



**Russian Federation's Compliance with the International Covenant on Economic, Social,
and Cultural Rights: Gender-Based Violence & Foreign Agents Law**

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

The Russian Federation fails to uphold its obligations under the International Covenant on Economic, Social, and Cultural Rights.

Non-discrimination (Article 2 (2), (8-9))¹

The Foreign Agents Law restricts civil society organizations and human rights defenders

1. In 2012, Bill No. 121-FZ, i.e., the Foreign Agents Law, entered into force.² The law imposes burdensome requirements on those the state designates as “foreign agents.”³ 2022 amendments expanded the scope of who qualifies as a “foreign agent.”⁴ Consequently, massive numbers of human rights defenders (HRDs), journalists, and other civil society members now face severe restrictions in their activities.⁵ As of August 2025, more than 1,000 individuals or organizations are listed as “foreign agents” or “undesirables,” a label reserved for non-domestic entities.⁶
2. The vagueness of the law’s language and procedures furthers the arbitrary application of the law.⁷ Women’s human rights defenders (“WHRDs”) reported the absence of formal procedures to notify those designated as a “foreign agent.” Instead, their names appear on a list found on a state-controlled website updated each Friday.⁸ One interviewee learned she was a “foreign agent” only after a friend had seen her name on the list.⁹ HRDs reported that they have challenged these designations via revision requests before the Ministry of Justice and appealed the Ministry’s decisions in court; they have been generally unsuccessful, however, largely due to the law’s vague and overly broad provisions. HRDs also expressed serious concern about the judiciary’s lack of impartiality in such cases.¹⁰
3. Impacts of the Restrictions Brought Forth by the Foreign Agents Law WHRDs have reported stigmatization and reduced opportunities after designation as a “foreign agent.” One WHRD shared how challenging it is to secure public and financial support for their activities.¹¹ Non-governmental organizations (NGOs) face challenges in securing contributions based on

¹ Committee on Economic, Social and Cultural Rights, *Seventh periodic report submitted by the Russian Federation under articles 16 and 17 of the Covenant, due in 2022*, (Nov. 16, 2022), U.N. Doc. E/C.12/RUS/7, ¶ 3, 8, 10, ¶ 31, ¶ 330-334, 337-338, 341, 344, 348.

² Norwegian Helsinki Committee, *Russia’s Foreign Agent Law: Violating human rights and attacking civil society* (2014), 1, accessed July 21, 2025, https://nhc.no/content/uploads/2018/08/NHC_PolicyPaper_6_2014_Russiasforeignagentlaw.pdf

³ Norwegian Helsinki Committee, *Russia’s Foreign Agent Law: Violating human rights and attacking civil society* (2014), 3-4, accessed July 21, 2025, https://nhc.no/content/uploads/2018/08/NHC_PolicyPaper_6_2014_Russiasforeignagentlaw.pdf

⁴ On Control over the Activities of Persons Under Foreign Influence, 255-FZ Federal Law, July 14, 2022, <http://publication.pravo.gov.ru/Document/View/0001202207140018?index=37&rangeSize=1>; see also, Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, *Communication to the Russian Federation*, (Nov. 30, 2022), U.N. Doc. OL RUS 16/2022.

⁵ Fletcher Russia & Eurasia Program, *The Impact of Russia’s “Foreign Agents” Legislation on Civil Society*, by Maxim Krupskiy (June 26, 2023), accessed July 21, 2025, <https://sites.tufts.edu/fletcherussia/the-impact-of-russias-foreign-agents-legislation-on-civil-society/>

⁶ Written Communication to The Advocates, Aug. 8, 2025, on file with The Advocates.

⁷ Statement 1, on file with The Advocates, Mar. 7, 2023 (observing “[n]obody knows what this means exactly”). Hereinafter, a “Statement” as referred to in the footnotes references interviews conducted by The Advocates.

⁸ Statement 1, on file with The Advocates, Mar. 7, 2023.

⁹ Statement 1, on file with The Advocates, Mar. 7, 2023.

¹⁰ Statement 1, on file with The Advocates, Mar. 7, 2023.

