

Criminalization and stigma exacerbate violence against women who use drugs in the Russian Federation

Report in relation to the 9th Periodic Report of
the Russian Federation CEDAW/C/RUS/9

79th Pre-Sessional Working Group, 2021

This report is submitted by Andrey Rylkov Foundation for Health and Social Justice (ARF) on behalf of the Russian Civil Society Mechanism for Monitoring of Drug Policy Reforms. The report has been prepared with the technical assistance of the HIV Legal Network and in cooperation with the Eurasian Harm Reduction Association and Stichting SKOSH.¹

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This report can be posted on the CEDAW website for public information purposes.

1. Background

This report provides additional information to our previous submission for the 2020 LOI review that examined multiple rights violations of women who use illicit drugs in Russia.² This report has a narrower focus on violence against women who use illicit drugs and explores connection between the extreme level of violence and criminalization and stigmatization.

We call the attention of the Esteemed Committee Members to the extreme levels of suffering of this particular group inflicted by the systemic and systematic violence towards them and their extreme vulnerability due to stigma and criminalization. While women in Russia experience very high level of *domestic violence*, in women who use drugs it reaches extreme proportions. In addition to the extreme levels of domestic violence these women are also routinely exposed to police abuse, inhumane and cruel treatment by medical workers and humiliation and other emotional abuse on all levels of the society. And finally, women who use drugs are subjected to *excessive levels of penalization* which critically undermine their civil, economic, labor, parental and political rights and human dignity.

¹ Information about the organizations and contacts is provided in Annex I.

² Report for the List of Issues in relation to 9th Periodic Report of the Russian Federation CEDAW/C/RUS/9 https://docs.google.com/viewer?url=https%3A%2F%2Fbinternet.ohchr.org%2FTreaties%2FCEDAW%2FShare.d%2520Documents%2FRUS%2FINT_CEDAW_ICO_RUS_42550_E.docx

The additional data outlined in this report is drawn from the express assessment³ carried out by ARF in December 2020 – February 2021. It included reports of 73 women who use drugs. While the survey was anonymous, some women left their names and contact information for further research and investigation.

2. Women who use drugs and violence

In its 2015 Concluding observations on the eighth periodic report of the Russian Federation CEDAW expressed concern regarding “the absence of substitution therapy programmes for women who use drugs, which also contributes to the spread of HIV/AIDS”.⁴ The Committee expressed concern regarding “high prevalence of violence against women, in particular domestic and sexual violence, in the State party and the lack of statistics disaggregated by age, nationality and relationship between the victim and the perpetrator and of studies on its causes and consequences”.⁵

In relation to these two issues, our data shows that women who use drugs in Russia are not only affected by lack of access to health services but also experience extreme levels of violence in all spheres of their lives which by great extent surpass those of general women population. **Nine out of ten women** 89% (65) in the ARF assessment **have experienced violence**. Of them, 78% were subjected to domestic and 73% to police violence. Almost half of women (49%) have experienced both domestic and police violence. As questioned by one of the participants “*Is it even possible to use [drugs] in our country and not be subjected to violence*”?

3. Extreme levels of domestic violence

While traumatic experience of violence is often mentioned by women among the causes of substance use,⁶ and current research highlights the link between trauma and self-medicating with illicit substances,⁷ the use of illicit drugs by women and girls is condoned as contradicting their gender roles and often inflicts further violence by relatives and partners to discipline or punish them. Internationally, the level of domestic violence against women who use drugs is higher than in women in general.⁸

³ Andrey Rylkov Foundation (2021) Still not a human: violence against women who use drugs in Russia. Available: <https://rylkov-fond.org/files/2021/03/ARF-VAW-report.pdf>

⁴ CEDAW/C/RUS/Q/8, para 35 (d). Available: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsnINnqKYBbHCTOaqVs8CBP2%2FEJgS2uWhk7nuL22CY5Q6EygEUW%2BboviXGrJ6B4KEJr4JalKJZyYib0PIwYeg13mjbxpuvgBQIHs8SaZvXdjX>

⁵ Ibid, para 21

⁶ Ellen Tuchman (2010), “Women and addiction: the importance of gender issues in substance abuse research”, *Journal of Addictive Diseases*, vol. 29, No. 2.

