Immigration and Refugee Board of Canada

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the Knowledge and Information Management Unit.

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16 October 2015

Russia: standardized police reporting forms, including appearance; whether police are required to submit a written response to a complainant regardless of whether they pursue an investigation, appearance and content of the written response; police procedures for following up on physical assaults reported by hospitals and medical practitioners, including type of report generated; whether these policies and reports are standardized or if there are regional variations

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Information on police report forms and police procedures was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

1. Police Report Forms

According to the Federal Law No. 3-FZ of 2011, police officers are responsible for receiving and registering complaints of crime and other incidents, including those reported electronically, and are required to issue a notice of registration to a complainant regarding his or her complaint (Russia 2011, Art. 1(1)). According to the website of the Ministry of Internal Affairs of St. Petersburg, complaints of incidents, such as a complaint of crime or events threatening individual or public safety, among others, can be submitted to the police 24 hours a day, in person, by phone, or electronically, and are registered immediately by an officer on duty (Russia n.d.a). Without providing details, the website of the Ministry of Internal Affairs of St. Petersburg indicates that a response will be sent to an address specified by the complainant, to his or her electronic mail, or his or her home address (ibid.). In correspondence with the Research Directorate, an emeritus professor of political science, law and criminology at the University of Toronto, who specializes in judicial and legal reforms in Russia and Ukraine, in collaboration with a professor of sociology at the Higher School of Economics in Moscow, who is also a sessional lecturer at the Centre of Criminology and Socio-legal Studies at the University of Toronto, and whose research focuses on police corruption in Russia, indicated that victims can report a crime in person or submit a written complaint (Emeritus professor of political science and Professor of sociology 5 Oct. 2015).

The professors indicated that a police officer who receives a complaint of a crime has to register it in the "special Registry or Reports Registration Book (so called KUSP - Kniga ucheta soobscheniy o proishhestviyah)" (ibid.). The registration book contains the following information:

1. Date and time of the complaint;
2. Information about the complainant (Name; mail address; phone number) and the Number of the Receipt that the complaint was registered (if it was issues);
3. Description of the immediate response to the complaint (what was done and the results);
4. Brief description of the complaint;
5. A list of the senior police officers who were informed about the complaint (crime) and their activity (visit the scene of the crime, list of the collected pieces of the evidence);

6. A list of the officers who were in charge of investigating the complaint and their signatures;

7. Deadline for the investigation of the complaint, which is ordered by the Head of the police station. The actual duration of the investigation. Whether there were any extensions of the duration and who sanctioned them.

8. The outcomes of the complaint: whether criminal proceedings were initiated (number and the date); or refused to initiate criminal proceedings (number and date of the issued order); or the complaint was forwarded to another law enforcement body. When and how the complainant was informed of the outcome. (ibid.)

The professors stated that after registering a complaint, an officer on duty should issue a receipt to the complainant, containing the name of the complainant, the name of the police officer who received the complaint, the date and the time (ibid.). According to the professors, the receipt is standard across the country (ibid. 14 Oct. 2015). A copy of the receipt, including its translation, is attached to this Response.

According to the professors, for cases in which the police do not follow up on a complaint of crime by way of an investigation, a police officer "should issue a special order" and send a written copy to the complainant and the prosecutor within 24 hours of the complaint (ibid. 5 Oct. 2015). The professors further stated that "[u]sually, this order contains information [stating] that police investigated the situation described in the complaint, [as well as] motivation [for deciding] not to follow up the complaint," including the appropriate articles of the Criminal Code if relevant (ibid.). However, according to the professors, police officers often do not issue the special order due to negligence, refusal to initiate an investigation, or because they convince the victim to withdraw the complaint (ibid.). According to the professors, there is no standard format for a special order (ibid. 14 Oct. 2015). Further and corroborating information on police report forms could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Police Procedure for Follow up on Physical Assaults

According to the professors, the special order of the Minister of Health Care and Social Development No. 565 of 2012 indicates that health care professionals in hospitals should report "suspicious cases," such as gunshot wounds or other injuries to the police (ibid. 5 Oct. 2015). The cases should be reported by phone and followed up by a written report, which should be signed by the Head of the hospital and contain the patient’s name, age, address, and date of arrival to the hospital, among other information (ibid.). The professors noted that health care professionals may submit a complaint without the patient's consent (ibid).

A police officer who receives a complaint from a health care professional must register the complaint in the registry book and either go to the hospital or have the injured person come to the police station (ibid.). The police officer must then follow the same procedures described in section 1 of this Response (ibid.). The professors stated that these procedures are the same across the country, but that they are not "fully implemented" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the professors, in practice "only a small [number] of crimes reported to the police get registered" due to the system of evaluation of police work (ibid.). The professors explained that, according to the research on criminal statistics by the Norma Center for Independent Social Studies and Education based in Russia, the work of police officers is evaluated according to the number of solved criminal cases (ibid.). As a consequence, the police officers "have a strong interest in reducing the number of criminal cases that might 'spoil' the statistics" (ibid.). For example, they do not register a crime if there was no strong evidence or no obvious perpetrator (ibid.). Moreover, in the professors' opinion, "the police's interest in keeping the number of registered crimes low pushes them to pressure, at least informally, ... not only victims but also health care professionals" not to report incidents of crime (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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 sources consulted in researching this Information Request.

References
Emeritus Professor of Political Science, Law and Criminology, University of Toronto and Professor of Sociology, Higher School of Economics, Moscow. 14 October 2015. Correspondence with the Research Directorate.

_____. 5 October 2015. Correspondence with the Research Directorate.


Additional Sources Consulted

Oral sources: criminal lawyers in Russia; medical clinics and hospitals in Moscow and St. Petersburg; Russia – Consular Division of the Embassy of the Russian Federation in Ottawa, Consulate General in Montreal, Ministry of Health, Ministry of Internal Affairs, police stations in Moscow, St. Petersburg and other regions.

Internet sites, including: Amnesty Internation; Argumenti I Fakti; Ecoi.net; Europol; Factiva; Freedom House; Human Rightshs Watch; International Federation for Human Rights; International Police Association; Interpol Moscow; Legislationline; Memorial; The Moscow News; The Moscow Times; Novye Izvestia; Radio Free Europe/Radio Liberty; Rossiyskaya Gazeta; RT.com; Russia – Embassy of the Russian Federation in Ottawa, Consulates General of the Russian Federation in Toronto and Montreal, Ministry of Internal Affairs, Ministry of Health, Pravo.gov.ru; United Nations – Refworld; United States – Department of State, Library of Congress.

Attachment

Russia. N.d. Rossiyskaya Gazeta. "Receipt." A copy of the document sent to the Research Directorate through correspondence by the Emeritus professor of political science and the Professor of sociology on 5 October 2015. Translated by the Translation Bureau, Public Works and Government Services Canada.