

New push to pass domestic-violence law angers Russia's 'traditional conservatives'

By Maria Karnaukh & Robert Coalson

RFE/RL (20.11.2019) – <https://bit.ly/2QVG43D> – At a time when alarming cases are drawing attention to domestic violence in Russia, activists are pushing – again – for a law that would criminalize it. Conservative groups are pushing back.

Russia is the only country in the Council of Europe that has no criminal statute on domestic violence. Of the 47 member states, only Russia and Azerbaijan have failed to sign the 2011 Istanbul Convention on combating violence against women and domestic violence.

More than 40 times over the last decade, bills on domestic violence have been introduced in the State Duma, Russia's lower house of parliament, but none of them has passed even the first reading.

In each instance, the efforts have met staunch resistance from socially conservative organizations and self-professed advocates of so-called traditional values. That history is now repeating itself as activists and their allies in the Duma prepare yet another bill seeking to address the persistent

problem.

“They have tried to foist this law on us several times already,” said Olga Letkova, an activist with the Association of Parents’ Committees and Societies (ARKS), which has organized demonstrations against the draft bill. “The last time we fought them was in 2016 – back then, experts and the public and the Russian Orthodox Church came out against it. We hope that this time we will again be able to beat back this assault.”

In 2016, a section on “domestic battery” was added to a broader article of the Russian Criminal Code – but it was removed six months later. Under amendments to the Administrative Code in 2017, a first instance of domestic battery that does not result in lasting harm is punishable by a fine of 5,000 to 30,000 rubles (\$80 to \$480), and a second offense within one year by a fine up to 40,000 rubles or up to three months in jail.

At the time, Amnesty International called the decriminalization “a sickening attempt to further trivialize domestic violence” in Russia.

Now, Oksana Pushkina, a Duma member from the ruling United Russia party and deputy chairwoman of the legislature’s Committee on Families, Women, and Children who is a co-author of the latest bill, has complained to law enforcement authorities that she and her co-authors have been targeted by threats on social media.

Pushkina also alleged that a “well organized and financed campaign” had been launched against the nascent proposal, which she compared to a sometimes-violent campaign conducted in 2017 against the film *Matilda*, which social conservatives said demeaned Crown Prince Nicholas – later, Tsar Nicholas II – by detailing his affair with a half-Polish ballerina.

‘Gender ideology’

In October, more than 180 “traditional values” organizations and their regional branches signed an open letter denouncing the proposed bill as a purported product of “gender ideology” and an “instrument for the fundamental and forcible alteration of the basic foundations of Russian society and the destruction of our traditional family and moral values.”

“In many countries where they have such a law, single-sex marriages and gay parades are allowed,” said Andrei Kormukhin, the leader of a Russian Orthodox public movement called Forty Forties (Sorok Sorokov), named after the legendary number of churches in Moscow before the 1917 revolution. “Why should our conservative-traditional country – which, according to our leader, has its own, unique civilization – adopt foreign values?”

Kormukhin, who has been advocating against the proposed bill, added that the very term “family violence” casts aspersions on the image of the family, “the safest and most peaceful space within our society.”

But the government's own, incomplete information offers a counterpoint to Kormukhin's characterization of the Russian family. In 2012, the state statistics agency Roskomstat and the Health Ministry issued a study that found at least 20 percent of Russian women had experienced physical violence on the part of a husband or partner during their lives. In 2008, the Interior Ministry estimated that up to 40 percent of all serious violent crimes in Russia are committed within the family.

In 2016, the Interior Ministry reported that 64,421 violent offenses were committed within the family, with 29,465 of them committed against a spouse or partner. In the vast majority of those cases, the victim was a woman.

Underreported crimes

Activists add that the actual figures on domestic violence are likely much higher because such crimes are significantly underreported – and when they are reported, police often refuse to file a complaint.

The problem of domestic violence has broken into Russian headlines in several stunning cases in recent months. In St. Petersburg, a prominent historian has confessed to killing his girlfriend – a former student of his – and dismembering her body.

In Moscow, three teenage sisters are currently facing premeditated murder charges for killing their father in July

2018 after what they say was years of domestic abuse, including sexual abuse and humiliation.

In July, a man in the Moscow suburb of Ramenskoye killed his partner, Natalya Basova, by stabbing her 20 times at a playground in front of a group of children, including her own 5-year-old daughter. The accused man reportedly committed suicide while being held in pretrial detention.