⁷ Najavits, L. et al (1997) The Link Between Substance Abuse and Posttraumatic Stress Disorder in Women: A Research Review, *American Journal on Addictions*, 6:4, 273-283, DOI: 10.3109/10550499709005058

⁸ Simonelli A, Pasquali CE, De Palo F. (2014), “Intimate partner violence and drug-addicted women: from explicative models to gender-oriented treatments”, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4163756/>

A recent global survey conducted by the World Health Organization indicates that around one in three women worldwide has experienced intimate partner violence.⁹ A recent review of domestic violence in Russia indicates that the levels are much higher than the international average and reach 52%-56%.¹⁰ However, the level of **domestic violence reported by women who use drugs surpasses by far the Russian average and reaches 70%**.¹¹ Women narratives highlight omnipresence of domestic abuse: “All the men I have ever lived with have constantly beaten me. The stepfather raped me” (Anonymous woman, 26).

As highlighted by several NGO submissions to CEDAW, domestic violence remains a significant neglected problem in the Russian Federation;¹² and according to another recent review of the situation with domestic violence, women who use drugs represent one of the most vulnerable groups.¹³

4. Routine police abuse

Violence against women who use illicit drugs is not limited to domestic circles. Due to criminalization women who use illicit drugs systematically experience police violence and are completely disarmed against it. The police abuse including beatings, torture, blackmail, threats, planting drugs, extortion of bribes, coerced testimony, bullying and degrading treatment is reported as routine.^{14,15,16}

“I am 40 and I don’t know anyone who was not touched by cops. Several times the police searched me, did not find anything but threatened to lock me up anyway, to plant drugs. They discussed in front of me how much to plant on me and what a term I will get” (Svetlana, 40).

“During the detentions, there were threats and [the police] said that they could do to me whatever they wish and nothing will happen to them. They slapped me in the face, almost broke my nose” (Anonymous woman, 24).

The emotional and physical violence were often used to extort bribes: “The [police officers] threatened me with the arrest and planting drugs, grabbed me by protruding bones of

⁹ WHO (2013), Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence, Geneva, p. 16.

¹⁰ Elizabeth Duban et al (2020), Research on Preventing and Combating Violence Against women and domestic violence, including in situations of social disadvantage in the Russian Federation. Available: <https://rm.coe.int/publication-research-on-vaw-and-dv-in-situations-of-social-disavantage/16809e4a04>

¹¹ Andrey Rylkov Foundation (2021) Still not a human: violence against women who use drugs in Russia. Available: <https://rylkov-fond.org/files/2021/03/ARF-VAW-report.pdf>

¹² The Advocates for Human Rights (2020), Russia’s Compliance with the Convention on the Elimination of Discrimination Against Women. Available: https://docs.google.com/viewer?url=https%3A%2F%2Finternet.ohchr.org%2FTreaties%2FCEDAW%2FShare.d%2520Documents%2FRUS%2FINT_CEDAW_ICO_RUS_42840_E.docx

¹³ Duban E. et al (2020), Research on Preventing and Combating Violence Against women and domestic violence, including in situations of social disadvantage in the Russian Federation. Available: <https://rm.coe.int/publication-research-on-vaw-and-dv-in-situations-of-social-disavantage/16809e4a04>

¹⁴ Sarang A. et al (2010), Policing Drug Users in Russia: Risk, Fear, and Structural Violence, Substance Use & Misuse, 45:6, 813-864, DOI: 10.3109/10826081003590938

¹⁵ Sarang A., Akulova V. (2013) Drug policy and and violence against women in Russia. Research report. Available: <http://rylkov-fond.org/files/2013/07/Report-on-violence-towards-women-IDU.pdf>

¹⁶ Andrey Rylkov Foundation (2021) Still not a human: violence against women who use drugs in Russia. Available: <https://rylkov-fond.org/files/2021/03/ARF-VAW-report.pdf>

my leg in tight shorts and shouted that I was hiding [drugs] there. I panicked, I cried and begged to let me go, they hinted at sex, they found out that I didn't have much money with me, but then they "had mercy" and gave me half hour to collect 50 thousand rubles [~USD685]. They grabbed me by different body parts, threatened that I would go straight to jail and then forced me to thank them for salvation" (Anonymous woman, 23).