¹¹ Statement 2, on file with The Advocates, Mar. 30, 2023; see also, Statement 1, on file with The Advocates, Mar. 7, 2023.

donors' fears of infringing the law or even being labeled a "foreign agent" themselves for lending their support.¹²

4. Once labeled a "foreign agent," individuals are often forced to leave the country, as ensuing conditions are restrictive.¹³ One WHRD described how "impossible" it becomes to work and live in the country, as violation of the law can result in an administrative penalty or even criminal conviction.¹⁴ After the first conviction, it is reportedly easier for the state to bring additional charges.¹⁵ Many HRDs must flee the country to avoid the risk of criminal charges.¹⁶
5. The law severely impacts the rights to work, property, and non-discrimination. Interviewees expressed how employers are unlikely to hire a person who is a "foreign agent."¹⁷ The law also affects how individuals can garner income. Advertisers are banned from placing ads on platforms operated by "foreign agents," significantly limiting these entities' ability to generate income.¹⁸ News outlets, journalists, and other stakeholders susceptible to this designation are impacted, as advertising can be an important source of revenue.¹⁹ According to national media, in 2024, advertisers reported to the Unified Register of Internet Advertising (ERIR) they had placed ads worth only 46.72 million rubles on "foreign agent" platforms. This represents a 5.6-fold decrease compared to 2023, when ad placements totaled 264.4 million rubles.²⁰
6. The Foreign Agents Law denies access to bank services and access to funds in financial institutions based on "foreign agent" status. One WHRD shared how banks may refuse to open accounts for "foreign agents."²¹ Also, in 2024, the government adopted legislation prohibiting "foreign agents" from accessing passive income earned in Russia, which includes royalties from intellectual property, proceeds from the sale or lease of real estate and vehicles, or interest income. Such funds are held in a "special account" and only released if the individual is removed from the "foreign agent" list.²² This constitutes a *de facto* confiscation of property.
7. On September 1, 2025, a law will enter into force that bans "foreign agents" from carrying out educational activities. Organizations and individuals recognized as "foreign agents" will not be able to conduct educational events, regardless of the audience's age. The ban includes educational events, lectures, seminars, and other forms of training.²³

The Anti-Rights Agenda: Expansion of the Foreign Agents Law

¹² Statement 3, on file with The Advocates, July 18, 2023.

¹³ Statement 3, on file with The Advocates, July 18, 2023.

¹⁴ Statement 3, on file with The Advocates, July 18, 2023.

¹⁵ Statement 5, on file with The Advocates, Mar. 31, 2023.

¹⁶ Statement 3, on file with The Advocates, July 18, 2023.; see also, Statement 5, on file with the Advocates, Mar. 31, 2023.

¹⁷ Statement 1, on file with The Advocates, Mar. 7, 2023; see also, Statement 4, on file with the Advocates, Mar. 30, 2023.

¹⁸ Statement 2, on file with The Advocates, Feb. 20, 2025.

¹⁹ Statement 2, on file with The Advocates, Feb. 20, 2025.

²⁰ Kristina Zakhezina, *Российские компании полностью прекратили размещать рекламу у иноагентов* [English: Russian companies have completely stopped advertising with foreign agents], Большой Город, Feb. 19, 2025, <https://bg.ru/bg/business/comm-news/25602-inoagents-not-register>.

²¹ Statement 2, on file with the Advocates, Mar. 30, 2023.

²² Statement 2, on file with The Advocates, Feb. 20, 2025.; see also, *Putin Signs Law Allowing Police to Freeze Bank Accounts Without Court Orders*, The Moscow Times, Aug. 1, 2025, <https://www.themoscowtimes.com/2025/08/01/putin-signs-law-allowing-police-to-freeze-bank-accounts-without-court-orders-a90064>

²³ Statement 2, on file with The Advocates, Feb. 20, 2025.

8. Russia has targeted WHRDs who oppose Russia's war in Ukraine. The Ministry of Internal Affairs (MIA) placed the founders of Feminist Anti-War Resistance on a wanted criminals list.²⁴ Other WHRDs were designated "foreign agents" for their anti-war position.²⁵
9. The government targets and seeks to label feminism as an extremist ideology. The State Duma on Information Policy deputy head introduced a bill recognizing feminism as an extremist ideology,²⁶ based on Russian feminists' opposition to military operations in Ukraine.²⁷ Government representatives claimed feminists are destroying "traditional values" and contributing to demographic decline.²⁸ Although this bill has not passed, on July 22, 2025, the State Duma passed a law punishing any Russian who searches for "extremist content online."²⁹
10. Government suppression extends beyond anti-war groups. Regulatory authorities scrutinize women's NGOs and HRDs who promote gender equality and prevent violence against women (VAW).³⁰ In this regard, authorities seek to attack women's organizations and LGBTIQ+ groups by filing complaints against them with the prosecutor's office and Ministry of Justice.³¹ In November 2023, the Russian Supreme Court recognized the "LGBT International Public Movement" as an extremist organization and banned its activities in Russia.³² The decision was leaked to the media, revealing the Court considers the LGBTIQ+ movement a threat to traditional values of family and marriage.³³ Since then, the state has initiated criminal cases against activists and queer persons. They are charged for being "initiators" of extremist cells or members of extremist movements. For example, the state brought criminal cases of LGBTIQ+ extremism against employees of several book publishers.³⁴

