SUMMARY REPORT ON THE ACTIVITIES OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS IN THE RUSSIAN FEDERATION FOR 2019

MOSCOW 2020
There is no more beautiful feeling in the world than the feeling of having shown people even a drop of kindness.

Leo Tolstoy
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The unabridged version of the Report includes detailed information on the work of the national institution for the protection of human and citizens’ rights and freedoms conducted in 2019. It consists of the Introduction and 8 Chapters of 28 paragraphs. It presents examples of the restoration of violated rights; a detailed analysis of the results of the High Commissioner’s activities; a description of systemic problems, based on judicial practice and input from experts; specific proposals and recommendations for State bodies.

The present Summary Report on the Activities of the High Commissioner for Human Rights in the Russian Federation for 2019 is an outline of the main results of the Ombudsperson’s activities, proposals and recommendations for improving the protection of human rights and freedoms.
FOREWORD

Respect for human and civil rights and freedoms is the moral and legal paradigm of the modern world order, which, like a tuning fork, gives an exact note to all other institutions of society, encouraging the State for a progressive and systematic movement towards a centuries-old ideal of equality and justice based on perception of good and evil. The degree of protection of rights and freedoms is an indicator of the level of civilization and democracy in society.

Perception of citizens' rights is a constantly evolving phenomenon. What people patiently accept as a norm at one time (whether out of a sense of historical necessity or out of fear of reprisals) cause public protests at another time. Thus, the struggle for the right to a fair distribution of wealth, freedom of movement and pluralism of opinion, which took place at the end of the twentieth century on the threshold of momentous changes for Russia, is now giving way to the protection of the right to dignity (including that of accused and convicted individuals) and the right to a high quality of life and freedom of speech.

This most complex process is taking place today in a form of the ongoing debate between the authorities and individual institutions of civil society, which sometimes takes on extremely acute forms, including public protests. Fortunately, in 2019, the debate did not turn into institutional pitfalls, with each side failing to offer a better solution and ultimately facing a no-win situation. Together with the Russian regional human rights commissioners, we have worked continuously on this subject, often acting as a de facto mediator (the city of Moscow, the Sverdlovsk region, the Republic of Ingushetia), trying first of all to prevent violations of citizens' rights, and if that failed, using all the tools to restore a violated right, rehabilitate the innocent, provide satisfaction for the harm done to them.
In this regard, 2019 was a time of achievement and failure, re-evaluation of the processes of legal protection and a search for a set of new tools to respond to the challenges and threats to human rights in today’s realities. I believe that the successful practices we have developed will be shared by the Russian regional and foreign colleagues, as well as by future generations of ombudsmen.

The most pressing issues of 2019 were poverty; the quality and accessibility of medical care; a safe environment; cruelty and violence against defendants and convicts; use of prohibited methods against participants of criminal proceedings while obtaining evidence in a criminal case; abuse of the preventive measure of detention for persons who have committed non-violent crimes and disproportionate use of force against participants of unauthorized public protests.

At the same time, the data of the Office of the High Commissioner for Human Rights in the Russian Federation (hereinafter referred to as the Commissioner) demonstrate, that social justice, as a phenomenon of particular importance to an individual within the system of social and economic rights, has given way to procedural justice. This is evident from the trends in the subject matter of citizens' appeals to the Commissioner: the number of petitions concerning social and economic issues is decreasing, while in matters of criminal procedure and penal enforcement legislation is increasing.

People fear ungrounded criminal prosecutions and provocations, the use of violence against them, the imposition of disproportionate punishments and the lack of opportunity to prove their innocence. It has been suggested in peoples’ communications submitted to the Commissioner that being poor is not as scary as being unjustly convicted. The restoration one’s socio-economic status within a community with the support of the State is seen by many as easier than to rebuild a reputation damaged by unjust accusation or conviction. Even if the conviction is struck from the criminal record or the media retracts a story of criminal prosecution – all these do not help things to return to normal.

In this connection, it is becoming increasingly important to review the notion of «procedural justice» in modern Russia with development of the clear posi-
tion of the prosecutor’s office, the leadership of investigative bodies and bodies of inquiry with regard to this phenomenon. We hope that prosecutors and heads of preliminary investigation bodies will have no tolerance for the occurring negative manifestations and will use all means provided to them by law to ensure that investigators and persons conducting initial inquiries strictly observe the law guided by the principles of respect for human honour and dignity, the presumption of innocence and protection of individual rights and freedoms enshrined in the Code of Criminal Procedure. It is pertinent to cite here a famous pre-revolutionary Russian lawyer Anatoly Koni who noted in his essay “On Moral Principles in Criminal Proceedings” (1902): “…these acquisitions of mankind have come at too great a cost of many centuries of suffering and misconceptions to let them go so easily”. Although A. Koni referred to the concept of the adversarial court system this could rightly be applied to all stages of criminal proceedings.

In this context, the institution of the Commissioner is particularly in demand. I am grateful to note that in most cases I have the greatest understanding and willingness to assist in the restoration of justice and legality in specific cases on the part of judges, Prosecutors, heads of bodies conducting initial inquiries and investigative branches of all state bodies.

The gap between the State’s obligations to recognize, respect and protect human and citizens’ rights and freedoms and their practical implementation is quite wide. A significant number of violations across the entire spectrum of fundamental rights and freedoms are being confirmed by official statistics, expert assessments, public opinion polls and human rights monitoring conducted in 2019 by national and international organizations. This is also evidenced by the citizens' appeals addressed to the Commissioner and to the ombudspersons in the constituent entities of the Russian Federation.

According to the results of the survey conducted in 2019 by Public Opinion Foundation - our partner for many years, 54% of respondents indicated the existence of human rights problems in Russia, and only 35% expressed their opinion that Russia has a good record of observing human rights. Among the most burning
issues, in the eyes of the population, should be noted the right to health care, right to housing, right to social security, right to work.

For that reason, the amendments proposed by the President of the Russian Federation to the Constitution of the Russian Federation to establish additional human rights safeguards aimed at protecting the people’s social rights were extremely important. These presidential proposals are consistent with people’s aspirations. Provided that they are rigorously implemented with strict control and measures in response to violations, they will have a positive impact on the public climate in the State. I have issued a relevant public statement on this subject.

One of the overriding conclusions that emerges from the analysis of the day-to-day handling of citizens’ appeals to the Commissioner where people tell stories of their misfortunes, their inability to be heard and to receive clear, reasoned responses to their grievances, as well as taking into account the results of the public protests monitoring and studies on the genesis of systemic problems in the field of human rights, is that there is a lack of constructive communication between public authorities that make decisions, and members of the society forced to implement them. Had this successful communication channel been present it would have allowed reaching a compromise, «to make a deal» on the most acute systemic problems and reduce public tension. At least there is no dialogue between some regional authorities and the public as is conducted by Vladimir Putin, the President of the Russian Federation, in the forms of “direct line” broadcast live, meetings with human rights defenders and representatives of civil society organizations - members of the Council for Civil Society and Human Rights and other audiences.

The number of the ECHR judgments taken against the Russian Federation is a certain indicator of the human rights situation in Russia. At the time of writing this report, more than 18,000 complaints from Russian citizens were pending before the ECHR. Although Russia is far below the top in terms of the number of complaints per 10,000 residents, this invites reflection on the situation. The applicants to the ECHR most often complain against inadequate conditions of detention, torture, degrading and inhuman treatment, violations of the right to liberty and se-
curity of person, restrictions on the right to freedom of expression. In 2019, the European Court of Human Rights ordered to pay Russia approximately 25.5 million euros in monetary compensation for violations of applicants’ rights.

However, in the area of human rights protection, there were successes in 2019. It cannot but be admitted that behind the successes, there were work and toil of the Office of the Commissioner for Human Rights in the Russian Federation and representatives of the state bodies, primarily those, who aim at development within the State based on strengthened human rights guarantees.

An analysis of the trends in appeals addressed to the Commissioner demonstrates a general pattern of a small decline in the number of complaints, though, in some areas of the citizens' rights protection, the decrease was quite noticeable: the housing (particularly, issues relating to equity construction, relocation from unsafe housing, placement on the list of individuals requiring an accommodation, issues of rent and communal payments); labour relations (especially employment relations and occupational safety regulations); protection of the family, motherhood, fatherhood and childhood (child support obligations, relations with the tutorship and guardianship agencies); citizenship and foreign migration (issues of obtaining temporary residence permits and residence permits, legalization of stay in the Russian Federation of persons without relevant documents) and in a number of other areas.

These results are positive consequences, among other things, of the launch of national strategic development projects, the improvement of legislation on human rights and freedoms and the strengthening of monitoring capacity of civil society organisations. The latter institutions received strong financial support in the form of presidential grants.

In 2019, having used the full range of instruments provided for by law for the protection of human rights, the Commissioner working directly with State bodies, especially the Prosecution’s Office bodies and with the support of civil society organisations, was able to resolve successfully 1,442 complaints, including 82 collective complaints. Targeted assistance was provided to protect the rights of
2,503 citizens. In all, hundreds of thousands of people benefited from measures taken by the Commissioner. Thus, the employees of 35 enterprises, the inhabitants of 47 settlements with unfavourable environmental conditions and the residents of 7 unsafe housing accommodations received assistance in restoring their violated rights.

Another significant success was the Russian-Ukrainian prisoner exchange in the “35 for 35 format”, when the former head of the RIA «Novosti of Ukraine» Kirill Vyshinsky, the Russian Navy’s Black Sea Fleet seamen Alexander Baranov and Maxim Odintsov and others returned to their families and beloved ones. The Commissioner was immediately involved in the exchange preparations in close cooperation with professionals from the security and law enforcement agencies after the agreement had been reached between the President of the Russian Federation, V. V. Putin, and the President of Ukraine, V. A. Zelensky. Before the exchange the Commissioner held intensive negotiations with the Ukrainian Parliament Commissioner for Human Rights and international bodies.

In addition to dealing with citizens' appeals, the Federal Constitutional Law «On the Commissioner for Human Rights in the Russian Federation» provides for four other areas of activity: international cooperation, legal education, human rights legislation improvement and coordination of the activities of the Russian regional ombudsmen. Each of these areas is the subject of a separate section of the unabridged annual Report, which sets out the concept of human rights development (theoretical part) and provides a factual description of the measures taken to promote human rights within a certain area of the Commissioner’s activity (practical part). Therefore, in my Introduction to the present Summary Report, I would like to draw attention to only a few points that seem to be of crucial importance.

Firstly, as a result of bilateral interaction with our foreign counterparts, strengthening the activities of the Eurasian Ombudsman Alliance, established two years ago, and strengthening communications with the human rights bodies of the United Nations and the Council of Europe, we successfully attracted attention to the problems of protecting the rights of our compatriots abroad, called for support
in combating Russophobia, raised global issues of the inadmissibility of human rights politicization, double standards and the use of hate speech in international human rights dialogue.


In 2019, in the course of the Eurasian Ombudsman Alliance (EOA) meeting, ombudsmen of Serbia and Tajikistan joined the EOA increasing the number of the members to seven. The ombudsmen, members of the EAO, decided to include into their plan of work for 2020 human rights protection events within the context of the 75th anniversary of the End of World War II.

Secondly, another important event of the year was the establishment of the Research and Training Centre for Human Rights (hereinafter referred to as TRC for Human Rights) at the Kutafin Moscow State Law University under the auspices of the Russian Human Rights Commissioner. The Commissioner came forward with the proposal of the establishment of the TRC for Human Rights two years ago, that was supported by the President of the Russian Federation. Now, when the organizational and legal issues have been resolved, the idea has been implemented into practice. The significance of this event cannot be overemphasized. We have high hopes of the TRC for Human Rights, which main tasks are to provide training and refresher courses for the Russian regional human rights ombudsmen, children’s rights ombudsmen, business rights ombudsmen, their offices’ staff, the staff of the Commissioner’s Office, human rights defenders, as well as to conduct fundamental research in the field of the protection of human and citizens’ rights and freedoms. The Commissioner is in charge of the scientific and methodological management of the Centre.

Thirdly, in 2019, the Human Rights House, the permanent site of the Commissioner for Human Rights in the Russian Federation was opened in Moscow. The new building equipped with the highly accessible newest reception cen-
The institution of regional ombudsmen continued to strengthen and develop. The quality of its work has improved considerably due to the introduction of a uniform methodology and common conceptual approaches to the problems of ensuring human rights and freedoms throughout the Russian Federation. As a consequence, the recognition of the Russian regional ombudsmen activities has grown and deepened among the Russian public.

In March 2020, the Federal Law «On Commissioners for Human Rights in the constituent entities of the Russian Federation» was adopted with immediate involvement of the Commissioner.

Another important development of the human rights protection work was the meeting of the President of the Russian Federation with the community of the Russian Human Rights Commissioners held in the Kremlin on 10th December 2019. During the meeting, there had been a frank and full exchange of views on the most important problems of observance and protection of human rights in Russia.

Nowadays, the society’s request to improve the level of protection of human and civil rights and freedoms in the Russian Federation requires from the system of the Russian ombudsmen to look for new forms of work to be more effective, increase the effectiveness of the already available tools, and, being the place of last resort to remedy an injustice, to strengthen and develop its capacity, independence and impartiality in the spirit and in line with the Venice Principles of 2019.

Currently, we are faced with increasingly wide-spread human rights violations committed by private companies carrying out public services and private businesses. However, the Commissioner has no jurisdiction over the private sector as her authority is limited to the investigation of complaints about maladministration or alleged human rights violations by State and municipal bodies. We, therefore, intend to develop legislative proposals to expand the Commissioner’s power.
The lack of mutual tolerance and self-restraint in the exercise of the authority reinforces the need to bolster a culture of respect for human rights in all spheres of life but particularly among public officials. This is the task that we have set for ourselves, developing and proposing a set of public legal education measures.
CHAPTER 1. Rights and freedoms of man and citizen: public perception, monitoring of appeals, and outcome of their examination

1.1. Public perception of human rights and freedoms

In her activity, the Commissioner relies on the public opinion survey on a broad array of human rights subjects, which is carried out annually by the Public Opinion Foundation (hereinafter - POF).

The results of the survey conducted in 2019 showed that public perception of human rights issues did not change significantly from the previous year. While in 2018, 53% of the respondents expressed overall dissatisfaction with observance of human rights in Russia (34% of surveyed expressed satisfaction), in 2019, 54% of the respondents reported problems with human rights in the Russian Federation (33% of the respondents were generally satisfied).

In the ranking of the importance of rights and freedoms that emerged from sociological research in 2019, Russian citizens continue to give priority to socio-economic rights in such areas as health care, education, housing and social security, labour relations.

As in previous years, the overwhelming number of respondents (80%) listed the right to free medical care among the most important rights. In 2017, this figure was 81%, in 2018 - 78%. The right to free medical care was most often cited by respondents residing in the Southern, Siberian and Volga Federal Districts of the Russian Federation (82%).

The right to free education ranked second in the survey. As of 2018, it was cited as of high significance by 62% of respondents. Regional distribution of the significance of the right to free education is also comparable to the results of sociological research conducted back in 2018 when inhabitants of the Southern Federal District (67%), Siberian Federal District (66%) demonstrated the highest concern for free education.

The right to housing and its fair prices remains the third most important of the rights and freedoms, although the level of interest of citizens in the imple-
mentation of this right has increased slightly to 56% (3% more than in 2018 and 1% more than in 2017) with the majority of respondents from the South and North-West Federal Districts.

The importance of the right to work and its fair remuneration (53%) among the respondents increased by 7% compared to 2018, putting it in fourth place in the ranking. 62% of those surveyed in the Siberian Federal District and 59% in the Volga Federal District prioritized the right to work.

