re-educating them for a new order [in which] . . . the state is nowhere to be seen and cannot be appealed to."<sup>80</sup>

### Conclusion

A significant and positive development during the 1990s and beyond in Russia has been the emergence of organizations dedicated to defending human rights across the Russian Federation, which have succeeded in generating considerable publicity for their causes.<sup>81</sup> Many organizations have successfully developed relationships with local and federal officials to tackle various human rights problems, notably in the penitentiary system, where various innovative pilot projects requiring government cooperation are now under way. Because they involve a growing number of citizens in the defense of their rights, these are positive developments. At the same time, however, larger social forces, especially the chaotic economic changes and attendant social displacement of the past ten years, have created large pools of individuals who are in socially vulnerable circumstances, and NGOs have done little to bring political elites closer to accountability for widespread suffering in the face of those larger forces.

Recognizing these and other problems, Oleg Mironov, the surprisingly vigorous human rights ombudsman, has repeatedly claimed that Russia is making no progress in the realm of human rights. In February 2000, he remarked that "if you want to create a party or hold a picket, you are welcome to do it." However, "possibly it is the only political freedom which is not violated in Russia."<sup>82</sup> While Mironov's claims require some refinement, his argument that the lack of economic development, corruption, and "uncontrolled reform" constitute perhaps the main threats to Russians' human rights deserves serious consideration. As noted above, the nature of the ideological conflict during the cold war ensured a particular understanding of what were to be considered the most significant human rights problems. With the passing of mass political repression in the Soviet Union, scholarly attention turned to other critical struggles, especially the struggle for economic transformation and political-institutional reform. Lost from view have been what Nancy Scheper-Hughes calls "everyday forms of violence," which have become an ever more pervasive feature of Russian life. Scheper-Hughes, considering conditions in Brazil and South Africa, calls attention to "forms and

spaces of hitherto unrecognized, gratuitous and useless social suffering” and notes that “the things that are hardest to perceive are often those which are right before our eyes and therefore simply taken for granted.”<sup>83</sup> It is precisely these forms of violence that social and economic changes in the last ten years have exacerbated. As a result, in Russia, there persists a level of incivility that is making a mockery of the best efforts of NGO groups to stop it. That raises the question of whether, absent a fundamentally different understanding of the proper role of the state in social and economic life, NGO and third sector development could ever translate into the kind of civil society capable of defending citizens’ interests, including their most basic human rights.

### NOTES

1. Throughout the remainder of this article, when I refer to *civil society* I am referring to what many Russians call the “third sector,” or the NGO or independent sector. Scholars generally agree that Russia’s civil society is still relatively weakly developed, and I have nothing to add to that debate. But it is important to note that, at least at official policy levels in the United States, civil society has been operationalized, in large part, as expanding the number of NGOs in the country, and there has been enormous growth in the number of NGOs in the past ten years. See especially U.S. Department of State, *U.S. Government Assistance to and Cooperative Activities with the New Independent States of the Former Soviet Union: FY 1999 Annual Report* (Washington, DC: U.S. Government, 2000).

2. Some readers will view this as obvious and regard it as unrealistic to expect Russia to develop a Western-type civil society, at least within a time span of ten years. However, the point here is that encouraging NGO development while ignoring the economic and social conditions in which political unaccountability and widespread social violence may continue to flourish raises serious questions about whether the U.S. Agency for International Development strategy serves as anything other than a weak salve on wounds that the West itself is helping to inflict on Russia and other new democracies, through advocacy of the kinds of economic and social changes that only exacerbate existing social divisions and elite insularity.

3. William Robinson, *Promoting Polyarchy: Globalization, U.S. Intervention, and Hegemony* (Cambridge: Cambridge University Press, 1996), 49.

4. The sociologist John Hall argues that “we value democracy in large part because we expect it to be married to civil practices.” “In Search of Civil Society,” in *Civil Society: Theory, History, Comparison*, ed. John Hall (Cambridge: Polity, 1995), 26. But, as Guillermo O’Donnell has pointed out, many of the new democracies should be characterized as uncivil, in which declining state capacity has unleashed an “(un)rule of law” and predatory social violence. “Polyarchies and the (Un)rule of Law in Latin America,” working paper 254 of the Kellogg Institute for International Studies, University of Notre Dame, 1998.