11. Suggested recommendations relating to the "foreign agent" law and anti-rights policies:

²⁴ Statement 2, on file with The Advocates, Mar. 30, 2023.; see also, Statement 5, on file with the Advocates, Mar. 31, 2023.

²⁵ Lucy Martirosyan, *A Russian lawyer stood up for Ukrainians. She was labelled a 'foreign agent'*, OpenDemocracy, Feb. 27, 2023, <https://www.opendemocracy.net/en/5050/human-rights-lawyer-domestic-violence-anna-rivina-russia-ukraine-georgia/>; See also, *Russian Justice Ministry names new "foreign agents" including Dalai Lama's envoy Telo Tulku Rinpoche and Little Big frontman Ilya Prusikin*, Meduza, Jan. 27, 2023, <https://meduza.io/amp/en/news/2023/01/27/russian-justice-ministry-names-new-foreign-agents-including-the-dalai-lama-s-envoy-and-little-big-frontman-ilya-prusikin>; See also, BBC News, Писатель Глуховский и рэпер Оксимирон внесены в реестры иноагентов, Oct. 7, 2022, <https://www.bbc.com/russian/news-63096145>

²⁶ Gigory Leiba, *Депутат Госдумы Олег Матвейчев разработал законопроект о признании феминизма экстремистской идеологией*, Kommersant, April 4, 2023, <https://www.kommersant.ru/doc/5914178>

²⁷ Gigory Leiba, *Депутат Госдумы Олег Матвейчев разработал законопроект о признании феминизма экстремистской идеологией*, Kommersant, April 4, 2023, <https://www.kommersant.ru/doc/5914178>.

²⁸ Gigory Leiba, *Депутат Госдумы Олег Матвейчев разработал законопроект о признании феминизма экстремистской идеологией*, Kommersant, April 4, 2023, <https://www.kommersant.ru/doc/5914178>.

²⁹ Alexander Marrow, *Russia passes law punishing searches for 'extremist' content*, Reuters, July 22, 2025, <https://www.reuters.com/world/russia-passes-law-punishing-searches-extremist-content-2025-07-22/>. The penalty is 5,000 rubles.

³⁰ Human Rights Watch, *Russia's Legislative Minefield: Tripwires for Civil Society since 2020* (New York: Human Rights Watch, Aug. 2024), 3, 133 136, https://www.hrw.org/sites/default/files/media_2024/08/russia0824web.pdf.

³¹ Human Rights Watch, *Russia's Legislative Minefield: Tripwires for Civil Society since 2020* (New York: Human Rights Watch, Aug. 2024), 4, 159, https://www.hrw.org/sites/default/files/media_2024/08/russia0824web.pdf; Statement 1, on file with The Advocates, Feb. 22, 2025.

³² Sergey Mingazov, *СМИ опубликовали решение Верховного суда о признании экстремистским «движения ГБТ»*, Forbes, Jan. 18, 2024, <https://www.forbes.ru/society/504558-smi-opublikovali-resenie-verhovnogo-suda-o-priznanii-ekstremistskim-dvizhenia-lgbt>

³³ Sergey Mingazov, *СМИ опубликовали решение Верховного суда о признании экстремистским «движения ГБТ»*, Forbes, Jan. 18, 2024, <https://www.forbes.ru/society/504558-smi-opublikovali-resenie-verhovnogo-suda-o-priznanii-ekstremistskim-dvizhenia-lgbt>.

³⁴ *Сотрудников издательства Individuum отправили под домашний арест по делу об «ЛГБТ-экстремизме»*, BBC, Mar. 15, 2025, <https://www.bbc.com/russian/articles/cgkdjd6jnm7o>

- Repeal the existing “foreign agents” legislation and all related amendments that restrict the activities of NGOs, HRDs, political dissenters, and activists. In the meantime, amend the Foreign Agents Law to exclude NGO service providers that support victims of violence. Refrain from adopting laws or regulations that stigmatize or criminalize civil society activity not aligned with government positions.
- Ensure all individuals, especially women, gender-diverse people, and NGOs that support gender equality, can freely exercise their rights without risk of being arbitrarily labelled a “foreign agent.”
- Create mechanisms to extend reparations to individuals and NGOs negatively impacted by being named or associated with “foreign agents” and facilitate the re-establishment of organizations closed or operating in exile because of “foreign agent” legislation and its effects to ensure full compliance with international and regional decisions that recognize that such laws violate of international human rights standards.

