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Russia: The availability of state protection to victims of domestic violence (January 2000 - July 2004)
Research Directorate, Immigration and Refugee Board, Ottawa

During a presentation at the Ninth European Country of Origin Information Seminar held in Dublin, Ireland, on 26 and 27 May 2004, a Moscow-based representative of the United Nations High Commissioner of Refugees (UNHCR) indicated that there is "no state protection" for victims of domestic violence in Russia, especially in Chechnya (26 May 2004). A search for corroborating and contrasting information by the Research Directorate resulted in the information that follows.

Throughout the period 2000 through 2004, domestic violence was and continues to be a serious and prevalent problem in Russia (UNHCR 26 May 2004; AFP 27 Apr. 2004; *Country Reports on Human Rights for 2003* 25 Feb. 2004; AI 13 Feb. 2004; *ibid.* 1 Oct. 2003; *ibid.* 2003; OMCT Nov. 2003, 11; Freedom House 2003; *WE!* 1 Apr. 2003; *Moscow Times* 20 Sept. 2001; *Boston Globe* 9 Mar. 2001; RFE/RL 7 Mar. 2001; ITAR-TASS 5 Mar. 2001; HRW 2001a). However, numerous reports indicate that domestic violence is not prohibited by law, and instead, is considered to be a private matter (AFP 27 Apr. 2004; OMCT Nov. 2003, 10; AI 1 Oct. 2003; *ibid.* 2003; *ibid.* n.d.a; WIN News 1 Apr. 2003; *WE!* 1 Apr. 2003). For this reason, law enforcement officers hesitate or refuse to act in such cases (*Country Reports on Human Rights for 2003* 25 Feb. 2004; OMCT Nov. 2003, 12; AI 2003; *ibid.* 1 Oct. 2003; Freedom House 2003; WIN News 1 Apr. 2003) or they fail to respond to complaints of victims of domestic violence (*Moscow Times* 20 Sept. 2001; *Boston Globe* 9 Mar. 2001; RFE/RL 7 Mar. 2001; HRW 2001a). One news article added that there have also been reports of "ill treatment and torture, including rape and other forms of sexual abuse, in police stations and prisons" (*WE!* 1 Apr. 2003). As a result, abusive husbands are not likely to face prosecution within the judicial system (AI 13 Feb. 2004; WIN News 1 Apr. 2003; ITAR-TASS 5 Mar. 2001). In addition, Russian law allegedly does not permit officials to issue a warning to abusive spouses through an administrative sentence or a fine (WIN News 1 Apr. 2003). Speaking in general terms, one news article published in 2003 noted that the "system largely ignores violence against women and protects its perpetrators" (*WE!* 1 Apr. 2003). According to Radio Free Europe/Radio Liberty (RFE/RL), the "existing Russian legislation usually favors the man's side in domestic quarrels. Even in cases where divorce is sought by the wife because of domestic violence, the law does not provide for her to receive any alimony" (7 Mar. 2001).

The World Organization Against Torture (OMCT) points out that while there is no specific law on domestic violence, victims of such abuse can file a complaint with the police under general assault provisions (Nov. 2003, 10). However, Amnesty International (AI) reported in February 2004 that

[m]any victims seeking to prosecute their abusers face indifference or neglect at the hands of the police and the courts. The Police often fail to register such cases properly and to conduct thorough investigations; the criminal justice system often denies the victims their right to justice (13 Feb. 2004).

According to a November 2003 report prepared by the OMCT,

[w]omen victims of violence are often blamed for having provoked the attack. In addition, the police rarely take complaints of domestic violence seriously. If they do arrest the perpetrator, he is often released quickly and sometimes returns to the home even more violent than before. Local officials often have no experience in protecting victims from further violence and thus, the fear of further violence is a real threat to women who file complaints. Women may also be at risk of further violence by police officials if they go to the police station (12).

Various sources reported that there is no recourse for protection or legal redress to victims of domestic violence (*Country Reports on Human Rights for 2003* 25 Feb. 2004; AI n.d.b; WIN News 1 Apr. 2003; ITAR-

TASS 5 Mar. 2001).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Internet sites, including: BBC, International Helsinki Federation for Human Rights, Integrated Regional Information Network (IRIN), United Nations Division for the Advancement of Women.

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