Although the unemployment rate fell to 4.6% in 2019 we still witness the increasing public demand for better implementation of the right to work. Thus, according to polls conducted in 2019, the population’s concern about unemployment along with anxiety about higher prices and armed conflicts remained the most widespread in Russian society.

The right to social security, noted by 48% of respondents, comes in fifth place in the ranking of rights and freedoms. In 2019, the number of citizens who reported it increased by 7 per cent compared to the previous year. The inhabitants of the Volga Federal District (52%) and Siberian Federal District (53%) cited it most frequently.

The public indicators concerning the right to liberty and security of person have not changed in comparison to 2018. As in the previous year, 47% of those surveyed across the country indicated its importance putting it in sixth place in the ranking. The highest response rate was received in the South Federal District (52%).

The importance of the right to a fair trial and equality before the law (27% in 2018, 33% in 2019) has gone up one notch in the rating (seventh place). It was most frequently reported by respondents in the Central and Ural Federal Districts (35%).

The right to inviolability of property and the home is ranked eighth among the most important rights and freedoms. It should be noted that in recent years, according to the results of sociological surveys, public concern about the right to inviolability of property and the home has been steadily decreasing: in 2017, it was
noted, on the average, by 33% of respondents, in 2018 – 31% and in 2019 – 30% with residents of the Siberian Federal District - 33%, Central Federal District – 31%, and Ural Federal District – 31%.

The ninth most significant category of rights and freedoms is the right to own land in private ownership (28%), noted as the most relevant by respondents in the South Federal District (36%) and North Caucasus Federal District (35%). In 2019, the overall percentage of respondents who mentioned the right increased compared to 2018 (27%), but the slight increase did not affect its ranking.

The tenth place in the rating retains the right to a favourable environment, noted by 27% of respondents. However, there has been a slight increase in the public concern for this right: in 2018, it was mentioned as relevant by 23%, in 2017 – 21%. The respondents from Siberian and Far Eastern Federal Districts ranked it with 31%.

Meanwhile, personal and political rights are gaining more importance. As compared to 2018, in 2019, proportions of respondents indicating freedom of expression as relevant human right increased from 20% to 24%, the right to participation in political and public life from 3% to 6%, freedom of mass activities from 2% to 4%, the right to submit individual and collective appeals to public authorities from 2% to 3%, freedom of establishment and operation of socio-occupational organizations from 1% to 2%.

According to the survey, the highest number of respondents (14%) refer to the media as the most trusted institution of civil society that play an important role in ensuring respect for and protection of human rights and freedoms. There was an increase in the proportion of respondents (from 6% to 8%) who noted the importance of the Presidential Council for Civil Society and Human Rights. A similar proportion of surveyed (8%) acknowledged the work of non-governmental human rights organizations.

According to the respondents, despite the proclaimed equality before the law and the courts guaranteed by the Constitution of the Russian Federation, human rights protection is not yet effectively ensured to all. The overwhelming majority
of respondents (67%) are convinced that the rights of certain groups are violated more frequently. 21% of surveyed believe that the poor are the least protected category of the population.

1.2. Appeals: scope, trends and categories

In 2019, the Commissioner received 38,328 appeals, of which 1,683 (4.4%) were collective submissions. Furthermore, the Commissioner and her Office conducted 4,482 face-to-face interviews. The necessary consultations and assistance were provided by the Office staff to 12,009 citizens on the telephone. 100 more investigations were initiated by the Commissioner based on the mass media reports.

The analysis of the data available in the Office of the Commissioner makes us believe that the question of social justice as a phenomenon of particular importance to the individual in the system of social and economic rights is gradually giving way to procedural justice and fairness. This is evident from the shifts in the subject matter of citizens' submissions to the Commissioner: the number of communications on social and economic issues is decreasing while the number of appeals on protective legislation matters is increasing.

There have also been the following changes in the dynamics of appeals submitted to the Commissioner: an increase in the number of communications concerning criminal procedure and penal enforcement legislation; an increase in the number of appeals concerning legislation on social insurance and social security, protection of the rights of compatriots, health care and medical aid, and education. At the same time, the number of complaints against violations of citizens' rights in the area of housing legislation, religious legislation, labour legislation and migration legislation has decreased.

Almost one-third of petitions from citizens (32%) concerned about the implementation of the criminal procedure legislation (12,168), which accounted for an increase of 9% over 2018. In this particular group of complaints, there was an increase of 27% concerning questions of criminal inquiry and preliminary in-
vestigation, of which a noticeable increase by one third was shown in the number of complaints about the unfounded nature of criminal proceedings. In addition, there was a 29% increase in the number of complaints related to the refusal to register claims that an offence had been committed as well as a 27% increase in the number of complaints against decisions not to initiate criminal proceedings.

Despite the general decline in the number of applications submitted to the Commissioner, citizens' appeals on the observance and protection of housing rights were in second place with a total of 4,492 (11.7%). This represented a decrease of 15.7% compared to 2018. The number of complaints relating to the issues of participatory housing construction significantly reduced (43%). At the same time, there was a reduction in the number of appeals concerning housing provision for certain categories of citizens – appeals about relocation from emergency housing and recognition of the right to ownership of housing. It should be noted that among citizens’ complaints concerning the housing issues, the most pressing questions are those related to rent payment, communal services, placement on the list of individuals requiring an accommodation, and social housing.

One in every nine petitions submitted to the Commissioner concerned the implementation of penal enforcement legislation (4,187), representing a 13% increase over the previous year. There also was a significant increase of 34% in the number of complaints concerning detention in pre-trial detention facilities and remand centres, and a 28% increase in the number of complaints concerning early release from prison. We also note an increase in the number of complaints about the use of excessive physical force and “special means” by the surveillance and guard staff (more than twofold).

There also was an increase of 8.4% in the number of applications in connection with the implementation of social insurance and social security legislation as well as a 14.7% increase in the number of complaints concerning the recalculation of pensions (mainly related to the recent pension reform), and almost a doubling of the number of complaints concerning benefits for persons with disabilities.

In total, in 2019, there was an average of 2.61 applications to the Commissioner
per 10,000 population.

A more detailed analysis of the applications by groups of rights, the geographic distribution of applicants and the information on the number of applications submitted to the Commissioner in 2019 can be found in the «Human Rights Map of Russia» uploaded on the official website of the Commissioner (URL:http:///maprightsrf.ru/).

1.3. Main outcome of examinations of citizens’ appeals

In 2019, due to close cooperation with the State authorities, human rights community, international organizations and regional human rights commissioners, there were successfully resolved 1,442 complaints, including 82 collective complaints.

Targeted assistance for a redress of human rights violations was provided to 2,503 citizens. In all, the immediate positive impact of the successfully resolved complaints affected hundreds of thousands of people (more than 460,000).

In 2019, the staff of the Commissioner’s Office provided 20,697 consultations to the petitioners on the means of their rights and freedoms protection. The Commissioner forwarded 12,486 petitions to the prosecutors’ offices and other State and municipal bodies with requests for inspections and provision of assistance to citizens in the restoration of their rights. The Commissioner investigated 75 criminal cases as well as civil cases and cases on administrative offences that had been unlawfully dismissed. The Russian national human rights institution prepared and forwarded to governmental bodies thirty-nine opinions and conclusions based on the outcome of citizens’ complaints investigations.

In 2019, there were successfully resolved 620 complaints related to criminal proceedings matters and 4,055 petitioners were provided with legal assistance on criminal proceedings issues. The rights of 196 convicts and detainees were restored with more than 4,000 convicts and detainees provided with legal assistance and advice.
There were successfully restored the rights of 153 complainants who submitted their appeals to the Commissioner concerning violations of their housing rights. Furthermore, 25,375 persons were provided with legal assistance concerning the matter of housing rights.

In 2019, 67 appeals concerning social security issues lodged to the Commissioner were decided favorably.

The legal assistance on the issues of health care and medical aid was provided to 56 individuals, including 5 cases involving an unspecified number of persons.

Labour rights of 40 petitioners were restored due to the Commissioner’s actions while legal assistance was provided to 15,478 citizens and over 580 million rubles of salary arrears were paid to workers.

Citizens' educational rights were protected in 22 cases investigated by the Commissioner while legal assistance was provided to 380 citizens. Furthermore, forty-seven complaints against violations of citizens' environmental rights were positively resolved favourably impacting the lives of 121,400 people; legal assistance was provided in 18 cases concerning the protection of citizens' rights in administrative proceedings; nine persons received support for the protection of their right to timely and objective consideration of citizens’ petitions by State bodies; the High Commissioner also provided assistance to 29 complainants and members of their families (65 persons total) concerning protection of the right to citizenship and the right to freedom of movement.

The High Commissioner in cooperation with other national human rights institutions, the Russian Ministry of Foreign Affairs and competent authorities of foreign countries provided assistance to 57 Russian citizens residing abroad.

At the request of foreign ombudsmen, foreign nationals and interested individuals, the High Commissioner assisted in restoration of rights of 35 foreign nationals residing in Russia.
CHAPTER 2. Protection of civil and political rights and freedoms

2.1. Right to elect and to be elected

In 2019, guarantees of citizens' suffrage were expanded. In particular, they were given the opportunity to vote in elections to regional authorities and in a referendum being included in the voters' list at the place of his or her temporary location. The procedure for including shift workers in voters’ lists has been improved. Election commissions have been granted the right to receive information contained in the Unified State Register of Civil Status Records in order to improve the accuracy of voter lists.

On Single Voting Day, September 8, a number of election technologies were tested. More than 12 thousand polling stations were equipped with video surveillance, more than 100 thousand users watched the course of voting and vote counting on the Internet in real time.

The Commissioner received 51 appeals on the electoral rights of citizens; the Commissioners for Human Rights in the constituent entities of the Russian Federation received 249.

There was an increase in the number of complaints about the refusal to register candidates. In addition, citizens appealed about the implementation of active and passive suffrage. Appeals mainly related to early voting, lack of information in the voter lists. For all requests clarifications were given.

A certain part of the messages concerned the problems of formation and organizing activities of electoral commissions. Citizens expressed their disagreement with the appointment of members of election commissions, the procedure for financial support of their activities, reported the emergence of personal interest in the performance of official duties by these persons.

A tenth of the complaints contained claims on the organization and implementation of the vote. The applicants complained about the lack of information about the location of local electoral commissions, about the shortcomings in the operation of polling stations, and requested assistance with electronic voting.
On issues of violation of the will of voters, about 8% of appeals were received in which citizens referred to the negative impact of campaign materials on their attitude to candidates, as well as the impact of election commissions on voting results.

Several appeals concerned registration and compilation of the voter list, and the receipt and dissemination of information about the electoral process. In this area, citizens were given all the necessary explanations.

In the framework of the Cooperation Agreement concluded in 2016, cooperation was carried out with the Central Election Commission of the Russian Federation (CEC) during the preparation and conduct of election campaigns. Regional Commissioners worked with the election commissions of the constituent entities of the Russian Federation.

During the preparation and holding of the Single Voting Day, the Commissioner’s Office had a monitoring working group with representatives of human rights and scientific communities analyzing citizens’ complaints about violations of the electoral law, monitoring the media and the Internet, liaising with regional representatives, exchanging information with the CEC of Russia.

As in previous years, a helpline was organized, which was an additional channel of information on the course of the elections and made it possible to quickly respond to incoming signals. In total, during the preparation and holding of the Single Voting Day, the helpline received 23 complaints from citizens, the largest number coming from voters in Moscow, Kaluga and Samara Regions.

In the regions, monitoring was carried out by Commissioners for human rights in the constituent entities of the Russian Federation. Most of the appeals addressed to them dealt with the organization of voting and required the necessary clarifications in this regard (82%). A tenth of the appeals contained complaints about the premises for voting. Roughly the same share - about the non-inclusion of citizens in the voters’ lists. Isolated appeals were received regarding compliance with the rules of the election campaign and the voting procedure.
Refusal of registration to 57 candidates for deputies to the Moscow City Duma was the reason for the outburst of protest moods in the city of Moscow due to violations that, in the opinion of these candidates and their supporters, were committed during the collection of voters' signatures. As a result of the consideration of their appeals by a specially created working group, of the 16.3 thousand rejected signatures, the Moscow City CEC and the CEC of Russia restored about 2.5 thousand. One decision of the district election commission to refuse to register the candidate was undone in a court of law, the candidate was restored to the lists.

What remains important is a further search for forms of introducing the latest information and communication technologies into the electoral process. Despite the fact that in general the experiment on conducting remote electronic voting in the city of Moscow received positive assessments from the public, during the voting there were technical problems that led to prolonged interruptions of the voting process.

There is room for more active involvement in the election process of multifunctional service centers (MSCs) in terms of filling out applications for voting at the place of temporary location, as well as for the implementation of the Electronic Passport system, which involves recording all basic data about the citizen (passport data, information for biometric authentication, driver’s license data, migration registration, SNILS, TIN) on electronic medium in the form of a plastic card with a chip. Its introduction will help minimize the human factor in collecting signatures to support a candidate, solve the problem of conducting graphological examinations and confirming information about voter registration.

2.2. Rights to citizenship of the Russian Federation, freedom of movement, choice of place of stay or residence

The state encourages the acquisition of citizenship of the Russian Federation. At the end of 2019, 497 817 people received Russian citizenship, which is 84.8% more compared to 2018.
We note with satisfaction that the legislation on citizenship in 2019 reflected the proposals previously expressed in the annual reports of the Commissioner: the categories of foreign citizens and stateless persons who could be issued a temporary residence permit without taking into account the quota established by the Government of the Russian Federation; the possibilities of acquiring passports for certain categories of people located in the Russian Federation were increased; the right to obtain citizenship in a simplified manner is granted to certain categories of foreign citizens. These and other measures led to a slight decrease (by 9.5%) in the number of complaints received regarding 

citizenship and external migration (1091).

Almost 40% of the applications contained a request for assistance in acquiring citizenship of the Russian Federation. There were also requests for assistance in verification of Russian citizenship. Their number compared to the previous year increased by 18%.

A large group consists of appeals on restrictions on entry into Russia (38%), as well as on expulsion, deportation, extradition and readmission. The decisions of the migration authorities were justified by the violation by foreign citizens of the rules of residence on the territory of Russia, including the excess of the permitted period of stay, and repeated administrative offences. The number of such appeals increased by 13% compared to the previous year.

A tenth of the applications (10%) concerned the issues of obtaining temporary residence permits and residence permits. Foreign citizens and stateless persons asked for help both in the initial acquisition of these statuses and in their extension. The number of such appeals decreased by 14% compared to the previous year.

A separate group of appeals (58) consists of requests for assistance in the legalization in the Russian Federation of persons who do not have documents to stay in the country (or valid identification documents). Their number has decreased by more than 2 times compared to the previous year due to a decrease in the number of requests previously received from the CIS countries.
As a positive trend, we can note a 49% decrease in the number of appeals regarding **recognition of a passport unreasonably issued**. The decrease in the number of applications can be explained by the entry into force of the Federal Law of July 26, 2019 No. 236-ФЗ “On Amendments to the Federal Law On Citizenship of the Russian Federation” and Article 3 of the Federal Law “On Amendments to the Federal Law On Citizenship of the Russian Federation”, According to which persons who received a Russian citizen’s passport before January 1, 2010, and from whom the Russian citizenship was subsequently revoked by the authorized body, have the right to acquire it in a simplified manner.

The number of **appeals on internal migration** has traditionally remained insignificant, which is a consequence of a consistent state policy in the field of ensuring freedom of movement and choice of residence. A total of **43 complaints** were received.