I. Gender-based violence and violence against women (GBVAW) (Article 10(17))³⁵

Limited definition & criminalization of GBVAW

12. Current penal legislation is inadequate to effectively address DV. Legislation does not define, criminalize, or mandate public prosecution of domestic violence (DV). There is no effective mechanism to address domestic violence and its consequences.³⁶ Low-level injuries, the most common forms of physical domestic violence, are not an offense under the Criminal Code and Code of Administrative Offenses.³⁷ Victims must rely on injury or other provisions that address physical violence.³⁸ In February 2017, new legislation transferred primary battery from the Criminal Code to the Code of Administrative Offenses.³⁹ This reform reduced responsibility for battery to a nominal fine.⁴⁰ Such sanctions are disproportionately low compared to the severity of DV and can discourage reporting. Also, victims assume an “unbearable burden of proof” in court under current laws, which further deters them from reporting cases.⁴¹
13. Recent policy and attitudes indicate DV is not seen as a priority. In 2022, Russia adopted a new National Strategy for Women, which seemingly discounts the problem of DV.⁴² For example, the section titled, “Preventing the social disadvantages of women and violence

³⁵ Committee on Economic, Social and Cultural Rights, *List of issues in relation to the seventh periodic report of the Russian Federation*, (Nov. 2, 2023), U.N. Doc. E/C.12/RUS/Q/7, ¶¶ 2, 10, 17; Committee on Economic, Social and Cultural Rights, *Replies of the Russian Federation to the list of issues in relation to its seventh periodic report*, (Nov. 19, 2024), U.N. Doc. E/C.12/RUS/RQ/7, ¶¶ 100-103, 113

³⁶ European Consortium for Political Research, “Lessons on Authoritarian Regime Dynamics from Russia’s Politics of Domestic Violence,” accessed July 31, 2025, <https://theloop.ecpr.eu/lessons-on-authoritarian-regime-dynamics-from-russias-politics-of-domestic-violence/>.

³⁷ Statement 4, on file with The Advocates, Mar. 30, 2023.; see also, the relevant articles in the Russian Criminal Code that could be applied to stalking include: Article 117 (“Torment”),³⁷ Articles 30 & 105 (“Attempted Murder”),³⁷ or Article 115 (“Intentional infliction of injury to health of average gravity”).

³⁸ Statement 4, on file with The Advocates, Mar. 30, 2023.

³⁹ Federal Law No. 8-FZ of 7 February 2017, Criminal Code of the Russian Federation art 116 (2017) (Russia).

⁴⁰ Federal Law No. 8-FZ of 7 February 2017, Criminal Code of the Russian Federation art 116 (2017) (Russia).

⁴¹ Alisa Shilova, *Stalking as a Human Rights Violation: The Case of the Russian Federation*, Central European University Dept. of Legal Studies (2022), 32.

⁴² Government of the Russian Federation, *Assessing and changing the status of women in the Russian Federation*, No. 4356-r, II, (Dec. 29, 2022), <http://static.government.ru/media/files/ilHtVckhskBAE9DAfID3Akpd787xAOc4.pdf>.

against women” section⁴³ was changed to omit VAW.⁴⁴ In addition, state officials often use “traditional values” and the rejection of “liberal values” to resist reforms that could protect DV victims.⁴⁵ One lawyer shared how officials see DV legislation “[as ...] a red line for them.”⁴⁶

Prevalence

14. According to the MIA, 895 women were killed due to DV from 2021 to June 2023.⁴⁷ Because the government does not prioritize gender-disaggregated data, the actual figure may be higher than reported.⁴⁸

Specialized services for victim-survivors of GBVAW

15. The Foreign Agents Law has reduced the availability of already scarce services for victims-survivors of GBVAW or discrimination. Many NGOs that provide support to victims-survivors⁴⁹ are now “foreign agents.”⁵⁰ Crisis centers and women's NGOs listed as “foreign agents” have been forced to close, further limiting access to life-saving services.
16. Bureaucratic barriers limit victim-survivors’ access to free legal aid, and protective measures remain inadequate.⁵¹ In administratively initiated cases, the police officer or other public officials who witnessed the violence have a legal obligation to treat it as a public offense, file a report, and start an investigation. That only 10% of DV cases are initiated administratively suggests reluctance by public officials to file reports in DV cases.⁵²
17. Administrative proceedings do not provide immediate protection orders,⁵³ leaving the victim-survivor vulnerable to violence. Moreover, police lack the authority to search for the alleged offender or impose restrictions on them.⁵⁴