Drug dependent women are subjected to constant surveillance and harassment by the police. They live in an atmosphere of terror: "Every cop in [the neighborhood] knows me. I constantly come across them. They put me in the car right away. Even if I am just walking down the street. Every time they scare me, humiliate. Several times they beat me on the head. Slapped in the face" (Elena, 40).

While drug use per se is not a criminal offence, *de-facto* it is, as the possession of small amounts for personal use or social sharing is punishable either by bribes or prison: "I was arrested with 0.3 [gram of] cocaine, in the end [police] blackmailed, threatened to put me in prison, intimidated and although the fact that the size did not qualify for administrative punishment, I gave a bribe of 200,000 rubles [~USD2.740]" (Anonymous woman, 32).

Women who use drugs and are involved in sex work are especially vulnerable to police abuse, due to double stigma and criminalization: "The [police] always treated us like butchers. After "meetings" with them it was impossible to work. All the face would be covered with bruises and there was no living space on the body!" (Anonymous woman, 26).

Some women have reported sexual harassment or rape by the police:

"I was beaten up and threatened by several men, that I will be raped, and no normal man will look at me again. Psychologically, they pressed very hard" (Anonymous woman, 21); "I was stripped naked in front of three [police] men" (Nadezhda, 46); "[The police] beat me, pressed psychologically, forced to sign papers, rape" (Elena, 40).

Women reported severe mental health damage: "I was detained with weed, spent a whole day in the police, they didn't let me call a lawyer, the whole [police] department mocked me for smoking weed. During the search I had to undress, and police men came into the room made sexual comments about my underwear. That's all right, people probably had worse situations. But the problem is that I started to have panic attacks, my hair fell off, I sleep badly and dream that I'm arrested" (Alexandra, 31).

5. Prosecution and penalization

The Special Rapporteur on violence against women emphasized the catastrophic consequences of drug criminalization: "The Russian Federation has a high rate of incarceration for drug-related offences. It is argued that Russian drug policies are severe; that police violence against female drug users is common; that the acquittal rate in drug cases is less than 5 per cent; that in about 70 per cent of cases the accused are sentenced without trial; and that the courts do not take into account the conditions that make women vulnerable to drug use. It is also said that the global war on drugs has led to numerous violations of women's human rights".¹⁷

¹⁷ Rashida Manjoo, the Special Rapporteur on violence against women (2013), "Pathways to, conditions and consequences of incarceration for women: note / by the Secretary-General". Available: <https://digitallibrary.un.org/record/758207?ln=fr#record-files-collapse-header>

More than half of women in our assessment (52%, n=38) **have been prosecuted**. Although use of illicit substances is not criminally punishable, it is an administrative offence¹⁸ and it's impossible to use drugs without committing a crime because drug possession, transportation, social sharing are all criminal offences. Most women reporting persecution (95%) said it was due to her dependency:

“[I was prosecuted] because I am addicted and I often have illegal drugs in my hands” (Natalia, 42).

“I feel bad, very very bad. Every day I have to [buy drugs] with shaking hands. One day [the police] took me right at the address. The dealer informed them about me, they waited for me and arrested me right there” (Olga, 35).

Women with opioid dependency face an additional challenge. Without access to opioid agonist treatments, they are pushed to commit petty crimes such as theft or small-scale drug dealing and consequent imprisonment:

“I was [drug dependent] and committed a crime because I needed money” (Maria, 45).

“The police knew I was registered with a narcologist and, naturally, when [the police] needed it, they collected us from around the city and took to a drug check and on to the judge to decide who should get arrested and who should be fined” (Olga, 34).

Half of women who have ever been prosecuted for drug-related activities were prosecuted several times, and almost half (**42%**) of those who have been prosecuted served **prison terms**.