Most of the messages in this group (22) addressed **registration problems**. The applicants pointed to the difficulties that exist when registering at the place of stay or at the place of residence, although their number decreased by 27% compared to the previous year. Most often, they required clarification of the legislation.

Individual complaints related to issues of **recognition of forced migrant status**. Citizens were denied due to the provision of state support measures or the availability of housing (in the form of social hiring) for them (their family members). The number of such applicants has decreased by more than half compared to the previous year.

An analysis of the appeals, law enforcement practices and recommendations developed during the round table held jointly with the human rights community and members of the Expert Council on October 29, 2019, on the topic “Issues of Observance of the Rights of Foreign Citizens and Stateless Persons during the Identification Procedure”, allows to highlight a number of problems in the field of migration.

Despite the measures taken by the state, **difficulties remain in regulating the legal status of persons who are on the territory of the Russian Federation**.
without identity documents. Although their number is declining annually, the problem has not been fully resolved. The most acute is the question of a temporary document certifying the status of a person who does not have citizenship. Currently, a bill has been submitted to the Government of the Russian Federation providing for the issuance of such a document. It will allow stateless persons to legally be in the country, to carry out labor activities without obtaining permits and, subsequently, to determine their legal status.

For several years, the human rights community has been drawing the attention of the authorities to the practice of prolonged stay in temporary detention centers for foreign citizens (hereinafter - TDCFC) of persons subject to administrative expulsion, including those who do not have documents proving their identity and citizenship. Ways to solve it were proposed by draft law No. 306915-7 “On Amending the Code of the Russian Federation on Administrative Offenses”. It is proposed that the period of detention in TDCFC be limited to 90 days from the date of the decision on administrative expulsion from Russia, as well as the establishment of rules for extending the specified period and appeal in a court of the lawfulness of detention in TDCFC.

Of particular concern are cases of deportation of foreign citizens from Russia to their state of origin, where they may be subjected to ill-treatment. The ECHR has repeatedly stated in its decisions that the state, when deciding on the expulsion of a foreign citizen, is obliged to assess the real risks of torture and other forms of violence against him in the country where the person is sent. Otherwise, it will result in a violation of his rights. In this regard, The Commissioner suggests that the Government of the Russian Federation should develop more precise instructions on the deportation of foreign citizens, which would take into account the position of the ECHR.

Many complaints are received in connection with the establishment of bans on the entry into the country of foreign citizens who have repeatedly violated administrative law during the year. Such a requirement is provided for in paragraph 1 of Article 9 of the Federal Law “On the Legal Status of Foreign Citizens in
the Russian Federation”. Sharing the concern of the competent authorities for the need to encourage foreign citizens to comply with the migration legislation, we also note the need in all cases when the deportee has family, educational, labor and other ties in Russia, to be guided by the principles of humanism and justice and use deportation only as a last resort.

2.3. Freedom of conscience and religion

The particular relevance of this right is confirmed both by the value of traditional world religions for citizens, and by a huge number of various religious organizations, the number of which in Russia exceeds 31 thousand.

In 2019, the state adopted a number of measures to strengthen guarantees of the rights of believers and religious associations. Thus, religious organizations are endowed with the exclusive right to carry out pilgrimage activities. Spiritual educational organizations have the right to implement additional curricula and vocational training programs.

In 2019, the Commissioner received 1889 appeals on freedom of conscience and religion, including 56 collective ones. This is 32% less than in 2018. The decrease was mainly due to a 3.5-fold decrease in appeals regarding the refusal of the procedure for electronic identification and authentication of a person, and a 3-fold reduction in the appeals regarding restrictions on the right to freedom of conscience and religion.

At the same time, the number of appeals in connection with the refusal of believers to receive and use documents contrary to religious beliefs has increased noticeably (by 58%), and they represent the largest share of appeals.

Despite the decrease in the number, the second place is kept by appeals on the rejection of the identification and authentication procedure (27%). Believers continue to report on the threats posed by the introduction of modern technologies that allow total control over the private life of the individual. The applicants insist on the need for an alternative system of registration of citizens and methods
of their identification for the provision of social, medical, insurance and other services.

The third largest share was represented by appeals in which citizens stated their disagreement with the collection and processing of their personal data (26%). Believers reported unlawful requirements of state bodies and organizations to provide personal data upon receipt of services and paperwork. Such appeals came from residents of the city of Moscow, Moscow, Sverdlovsk and Chelyabinsk regions, the Stavropol Territory.

For the first time since 2019, complaints began to be received in connection with the installation of video surveillance cameras in churches and monasteries (9%). Believers expressed the view that, under the pretext of combating terrorism, video or audio recordings of committed personal religious sacraments in which they take part, as well as information resulting from such participation, protected by the Seal of the Confessional, may become available to unauthorized persons or illegally used to the detriment of the rights of believers. There is a conflict of interests between the right to personal space of believers, the inviolability of their private life, and the right of people to safety. All this predetermines the need for additional study of this issue and abstinence from specific measures for the forced implementation of video surveillance in churches.

Significantly fewer complaints were received regarding the restriction of the right to freedom of conscience and religion (2%). In them, citizens reported the establishment, in their opinion, of illegal obstacles to free access to churches and monasteries.

In the aspect of the realization of the right to freedom of conscience and religion, the question of finding mechanisms of interaction between the state and the individual that would ensure a balance of interests taking into account the particular worldview of believers while maximizing the rights of all citizens of the country remains relevant. In this regard, it is important to ensure that the opinions of the population are taken into account when choosing a place for the construction of religious buildings. Protests against the construction of temples in green

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areas in 2019 took place in a number of constituent entities of the Russian Federation. Moreover, local residents often do not oppose the construction of churches, but rather act in defense of parks and squares from large-scale development.

Noteworthy is the lack of legislation establishing the legal status of military and law enforcement, prison and hospital priests in Russia. Their legal status is not defined, and the regulation of activities is carried out on the basis of departmental normative acts or personal agreements of officials and clergy.

In connection with the increasing incidence of public desecration of religious or liturgical literature, objects of religious veneration, etc., as well as conflicting judicial practice in administrative matters of this category, an important role in ensuring the rights of citizens to freedom of conscience is played by the Review of judicial practice in cases of administrative offenses provided for in Article 5.26 “Violation of the legislation on freedom of conscience, freedom of religion and religious associations” of the Administrative Code of the Russian Federation, approved on June 26, 2019 by the Presidium of the Supreme Court of the Russian Federation. It seems that this document will contribute to increasing the effectiveness of protecting the rights of believers.

2.4. Right to lodge complaints with state and municipal authorities

Every year, state and local authorities consider millions of appeals from citizens. However, applications are not always considered in accordance with established procedures. On the implementation of the right of citizens to appeal to the authorities, the Commissioner received 349 complaints (in 2018 - 314; in 2017 - 497).

The largest proportion (65%) is complaints about the organization of personal interviews. This is due to the fact that in a public environment, priority is given to live communication rather than other methods of communication. In particular, people are not satisfied with the lack of information about the time and procedure for the reception of citizens by officials, refusals to record, postponement of time and long waiting periods, and inappropriate reception by an official.
The second place (15.5%) is occupied by appeals containing **claims to the quality of responses received from public authorities**. The applicants note: incomplete answers to the questions posed; ignoring the applicant's arguments; the uncertainty of responses to statements; bringing a large number of references to regulatory legal acts with a minimum consideration of specific circumstances of the case; lack of arguments in the refusal of the applicant's request and some other similar claims.

Every tenth complaint related to **the transfer of applications to an incompetent state body**. Often, applications from a supervisory or higher authority are transferred to the territorial unit that issued the contested decision, or are redirected to a public authority, the competence of which does not include their consideration.

The number of complaints filed in connection with the violation of the terms for considering appeals remained at about the same level (6.3%).

To strengthen guarantees of citizens' rights when applying to public authorities, the **Commissioner proposes to legislate requirements for the content of officials' responses to citizens' appeals**.

It also seems relevant to form **a unified system for processing and storing applications** by creating an appropriate Internet portal. Such a system can be integrated with the digital profile of a citizen of the Russian Federation, the initiatives for the introduction of which are currently being developed by government bodies.

One of the guarantees for the protection of citizens' rights is the opportunity enshrined in the Code of Administrative Procedure of the Russian Federation **to file an administrative claim with the court not only in writing, but also in electronic form**.

**2.5. Right to conduct and participate in public event**

In 2019, 63,473 public events were held in Russia, in which more than 7.8 million citizens took part. Compared to the previous year, the **number of protest rallies increased slightly**, about 12.4 thousand were recorded (11.6 thousand in 2018).
In 2019, the Commissioner received 27 appeals on the organization and holding of public events (in 2018 - 22; in 2017 - 51), of which 6 were collective.

The largest number of appeals was associated with an unmotivated refusal to endorse a public event. The organizers pointed to actions by the authorities to change the timing and venue of the action, to ignore the notification, to disagree with the transfer of the action to another place. This is one of the acute problems. Every year, courts hear hundreds of such claims. In 2019, 1321 such cases were submitted to the courts, in 493 cases (in every third case) the applicants' claims were satisfied.

Every third appeal contained complaints about the actions of law enforcement officials in the suppression of public events. The applicants reported disproportionate use of physical force and special means by the police and the Russian Guard, and unjustified detentions of participants in mass actions.

A part of the complaints concerned the imposition of administrative sanctions in connection with a public event and participation in it. Citizens reported violations committed in the drawing of reports on administrative offenses, complained about unfounded court decisions and the imposition of excessively severe penalties.

A problematic topic in the field of the exercise of the right to rallies and assemblies is the validity of the use of force in the suppression of certain illegal public events. The ECHR emphasizes that the fact that law enforcement authorities stopped public events (including using force), detained and brought to administrative responsibility its participants only on the grounds that the event was not authorized, is an unreasonable restriction on freedom of assembly.

To improve legislation governing the conduct of public events remains an urgent task. It seems that in the Federal Law “On Meetings, Meetings, Demonstrations, Processions and Pickets”, as well as in the laws of the constituent entities of the Russian Federation, it is important to specify in detail the approval procedure and the grounds for refusing to hold a public event, the duties and rights of its organizers and public authorities, establish minimum requirements for venues for
public events (availability of transport and other infrastructure, adequate space, compliance with sanitary norms and rules). More flexible deadlines for notifying public events are also required.

In the context of the development of information technology, the proposal to supplement the federal law with a norm that allows the organizer of a public event to file a notice in the form of an electronic document deserves support. At the same time, it seems appropriate to return to the question of creating an integrated electronic portal for public events.

The reduction of cases of non-observance of the rights of the organizers when coordinating the place and time of planned public events would be facilitated by toughening the responsibility of officials for illegal refusal to coordinate a public event and an unreasonable proposal to change its place or time.

2.6. Freedom of expression and protection of the rights of journalists

Today, the topic of protecting the freedom of thought and speech is more relevant than ever in the whole world. It is significant for Russian society. According to the Foundation "Public Opinion", in comparison with 2018, the share of respondents who noted freedom of speech as the most important right for them increased from 20 to 24%.

A significant part of the appeals addressed directly to the High Commissioner regarding the protection of freedom of speech and access to information related to the professional activities of journalists. They are conditionally divided into two groups: complaints from Russian journalists who suffered as a result of their professional activities abroad and complaints from journalists subjected to pressure and harassment by representatives of authorities at various levels in our country.

In appeals in defense of the rights of journalists, facts were pointed out that public appearances in the media related to criticism of the actions and decisions of individual authorities led to attempts to harass them, including dismissal from work or even criminal prosecution. Due to the active citizenship of the federal and
regional media, the human rights community, human rights Commissioners in the constituent entities of the Russian Federation, these cases were not ignored. Having received a signal about violations of the rights of journalists, the Commissioner also repeatedly appealed to the competent authorities with a request to conduct an audit, stop the violations and restore the violated rights.

A large group of appeals concerned **the right of hearing-impaired people to access television.** People with disabilities complained about poor-quality and uncomfortable reading of subtitles in TV shows and about a small number of such shows. Due to the large volume of complaints received, the High Commissioner contacted the Ministry of Communications of Russia in June 2019. As a result, measures were taken to ensure the rights of persons with disabilities to access television.

Individual appeals were received regarding **violations of citizens' rights when using means of communication.** They mainly concerned the blocking of various Internet resources, ensuring Internet security, protecting personal data, banning extremist information or information harmful to the development of minors. A new form of violation of the rights of citizens was their harassment on the Internet, which so far does not in all cases find an adequate response from law enforcement agencies.

In this regard, there is a need for additional legal regulation of the circulation of electronic information, which would ensure **a balance between the right of a citizen to freely disseminate information and his obligation not to abuse freedom of speech,** not to infringe on the rights of other citizens, the legitimate interests of society and the state.
RIGHT TO SOCIAL SECURITY appeals by subject

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CHAPTER 3. Protection of social, economic and cultural rights and freedoms

3.1. Labour rights

In 2019, 1524 appeals were received on the observance and implementation of labor rights, which is 5.4% less than in 2018.

The number of complaints related to dismissal and remuneration has increased. They make up 74% of all calls in this category. Of their total number, in 281 cases the applicants complained of judicial decisions on dismissal (for absenteeism, intoxication, as a result of staff reductions, etc.), 306 applicants did not agree with the dismissal, but did not appeal to the court (for when the complaint was received by the Commissioner, the deadline for appeal to the court was missed), 55 people filed complaints about the compulsion to dismiss.

The number of complaints related to wage issues increased by 4% compared to 2018. Citizens most often complain about untimely and incomplete payment of wages and interest for late payments (including in the event of dismissal due to bankruptcy of an enterprise), nonpayment of allowances, surcharges, nonpayment of overtime work, vacations, unfair prices and tariffs etc.

The number of complaints related to violations of workers’ rights when registering labor relations has decreased by more than a third (36%). There were complaints about the non-return and improper execution of employment record books, the refusal of the employer to make corrections to the employment record books and to issue copies of documents to the worker, requests for assistance in recognizing the relationship as labor when the execution of employment contracts was refused or replaced by civil legal acts.

In the field of occupational safety and health, there have been fewer appeals regarding compliance with labor safety standards, and the realization of the right to implement therapeutic, prophylactic and rehabilitation measures in the field of labor protection. The applicants mostly disagreed with the results of the special assessment of working conditions at workplaces, complained about the employer's evasion from it, violations during retraining, certification, professional de-
development, and the exercise of the right to various benefits established by labor legislation.

Every year the number of complaints about violations of working and leisure conditions established by labor contracts and local acts is decreasing. A total of 73 of them were received (about 5%). They indicate the failure to provide workers with the necessary protective equipment, disagreement with refusals to grant leave, with involvement in overtime work.

An analysis of the appeals allows us to conclude that issues related to protecting workers from illegal dismissals and unmotivated denials of employment are still acute. One of the problems in this area was related to the absence of a legal mechanism in the current legislation that would ensure the preservation of average earnings for the period of employment for employees dismissed in connection with the liquidation of the organization, if the employee had the right to provide appropriate payments after the completion of liquidation procedures.

Even now, the issue of limiting the right to participate in a strike has not found full resolution in the legislation. As a general rule, the law prohibits the dismissal of citizens for participating in mass labor protests; exceptions to this rule are established to ensure the safety of individuals, society and the state.

In 2019, the Commissioner began to receive separate complaints from citizens of pre-retirement age about difficulties in finding a job and the threat of dismissal due to staff reductions. The legislation provides for certain guarantees for employees of pre-retirement age - in particular, criminal liability for their unjustified dismissal is established. At the same time, it is often difficult to prove the fact of discrimination in the dismissal of workers.