Access to justice and services for victims-survivors of GBV

18. Authorities do not acknowledge DV as a systemic problem or discrimination against women. They often perceive long-term DV as a minor and private family matter and do not exercise

⁴³ See Page 9 of the National Strategy Plan.

⁴⁴ Coalition for the Sustainable Development of Russia, *The Invasion of Ukraine: Implications for the SDGS in Russia*, (2023) 70, <https://kurs2030.ru/en/report2023>.

⁴⁵ Statement 4, on file with The Advocates, Mar. 30, 2023.

⁴⁶ Statement 4, on file with The Advocates, Mar. 30, 2023.

⁴⁷ Verstka, “МВД: в 2021—2022 годах в России 895 женщин убили в результате домашнего насилия,” accessed July 9, 2024, <https://verstka.media/mvd-v-2021-2022-godah-v-rossii-895-zhenschin-ubili-v-rezultate-domashnego-nasiliya-news>

⁴⁸ After Russia, “Gender Violence,” accessed July 31, 2025, <https://www.after-russia.org/en/explained/gender-violence>.

⁴⁹ Томскую организацию, помогающую женщинам, объявили иностранным агентом, Агентство социальной информации, May 28, 2022, <https://asi.org.ru/news/2022/05/28/tomskuyu-organizaciyu-pomogayushhuyu-zhenshinam-obyavili-inostrannym-agentom/>

⁵⁰ Coalition for the Sustainable Development of Russia, *The Invasion of Ukraine: Implications for the SDGS in Russia*, 70 (2023) <https://kurs2030.ru/en/report2023>.

⁵¹ Human Rights Watch, *Russia’s Deadly Negligence of Domestic Violence*, by Yulia Gorbunova (New York: Human Rights Watch, March 8, 2021), <https://www.hrw.org/news/2021/03/08/russias-deadly-negligence-domestic-violence>.

⁵² Центр «Насилию.нет», Какова ситуация с домашним насилием в России?, <https://nasiliu.net/pronasilie/kakova-situacziya-s-domashnim-nasiliem-v-rossii/> (last visited July 31, 2025).

⁵³ Statement 4, on file with the Advocates, Mar. 30, 2023.; Human Rights Watch, *Russia: Unaddressed Domestic Violence Puts Women at Risk*, by Yulia Gorbunova (New York: Human Rights Watch, October 25, 2018), <https://www.hrw.org/news/2018/10/25/russia-unaddressed-domestic-violence-puts-women-risk>.

⁵⁴ Current Time TV, “Домашнее насилие в России: как реагирует полиция, зачем нужен специальный закон и что говорит статистика,” accessed July 31, 2025, <https://www.currenttime.tv/a/domestic-violence-in-russia-interviews/30050313.html>.

due diligence to effectively and promptly investigate and punish perpetrators.⁵⁵ Dismissal of DV complaints by law enforcement is high.⁵⁶

19. There is no legislation or protocols for risk assessment and management in DV cases.⁵⁷ There is also no mandatory professional training for law enforcement to combat gender stereotypes or to integrate trauma-informed, gender-sensitive practices.⁵⁸ Police officers, investigators, and judges are often guided by misconceptions about DV and its risk, relying on harmful perceptions, e.g., that female victims of DV can defend themselves.⁵⁹
20. Shortcomings by law enforcement hinder public prosecution, which in turn places the burden on victims to initiate private prosecution if they want justice.⁶⁰ Police do not initiate or investigate cases in private prosecution.⁶¹ Instead, the victim must initiate a case by filing an application with a justice of the peace.⁶² The legal requirements are often too complex for laypersons to navigate alone.⁶³ If the judge accepts a private complaint, the victim must represent themselves pro se unless they can hire an attorney.⁶⁴ In other words, the victim is responsible for collecting and presenting evidence and prosecuting their own case.⁶⁵ Without effective public prosecution or protection orders, the current legal system leaves victims with little recourse and few realistic remedies.
21. If the victim fails to appear at a hearing without a valid reason, the proceedings may be terminated.⁶⁶ Even if the victim has legal representation, she still must attend every court hearing in her case. These requirements are often onerous for victims and usurp time from other responsibilities, such as employment and care work.
22. Given the scarce resources and protection measures, victims are often left with little choice but to live with their abusers.⁶⁷ Seven of ten criminal cases are terminated due to reconciliation of the parties,⁶⁸ an outcome often reached by the perpetrator manipulating or intimidating the victim in their shared space.⁶⁹ When a case is terminated on grounds of reconciliation, the perpetrator escapes punishment.⁷⁰

⁵⁵ Statement 4, on file with The Advocates, Mar. 30, 2023.