5. A just-released World Bank report on the transitions in the former Soviet bloc over the past decade notes that Russia now has among the highest levels of inequality in the world (matched by other former Soviet bloc countries Ukraine and Kyrgyzstan). Nils Christie, a world-renowned criminologist, views crime control as a function of social control of those in impoverished and socially marginal circumstances. See his *Crime Control as Industry: Toward Gulags, Western Style?* (London: Routledge, 1993). Marc Mauer, a well-known prisons researcher, suggests a strong cross-national relationship between inequality and incarceration rates, in “The International Use of Incarceration,” *Prison Journal* 75, no. 1 (1995): 113–23. Nancy Powers’s 1999 thirty-five country analysis suggested a statistically significant relationship between declining social spending and increasing violations of civil rights. “How Does Globalization Affect the Quality of Demo-

cratic Citizenship,” paper presented at the Annual Meeting of the American Political Science Association, Atlanta, September 1999. Taken together, these findings suggest that the reform context of the past decade has created social conditions conducive to the growth of human rights problems of the sort I discuss in this article.

6. It is worth noting here that I oppose, to a substantial degree, the tendency to consider all of Russia’s contemporary problems to be by-products of its communist legacy. Holston and Caldeira, writing on criminality and judicial structures in Brazil, argue that scholars tend to overemphasize the legacy of authoritarianism, thus obscuring questions about “how to relate the recent increase in new kinds of violence to the considerable . . . democratic change.” Holston and Caldeira use “democratic change” as a shorthand reference to the totality of the changes taking place in new democracies, including political institutional changes, economic reform, and attendant social changes. James Holston and Teresa P. R. Caldeira, “Democracy, Law and Violence: Disjunctions of Brazilian Citizenship,” in *Fault Lines of Democracy in Post-Transition Latin America* (Miami: North-South Center Press, 1998), 286.

7. Guillermo O’Donnell has used the terms “delegative democracy” and “new polyarchies” to describe states in which political leaders are generally insulated from meaningful accountability when carrying out radical economic restructuring and downsizing of state spending, despite the presence of the forms of government we normally associate with democracy. Guillermo O’Donnell, “Delegative Democracy,” *Journal of Democracy* 5, no. 1 (1994): 55–69; “Polyarchies and the (Un)rule of Law.” O’Donnell uses the term “neopluralism” to describe similar phenomena. Philip Oxhorn, “When Democracy Isn’t All That Democratic: Social Exclusion and the Limits of the Public Sphere in Latin America,” paper presented at the Annual Meeting of the American Political Science Association, Atlanta, September 1999.

8. The extent of Russia’s move toward democracy has, of course, been a matter of vigorous debate, and recent developments under Putin have added fodder to the discussion. However, whether scholars have argued that Russia is a “partial” (Juviler), “incomplete” (Sakwa), or “consolidated electoral” democracy (McFaul), its general trajectory toward democracy since 1991 has been widely accepted until recently, whereas the deterioration in human rights I describe has been a significant feature of the last ten years. See Peter Juviler, *Freedom’s Ordeal: The Struggle for Human Rights and Democracy in the Post-Soviet States* (Philadelphia: University of Pennsylvania Press, 1998); Richard Sakwa, *Russian Politics and Society* (London: Routledge, 1994); Michael McFaul, “Democracy Unfolds in Russia,” *Current History* 96, no. 612 (1997): 319–25.

9. Linz and Stepan, in their comprehensive 1996 analysis of democratic transitions and consolidation, exemplify the point well. They note “unhappily” that “some countries will consolidate democracy but never *deepen* democracy in the spheres of gender equality, access to critical social services, inclusive citizenship, respect for human rights, and freedom of information. They might, indeed, *occasionally violate human rights*” (emphasis added), 457. This formulation highlights the degree to which the authors find such a possibility almost counterintuitive. Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore: Johns Hopkins, 1996).