The prevalence of violations in the execution of employment contracts was also noted by the representative of the Prosecutor General of the Russian Federation at the thematic Coordinating Council of Commissioners for Human Rights, which was held on May 16, 2019. Given the above, it seems necessary to strengthen administrative responsibility for evading or improper execution of an employment contract, as well as for administrative offenses that impede the exercise by
the state labor inspector of his powers to protect the labor rights of citizens. Relevant proposals can be taken into account in the new Code of Administrative Offenses of the Russian Federation.

In addition, it is necessary to toughen the punishment of employers for committing crimes under Article 145.1 of the Criminal Code of the Russian Federation, which violate both the social rights of specific citizens and the stability of public interests in general. Relevant proposals were made by the Commissioner to the Government Commission on the Prevention of Delinquency, of which she is a member, and taken into account in the final protocol of the meeting.

The problem remains in the issue of repayment of wage arrears to employees in case of insolvency (bankruptcy) of enterprises. In 2019, a positive trend was noted in the decrease in the number of legal entities declared bankrupt: according to the results of three quarters of 2019, it decreased by 7.6% compared to the same period last year. At the same time, in certain sectors - in the field of commercial services and the electric power industry, there have been more cases of bankruptcy. On behalf of the President of Russian Federation, in connection with the appeal of the Commissioner, monitoring of this problem is under the control of the Government of the Russian Federation.

The High Commissioner is in favor of increasing the effectiveness of labor supervision and control. This requires the development of the practice of creating inter-departmental working groups at the prosecutor's offices of the constituent entities of the Russian Federation, which has already shown its effectiveness in a number of regions. It would be useful to involve regional human rights ombudsmen in this work.

3.2. Right to housing

In 2019, 4492 appeals were received on issues related to the violation of housing rights, which is 15.7% less than in 2018 and 38% less than in 2017. The number of collective appeals was 10% less than in 2018 and 57% less compared to 2017.
The overwhelming majority of appeals relate to utility and housing tariffs. The increase in the number of complaints on this topic is to some extent due to the introduction of new payments for citizens within the framework of the regulation system for services for the treatment of municipal solid waste (MSW).

Difficulties in obtaining measures of state housing support were reported by 16% of applicants. Among them are victims of emergency situations, liquidators of the Chernobyl accident, residents of the Far North and equivalent localities, internally displaced persons, members of young families, war veterans, mortgage borrowers and others.

The Commissioner received 188 appeals on issues of assistance to foreign currency mortgage borrowers. Citizens pointed out the difficulties in communications with banks regarding the achievement of mutually acceptable conditions for restructuring, and expressed concern about the completion of a program of assistance to certain categories of borrowers for housing mortgage loans.

The problem of providing housing for preferential categories of citizens remains relevant. The impossibility of obtaining housing due to inaction of the competent authorities and the lack of sufficient housing support from the state was reported by 674 citizens from among orphans, large families, families with many children, and persons with disabilities, which amounted to 15% of the total number of complaints.

The proportion of appeals related to the problems of maintaining housing records and providing housing under a social rent contract remains high (616 or 14%). Citizens complain that they have been waiting for decades to receive their social housing, the lack of transparency in the queue, red tape when registering for housing, and unreasonable deregistration. At the same time, the active use by citizens of additional measures of state support in the implementation of the right to housing affected the decrease in the number of applications on this topic by 30% (267).

The decline in the number of appeals on issues related to the resettlement of the dangerously run-down housing continued. The dynamics of the last three
years indicate a slow, but stably positive perception of reforms to improve this sphere in the subjects of the Russian Federation by citizens.

At the same time, the content of individual complaints in this category (15) testifies to the problem of construction of poor-quality housing as part of the implementation of programs for the resettlement of emergency housing stock.

Of the total number of appeals, 8% were related to eviction issues. Most complaints on this topic come from citizens who are subject to eviction on the basis of judicial acts. Along with this, there are complaints about illegal actions to evict citizens on other grounds.

In 2019 reports on issues of participation in shared housing construction were received. Citizens who suffered as a result of the actions of unscrupulous developers wrote about the difficulties in obtaining housing due to bankruptcy of investors, problems when including affected equity holders in the register. However, compared with last year, a 40% decrease in the number of complaints from defrauded equity holders and shareholders of building co-operatives was recorded.

About 7% of appeals related to issues of recognition and protection of property rights to housing. Usually such complaints were about disputes arising regarding housing between citizens, issues of privatization of housing, and the commission of illegal actions with housing.

The issues of obtaining housing for people with low incomes remain acute. In this regard, the High Commissioner proposes to stimulate the development of the construction of a non-profit rental housing stock and to more actively use the mechanism for providing preferential land for construction purposes.

Given the insufficient volume of social housing, targeted programs aimed at providing state support in solving housing problems to certain categories of citizens are highly demanded. Thus, over 219 thousand young families are participants in the Housing for Young Families program. However, according to official statistics, the annual need for federal budget funds to provide housing for young families is significantly higher than the allocation. Only 14 thousand families re-
ceive assistance annually. In this regard, compensation is offered to orphans and children left without parental care for the costs of commercial rental of housing or the provision of residential premises of a maneuvering fund for temporary residence until the actual provision of housing.

The problem of **housing for law enforcement officials**, which has been repeatedly raised in the annual Reports, remains acute. Due to insufficient budget allocation, law enforcement officials have been waiting for a solution to their housing problem for many years. The situation is complicated by the fact that often at the end of the service, **law enforcement officers** who are in line for receiving a simultaneous social payment for the purchase or construction of a dwelling are **evicted from dwellings** provided during the service. It is proposed to the Government of the Russian Federation to consider introducing amendments to the Russian legislation regarding the preservation of the right to stay in office premises for the indicated category of citizens, or to receive compensation for hiring.

### 3.3 Right to social security

On the topic of social security, **2756 appeals** were received, which is 8% more than in 2018. Of these, 35 were collective.

The increase in appeals was due to an increase in the number of applications regarding the entitlement and payment of pensions (by 15%) and an almost two-fold increase in applications for social security of persons with disabilities. These trends are determined both by the start of the pension reform in 2019 and by the un-resolved problems of ensuring the rights of persons with disabilities.

More than half of all the complaints (59%) were **complaints about pension provision**. Two thirds of them requested assistance in fair recalculation of the amount of the pension, which was expected in connection with the pension reform. Citizens also complained about the non-inclusion of periods of work in the insurance period, indicated a low pension in the presence of a "long" insurance period, and did not agree with refusals to assign an insurance pension, including an early one.
Every fifth appeal in the field of social security touched upon the issues of establishing disability and providing disabled people with social support measures.

The largest share in this group consists of appeals on creating an accessible environment for people with disabilities. The applicants complain about the lack of ramps in the entrances, the insufficient width of the doorways, low handrails, and other features of buildings and structures that impede access. We have to admit that in most residential multi-apartment buildings of the old construction, people with disabilities still cannot move freely from apartment to street and vice versa.

One third of the appeals (32%) contained requests to clarify the procedure for establishing a disability group and to help establish it. Among these appeals are complaints about decisions of ITU institutions on refusal to establish disability, including without a period of examination.

Often, persons with disabilities turn to the Commissioner with a request to help with the provision of technical means of rehabilitation. Citizens complain that the provision of TMR is delayed, the means themselves are of poor quality, receiving monetary compensation for independently acquired means is delayed. The situation may be corrected by the introduction of a special electronic certificate for the purchase of certain types of TMR by persons with disabilities.

Regarding issues of living in stationary social service institutions, 12% less requests were received compared to 2018. Citizens noted inappropriate living conditions, ill-treatment by staff, poor quality of medical care, unreasonable restriction of freedom of movement, and more.

Many questions arise regarding the pension reform. In particular, the social importance of the task of indexing pensions to persons who exercise custody of minors on a reimbursable basis.

The problem of a decent size of pensions for people living in the Far North and equivalent areas remains.
There remained difficulties associated with the stay of citizens in social service institutions. In this regard, the urgent task is the development of hospital-replacing forms of social services for the disabled.

In this regard, the urgent tasks of developing the institution of foster families for single elderly citizens, which is already working effectively in various regions of Russia.

3.4. Right to healthcare and medical assistance

During the year, 898 appeals were received, which is 23% more than in 2018. Significant growth occurred mainly due to a double increase in the number of requests concerning compulsory health insurance (hereinafter - CHI); more than by 28% - in connection with the quality of mental health care; by 14% - regarding the provision of medical care.

The bulk (57%) are complaints about medical care, its quality and accessibility. The applicants complained about the remoteness of health facilities, the lack of doctors, inadequate organization of patient admissions, the low qualifications of doctors and medical staff, poor conditions for keeping patients in hospitals, etc.

About a quarter of appeals (25%) were received in defense of the rights of persons suffering from mental illness located in stationary health care facilities and the social protection system.

Applications regarding compulsory health insurance amounted to 11%. People are not satisfied with the prices of additional paid examinations necessary for receiving a diagnosis, the waiting time for medical care, the range of medicines in hospitals, the list of free medical services under the compulsory medical insurance and other aspects of medical insurance.

During the year, the group of appeals about the provision of medicines decreased slightly. They represent 5% of the total. In them, citizens reported high prices for medicines, the absence of a number of vital medicines on the market, the low quality of certain medicines, and the lack of control over the sale of medicines.
Among the pressing problems of protecting the rights of citizens in the field of medical care and provision of medicines, the task of providing the populace with **affordable and high-quality medical care** is highlighted. Despite increasing guarantees for high-tech medical care, citizens face difficulties in obtaining timely primary medical care at the place of residence. The consolidation of regional and regional medical centers, the construction of high-tech complexes, of course, is a positive process. But it is accompanied by the closure of small hospitals and township medical, feldsher and obstetric centers. This caused a reasonable discontent of citizens.

The problem of non-observance of the right of citizens to receive free of charge vital and essential medicines remains acute. In this area, it is important to simplify the procedure for writing prescriptions for vital and essential medicines.

Despite the adoption of measures to improve the medicinal supply for citizens suffering from orphan diseases, the problem remains relevant, because there are orphan diseases, the treatment of which is costly, not included in the Seven Nosologies program.

The problem of the availability of foreign medicines in the absence of substitutes in the Russian pharmacy network remains. It seems that the resolution of the situation will also be facilitated by the fulfillment of the order of the President of the Russian Federation on approval in 2020 of the procedure for importing into the country consignments of unregistered drugs containing narcotic or psychotropic substances to provide medical care to specific patients, as well as a list of diseases for the purpose of such importation.

There are problems and difficulties in **the provision of paid medical services**. Citizens often complain about the imposition of a commercial service by medical organizations instead of the prescribed free medical care. The problem lies both in the law enforcement field, when the medical organization admits direct violations of the law, and in the imperfection of the normative regulation. The current legal framework does not allow a clear distinction to be made which services should be provided free of charge and which on a reimbursable basis.
One of the reasons for the inadequate provision of medical care, including its long wait, is the problem of staffing in health facilities. Most often, difficulties are faced by citizens of rural areas who cannot receive medical care due to a shortage of primary health care specialists. Currently, there is a shortage of more than 25 thousand doctors and more than 130 thousand secondary medical workers and medical staff.

Lack of human resources is one side of the problem of quality medicine. The other side is the professionalism of medical workers. According to the data voiced by the Minister of Health of the Russian Federation in February 2020, medical errors lead to complications in 70 thousand patients annually. In some cases, medical errors become the cause of criminal proceedings.

3.5. Right to education and right of access to and enjoyment of cultural heritage

The education system in Russia today covers about 30 million children, youth and about 2.5 million teachers.

The number of appeals on this subject increased by 45% compared to last year and amounted to a total of 398, including 135 collective ones.

Compared to 2018, the number of requests for general education more than doubled, but the number of requests for professional education decreased (by 8%). The number of appeals in the field of preschool and continuing education remained approximately the same.

The largest share is occupied by appeals on issues of obtaining general (primary, basic, secondary) education. Applicants complain about fees from parents, inadequate organization of the educational process, conflicts between teachers and students, refusals to enroll a child in a general education organization.

The second place is taken by appeals on the issues of getting pre-school education. The applicants complained about refusals to enroll children in educational institutions, poor nutrition, inadequate organization of the educational process and childcare, suspension of children from kindergartens due to lack of docu-
ments confirming their annual mandatory diagnosis of tuberculosis, and on other issues.

Every fifth request was for **professional education**. These appeals mainly related to enrollment (transfer), including for individual learning, of persons with disabilities, expulsion from a professional educational organization, difficulties in fulfilling the conditions of contracts for training at their own expense.

On the implementation of the rights of citizens in the field of culture, the Ombudsman registered 23 appeals, which is significantly less than in 2018, when the scope of appeals was related to the holding of the 2018 FIFA World Cup in Russia. The complaints mainly concerned the preservation of historical and cultural heritage (architectural monuments), access to cultural property.

An analysis of the content of appeals and the results of inspections conducted on their basis indicates the relevance of a number of issues of improving legislation and law enforcement practice in the field of education. Parents still encounter difficulties in placing a child in a preschool educational institution within walking distance from their place of residence, with refusals to enroll children who are not registered at their place of residence in kindergartens. And this is a direct violation of the law, because in accordance with the current legislation, citizens are required to register at the place of stay and at the place of residence, but registration cannot serve as a condition for the realization of their rights and freedoms.

We also have to admit insufficient places in general educational organizations. This leads to the training of children in the second and third shift. The measures implemented in the framework of the national project “Education” made it possible to largely solve the problem of training in three shifts, the share of students in the third shift by the end of 2019 was approximately 0.2%. But the practice of training in the second shift is not outdated (it covers about 12% of students).

A number of topical issues are related to the quality of general education. Practice shows that today not all schools are adapted to modern trends in the development of society. Some schools do not have access to high-speed Internet,
there is still room for further development of e-learning and distance education technologies, the problems of the impact on the digital environment and the needs of schools in introducing new educational technologies have not been studied enough.

The problem of providing schoolchildren with free and high-quality food remains topical. According to the Russian Ministry of Education, about 75% of students in Russian schools are not provided with two hot meals a day, almost 40% - even one-time. The President of the Russian Federation pointed out the systemic nature of the aforementioned problem and set the task of providing hot meals to students in grades 1-4 of comprehensive schools.

Despite the measures taken by the state to protect the rights of persons with disabilities, the lack of flexibility of the education system for people with disabilities and the lack of an individual approach when deciding on their education remains an important problem. This is also confirmed by the recommendations to Russia from international bodies.

The widespread introduction of inclusive education, the development of adapted educational programs and the creation of conditions for the vocational education of persons with disabilities are required. There remains a need to take measures to create special correctional groups for children with disabilities in the constituent entities of the Russian Federation in preschool educational organizations.

Ensuring cultural rights should be served by the new Federal Law “On Culture”, the draft concept of which was published by the Ministry of Culture of Russia in March 2019.

Unfortunately, the problems of protecting the right of access to cultural property included in the UNESCO World Heritage List still remain. To date, there are no rules in Russian legislation establishing the procedure for assessing the impact of construction or other works on the value of World Cultural Heritage sites.
To date, the issue of **financial assistance for the poor owners of residential premises located in cultural heritage** sites has not been resolved in the fulfillment of their obligations to preserve such facilities. Clause 3 of Article 14 of the Federal Law “On Objects of Cultural Heritage (Monuments of History and Culture) of the Peoples of the Russian Federation” provides for the payment of compensation for costs associated with the conservation of cultural heritage objects. The procedure for payment of compensation should be determined by the Government of the Russian Federation. However, the necessary regulatory act has not yet been adopted.