⁵⁶ Statement 4, on file with The Advocates, Mar. 30, 2023.

⁵⁷ Tunikova and Others v. Russia, App. Nos. 55974/16, 36552/17, 67318/17 and 43768/18, Eur. Ct. H.R. (2021).

⁵⁸ Tunikova and Others v. Russia, App. Nos. 55974/16, 36552/17, 67318/17 and 43768/18, Eur. Ct. H.R. (2021).

⁵⁹ Human Rights Watch, *The Chilling Inaction on Domestic Violence in Russia Is Endangering Women's Lives*, by Yulia Gorbunova (New York: Human Rights Watch, July 29, 2019), accessed July 31, 2025,

<https://www.hrw.org/news/2019/07/29/russia-unaddressed-domestic-violence-puts-women-risk>.

⁶⁰ Information on file with the authors, 2025

⁶¹ Criminal Code of the Russian Federation, art. 20 (1996) (Russia).

⁶² Criminal Code of the Russian Federation No. 63-FZ, art. 20, 318 (1996) (Russ.).

⁶³ Human Rights Watch, *Russia: Unaddressed Domestic Violence Puts Women at Risk*, by Yulia Gorbunova (New York: Human Rights Watch, October 25, 2018), <https://www.hrw.org/news/2018/10/25/russia-unaddressed-domestic-violence-puts-women-risk>

⁶⁴ Statement 4, on file with The Advocates, Mar. 30, 2023.

⁶⁵ Statement 4, on file with The Advocates, Mar. 30, 2023.

⁶⁶ Code of Criminal Procedure, Art. 249 ¶3.

⁶⁷ Human Rights Watch, *I Could Kill You and No One Would Stop Me: Weak State Response To Domestic Violence in Russia*, (Oct. 25, 2018), accessed July 29, 2025, <https://www.hrw.org/report/2018/10/25/i-could-kill-you-and-no-one-would-stop-me/weak-state-response-domestic-violence>

⁶⁸ Center for East European and International Studies, “Domestic violence in Russia: the tough battle for protection”, accessed July 29, 2025, <https://www.zois-berlin.de/en/publications/domestic-violence-in-russia-the-tough-battle-for-protection>.

⁶⁹ Human Rights Watch, *I Could Kill You and No One Would Stop Me: Weak State Response To Domestic Violence in Russia*, (Oct. 25, 2018), accessed July 29, 2025, <https://www.hrw.org/report/2018/10/25/i-could-kill-you-and-no-one-would-stop-me/weak-state-response-domestic-violence>

⁷⁰ Criminal Code of the Russian Federation No. 63-FZ, art. 25 (1996) (Russia).

23. Suggested questions/recommendations relating to GBVAW:

- Amend the Criminal Code to specifically criminalize and define all forms of GBVAW.
- Strengthen capacity-building for judges and law enforcement officers on eliminating stereotypes and conducting risk assessments.
- Remove operational restrictions and adequately fund victim services by establishing and funding NGO-operated, inclusive, accessible, and sufficient number of shelters, taking into account victim-survivors' specific needs in line with international standards.
- Ensure—including through mandatory and continuous training and accountability mechanisms for judges, prosecutors, and law enforcement officials—that the state effectively investigates, prosecutes, and sanctions GBVAW.
- Ensure women and girls have access to justice, using reasonable procedural accommodations, including through affordable or free legal aid, and continue to build the capacity of authorities on gender-sensitive investigation approaches.
- Establish mechanisms to guarantee adequate protection measures, including emergency restraining and removal orders.
- Ban mediation and reconciliation in DV cases and ensure they do not replace prosecution.
- Repeal Article 249(3) of the Criminal Procedure Code, requiring victims to be present at all court hearings for the case to proceed.
- Collect and disseminate statistical data, disaggregated by age, nationality, ethnicity, disability, urban or rural area, socioeconomic background, and relationship between victim and perpetrator, on cases of GBVAW, investigations, prosecutions and convictions, and sentences imposed on perpetrators and reparation provided to victims.