In Moscow, 27-year-old Dmitry Grachyov was sentenced to 14 years in prison in November 2018 after being convicted of abducting his wife, taking her into a forest outside the capital, and cutting off both her hands with an ax. He was also ordered to pay his now ex-wife 30,000 rubles (\$480) in compensation for "moral damages."

The Russian Orthodox opposition to the proposed law is organized around a website called CitizenGo, where more than 18,000 people have signed an online petition against the law, saying it is "based on the radical ideology of feminism."

The website – which also features material opposing abortion, vaccinations, and rights for sexual minorities – is part of a network of similar websites across the European Union and the United States that originated in Spain. The Russian platform is financially supported by Konstantin Malofeyev, the so-called Orthodox oligarch who is also the founder of the nationalist-monarchist Internet television channel Tsargrad.

Malofeyev has also worked actively throughout the former Soviet Union with the World Congress of Families (WCF), a U.S.-based organization that campaigns internationally against

same-sex marriage, pornography, and abortion. In 2014, the Southern Poverty Law Center added the WCF and several affiliated groups in the United States to its list of “anti-gay hate groups.”

Conservatives object to the draft bill’s inclusion of several forms of domestic violence – including physical, psychological, economic, and sexual.

“Under ‘economic’ violence, they include failure to give money or things,” Letkova said. “For example, taking away a device from a child or not allowing him to go online. Not to mention making children do household chores, which is considered ‘exploitation.’”

False claims

Supporters of the bill categorically reject such arguments, which they say are intended to frighten and mislead the public.

“[The law is written to prevent] someone from tormenting a child with hunger or taking away a pensioner’s pension,” said Alyona Popova, a lawyer and activist who is helping draft the bill. “If your child is fed and healthy and properly clothed but you refuse to buy him a toy, that is not violence.”

Lawyer Mari Davtyan added that opponents of the bill are spreading false claims that the measure includes provisions

allowing the state to take children away from their families for spurious reasons. She emphasized the law does not include any changes to the current Family Code of Russia.

Letkova also claims the bill institutionalizes “free sex.”

“According to the authors of the law, married people preserve the right to have sex with anyone they want and no one has the right to interfere or criticize them,” she told Current Time. “And this includes children. If they want to start an early and reckless sex life, the parents have no right to interfere.”

Davtyan says that Letkova was misinterpreting the law, quipping that “everyone understands sexual freedom within the context of their own depravity.”

“Sexual freedom is the right of every person who has reached adulthood to independently decide whether to have sex,” she said. “It doesn’t matter if we are talking about within marriage or outside it, sexual relations must be consensual.”

Letkova also alleges that activists are pushing the law in order to make money for themselves. She said if the law is passed, NGO representatives will go “door-to-door” looking for cases of domestic violence and offering their services.

“These organizations will force rehabilitation, consulting, and other services on these families to resolve the problems

that they uncover,” Letkova said. “It is obviously a type of business, a new niche that they want to create and exploit.”

On November 17 hard-line conservative and staunchly anti-Western television commentator Dmitry Kiselyov ended his weekly news round-up with an unsparing attack on those who argue that domestic violence is somehow essential to Russian culture.

“Can it be that we are so spiritually helpless that we justify violence toward those who are clearly weaker?” he said. “We ourselves choose the emotional world in which we want to live, so what is our choice?”

However, Kiselyov stopped short of endorsing the proposed law, saying the state of “the morals inside us” was “much more important” than any law. He cited the head of the Russian Orthodox Church, Patriarch Kirill, as saying that “external laws do not work if there are no internal laws.”

ECHR ruling

The authors of the bill say they have submitted the draft to various legal bodies within the Federation Council and the Duma and are now in the process of adopting their suggested changes. They plan to submit the measure formally by the end of the year.

“All of us – those who support the bill and those who have

come out against it – want the same thing,” lawyer Valeria Dergunova, a co-author of the bill, told Current Time, a Russian-language television network led by RFE/RL in cooperation with VOA. “We want there to be no violence in the home. We want for women, children, and the elderly not to be beaten. Let’s work out a mechanism together to really make this impossible.”

Pressure on Russia to adopt a law was increased in July when the European Court of Human Rights ruled that the Russian authorities do not react adequately to allegations of domestic violence and instructed Moscow to adopt legal changes to prevent rights violations.

However, on November 19, Kommersant and other Russian media outlets reported that the Justice Ministry had responded to the ECHR by saying the scope of the domestic violence problem in Russia had been “rather exaggerated” and arguing that Russia’s Criminal and Administrative codes already “contain more than 40 criminal and at least five administrative articles dealing with acts of violence against individuals.”