10. Juviler, *Freedom’s Ordeal*.

11. The categories I use in this article closely mirror those used in the comprehensive report by the Moscow Helsinki Group, *Human Rights in the Russian Regions*, ed. Tanya Lokshina (Moscow: Zatsopa, 2001), which now obtains reports on human rights abuses from all regions of the Russian Federation. Although the framework was arrived at independently, the report also uses the term “socially vulnerable individuals,” as did my earlier unpublished dissertation, “Human Rights in Post-Soviet Russia: Progress or Regression?” (University of North Carolina at Chapel Hill, Ph.D. diss., 1999).

12. Other examples of such socially vulnerable groups include homeless and orphaned children, “dark-skinned” residents of Moscow and other Russian cities, who are constantly harrassed and threatened, and conscripts in the Russian armed forces. Space constraints preclude discussion here. I do analyze those issues in Weiler, “Human Rights in Post-Soviet Russia!”

13. Moscow Center for Prison Reform, "Man and Prison," exhibit brochure (2001), 4.

14. Oxhorn, "When Democracy Isn't All That Democratic," 11.

15. Tanya Lokshina, of Moscow Helsinki Group, estimates that there are at least three thousand human rights organizations in Russia. Telephone conversation with author, Moscow, 9 January 2002. Andrei Mironov, of Memorial, cautioned me, however, that many of these organizations are "fake," either because they are mere fronts for receiving grant money or are otherwise compromised in some way by their dealings with the authorities. Interview with author, Moscow, 14 January 2002. In any event, there is no disputing the enormous growth of Russian human rights NGOs and general NGOs in the past ten years.

16. Stephen Holmes, "What Russia Teaches Us Now: How Weak States Threaten Freedom," *American Prospect* 33 (July-August 1997): 30-39, <<http://epn.org/prospect/32/32holmfs.html>>.

17. *Ibid.*

18. I am not arguing that socially vulnerable persons did not exist in Soviet times. I do contend that the social chaos and economic upheaval of the past ten years have placed very large numbers of individuals in circumstances in which they may suffer grievous physical harm, and that state inadequacy is proving to be not merely a conceptual problem for institution building, but a deadly problem for those individuals. Many activists I have spoken to, among them survivors of the worst repression of the later Soviet years, believe that the level of vulnerability of these groups is certainly higher than it was during the Gorbachev years, if not before.

19. Anatole Lieven sees events in Chechnya as the ultimate extension of a particularly predatory form of liberal-capitalist ideology, one that cannibalizes state structures with the complicity of those charged with managing the state. In other words, he believes that neoliberal reform in Russia did weaken the state in critical respects, paving the way for the extraordinary erosion of the morale and physical well-being of Russian conscripts in the wake of rapidly diminishing access to such necessities as food and medicine. This deterioration contributed significantly to the frequent atrocities carried out by the Russian military and its highly undisciplined forces. Anatole Lieven, *Chechnya: Tombstone of Russian Power* (New Haven: Yale University Press, 1998), especially ch. 4. Valentina Melnikova, press secretary for the Union of the Committee of Soliders' Mothers, furnished data to me indicating that three thousand conscripts die every year due to disease, hunger, suicide, and the particularly brutal form of hazing known as *dedovshchina*. Interview with author, Moscow, 17 January 2002. In this light, it is fair to categorize conscripts themselves as highly socially vulnerable, incapable of extricating themselves from their circumstances, and prey to depredations engendered by eroding state capacity and unaccountability of commanding officers.

20. Holmes, "What Russia Teaches Us Now."

21. Stephen Handelman, *Comrade Criminal: The New Russian Mafia* (New Haven: Yale University Press, 1995); Arkady Vaksberg, *The Soviet Mafia*, trans. John and Elizabeth Roberts (New York: St. Martin's, 1991).

22. Quoted in "One Day in the Life of . . .," *Time International*, 25 May 1998, 40.

23. As one example, then-prosecuting supervisor for Moscow Vladimir Ovchinnikov said that inmates had "effectively less living space than any of their predecessors since 1956." Alexander Gordyev, "Vague Prison Laws Fuel Inmate Abuse," *Moscow Times*, 22 July 1994, 3.

24. *Russian Statistical Yearbook* (Moscow: Goskomstat, 1997), 266.

25. *Russian Statistical Yearbook*, 269.

26. Amnesty International, "Torture in Russia: 'This Man-Made Hell,'" 8 July 1998, <[www.amnesty.org/ailib/aipub/1997/EUR/44600497.htm](http://www.amnesty.org/ailib/aipub/1997/EUR/44600497.htm)>.