II. Militarization's Impacts on GBVAW⁷¹

24. Following Russia's invasion of Ukraine, the state's response to DV has further deteriorated.⁷² Legal changes have reduced safety for DV victims. Federal Law No. 270-FZ "On the Specifics of Bringing to Criminal Responsibility Persons Involved in a Special Military Operation" was adopted (in force until June 23, 2024).⁷³ It exempts criminal liability of people under investigation upon admission to military service if they meet certain conditions.⁷⁴

⁷¹ Committee on Economic, Social and Cultural Rights, *Replies of the Russian Federation to the list of issues in relation to its seventh periodic report*, (Nov. 19, 2024), U.N. Doc. E/C.12/RUS/RQ/7, ¶ 55.

⁷² United Nations High Commissioner for Refugees, "Addressing Gender-Based Violence in Ukraine: challenges and response in frontline and displaced communities", accessed July 29, 2025, <https://www.unhcr.org/ua/en/news/stories/addressing-gender-based-violence-ukraine-challenges-and-response-frontline-and->

⁷³ United Nations Human Rights Office of the High Commissioner, *Report on the human rights situation in Ukraine*, (2023), 14, accessed July 29, 2025, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/23-10-04-OHCHR-36th-periodic-report-ukraine-en.pdf>.

⁷⁴ Those conditions include: if they were not convicted of sexualized violence against children, crimes of a terrorist or extremist nature, treason, espionage, and; they committed a crime of minor or medium gravity before the law's entry into force (except for terrorist or extremist crimes), or are service members who committed crimes during mobilization, martial law, or wartime.

25. There are grave concerns over the government's omission to clarify whether victim and family input is considered in pardon decisions, as required by law.⁷⁵ Further, most individuals can obtain a pardon regardless of the severity or category of their crime. As a result, the Russian Ministry of Defense and Wagner PMC recruited tens of thousands of individuals serving a sentence to join military actions between 2022 and 2023.⁷⁶
26. The table below⁷⁷ reveals this law's application between 2018 and 2024.⁷⁸ "Other cases" includes suspensions of cases due to unknown whereabouts of the offender or military conscription during wartime.⁷⁹ This data shows increases in suspensions since 2022 for cases that include pardons for conscription. The criminal law changes contributed to this increase by allowing for the suspension of criminal cases when a military contract is concluded.

Year	Suspended cases	In connection with the search	Due to serious illness	Other cases
2020	10 822	8 497	1 078	1 247
2021	11 424	9 119	1 091	1 214
2022	13 596	10 149	992	2 455
2023	16 128	10 267	770	5 091
2024	27 759	9 927	656	17 176

27. As military recruitment became a national priority, these individuals received pardons and the lifting of additional conditions of their convictions, including administrative supervision over them,⁸⁰ provisions that may have proffered some protection for DV victims.
28. If individuals commit new crimes, they do not receive enhanced penalties for repeated convictions.⁸¹ Since 2024, recidivism also appeared to decrease not because of reduced rates of offenses but because more offenders were pardoned based on their participation in special

⁷⁵ President of the Russian Federation, On Certain Issues of the Activities of Pardon Commissions in the Territories of the Subjects of the Russian Federation (together with the "Regulation on the procedure for considering petitions for pardon in...), Decree No. 787 of Dec. 14, 2020 (as amended on Nov. 15, 2021). See also, https://www.consultant.ru/document/cons_doc_LAW_370772/; Measures include the guarantee of the pardon of those prisoners who are serving in the war, especially by expanding Article 238 of the Criminal Code. Before 2024, only four grounds allowed suspension of criminal proceedings at trial. With the escalation of the war in Ukraine, a fifth ground was added. Proceedings may now be suspended due to: (1) an ongoing search; (2) serious illness; (3) a referral to the Constitutional Court; (4) known location of the accused but inability to participate in trial; and (5) conscription of the accused during mobilization or wartime (added March 24, 2024).

⁷⁶ Information on file with the authors, 2025.

⁷⁷ Provided by the Judicial Department of the Russian Federation [add rest of citation]

⁷⁸ Art. 238, Criminal Procedure Code.

⁷⁹ There may be more suspended criminal cases, since to the authors' knowledge, these figures show only cases suspended at the trial stage, and cases suspended at the investigation stage are not published.