### 3.6. Right to protection of family, motherhood and childhood

The right to protection of the family, motherhood, fatherhood and childhood is the most important area of public policy. But there are certain problems in realizing this right. In 2019, 1866 appeals were received on this subject, of which 160 were collective. This is 18% more than in 2018.

The largest share is held by appeals on **educational issues (398)**. Compared to 2018, their number increased by almost half (by 45%). The bulk of the complaints concerned the sphere of getting pre-school education and training in general educational institutions.

The second place is occupied by **appeals on social security issues**. Their number increased by 66% compared to 2018. This group contains many complaints regarding the denial of the assignment of due social benefits, in particular monthly compensation in connection with the birth (adoption) of one or two children; monthly allowance for childcare up to 1.5 years; monthly payments to non-working able-bodied persons caring for a disabled child under the age of 18 years or a disabled person since childhood of group I. Twice as many as in 2018, complaints were received about the actions of the medical and social examination, which refused to establish disability for children.

In a number of regions, the problem of providing land plots for large families remains a problem. Moreover, the land plots often lack the necessary engineer-
The situation can be improved through the introduction of a housing and land certificate for large families according to the format of maternity capital.

The third large group of appeals is related to ensuring the right to housing (334). Among them, a significant part came from large families who were denied housing (147). Others were related to housing registration, eviction, housing for a family with a disabled child. As regards the latter category of applicants, the number of requests was a third higher than in 2018.

The issue of retaining the right of the child and one of the parents to live in a dwelling owned by the other spouse, if they do not have another dwelling, is relevant. Currently, article 31 of the Housing Code of Russian Federation establishes that, upon termination of family relations with the owner of a dwelling, the right to use his housing for a former family member as a general rule does not remain. The only exception is for former family members in whose favor the owner fulfills maintenance obligations. Practice shows that the rights of the child are not always taken into account. Perhaps Federal Law No. 10-FZ “On Amending Article 86 of the Family Code of the Russian Federation”, adopted on February 6, 2020, will ensure the protection of the housing rights of a minor child in the event of the divorce of parents, including by involving a parent who is living separately from the child to participate in additional costs associated with providing the minor with housing.

In appeals in defense of the rights and legitimate interests of children (240), most often parents expressed their disagreement with determining the child’s place of residence and establishing a procedure for communicating with him or her.

There are many appeals regarding the extension of the periods included in the length of service stipulated by the Federal Law No. 400-FZ “On Insurance Pensions” dated December 28, 2013. Their essence boils down to taking into account the entire period when one of the parents leaves each child until they reach 3 years of age, regardless of the number of children in the family. Currently, the pe-
period of such childcare until the child reaches the age of 1.5 years, but not more than 6 years in total, is included in the insurance period.

Every ninth appeal in the family rights protection sector annually concerns the exercise of the right to child support payments (204). Most complaints come from women (70%). According to the statements of citizens, the employees of the Federal Bailiff Service of Russia do not always take all possible measures to enforce judicial decisions to recover child support from parents (93 appeals).

Another problem is the lack of legislation on the obligation of parents to pay child support for children who have reached the age of majority, but who are studying in general education organizations. In accordance with the Family Code of the Russian Federation, minor children and disabled adult children in need of assistance have the right to receive alimony from parents. However, in practice, coming of age does not always coincide with financial independence.

About 10% of the letters contained complaints about the actions of the guardianship authorities, as well as the work of other state bodies. In their appeals, citizens reported on the disrespectful attitude towards them of representatives of these structures, the unsatisfactory organization of activities of institutions for working with the population and their inadequate consideration of citizens' appeals to assist families in difficult situations.

The appeals on health and medical care in 2019 most often contained requests for assistance in providing the child with necessary high-quality medicines and medical care.

On the issue of obtaining and using maternity capital funds, 26 complaints were received. Most citizens asked about the uses of maternity capital funds, about expanding the list of available uses of maternity capital funds, as well as in connection with the refusal of the territorial bodies of the Pension Fund of the Russian Federation to issue a state certificate for maternal (family) capital.

The problem of obtaining a state certificate for maternal (family) capital for fathers who being single-parents raise two or more children whose mothers, being foreign nationals, have died, exists for a long time. According to the Pension Fund
of the Russian Federation, for the period from 2017 to 2019, its territorial bodies adopted 138 decisions to refuse to issue such certificates. At the same time, for those children whose fathers are not Russian citizens, there are no problems with issuing a certificate for maternity capital.

In the annual reports on the activities of the Commissioner, the topic of countering domestic violence has been repeatedly addressed. The Federation Council of the Russian Federation created a special working group to improve legislation in the field of prevention of domestic violence, which at the end of 2019 prepared a draft law “On the prevention of domestic violence in the Russian Federation”. The latest draft law, published for public comment, is a response to a request from Russian society.

3.7. Right to favorable environment and right to land

According to the Public Opinion Fund, in 2019, the significance of the right to a favorable environment for the residents of Russia, compared to 2014, increased almost 3 times, due to the actualization for the society of the problems of garbage accumulation (21%), pollution of water bodies and poor quality of drinking water (15%), air deterioration (12%).

The measures taken by the State have had a positive effect, which is reflected in the number of appeals addressed to the Commissioner by citizens. In 2019, there was a 23% decrease in the number of registered dwellings compared to the previous year (906 in 2018 and 985 in 2017). Notable decreases occurred in land protection (27%), air protection (15%).

There was a slight decrease in the number of requests for protection of water bodies (13%). At the same time, there has been an increase (by 33%) in the number of requests in the sphere of forest conservation, which is largely due to the high-profile reports of forest fires in Siberia in July - September 2019.

Most appeals received were connected to land protection issues (58%). The applicants pointed to the facts of misuse of land, inefficient use of land, inefficient state land supervision and municipal land control. In addition, com-plaints
were received in connection with the pollution of land during the placement and operation of industrial facilities, waste treatment facilities, and the use of harmful fertilizers.

The task of effective management of production and consumption wastes becomes more and more complex. Annually, about 4 billion tons of production and consumption waste are generated in the country, of which more than 50 million tons are municipal solid waste (hereinafter referred to as MSW), which poses critical issues for the State in its treatment and disposal.

Every fourth appeal concerned air protection (27.3%). They reported on its pollution by business entities in connection with non-compliance with the requirements of sanitary and epidemiological legislation, in particular, the excess of the maximum permissible concentration of pollutants, the presence of unpleasant odors and other violations of the requirements of the law.

One aspect of the right to a favorable environment is protection against the adverse effects caused by noise pollution.

Complaints were received on this issue in connection with the commissioning in autumn 2019 of the third runway at Sheremetyevo Airport (hereinafter - Runway-3). In this regard, according to the information of the Moscow prosecutor's office for the supervision of the enforcement of laws on air and water transport, a number of measures have been taken to reduce the noise impact from flights on residents of nearby settlements. In particular, options are being developed for new maneuvering schemes, excluding flights over residential areas.

In the appeals regarding the protection of water bodies (7%), the applicants pointed to the discharge of untreated sewage, violation of the regime of water protection zones, inadequate quality of drinking water and some other violations of water protection legislation.

The proportion of complaints about the conservation of the forest fund was not significant, but the topics raised in them are no less significant than other areas of nature conservation. Citizens raised the issues of forest conservation, observance of citizens' rights and the requirements of legislation when concluding
forest lease contracts, buying and selling forest plantations, accounting for forest land, forest loss due to fires and illegal felling of green plantations.

Many appeals were received in connection with forest fires in the Siberian Federal District. We have initiated prosecutorial checks on these facts and monitored the situation.

There are a number of shortcomings in the management of forest fires during the fire season: poor preparation of fire-fighting forces and equipment; un-timely maneuvering and insufficiency of forest fire-fighting formations during the elimination of fires; failure to extinguish fires in the whole area of forest fires if conditions exist for their resumption; failure to combat forest fires at night; unjustified decisions to stop the extinction of fires in the control area which leads to an increase of fires in the area.

The State Duma is considering a package of laws prepared by the Russian Ministry of Natural Resources and Environment and aimed at developing systematic forest protection against fires, its practice and ensuring the reliability of information on the forest fund.

A total of 662 appeals were received regarding the exercise of the right to use land, slightly less than in previous years (703 in 2018, 804 in 2017). The majority of cases concerned disagreement with the decisions of the land courts (69%). One in 10 appeals involved a challenge to the fact of being held responsible for violations of the land law.

The key to effective protection of citizens' right to a favorable environment is environmental information and legal education. In this regard, it is proposed to consider the possibility of amending educational programs in terms of supplementing them with a special module on environmental and legal foundations, which provides for knowledge and skills to exercise rights and comply with environmental obligations.

The problem of ensuring effective State supervision and municipal control in the environmental sphere remains acute. We have to admit that often
business entities neglect environmental requirements and, despite this, go unpunished.
CHAPTER 4. Protection of human rights in criminal proceedings, institutions of penal correction system and proceedings for administrative offences

4.1. Protection of human rights in criminal proceedings

In 2019, the Ombudsman received 12,168 applications for the protection of the rights of persons involved in criminal investigations or judicial proceedings. This is an increase of 9% over 2018 (11,191).

The largest group of requests related to the stage of preliminary investigation (41%). Compared to 2018, this number increased by 27%.

In their appeals, the applicants complained about the validity of criminal proceedings, the length of the criminal proceedings, the lawfulness of the investigative actions, the fairness of the assessment of evidence. At the same time, the number of complaints related to the validity of criminal prosecution increased by 34% (2114). The number of complaints about the length of the preliminary investigation also increased.

The number of complaints relating to the selection and extension of remand in custody remained at about the level of last year (662). At the same time, the number of communications from entrepreneurs and persons with diseases has increased.

Traditionally, there are appeals on the legality, validity and fairness of sentences in criminal cases (35% - 4301). The nature of these complaints demonstrates citizens' disagreement with the characterization of the criminal acts with which they have been charged and the penalties imposed due to excessive severity. The applicants most often dispute procedural violations, and although most of these complaints are unsubstantiated, in some cases they are.

The analysis shows that the issues of ensuring the rule of law in the activities of officials at the preliminary investigation stage are still relevant, the solution of which could be to expand the powers of prosecutors employed at this stage: the right to initiate and terminate criminal prosecution; change the characterization
of the act; the right to demand investigation to eliminate violations; coordinate copies of documents on the basis of which a preventive measure is selected, etc.

We believe that the full-fledged work of the created "supra-regional" appeal and cassation courts of general jurisdiction will serve as an additional guarantee of strengthening the rule of law.

It appears that the use of new digital technologies in departmental procedural control will enhance its effectiveness. They will enable the heads of the body of inquiry and preliminary investigation to monitor the actions and decisions of investigators and interrogators online.

A relevant topic is the clarification of the legal status of individual participants in the preliminary investigation. Thus, the Code of Criminal Procedure of the Russian Federation does not clearly define when a suspect, accused person, defense counsel, victim or his or her legal representative should be informed of the decision to order a forensic examination, which in practice leads to a limitation of their procedural capabilities. In connection to this, support is being given to the draft law on the specification of the time frame for the presentation of the decision on the appointment of forensic expertise, adopted by the State Duma on the first reading on the 5th of November 2019.

An important step towards improving the quality of judicial decisions would be the introduction of the institution of criminal misconduct in the Russian Federation. These are acts with the least social danger, committed without aggravating circumstances and not providing for punishment in the form of imprisonment. A person who has committed a criminal misconduct will not be considered convicted.

A separate problem is the validity and reasonableness of the terms of detention of accused persons and defendants. Over the past decade, the ECHR has issued more than a hundred judgments against Russia regarding illegal and unjustified detention. Violations of article 5 of the Convention for the Protection of Human Rights and Fundamental Freedoms are frequently alleged. The President of the Russian Federation also noted this problem, pointing out that it is un-
acceptable to take into account only the gravity of the charges when deciding on preventive measures.

However, there is still considerable scope for further improving the procedure for electing and extending this preventive measure. For example, the introduction of the institution of investigative judges, who will take over the authority to consider the investigator's requests for election and extension of the terms of detention. It also seems advisable at the legislative level to limit the period of maximum stay of a person in a pre-trial detention center and at the stage of judicial consideration of a case.

4.2. Protection of victims’ rights

Every year in our country, a huge number of people become victims of crime. According to the Office of the Procurator-General of the Russian Federation, 1 617 177 persons were recognized as victims in 2019 alone, an increase of 2.8% over the previous year. The damage from crimes amounted to 627 697 445 thousand rubles, which is 11.5% more than last year.

In recent years, there has been a trend towards an increase in the number of complaints filed by victims, which indicates that the system for protecting their rights is malfunctioning. The number of complaints of victims of crime increased by 6.7% this year. Altogether, 3117 complaints were received.

Traditionally, the largest group of complaints is related to the registration of reports of crimes and their preliminary verification. They make up 40% of the total number of complaints of victims of crime. People mostly complain about the failure to register reports of crimes, the length of their inspections, decisions not to initiate criminal proceedings. In this group of appeals, the number of complaints regarding the refusal to register criminal complaints increased by 29% and regarding decisions about refusing to institute criminal proceedings by 27%.

At another extreme, however, the conduct of crime report checks often turns into quasi-investigation. Article 144 of the Code of Criminal Procedure limits the verification of reports of crimes to a maximum of three days, which, as a
general rule, should be sufficient for a procedural decision to be taken. But the criminal prosecution authorities sometimes, without carrying out investigative actions, try to establish all the circumstances that must be proved, and in many cases to ascertain the absence of corpus delicti which effectively leads to the substitution of full-fledged investigation by checking reports of crimes.

In this connection, it is important to legislatively regulate the legal status of the victim of a crime and the procedure for preliminary investigation. This would entitle the applicant (victim) to submit applications for specific procedural actions prior to the initiation of criminal proceedings and, if the application is rejected, to appeal to a procurator or a court in accordance with the procedure established by chapter 16 of the Code of Criminal Procedure.

A similar problem arises with the provision of the right to present evidence by the participants of the preliminary investigation. It is available only to certain individuals in criminal proceedings (parts 2, 3 of Article 86 of the Code of Criminal Procedure). In this regard, it would be advisable to supplement the Code of Criminal Procedure with provisions on the possibility of providing written evidence at any stage of the proceedings on a complaint of an offence to all participants in the proceedings.

In 2019, compared to the previous year, there was an increase of one quarter in the number of victims' appeals related to the stage of investigation of a criminal case. Most often, the applicants complained about the decisions of the officials to suspend the preliminary investigation and to terminate the criminal case, as well as to the violation of reasonable time limits for criminal proceedings.

There were also complaints from victims concerning court decisions in which the complainants disagreed with what they considered to be an unjustified leniency of the sentences imposed on the perpetrator of the crime and with the court decisions on compensation for the damage caused, challenged the validity of the decisions of higher courts.

Very topical for the victim is the problem of observing reasonable deadlines for criminal proceedings. In accordance with the Code of Criminal Proce-
dure of the Russian Federation, the protection of the rights and legitimate interests of victims of crimes, the identification of perpetrators and their prosecution should be carried out as soon as possible. In practice, however, as mentioned in the previous paragraph, the requirement of reasonable time limits is often not met. It would be advisable to supplement article 39, paragraph 1, of the Code of Criminal Procedure by stipulating that cases investigated for over a year must be referred to higher investigative bodies. This will enhance the quality of the preliminary investigation and departmental control.