Prosecution and incarceration perpetuate further violations: women who use drugs have difficulties accessing proper treatment in places of detention and face increased risk of physical and sexual violence.¹⁹ Long-term imprisonment leads to breaking family ties, health deterioration, impossibility of legal employment and social engagement.²⁰

6. Criminalization and stigma hampers access to reproductive and VAW-related services

The State Anti-Drug Strategies^{21,22} promote negative attitude towards drug use which legitimizes the government-sponsored stigma leading to a high degree of systemic and institutional violence. Women who use drugs are afraid to seek medical help, which often turns

¹⁸ Use of Drugs or Psychotropic Substances without Doctor's Orders is an offence punishable under Article 6.9 of the Code of Administrative Offenses of the Russian Federation. Available:

<https://www.wipo.int/edocs/lexdocs/laws/en/ru/ru073en.pdf>

¹⁹ S Pinkham, B Myers, C Stoicescu (2012), “Developing Effective Harm Reduction Services for Women Who Inject Drugs,” pp. 126-135, available at: http://www.ihra.net/files/2012/07/24/GlobalState2012_Web.pdf

²⁰ Kasia Malinowska-Sempruch and Olga Rychkova (2016), “The Impact of Drug Policy on Women”, p. 9.

²¹ State Anti-Drug Strategy, adopted by the Decree of the President of the Russian Federation No 690 of June 9, 2010. Available: <https://www.novreg.ru/region/social/AntiDrugs/>

²² State Anti-Drug Strategy 2020-2030, adopted by the Decree of the President of the Russian Federation No 733 of 23 November, 2020. Available:

<http://static.kremlin.ru/media/events/files/ru/ZAgYxcqqlIKueTyaLljTATA23PraYrDr.pdf>

into new punishments, humiliation and suffering.²³ Our data confirms previous reports on cruel treatment:

“A doctor persuaded me to have an abortion. But the worst thing happened when I actually did it. I warned that they should tie me down for the abortion because I can resist under anesthesia. However, they didn’t fix me to the bed and during the abortion I tried to get up with the instrument in my uterus. I ended up having my uterus pierced with a scalpel. When I woke up, they were blaming me, that I was a drug addict, that it was my fault and that I was to blame for everything myself, although I was under anesthesia and did not give an account of my actions. They just humiliated me” (Olga, 34).

Despite the excessive level of domestic violence, this group has the least access to redress and support. Due to the absence of opioid substitution treatment in Russia the few available services and shelters do not accept people with opioid dependency. This makes it impossible for victims of domestic violence to get away from the perpetrators and receive adequate shelter and support.²⁴

Of 51 women who have experienced *domestic violence*, more than half (51%) did not ask for any help, only a quarter asked for help their relatives, 22% turned to law enforcement agencies, and only 4% (two women) went to crisis centers.

Of 46 women survivors of *police violence*, only 17 (37%) asked for help – of them 13 turned to significant others, mostly to get money in order to pay off the bribes. Only 2 women contacted the police but others did not, fearing more police violence, conviction or victim blaming:

“I’m afraid to ask the police anything, because being a drug addict is a signal that they can do anything: rape, blackmail, coerce to inform on other people, [I] knew women who were forced to sleep with dealers and inform on them” (ABC, 34).

“Who will listen to an addict. They’ll just say that I haven’t been beaten enough” (Anonymous woman, 48).

“If I’m addicted, those to whom I turned for help would be on the side of the police. And despite the humiliation that I went through, they would say that I still got off easy” (Anonymous woman, 23).

“In our country if you are a drug addict it is just pointless to ask for help. Nobody sees us as human beings, as if we already have outlived our lives and nothing else interests us. There are no places where we are taken and respected and perceived as full-fledged people – everyone treats us with disgust” (Olga, 34).