27. Itar-Tass, "Russian Human Rights Commissioner's Annual Report Criticizes Conditions in Pre-trial Prisons and Punitive Judicial Practices," in *Newsletter: Penal Reform Project in Eastern Europe and Central Asia* (Moscow: Penal Reform International, 2001), 9.



28. Moscow Center for Prison Reform, *On the Concept of the Reform of the Russian Penal System*, trans. Valery Sergeev (Moscow: Moscow Center for Prison Reform, 1996).

29. Vadim Bakatin, "Commentary Views Criminal Statistics for 1994," *Moskovskaya Pravda*, 18 May 1995, from Foreign Broadcast Information Service (FBIS), SOV-095-96 S, 26-28.

30. Human Rights Watch, *Prison Conditions in the Soviet Union: A Report of Facilities in Russia and Azerbaidzhan* (New York: Human Rights Watch, 1991), 4.

31. Valery Sergeev, then deputy director of Moscow Center for Prison Reform, told me that conditions in transport facilities represented the one area of improvement within the prison system in post-Soviet Russia compared with Soviet days. Interview with author, 14 March 1996.

32. The inaccessibility of legal services has been a major problem in Russia, where many detainees cannot afford representation and lawyers simply refuse cases if they are not paid. Alexander Mironenko, of the Institute for Penitentiary Reform, interview with author, 13 June 1996. In July 1998, the Russian Constitutional Court ruled that criminal suspects in pretrial detention must be allowed to appeal their cases, even before they are sentenced, since tens of thousands had been in pretrial detention for longer than sentencing for the crime would have stipulated, had there been a conviction. "Court Affirms Right to Appeal While Criminal Case Is Pending," *Radio Free Europe/Radio Liberty Newslines (RFE/RL)*, 8 July 1998.

33. Amnesty International, "Torture in Russia." Very recent developments suggest that this may now be changing, with prisoners beginning to receive community service in lieu of prison terms, though it is much too early to say whether such a trend will take significant hold in Russia. Victoria Sergeeva, Penal Reform International, interview with author, Moscow, 17 January 2002.

34. Nigel Rodley, "UN Rapporteur: Report on Russian Prisons," *Pravozashitnik* 1, no. 3 (1994): 151.

35. Moscow Center for Prison Reform, *On the Concept of the Reform of the Russian Penal System*, 3.

36. Moscow Helsinki Group, *Human Rights in the Russian Regions*, 219.

37. Maria Los, *Communist Ideology, Law and Crime: A Comparative View of the USSR and Poland* (London: MacMillan, 1988), 118.

38. Amnesty International, "Torture in Russian Prisons." Viktor Orekhov, a former KGB captain who was a political prisoner from 1978 to 1986 after he began calling dissidents to tell them when the KGB was coming to search their apartments, was sentenced to three years in prison in 1995 on a trumped-up gun charge. The arrest was almost certainly motivated by his outspoken criticism of a Yeltsin appointee to the Moscow police force. After an enormous public outcry, Orekhov was released in 1996 after serving ten months. Orekhov told me that he was regularly beaten in prison and estimated that 90 percent of his fellow inmates were similarly treated. He felt that life in the prisons had clearly become more violent than it had been during his earlier imprisonment. Interview with author, 1 July 1996.

39. Amnesty International, "Torture in Russian Prisons."

40. *Ibid.*

41. In its country reports for 1999, Human Rights Watch notes that law enforcement officials in Russia use torture to extract confessions as an absolute matter of course, and that prosecutors simply refuse to investigate such cases. "The Russian Federation," *Human Rights Watch World Report 1999*, 15 June 2000, <<http://www.hrw.org/worldreport99/europe/russia.html>>.

42. "One Day in the Life of . . .," *Time International*, 25 May 1998.

43. Moscow Center for Prison Reform, "Man and Prison," 2-4.

44. For example, eleven inmates died in a prison in Novokuznetsk in July 1995, when temperatures in an unventilated cell reached 110 degrees and officials refused to provide water. The Kovalov commission reports that in that same prison in 1994, one hundred

inmates slit their wrists as part of an attempted mass suicide. See Sergei Kovalov, *On the Observance of the Rights of the Person and the Citizen in the Russian Federation, 1994–95* (Moscow: Report of the President's Commission on Human Rights, 1996), 42.