The urgent task of modern criminal proceedings is to ensure that the victim of an offence has the constitutional right to access to justice and compensation for damage caused. It can be implemented only after a decision is made to institute criminal proceedings in the manner and subject to the procedure provided for in the Code of Criminal Procedure of the Russian Federation (Articles 140-149). But here there are problems that lie in the possibility to skimp on the deadlines established by law and to use documents that cannot constitute an unconditional basis for deciding whether to institute criminal proceedings.

The following should be noted. In most cases, the damage caused is compensated at the expense of the perpetrators by filing a civil lawsuit, which involves additional time, material and organizational costs for the injured person. Compensation for such damage in criminal proceedings is constrained by the fragmented regulation of the institution of civil action in criminal proceedings. A solution to the problem could be the inclusion in the Code of Criminal Procedure of the Russian Federation of a special chapter detailing the grounds, subject, content, procedure for filing and securing such a claim.

4.3. Protection of human rights in institutions of the penal correction system

The institution of punishment in the form of isolation from society for the commission of a crime has a centuries-old history. As perceptions of the individual and his rights have changed in society, attitudes towards the institution have changed. The idea of retribution and intimidation has been replaced by the univer-
sal acceptance of the concept of punishment as the restoration of social justice.

In 2019, the number of appeals in defense of the rights of prisoners and convicts received by the Commissioner increased by 13.8% compared to 2018, and amounted to 4,187.

In the group of complaints about unlawful actions of officials of the penitentiary system, the most complaints are the illegal and unjustified use of physical force and special means (364).

Of course, it is necessary to strengthen civilian control over places of detention. World practice shows that one of the effective means of countering violence is the National Preventive Mechanism for the Prevention and Detection of Facts of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (herein-after - NPM), provided for by the 1984 Optional Protocol to the UN Convention against Torture, which ratified by 89 states. The Commissioner advocates the use of this mechanism, taking into account national specificities.

In the group of appeals under consideration, it is worth highlighting complaints about unjustified disciplinary proceedings. Complaints of this kind demonstrate a serious upward trend: 143 were received, compared to only 17 in 2018.

The imposition of a penalty always entails negative consequences for convicts in the form of refusal to grant them visits from their families, release on parole from serving their sentence and transfer to lighter conditions of serving their sentence. It is therefore proposed to increase the use of video recording, which is the basis for decisions to reprimand, and to increase the storage time of video data.

The second significant group of complaints concerns the quality and accessibility of medical care in facilities of the penal correction system. In their appeals, the applicants expressed their disagreement with the treatment tactics and prescribed medications, asked for assistance in conducting an examination in civilian health facilities, in obtaining specialized medical care, and reported formalism, callousness and indifference to accused and convicted persons who require medical assistance.
At the same time, it must be emphasized that in recent years, the leadership of the Federal Penitentiary Service of Russia has been carrying out targeted work to improve the situation in the provision of medical care to detainees in penal correction facilities.

The High Commissioner supports the initiatives of the Federal Penitentiary Service of Russia on the development of telemedicine aimed at providing medical advice using remote access equipment. As a result, in 2019 the number of deaths in penal correctional institutions decreased by 10.5% compared with the previous year (from 2729 to 2442 people), 13.1% fewer people died from diseases than last year (from 2268 people to 1971 people).

The number of appeals related to violations of the conditions of detention of prisoners and convicts has increased. The applicants point to the unsatisfactory condition of the cells, overcrowding, non-compliance with the area per person in the cell, insufficient lighting, lack of clothing, necessary furniture, malfunctioning of sanitary equipment, lack of private bathrooms, lack of drinking water, idle ventilation, joint confinement of smokers and non-smokers, non-compliance with the temperature regime. It appears that the implementation of Federal Law of December 27, 2019 No. 494-FZ “On Amending Certain Legislative Acts of the Russian Federation”, which provides for the right of prisoners to receive monetary compensation for violation of the conditions of detention, will contribute to improving conditions of detention.

Separate consideration should be given to the conditions of prisoner escort and transportation. The number of appeals received in 2019 compared to the previous year has quadrupled. The complaints relate to the transport of prisoners in special vehicles and railway carriages. In this regard, the Government of the Russian Federation and the Federal Penitentiary Service of Russia need to address the issues of the quality of transport, medical care and food for prisoners and prisoners on remand.

At the same time, it is important to ensure public control over the conditions of transportation of prisoners. The Commissioner’s proposals in this regard have
been supported by the Office of the Procurator-General of the Russian Federation, but no changes have been made to the legislation to date. It would be advisable to speed up the adoption of Bill 289379-7 «On Amendments to the Federal Law "On Public Monitoring of Human Rights in Places of Detention and on Assistance to Persons in Places of Detention"».

Appeals related to the transfer to another correctional institution (+6.3%) continue to be received. It is known that, at present, the law provides only four grounds for transferring a convicted person to further serving his sentence in another region: security, serious illness, abolition of the correctional facility and «other exceptional circumstances preventing the convict from remaining in the correctional institution» (article 81, paragraph 2, of the Code of Criminal Procedure of the Russian Federation). It is not uncommon, however, that due to the long distances between the place of residence of the convicted person’s family members and the place where they are serving their sentence, family members do not have the financial means to pay the transport costs in order to visit the convicted person. The Commissioner requested the President of the Russian Federation to support the proposal to amend the legislation accordingly. On instructions from the President of the Russian Federation, the Government of the Russian Federation is considering such a draft law. It provides for the possibility of transfer to a correctional institution located near the place of residence of the convicted person’s close relatives.

Every eleventh appeal was received regarding the release of convicts from serving a sentence of imprisonment on parole or the grounds of a serious illness. In 2019, their number increased by 23.4%. According to the applicants, this decision does not take into account all the circumstances relating to their characteristics, the presence of diseases, the length of their sentence, family circumstances, etc. At the initiative of the Commissioner, the Ministry of Justice of Russia prepared a draft law “On Amendments to Article 81 of the Criminal Code of the Russian Federation”, providing for a change in the procedure for release due to illness.
The issue of **social security for prisoners** remains important. In 2019, 141 appeals were received on this issue, their number **increased by a quarter** compared to 2018. They are mainly related to assistance in obtaining pensions, social benefits, obtaining identity documents and confirming qualifications, work experience, citizenship, disability. The Federal Penitentiary Service of Russia is invited to strengthen legal education in this area, including increasing the number of employees responsible for such work.

There are frequent complaints about **the procedures and conditions for the employment of convicts** or about refusal to engage them in paid work. In 2019, more than 50% of convicts and 29.4% of convicts with writ of execution were not employed for various reasons. At the same time, the size of wages, which de jure should be at least one minimum wage, and de facto are much lower than this amount, as well as unpaid labor, are a cause for concern.

It should be noted that, as of 1 January 2020, the Federal Act of 18 July 2019 179-FZ «On amendments to the Penal Enforcement Code of the Russian Federation» regulating the establishment of sections of colonies-settlements and correctional centers outside the colonies themselves, entered into force. It seems that its implementation will allow to solve the problem of employment of convicts to a certain extent.

There are also issues related to **the lack of in-demand specialties among convicts**, which makes it difficult for them to get jobs with reasonable wages after release. Those professions that are taught in the penal correctional system are certainly in demand for the institutions of the penitentiary system themselves, but, for example, a seamstress, a cutter, a knitter and a number of other specialties for men in life are hardly necessary outside of the penitentiary system. It is suggested that consideration be given to training convicts in additional specialties, albeit less demanded in a correctional institution, to enable them to obtain employment after release.

**4.4. Protection of human rights in proceedings for administrative offences**
Administrative liability is the most common form of punishment. More than 150 million administrative materials are produced annually by the competent authorities.

In 2019, **356 appeals** were received on the issues of ensuring and protecting human rights in administrative proceedings.

The bulk of the complaints (40%) concerned the initiation or **refusal to initiate proceedings for an administrative offence** without grounds, according to the applicants, the prosecution of the perpetrators of the harm, as well as red tape and other procedural violations in the proceedings.

A fifth of the appeals (22%) contained **claims of enforcement actions against the complainant** in cases of administrative offences.

In most cases, the subject of the appeal was the question of the state of intoxication certificate. The complainants disagreed with the decisions to carry out the examinations, and disputed their conditions and results.

In the petitions concerning **transfer and detention**, the complainants questioned the legality of the transfer to the police and the administrative detention carried out, stated that they were not informed of their rights and were not provided with copies of the reports. The length of detention was also appealed and dissatisfaction with the conditions of detention was expressed.

The number of complaints in which **the legality of imposing administrative penalties** has been questioned has decreased by 19% compared to 2018. This is largely due to the expansion of the practice of electronic notification of cases of administrative fines. Citizens claimed that they did not receive notifications of the imposition of an administrative punishment and that the punishment was imposed without taking into account extenuating circumstances, including those relating to the identity of the person held accountable.

In the group of appeals regarding **the enforcement of judgments in cases of administrative offenses**, the applicants mainly complained about the inadequate conditions of detention during the administrative arrest.
There were also complaints about the inaction of officials to restore violated rights.

An analysis of the appeals allows us to conclude that the recognition and realization of the rights of participants in administrative cases is largely constrained by the imperfections of the current legislation in this area. In this regard, it was decided to comprehensively modernize the legislation on administrative offenses, which was launched in 2019. In accordance with the order of the Government of the Russian Federation of April 4, 2019 No. 631-r, a working group was created to prepare a new Code of Administrative Offenses of the Russian Federation.

The concept of the new Code provides for strengthening the guarantees of the rights of participants in administrative cases. This will be achieved through a clearer separation of substantive and procedural law, a reduction in the composition of administrative offenses, and the establishment of general requirements for its objective side both for federal legislation and for regional laws on administrative responsibility. In this regard, the Commissioner hopes that these provisions will be taken into account in the adoption of the new Code of Administrative Offenses of the Russian Federation.

The problem of the execution of the punishment in the form of an administrative fine becomes socially acute. The Commissioner is in favour of introducing a simplified procedure for the enforcement of administrative fines, which should always be combined with a system of discounts when voluntary payments are made within a reduced period. This tactic has already had an impact in the area of traffic violations, which makes it possible to extend it to other types of administrative offences.

The problem of ensuring the right of a citizen who has committed an administrative offense to receive qualified legal assistance remains relevant. The Code of Administrative Offences does not provide for the mandatory provision of legal assistance to persons subject to administrative proceedings.

The procedural status of the victim in a case of administrative offence must be fully regulated by law. In the active Code of Administrative Offenses of
the Russian Federation the concept of “applicant” and its procedural status are not regulated in any way. In order to ensure the effective protection of the rights of citizens, the victim of an administrative offence must be recognized as a victim from the moment the offence was committed against him, in order to acquire procedural rights. This will enable him to defend himself fully, including the right to legal assistance through legal representation.

Traditionally, citizens' appeals to the Ombudsman raise the problem of inaction on the part of law enforcement officials and local administration in the event of disturbance of peace and quiet at night. The decisive measure here could be the establishment of administrative responsibility for offenses in the field of amenities improvement and the regime of peace and quiet of citizens at the federal level.

Noteworthy are proposals to strengthen the administrative and legal protection of the rights of persons with disabilities. The current Administrative Code of the Russian Federation contains a limited list of administrative offenses aimed at protecting the labor rights of persons with disabilities and the rights of persons with disabilities to an accessible living environment. It is proposed, when developing the new Code of Administrative Offenses of the Russian Federation, to provide for administrative responsibility for violations of the rights of persons with disabilities (for free medical care, access to information, housing, education, material support, social services) at the federal level, since regional features in this case can in no way affect the specifics of the legal regulation of this sphere.
RELEVANCE OF HUMAN RIGHTS EDUCATION

- 70% lack knowledge of law
- 25% not sure they know Russian law

Third of citizens do nothing facing human rights violations in 2019 more than half of complaints needed clarification.

40% are prepared to defend their rights only in certain cases.

All-Russian comprehensive human rights lesson audience in 2017-2019 - 19,000,000

Over 13,000 project participants in 2019 (1179 teams from 83 constituent entities of the Russian Federation)
CHAPTER 5. Commissioner’s activities for improvement of legislation and legal awareness

5.1. Improvement of legislation on human and citizens’ rights and freedoms

Legislation on human and civil rights and freedoms continued to improve in 2019. Most of the 530 adopted federal constitutional laws and federal laws affected the personal, economic, social, political and cultural rights of citizens, as well as mechanisms for their implementation to a certain degree.

The High Commissioner and the Office actively participated in the legislative process. 41 appeals were sent to the subjects of the right of legislative initiative to improve legislation. They concerned: strengthening guarantees of the rights of persons held in places of forced detention; improving the mechanisms for confirming the insurance period for pension purposes; streamlining procedures for providing disabled people with technical aids; parents' fulfilment of alimony obligations; organizing the activities of human rights ombudsmen in the constituent entities of the Russian Federation and other issues in the field of protecting human rights and freedoms.

In 2019, positive changes took place in the context of improving legislation aimed at protecting citizens' housing rights: stricter requirements were introduced for developers who attract money from equity participants; federal laws were adopted establishing a single mechanism for protecting the rights of citizens affected by unscrupulous developers; responsibility for the management of apartment buildings with flagrant violation of licensing requirements was strengthened. Borrowers who have taken a mortgage for the only housing and find themselves in a difficult life situation, have received the right to a mortgage vacation; a ban has been introduced on accommodation in hostels and mini-hotels; measures were taken to resolve the housing problems of citizens subject to resettlement from closed military camps.

In the area of the legislative enforcement of labour rights: the minimum wage, the remuneration of public sector workers and unemployment benefits have
been increased, including an increase in unemployment benefits for citizens of pre-retirement age; A number of measures have been adopted to improve working conditions and preserve the health of workers; safeguards have been strengthened for their medical examinations; and penalties have been increased for violations of the working and rest hours of drivers of vehicles.

The guarantees of the rights of citizens to health and health care have been strengthened: administrative liability has been established for the late entry of data into the system for monitoring the movement of medicines; opportunities for free palliative care and the use of electronic recipes have been expanded; the procedure for examining citizens to establish disability by introducing an electronic document using the information systems of medical organizations and ITU has been simplified.

Positive changes have taken place in the legislative support of the rights of citizens in the field of migration: the period of work in Russia, which is necessary for qualified specialists to obtain Russian citizenship in a simplified manner, has been reduced from 3 years to 1 year; the procedure for providing foreign citizens living in Russia with a notification of confirmation of their residence has been improved (in electronic form through the Unified Portal of Public Services); the right to obtain Russian citizenship in a simplified manner has been granted to certain categories of foreign citizens.

Work continued to improve legislation establishing guarantees of citizens' rights to a favorable environment: norms came into force to stimulate the use of new technologies in order to reduce the negative impact on the environment; the procedure for conducting state environmental impact assessment in the Baikal natural territory was improved; obligatory compliance with environmental requirements was established not only within the boundaries of rural and urban settlements, but also in urban districts; a comprehensive MSW management system was developed and measures were taken to organize their optimal disposal.

In the framework of strengthening guarantees of political rights of citizens, work continued to improve the electoral legislation: the possibility of voting in
regional elections at the place of residence (without registration at the place of residence) was established; the procedure for including shift workers in voter lists was improved; in order to improve the accuracy of voter lists, the electoral commissions were given the right to receive information contained in the Single State Legal Entity Register.

The High Commissioner’s initiative to safeguard the rights of small indigenous peoples was supported. The Federal Law of February 6, 2020 No. 11-FZ «On Amending the Federal Law “On Guarantees of the Rights of Indigenous Minorities of the Russian Federation” regarding the establishment of an accounting procedure for persons belonging to indigenous minorities» was adopted, which provides for the formation of a special list, information from which will be used independently by state authorities, local self-government and state extra-budgetary funds to ensure the realization of the social and economic rights of persons belonging to indigenous peoples, while a ban has been established on the requirement to provide documents containing information about their nationality.