⁸⁰ Lukas Zalalus, *Murder for Freedom: How Russia Legalized Pardons For Military Service*, The Moscow Times, Dec. 29, 2023, <https://www.themoscowtimes.com/2023/12/29/murder-for-freedom-how-russia-legalized-pardons-for-military-service-a83258>

⁸¹ If recidivism were to be applied to these convicts, they would face a more severe punishment for conducting a repeated criminal offense. Previously committed crimes would be taken into account when issuing a punishment.

military operations.⁸² Individuals can exploit this pardon policy by cycling between crime and military conscription to avoid accountability.⁸³

Prevalence of GBVAW due to the war

29. Between 2020 and 2025, DV constituted between 62% and 73% of all battery cases by former military personnel.⁸⁴ Yet these crimes are rarely punished with proportionate sentences, and most offenders receive minimal penalties, such as a fine or compulsory labor.⁸⁵

30. Granting near-total criminal immunity to combatants undermines public confidence in the criminal justice system. Such impunity deprives victims of access to justice and jeopardizes their safety and the safety of their loved ones. Recruited individuals are often released from their obligation to pay compensation to the victim⁸⁶ in breach of existing legislation. The pardon procedure does not provide for such a release, nor is the executive branch vested with authority to exempt offenders from paying compensation for moral damage.⁸⁷ As a result, many enforcement proceedings for the recovery of moral damage are terminated without notifying victims,⁸⁸ leaving them without redress. In the absence of adequate legal protection, victims remain vulnerable to retaliation by the perpetrator.

31. Suggested recommendations relating to militarization and GBVAW:

- Amend Federal Law No. 270-FZ to ensure individuals who commit GBVAW are not pardoned from their crimes nor exempted from criminal responsibility.
- Amend Article 238 of the Criminal Procedural Code to remove the fifth condition allowing for suspension of criminal proceedings at the trial stage if the accused is conscripted for military service during wartime.
- Prohibit the practice of expunging criminal records in exchange for military service; ensure repeat offenders receive enhanced penalties for recidivism, regardless of military service.
- Uphold laws guaranteeing victims reparations for moral damage of their abuse, including in cases involving pardons under Law No. 270-FZ.

⁸² Statement 3, on file with The Advocates, Feb. 19, 2025.

⁸³ Ekaterina Ezhova, *Вернулся с СВО и покалечил бывшую жену: туляк-убийца рвется на фронт из-за нового приговора*, Tula Press, Feb. 5, 2025, <https://tulapressa.ru/2025/02/vernulsya-s-svo-i-pokalechil-byvshuyu-zhenu-tulyak-ubijca-rvetsya-na-front-iz-za-novogo-prigovora/>

⁸⁴ *Беззащитные перед защитниками: Насилие над женщинами обходится участникам боевых действий в 5 тысяч рублей*, Verstka, March. 30, 2024, <https://verstka.media/kak-vernuvshiesya-v-rossiyu-uchastniki-voiny-v-ukraine-snova-ubivayut-i-kalechat>. The journalists reviewed battery cases under Article 6.1.1 of the Code of Administrative Offenses and Article 116.1 of the Criminal Code.

⁸⁵ *Беззащитные перед защитниками: Насилие над женщинами обходится участникам боевых действий в 5 тысяч рублей*, Verstka, March. 30, 2024, <https://verstka.media/kak-vernuvshiesya-v-rossiyu-uchastniki-voiny-v-ukraine-snova-ubivayut-i-kalechat>. The journalists reviewed battery cases under Article 6.1.1 of the Code of Administrative Offenses and Article 116.1 of the Criminal Code.

⁸⁶ Statement 4, on file with The Advocates, Feb. 20, 2025.; Olga Mamikonyan, *Помилованного убийцу Пехтелевой освободили от уплаты моральной компенсации ее семье*, Forbes, Nov. 15, 2023, <https://www.forbes.ru/society/500454-pomilovannogo-ubijcu-pehtelevoj-osvobodili-ot-uplaty-moral-noj-kompensacii-ee-sem-e> ; Article 44 <https://www.wipo.int/edocs/lexdocs/laws/en/ru/ru080en.pdf>

⁸⁷ Article 52, 151, 85 <https://www.wipo.int/edocs/lexdocs/laws/en/ru/ru080en.pdf>

⁸⁸ Татьяна Струкова, *Убийцу из Обнинска помиловали до отправки на фронт в составе ЧВК «Вагнер»*, RTVI, Aug. 24, 2023, <https://rtvi.com/news/ubijcu-iz-obninska-pomilovali-do-otpravki-na-front-v-sostave-chvk-vagner/>