45. Matt Taibbi, "Report Blasts Russia's 'Hellish Prisons,'" *St. Petersburg Times*, accessed 10 August 1998, <<http://www.spbtimes.ru/archive/times/181-182/report.html>>.

46. A November 2001 amnesty of certain women and children under sixteen follows earlier amnesties that have dropped Russia into second place in the world, behind the United States, on the world list of incarcerations per one hundred thousand. Moscow Helsinki Group, *Human Rights in the Russian Regions*, 213.

47. Moscow Helsinki Group, *Human Rights in the Russian Regions*, 213.

48. "The Devil Ended Up in the Details," *Moscow Times*, 27 November 2001, accessed from Johnson's Russia List, 27 November 2001.

49. Lokshina, of Moscow Helsinki Group, told me that she strongly supports Putin's consolidation of control, in the manner noted above, especially the insistence that regional law be brought into conformity with federal law and the federal funding of courts out of the federal budget, because she expects the reforms to have a beneficial impact on respect for human rights and equal protection before the law, regardless of whether that is the intention of the reforms. Interview with author, Moscow, 14 January 2002.

50. Another positive development was the transfer in 1998 of control of the penitentiary system from the Ministry for Internal Affairs to the Justice Ministry. Sergeeva, of Penal Reform International, told me that one advantage of this transfer is that more allocated money actually reaches its intended targets than had previously been the case. Interview with author, Moscow, 17 January 2002.

51. Sergeeva, of Penal Reform International, described these programs to me in an interview in Moscow, 17 January 2002.

52. Moscow Helsinki Group, *Human Rights in the Russian Regions*, 215.

53. Both Amnesty International and Human Rights Watch began producing reports on women's rights in the early 1990s, something that Amnesty International, in particular, had resisted doing for many years. Issues such as genital mutilation, wife beating, the international sex-slave trade, preferential provision of food and shelter to boys and men over girls and women, and the right to "gainful" employment have all gained recognition from human rights organizations, in international documents as well as in the scholarly literature. See Dorothy Thomas and Michele Beasley, "Domestic Violence as a Human Rights Issue," *Human Rights Quarterly* 15, no. 1 (1993): 30–62.

54. Charlotte Bunch, "Women's Rights as Human Rights: Towards a Re-vision of Human Rights," *Human Rights Quarterly* 12, no. 4 (1990): 486–98.

55. The Soviet Union ratified CEDAW in 1981, and Russia obligates itself to all international treaty commitments established by the Soviet Union. Human Rights Watch, *Russia/Too Little, Too Late: State Response to Violence Against Women* (New York: Human Rights Watch, 1997), 14. The 1993 declaration "is a non-binding resolution that establishes an international standard."

56. CEDAW Recommendation 19, paragraph 1. Human Rights Watch, *Russia/Too Little, Too Late*, 15, 49.

57. Emphasis added. Declaration on the Elimination of Violence Against Women, Article 4c. Human Rights Watch, *Russia/Too Little, Too Late*, 15, 56.

58. *Ibid.*

59. The increases in violence in society have, of course, affected men as well as women. However, given the nature of domestic violence and sexual crimes—that is, crimes against women *as women*—inadequate law enforcement is likely to have particularly chilling consequences for women. This is due partly to the overwhelmingly "male" character of law enforcement in all modern societies and the perception, characteristic of liberal societies, that "private" matters should not be of public concern.

60. Dorothy McBride Stetson, "Law and Policy: Women's Human Rights in Russia," *Russian Women in Politics and Society*, ed. Wilma Rule and Norma Noonan (Westport,

CT: Greenwood, 1996), 163.