²³ For more info on problems with access to drug treatment, reproductive health services, abortion please see our previous submission: Report for the List of Issues in relation to 9th Periodic Report of the Russian Federation CEDAW/C/RUS/9

https://docs.google.com/viewer?url=https%3A%2F%2Finternet.ohchr.org%2FTreaties%2FCEDAW%2FShared%2520Documents%2FRUS%2FINT_CEDAW_ICO_RUS_42550_E.docx

²⁴ Takie Dela (2021), "A drug addict for them is a signal that they can do anything." 89% of Russian women who use illegal substances have faced violence. Available: https://takiedela.ru/news/2021/03/08/nasilie-k-zhenshinam/?utm_source=twitter.com&utm_medium=social&utm_campaign=narkozavisimye-lyudi--eto--po-mneniyu-b&utm_content=48700293

7. Conclusion and Recommendations

The data presented in this submission supports the international findings highlighting the role of drug criminalization in perpetuating stigma, ill treatment and violence against women as well as avoidance of police protection and other services.^{25,26,27,28,29,30}

The Russian Federation will not be able to fulfill its obligations under the CEDAW convention without addressing the disproportionate effects of drug criminalization on women who use drugs. Drug criminalization fuels stigma and exacerbates all kinds of violence against women preventing their equal access to health and GBV services.

In light of these data the State Party should be recommended to:

- Repeal the administrative and criminal sanctions that discriminate against people who use drugs and in particular women who use drugs, including sanctions for drug use, drug possession for personal consumption and the low level sharing of drugs with no intention of systemic commercial profit (social dealing);
- Ensure that women who use drugs have access to gender-sensitive evidence-based drug services including harm reduction, health and legal services, opioid substitution treatment, and family support services without discrimination;
- Ensure that women who use drugs are protected from discrimination and ill treatment and have adequate access to services for the victims of gender-based violence.

²⁵ UNAIDS (2019), “Health, Rights and Drugs: Harm Reduction, Decriminalization and Zero Discrimination for People Who Use Drugs”, p. 14, available at:

https://www.unaids.org/sites/default/files/media_asset/JC2954_UNAIDS_drugs_report_2019_en.pdf

²⁶ Malinowska-Sempruch, K. and Rychkova, O. (2016), “The Impact of Drug Policy on Women”, p.16.

²⁷ Drug policy and the fundamental Human Rights of women who use drugs. Online:

<https://harmreductioneurasia.org/report-drug-policy-and-rights-of-women-who-use-drugs/>

²⁸ Women who use drugs around the world: Key issues, violations, and recommendations.

Online: <https://harmreductioneurasia.org/report-women-who-use-drugs/>

²⁹ Harm Reduction and women: An international Human Rights approach. Online:

<https://harmreductioneurasia.org/report-harm-reduction-and-women/>

³⁰ Buxton J. (2021) The Impact of Global Drug Policy on Women: Shifting the Needle. Emerald Publishing.

Available: <https://www.emerald.com/insight/publication/doi/10.1108/9781839828829>

Annex I. Information about the applicants



Andrey Rylkov Foundation for Health and Social Justice (www.rylkov-fond.org) is a grass-roots organization from Moscow, Russia with the mission to promote and develop humane drug policy based on tolerance, protection of health, dignity and human rights. The Foundation is included into the registry of Foreign Agents.

Address: 17-82 Marshala Biryzova street, Moscow, Russia, 123060



HIV Legal Network (www.aidslaw.ca) promotes the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally, through research and analysis, advocacy and litigation, public education and community mobilization.

Address: 1240 Bay street, Suite 600, Toronto, Ontario, Canada, M5R 2A7

Tel: 1(416)595 1666; Fax: 1 (416) 595 0094



Eurasian Harm Reduction Association (EHRA) (<http://harmreductioneurasia.org>) is a non-profit public organization, uniting 303 organizational and individual members from 29 countries of the Central and Eastern Europe and Central Asia region (CEECA) with a mission to support communities and civil societies to ensure the rights and freedoms, health, and well-being of people who use psychoactive substances.

Address: Verkių g. 34B, office 701 LT – 04111, Vilnius, Lithuania

STICHTING SKOSH

Stichting Skosh (www.skosh.nl) is a non-for-profit organization with the aim to promote health, justice, dignity, human rights in the area of drug policy through education, networking, and access to the latest scientific evidence and technological innovation.

Address: van Diemenstraat 48, 1013 NH Amsterdam, Netherlands