Concrete steps were taken to humanize the criminal legislation: the period of exemption from criminal liability in cases of economic crimes was extended; the mechanism for monitoring the execution by convicts of the obligation to undergo treatment for drug addiction, medical and social rehabilitation was improved; the cultivation of drug-containing plants in Russia used for medical purposes or in veterinary medicine was decriminalized, the procedure and requirements for this activity were established.

Legislative guarantees of personal rights in the criminal procedure sphere were strengthened. A supra-territorial scheme for appealing judicial acts in appeal and cassation courts of general jurisdiction was launched. Additional requirements were established for the application for an extension of the period of detention. The procedure for extending the preventive measure in the form of remand in custody for the purpose of acquainting oneself with the materials of the criminal case file after the expiry of the time limit for the application of the preventive measure in question was regulated. Audio recording of trial and appeal hear-
ings became mandatory. Additional guarantees were introduced against unreasonable prosecution of entrepreneurs (the list of compositions for which it is possible to terminate the case in connection with compensation for damage to the victims and transfer to the budget of a pecuniary penalty has been expanded; the list of compositions that are attributed to cases of public-private prosecution has been expanded; a ban on detention in the investigation of abuse of authority in the field of business was introduced).

Legislation continued to be improved to ensure the rights of detainees and convicts. The right of detainees to receive monetary compensation for violation of conditions of detention by filing an administrative complaint with the court was established. The procedure for exemption from serving sentences in connection with a serious illness, as well as the procedure for the transfer of convicts who have a destructive effect on other convicts related to the spread of the ideology of terrorism were clarified. In order to improve the effectiveness of the assistance provided to minors who are released from places of deprivation of liberty, the administration of the institution of the penal correction system is obliged to notify the Commission on Minors' Affairs and the Protection of their Rights about the upcoming release.

An important area of the Commissioner's work is the improvement of legislation on the activities of commissioners for human rights. Federal Law No. 48-FZ of March 18, 2020 “On Commissioners for Human Rights in the constituent entities of the Russian Federation” was adopted, which is designed to bring the institution of regional human rights commissioners to a new level of development, create equal opportunities for citizens to access mechanisms for protecting rights and freedoms on the territory of various regions of Russia, to increase the effectiveness of guarantees for the protection of citizens' rights by regional human rights Commissioners.

5.2. Legal awareness

In 2019 17 large-scale human rights education projects were implemented.
Subject work was carried out on the **legal education of socially vulnerable categories of the population** - persons with disabilities; seniors; representatives of indigenous peoples; children in difficult life situations; women who have experienced domestic violence; victims of political repression.

Under the auspices of the Commissioner, 10 events were held within the framework of the «**Festival “Integration” for people with disabilities**» project - human rights master classes, trainings, lectures, film screenings, free legal advice.

An annual practice-oriented training course was held as part of the **internship of Russian-speaking representatives of indigenous minorities** in the UN system.

For the fifth time annual events were held as part of the All-Russian socially-oriented project “**Legal Marathon for Retirees**”.

For the third time the **All-Russian comprehensive lesson on human rights** was held, which was attended by **more than 5 million Russian schoolchildren and students**.

The All-Russian contest "**Innovative technologies in legal education on the rights and freedoms of citizens, forms and methods of their protection**" was held.

On Teacher’s Day, at the initiative of the Commissioner, the **All-Russian Human Rights Video Lesson Competition** was first held.

A number of legal education projects have been implemented as part of ongoing legal education and youth education projects.

Educational events were organized for students of the master program “**International protection of human rights**”, implemented with the support of the Office of the United Nations High Commissioner for Human Rights, in which 102 students underwent internships.

Large-scale educational **activities for schoolchildren** are held. Such a form of legal education for schoolchildren as the interactive educational project “**School of Human Rights Defenders: Learn and Act**” has successfully established itself.
In October of 2019, with the participation of scientific and pedagogical expert communities, international bodies (OHCHR, the Council of Europe Program Office in Russia), a round table on the effectiveness of teaching human rights in educational organizations was held, and a thematic book exhibition was organized.

There is a satellite website for legal education on the Internet, which contains up-to-date information on changes in legislation, various memos, reference materials, and information about educational work at the regional level.

The informational and awareness-raising project “Human Rights Map of Russia” was kept up to date.

On a regular basis, thematic materials and memos on legal issues began to be posted on the social network Instagram.

A promising task in the field of legal education is the establishment of human rights education systems in the constituent entities of the Russian Federation and interdepartmental programs for the legal education of the population. At the same time, there is an urgent need to harmonize approaches in the implementation of legal education in Russian regions.

The current task is the wide dissemination of the teaching of «Human Rights» and educational programs concerning human and civil rights issues in educational organizations at all levels.
CHAPTER 6. International cooperation

6.1. International human rights aspect

In 2019, the international cooperation in the field of human rights protection was developing in accordance with the legislation of the Russian Federation, as well as with international standards governing the work of national human rights institutions.

Unfortunately, citizens of the Russian Federation often continued to be subjected to discrimination abroad.

Thus, more than 6,000 Crimean residents who had acquired Russian citizenship were continued to be under threat of criminal prosecution by Ukraine. Furthermore, they continue to be discriminated against by the consulates of the European Union countries on ground of residence, as they are denied access to visa application procedure.

Over the past year, the tendency of obstruction of the lawful professional activities of Russian journalists in foreign countries was truly highlighted. There was real concern about increasing number of unjustified arrests abroad of our compatriots (about 50 people were arrested at the request of the United States alone).

We firmly believe that development and improvement of approaches to the protection and promotion of ombudsman institutions by international organizations is of the utmost importance. In that regard, the “Venice Principles” adopted by the European Commission for Democracy through Law (Venice Commission) in 2019, which encouraged States to take all necessary measures, including constitutional and legislative changes, to ensure conditions for the strengthening and development of ombudsman institutions and their competence, independence and impartiality, were of pivotal importance. Therefore, the High Commissioner advocates the elaboration of an international convention on the legal status of national institutions for the promotion and protection of human rights.
6.2. Cooperation with international organizations

Overcoming contradictions and building international dialogue in the field of human rights protection is becoming one of the key tasks of the international community. In this process, human rights diplomacy has become increasingly important. In this connection, constructive dialogue has been maintained at the fora of the United Nations, the Council of Europe and OSCE bodies and mechanisms, the European Ombudsman Institute, the Eurasian Alliance of Ombudsmen and other associations of national human rights institutions.

In 2019, for the first time, the High Commissioner attended a meeting of the UN General Assembly Open-ended working group on ageing and acted as keynote speaker at the UN Headquarters in New York. In her presentation the High Commissioner focused on new State programmes aiming to improve the rights of older persons and the Russian national human rights institution’s activities in this field.

There also was established constructive cooperation with Mrs. Michelle Bachelet, the UN High Commissioner for Human Rights. This made it possible not only to share with her the Russian ombudsman’s experience of human rights activities, but also to request the Office of the United Nations High Commissioner for Human Rights to assist in the restoration of the violated rights of Russian citizens residing abroad, such as Kirill Vyshinsky and Alexander Vinnik, as well as to draw the attention of the international community to violations of the rights of Russian citizens held in places of detention in Ukraine.

The practice of participation at high-level United Nations human rights fora was continued this year. In particular, the High Commissioner regularly presented detailed information on the Russian practice of human rights and freedoms protection during the sessions of the United Nations Human Rights Council.

The Russian national human rights institution continued its practice of implementation of collaborative human rights projects with the Office of the United Nations High Commissioner for Human Rights, which concerned the issues of development of national human rights indicators and educational human rights pro-
grammes tailored for Russian university students and representatives of small indigenous peoples.

In 2019, the cooperation with the UNHCHR was taken further with the university Master’s Programme «International Protection of Human Rights», implemented with the support of UNHCHR. Cooperation with the Office of the United Nations High Commissioner for Human Rights also developed with regard to the implementation of a specialized human rights training programme for representatives of the small indigenous peoples, administered annually by the Peoples' Friendship University of Russia.

Within the framework of constructive cooperation with the Council of Europe, the High Commissioner for human rights in the Russian Federation repeatedly approached Ms. Dunja Mijatović, the Commissioner for Human Rights of the Council of Europe, with requests for assistance in helping Russian citizens subjected to unlawful criminal prosecution abroad. Ms. D. Miyatovich, in turn, raised questions of protection of the rights of foreign nationals residing in Russia.

Another important area of cooperation with the Council of Europe was the work on the collaborative human rights projects. As part of the implementation of practical actions to protect the rights of women, as well as combating violence, in January 2019, an action plan for the implementation of the National Strategy for Women for 2017-2022 was launched. The Commissioner along with the Council of Europe and the Ministry of Labor of Russia acted as one of the partners. As part of this joint project, a number of significant events took place in 2019. The fortieth anniversary of the adoption of the 1979 Convention on the Elimination of All Forms of Discrimination against Women, to which the Russian Federation is a party by succession, also provided a certain backdrop to these events.

In 2019, the number of the Eurasian Ombudsman Alliance (EOA) participants increased through the accession of the Protector of Citizens (Ombudsman) Republic of Serbia Mr. Zoran Pašalić, and the Commissioner for Human Rights in the Republic of Tajikistan Mr. U. Bobozoda. The EAO now includes ombudsmen.
from seven States: the Russian Federation, the Kyrgyz Republic, the Republic of Armenia, the Islamic Republic of Iran, Mongolia, the Republic of Serbia and the Republic of Tajikistan. During its annual meeting the EOA adopted a number of organizational documents, the EAO website was presented and a work plan for 2020 approved.

The Russian national human rights institution continued to strengthen cooperation with both the Global Alliance of National Human Rights Institutions (GANHRI) and its European Network (ENNHRI).

In 2019, the Russian national human rights institution became a full member of the European Ombudsman Institute while the High Commissioner was elected as a member of the EOI Board.

6.3. Cooperation with foreign ombudspersons

In 2019, cooperation with the ombudsmen of foreign countries remained a priority area for the development of international cooperation. Experience has shown that human rights diplomacy is one of the effective instruments for the protection of the rights of Russian citizens abroad. The bilateral cooperation conducted by the Russian national human rights institution is based on the principle of reciprocity as well as 22 cooperation agreements (memoranda of understanding).

In 2019, the High Commissioner approached her foreign counterparts with 128 requests for the protection of the rights of Russian citizens abroad. The subjects of the High Commissioner’s petitions to her counterparts were related to the following issues: verification of the complaints submitted to the Russian ombudsperson, lawfulness of criminal proceedings and adopted preventive measures; questions of assistance in improving the conditions of detention; provision of medical care for detainees; assessment of the justifiability and fairness of a judicial decision; requests for assistance in the acquisition of citizenship; lifting prohibitions on entry into or departure from a country; the issues of expulsion from a country; assistance in the protection of family issues and requests for assistance with resolu-
tion of difficult life situations in which Russian citizens find themselves abroad, etc.

In 2019, the High Commissioner, in her turn, received 204 appeals from the foreign counterparts for the protection of foreign nationals residing in Russia (159 appeals in 2018). The subjects of the petitions lodged by foreign colleagues were similar to the ones made by the High Commissioner with the addition of appeals in defence of the labour migrants’ rights and requests for assistance in transferring of convicted aliens from one Russian penal institution to another.

In order to make the restoration of citizens' rights more effective, new forms of interaction with foreign ombudsmen, that have already proven their efficacy, were employed. Thus, the High Commissioner held joint face-to-face interviews of complainants together with Mr. A.A. Tatoyan, the Human Rights Defender of the Republic of Armenia.

In 2019, the Russian High Commissioner continued collaboration with Ms. Ludmila Denisova, the Ukrainian Parliament Commissioner for Human Rights. It is worth noting that the largest number of appeals came from the Ukrainian Ombudsman (157) concerning 64 Ukrainian citizens. More than 100 appeals submitted by the High Commissioner to her Ukrainian counterpart were concerned about the issues of the unlawfulness of criminal proceedings against Russian citizens and the conditions of their detention in the Ukrainian prison system. The two ombudspersons also appealed to each other concerning pension matters, incidents related to unpaid salaries, requests for recovery various documentation, criminal rehabilitation, etc.

The most significant human rights development in the area of Russian-Ukrainian relations was the prison exchange of 70 citizens of Russia and Ukraine on 7 September 2019.

In this context, we believe, it would be advisable, to conclude an inter-State agreement in the future with the aim to regulate the legal status of persons holding two nationalities - the Russian Federation and Ukraine. This issue was raised by the Commissioner in the previous annual Report and it remains relevant to date.
While on business trips outside the country, the High Commissioner visited and interviewed Russian citizens held in places of deprivation of liberty and medical facilities. Such meetings with Russian nationals were held in Greece (February), USA (April), Serbia (June), Armenia (November).

It should be noted that in 2019 the High Commissioner received 1,283 appeals from Russian citizens residing abroad for assistance in the protection of their rights (621 in 2018 and 687 in 2017). The crushing majority of them was concerned with the issues of entry into and exit from the Russian Federation (551 applications). In comparison, the figure for 2018 was 73 and for 2017 – 65. The data we possess indicates that the increase was mainly due to the number of Russian citizens that are in difficult straits in Syria.

In 2019, the Commissioner received 249 appeals from the Russian nationals residing abroad concerning the matters of criminal prosecution (in 2018 – 163, in 2017 - 168). The complainants requested assistance in releasing them from detention, improving conditions of detention and issuance of procedural and regulatory documents. In addition, some individuals complained against the use of physical force and moral pressure, asked for assistance for release based on poor health and for extradition to serve their sentence in Russia- 73 appeals (in 2018 - 59, in 2017 - 40).

Many applications were related to migration and citizenship issues - 193 (in 2018 - 150, in 2017 - 182).

The remaining appeals included the following issues: urgent requests for assistance to return to Russia, compensation for damage to health, pensions and social assistance, customs issues, housing questions, requests for information, reunification with the family - 217 (in 2018 - 176, in 2017 - 232).

Within the framework of international cooperation, there were held 7 major human rights events in 2019. One of the most significant events was the International Conference «Problems of human rights protection in Eurasian legal space: exchange of best practices by ombudsmen”, which has been held by the Commissioner since 2017 and became the annual forum in 2019. The participants
of the conference received greetings from Vladimir Putin, the President of the Russian Federation, Michelle Bachelet, the United Nations High Commissioner for Human Rights and Marija Pejčinović Burić, the Secretary-General of the Council of Europe. The participants of the Conference included Liliane Maury Pasquier, the President of the Parliamentary Assembly of the Council of Europe (PACE), Ingibjörg Sólrún Gísladóttir, the Director of OSCE ODIHR, representatives of the United Nations, OSCE, the Council of Europe, the European network of national human rights institutions (ENNHRI), European Institute of Ombudsmen (EIO) as well ombudsmen and their representatives from 20 countries.
CHAPTER 7. Collaboration of the high commissioner with government bodies and civil society institutions

7.1. Cooperation with government bodies
The work of the High Commissioner in the field of the protection of human rights and freedoms is complementary to the state system in force in this area. Therefore, the success of the tasks assigned to the institution of the state legal protection depends directly on effective cooperation with public authorities and their officials. The cooperation is being implemented throughout the country in various ways, in almost every sphere of human activity and takes various legal forms.