61. Human Rights Watch, *Russia/Too Little, Too Late*, 11–12.
62. Judith Ingram, “In Russia, Murder Rate Soars,” Associated Press, 30 April 1999. Accessed from Johnson’s Russia List, 1 May 1999.
63. “Figures on Family Violence Released,” *RFE/RL*, 21 October 1997.
64. Martina Vandenberg, of Human Rights Watch, phone conversation with author, 7 May 1998.
65. Edward Gondolf and Dmitri Shestakov, “Spousal Homicide in Russia Versus the United States: Preliminary Findings and Implications,” *Journal of Family Violence* 12, no. 1 (1997): 63–74.
66. Andrei Sinelnikov, project director at ANNA (No to Violence), estimates that twelve to sixteen thousand women die each year at the hands of their partners. From Martina Vandenberg, “We’ve Still Got a Long Way to Go,” *Moscow Times*, 7 March 2001, accessed from Johnson’s Russia List, 7 March 2001.
67. Quoted in Vanora Bennett, “Russia’s Ugly Little Secret,” *Los Angeles Times*, 6 December 1997, 1, 8.
68. Human Rights Watch, *Neither Jobs Nor Justice: State Discrimination Against Women in Russia* (New York: Human Rights Watch, 1995), 21.
69. Data is from an e-mail correspondence between myself and Irina Chernenkaya of Syostri, 2 June 1998. In “We’ve Still Got a Long Way to Go,” Martina Vandenberg reports similar findings for the Lana Crisis Center in Nizhny Tagil, where an estimated 2 percent of women managed to get the police to take their complaints.
70. Human Rights Watch, *Russia/Too Little, Too Late*, 40.
71. Another way in which inadequate resources impinge on the proper administration of justice is that Russia’s limited forensics resources seriously impede rape investigations, since medical examiners’ offices are badly understaffed throughout the country, and forensics specialists are preoccupied with autopsies. Therefore, rape investigations, which are to be carried out by the same doctors, are a low priority. Human Rights Watch, *Russia/Too Little, Too Late*, 21–31.
72. 1957 Forced Labor Convention, quoted in Gillian Caldwell, Steven Galster, and Nadia Stenzer, “Crime and Servitude: An Expose of the Traffic in Women for Prostitution from the Newly Independent States,” Global Survival Network, accessed 9 April 1998, <<http://www.globalsurvival.net/femaletrade/9711russia.html>>.
73. Human Rights Watch, *Russia/Too Little Too Late*, 19.
74. Caldwell et al., “Crime and Servitude.”
75. Moscow Helsinki Group, *Human Rights in the Russian Regions*, 194.
76. Caldwell et al., “Crime and Servitude.”
77. *Ibid.*
78. *Ibid.*
79. Martina Vandenberg, “We’ve Still Got a Long Way to Go.”
80. Julie Hemment, “Gendered Violence in Crisis: Russian NGOs Help Themselves to Liberal Feminist Discourses,” paper presented at the Annual Meeting of the American Anthropological Society, Philadelphia, November 1998, 9.
81. Some activists, such as Moscow Helsinki Group chairperson Lyudmila Alexeeva, believe that a genuine human rights movement, capable of acting in concert, is being forged out of the myriad nongovernmental organizations working in all of the Russian regions. “Human Rights Groups Uniting Across the Russian Federation,” *RFE/RL*, 23 September 2001, accessed from Johnson’s Russia List, 23 September 2001. This is a view that Alexeeva had expressed to me years before during an interview in Moscow, 31 May 1996. Others, like Yuri Samodurov, director of the Sakharov Museum and Public Center, told me that he regards the human rights organizations as free agents, with little in the way of a coherent agenda or political influence and, therefore, was more cautious in characterizing a human rights “movement.” Samodurov’s view was partly influenced by the results of a gathering of about four hundred human rights organizations in January 2001 that, in

Samodurov's view, the authorities completely ignored. He did argue that the Civic Forum, held in June and November 2001, was initiated by the authorities to head off independent growth of a human rights movement, suggesting indirect influence, if nothing else. Interview with author, Moscow, 16 January 2002.

82. Reuters, "Russians Have Political Freedom, but Little Else," accessed from Johnson's Russia List, 27 January 2000. Mironov used very similar terms to describe the situation in Russia two years later. "Human Rights Envoys (sic) Sums Up Years Results," *RFE/RL*, 3 January 2002, <[www.rferl.org/newsline/2002/01/030102.asp](http://www.rferl.org/newsline/2002/01/030102.asp)>.

83. Nancy Scheper-Hughes, "Small Wars and Invisible Genocides," *Social Science and Medicine* 43, no. 5 (1996): 889–900.