In December 2019, on the International Human Rights Day, the President of the Russian Federation held a working meeting with the commissioners for human rights in the Russian Federation, at which ombudsmen were able to express their assessment of the human rights situation in the regions of the country and to talk about existing difficulties. Upon the totals of this meeting the President instructed the state bodies to address the questions raised in the course of the event.

We should welcome the intensive development of the cooperation with the chambers of the Federal Assembly of the Russian Federation and their committees and commissions. In 2019, the High Commissioner took part in 6 parliamentary hearings held by the State Duma and the Federation Council on the improvement of legislation, and 40 meetings of committees, round tables and conferences held at parliamentary venues.

The High Commissioner submitted 12 legislative initiatives to the specialized committees of the Federal Assembly of the Russian Federation.

For their part, in 2019, the deputies of the State Duma and the members of the Federation Council of the Federal Assembly of the Russian Federation addressed 360 appeals to the High Commissioner with requests for assistance in protecting the rights of specific citizens. The majority of the appeals dealt with the protection of human rights in criminal proceedings and the enforcement of criminal
sanctions, labour and housing rights, the right to health care and medical care, and the protection of the rights of minors.

In 2019, considerable work in the area of legal protection was carried out in cooperation with the Government of the Russian Federation and the federal executive authorities. In particular, the High Commissioner closely interacted with the Government Commission on Legislative Activities, the Government Commission on Crime Prevention, the Government Commission on Compatriots' Affairs and the Government Commission on Minors' Affairs and Protection of their Rights. Interdepartmental cooperation has been established with the Ministry of Justice and other federal state bodies to improve Russian legislation on human rights and freedoms.

The most important aspect of cooperation with government agencies was the joint consideration of specific complaints, petitions and proposals lodged by citizens. In total, in 2019 the High Commissioner forwarded more than 10,000 requests to the federal authorities for verification. Most of them have been dealt with and the citizens’ rights were restored.

Within the limits of her competence, the High Commissioner engages in constructive interaction with the judicial authorities. The High Commissioner prepares opinions on specific legal questions and comments on draft legislation at the requests and invitations of the Supreme Court of the Russian Federation as well as participates in the activities of working groups drafting decisions of the plenums of the Supreme Court of the Russian Federation and in the work of other bodies of the professional judicial community.

In 2019, at the request of the High Commissioner 10 court decisions that had entered into force were reviewed by the Supreme Court of the Russian Federation, territorial, regional, and republican courts.

Also, in 2019, at the request of judges of the Constitutional Court of the Russian Federation, the High Commissioner prepared 4 opinions related to citizens’ complaints about the observance and protection of their rights in criminal
proceedings, land law, as well as legislation on public events and freedom of conscience.

It is necessary to note that the Office of the Procurator-General of the Russian Federation and, the procurator’s offices of the constituent entities of the Russian Federation are doing a great deal of fruitful work. In 2019, the High Commissioner submitted to supervisory bodies 502 requests for the review of citizens' complaints and requests for materials of cases. Following the High Commissioner’s appeals, the Office of the Procurator-General issued 213 requests and 394 orders to state bodies and their officials to remedy violations of the law.

In 2019, the High Commissioner forwarded 226 appeals to the investigative bodies requesting them to provide the documents and other materials needed for the consideration of citizens' complaints with regard to the protection of the rights and freedoms of participants in criminal proceedings, including persons under investigation, accused persons and victims of crimes.

In 2019, within the framework of cooperation with the authorities of the constituent entities of the Russian Federation the High Commissioner held nine working meetings with the heads of the constituent entities of the Russian Federation.

The High Commissioner forwarded a total of 406 petitions to the heads of the legislative and higher executive authorities of the constituent entities of the Russian Federation.

In 2019, the High Commissioner employed a new form of interaction with the State bodies of the constituent entities of the Russian Federation – the preparation of opinions for the highest officials of the regions, based on the High Commissioner’s consideration of citizens' complaints, containing recommendations on necessary measures to restore the violated human rights and freedoms.

### 7.2. Cooperation with commissioners for human rights in the constituent entities of the Russian Federation
The unique character of the Russian national human rights system is the existence of two independent human rights institutions, at the Federal and regional levels, which are represented by the High Commissioner for Human Rights in the Russian Federation at the Federal level and human rights commissioners in the constituent entities of the Russian Federation at the regional level. The two levels of the Russian human rights system work closely together.

In 2019, the Russian regional human rights commissioners received more than 210,000 appeals from citizens with complaints against actions of State and municipal bodies and their officials, information on the shortcomings in the protection of human and civil rights and freedoms, proposals for improving the effectiveness of State human rights activities.

In 2019, the High Commissioner received about 400 petitions from her regional colleagues concerning citizens’ complaints against violation of their rights in the fields of criminal proceedings, pension and social security rights of military and law enforcement personnel, as well as conditions of detention in places of deprivation of liberty, etc.

In turn, the High Commissioner forwarded about 100 appeals to regional ombudsmen requesting assistance in restoring the rights and legitimate interests of citizens. The themes that were most often the subject of requests included checks on the detention conditions and measures to ensure the social and migration rights of citizens.

On the basis of an analysis of citizens' appeals, Russian regional human rights commissioners often identify systemic problems in the area of human rights and freedoms protection and prepare proposals, including for improving Federal legislation.

In 2019, the High Commissioner received more than 20 such proposals from regional human rights commissioners. They concerned the improvement of enforcement legislation, housing and communal services, the safeguarding of the social rights of citizens exposed to radiation as a result of the Chernobyl disaster and other issues.
An example of effective work was the adoption of the Federal Law 48-FZ of 18 March 2020 «On Human Rights Commissioners in the constituent entities of the Russian Federation», which was developed by the members of the Federation Council together with the human rights commissioners.

In 2019, the High Commissioner continued the practice of personal interviews bringing together citizens complaining against various human rights violations. There were seven such interviews when the High Commissioner had face-to-face meetings with 70 citizens. As a result of the coordinated work on those complaints, the High Commissioner was able to remedy violations of housing rights, the social rights of law-enforcement officers and veterans, and provided legal assistance to orphans and children deprived of parental care.

An important form of interaction is the coordinating councils of Russian human rights commissioners (general meeting of all Russian human rights commissioners), which provide opportunity for the exchange of experiences, discussion on the most acute problems of human rights protection practice and the development of agreed positions on their solution. Two such coordination councils were held in 2019. In May 2019, a meeting of the Coordinating Council for the protection of citizens' labour rights was held in the city of Kazan, the Republic of Tatarstan. It was attended by commissioners from 76 constituent entities, ombudsmen of the Republic of Armenia and Kyrgyz Republic, the head of the Council of Europe Programme Office, representatives of OHCHR, the Presidential Executive Office, the Federal Labour and Employment Service, the Federation Council, the Office of the Procurator-General of the Russian Federation, non-government organizations and the academia. The booklet «Protection of Citizens' Labour Rights» was published on the outcome of the Conference and is available on the official website of the High Commissioner.

On 11 December 2019, the Coordinating Council on the protection of rights of victims in criminal and administrative proceedings was held in Moscow. The meeting was attended by 77 Russian ombudsmen, representatives of the Supreme Court of the Russian Federation, the Office of the Procurator-General of
the Russian Federation, the Investigation Department of the Ministry of Internal Affairs, the Ministry of Justice of the Russian Federation, the Federal Penitentiary Service, representatives of NGOs and the academia. As a result, an electronic version of the booklet «Protection of the rights of victims in criminal proceedings and in administrative proceedings» is now also available on the official website of the Ombudsman.

The Russian regional human rights commissioners every year take an active part in all human rights legal education projects organized by the High Commissioner - the all-Russian Comprehensive Human Rights Lesson, all-Russian competition «Innovative technologies in legal education on citizens' rights and freedoms, forms and methods of their protection», in free legal consultations, seminars, round-tables and lectures on various legal topics.

In 20 constituent entities of the Russian Federation there is a «School of Human Rights Defenders: Learn and Act» - a universal platform of legal education for young people from 14 to 25 years of age, which curriculum is based on the best legal education practices of the federal and regional ombudsmen and the Russian New University. The Commissioner’s project for distribution of books to social institutions was successfully supported in the Russian regions (the regions of Voronezh, Moscow, Tver, etc.).

The print edition of the “Bulletin of the High Commissioner for Human Rights in the Russian Federation” became a platform for human rights discussion with contributions from regional ombudsmen and representatives of the expert community and the academia on the most topical problems in the field of human rights protection.

7.3. Cooperation with civil society institutions

In 2019, the High Commissioner received 192 petitions from public associations and NGOs. Eleven applications (including collective appeals) were successfully resolved that resulted in the restoration of the rights of more than 100 citizens.
As part of constructive interaction with civil society institutions, the High Commissioner took part in five events organized by the **Civic Chamber of the Russian Federation** (hereinafter referred to as the Civic Chamber). The president and members of the Civic Chamber, in their turn, actively participated in the work of the thematic sections of the Expert Council under the auspices of the High Commissioner.

Cooperation of the High Commissioner’s Office with the Civic Chamber has been organized throughout Russia; therefore, regional human rights commissioners and local representatives of the Civic Chamber closely cooperate in the constituent entities of the Russian Federation.

While working together with the civil society organisations the High Commissioner fully supports **the Public Monitoring Commissions (PMCs)** in resolving specific human rights issues.

In 2019, there was a large-scale rotation of PMCs members in 44 constituent entities of the Russian Federation. The Federal and regional human rights commissioners actively participated in the formation of the new bodies, which made it possible to improve the level of selection of candidates and to strengthen the working ties between members of the PMCs and the High Commissioner on the questions of human rights protection of individuals held in penal institutions and the closed medical facilities under the Ministry of Health of Russia.

The High Commissioner’s cooperation with the **Presidential Council for Civil Society and Human Rights** is of particular importance. In 2019, the High Commissioner and her representatives participated in 4 meetings of the Presidential Council for Civil Society and Human Rights discussing the current issues of the protection of human rights and freedoms.

In the framework of close cooperation with the Presidential Council for Civil Society and Human Rights, the High Commissioner provides its members with support in resolving complaints lodged to the Council by Russian citizens against violations of their rights. Over the year the High Commissioner received 75 such
complaints most of which were concerned with the observance of human rights in criminal proceedings in places of detention.

Of no less importance was the joint work with the following public human rights organizations (NGOs): the Committee «Civil Assistance», the Committee «For Civil Rights», the Committee of Soldiers' Mothers of Russia, the regional charity “Complicity in Fate", Moscow Helsinki Group, etc.

In 2019, the High Commissioner received 168 appeals from human rights NGOs, which dealt most often with issues relating to the protection of human rights in criminal proceedings, in institutions of the Federal Penal Correction Service and in the area of health care.

The representatives of the NGOs took an active part in conferences, round tables and educational human rights projects conducted by the High Commissioner and her Office, including various international human rights events.

A separate direction of the High Commissioner’s activities is the interaction with the All-Russian Society of the Disabled, which bringing together special people throughout the country is a member of the International Organization of Disabled Persons. On 31 October 2019, having signed a cooperation agreement with the All-Russian Society of the Disabled, the High Commissioner one more time confirmed her commitment to the protection of the rights of persons with disabilities.

The link between the Russian national human rights institution and the academia is the Expert Council under the auspices of the High Commissioner. In 2019, various thematic sections of the Expert Council held 13 meetings discussing different issues related to the elaboration of proposals for the strengthening of the protection of citizens' rights and freedoms. Members of the Expert Council prepared 39 opinions, expert opinions and proposals on topical problems of law enforcement practice. In addition, in 2019 the Council of Experts presented more than 50 proposals to the High Commissioner’s Annual Report of 2019, which significantly improved its scientific soundness.

To encourage human rights defenders and human rights NGOs a number of
prestigious **State Awards** are bestowed to recognize their outstanding achievements in the field of protection of human rights and freedoms. For four years, the High Commissioner has organized the work of the Public Commission under the auspices of the President of the Russian Federation to determine candidacies for the State Award of the Russian Federation for outstanding achievements in the field of human rights and the State Award of the Russian Federation for outstanding achievements in the field of charitable work.

One of the forms of the state support for NGOs is the presidential grants, which are distributed by the Coordinating Committee for tenders for the provision of grants by the President of the Russian Federation for the civil society development.

On December 10, 2019 on International Human Rights Day, the High Commissioner held the fourteenth ceremony of awarding 10 laureates the High Commissioner’s medal «Hurry to do good». The award had been established to reward a great contribution to the protection of human and civil rights and freedoms.

The most important event in the life of the High Commissioner and her Office in 2019 was the moving to a new separate office building, the House of Human Rights, ceremonially inaugurated on 10 December 2019, International Human Rights Day. Thus, another important requirement of international bodies to strengthen the guarantees of independence of an NHRI from the executive authorities was fulfilled, as laid down in the Paris Principles of 1993, by the GANRI Subcommittee for Accreditation (SCA) General Observations of 2018, the “Venice Principles” of 2019 and the Conclusions of the Venice Commission related to the Ombudsman institution.

The construction of a new separate office building for the Russian national human rights institution attests to the authority’s respect for human and civil rights and freedoms, the institution of the Russian High Commissioner for Human Rights and for citizens seeking justice.

The House of Human Rights is equipped with an accessible environment for people with disabilities. The engineering systems of the building function in the format of “smart house”. There is set up a situation center, which makes it possible to organize multi-channel videoconferences enabling regional human rights commissioners, authorities at all levels and people from even the most remote regions of the country to communicate with the High Commissioner and the staff the Office. In 2020, it is also planned to introduce a new system for registering citizens' petitions, electronic document circulation, and improved classification of appeals, compatible with other State bodies’ systems.

The Office of the Ombudsman currently has a staff of 250.

Currently, 99% of the employees of the Office have higher education. Of these, 2 are doctors of science and 19 are candidates of science. 36% of the Office employees have the length of the civil service for 20 years or more; 14% of the employees have been employed at the civil service for 15-20 years, while 14% - 10-15 years, 16% - 5-10 years.
In 2019, a great deal of work was done to improve the staff work-related skills - 87 employees of the Office attended vocational training programmes in the country’s leading higher education institutions.

During the past year, the staff of the High Commissioner’s Office organized 13 meetings of various sections of the Council of Experts under the auspices of the High Commissioner, 2 meetings of the Council of the human rights commissioners of the Russian Federation, 2 meetings of the Coordinating Council of the Russian human rights commissioners. In the framework of 17 implemented large-scale law enforcement projects were organized 43 human rights events. The Staff of the Office also attended 8 meetings of the Russian human rights commissioners’ councils held in the Federal Districts of the Russian Federation.

Throughout the year, the staff of the Office developed the proposals to improve human rights legislation. In 2019, the staff lawyers took part in 5 parliamentary hearings organized by the State Duma and the Federation Council, 50 conferences and round tables on current human rights issues related to the improvement of Russian legislation.

On the instructions of the Commissioner, the staff of the Office conducted 359 receptions of citizens and interviewed a total of 4,482 individuals, participated in 88 court hearings, and ensured the activities of the High Commissioner during her working inspection visits and business trips abroad.

During the year, the staff of the High Commissioner’s Office went on 76 official business trips, including 26 business trips abroad.

The challenge remains to empower the staff of the Office in providing legal human rights assistance to people whose rights have been violated. In this connection, it would be advisable to enable the staff of the Office, on the instructions of the Ombudsman, to conduct inspections on verification of the circumstances of the complaints and freely visit penal enforcement institutions in the country. This will help to strengthen the guarantees of the rights and freedoms of citizens, as well as the effectiveness in restoring their violated rights. In order to achieve these goals, it is proposed to make appropriate amendments to the Federal Constitutional Law
«On the Commissioner for Human Rights in the Russian Federation». 