

CORI

country of origin research and information

CORI Thematic Report Russian Federation, Political use of mental health Institutions, March 2015

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Preface

Country of Origin Information (COI) is required within Refugee Status Determination (RSD) to provide objective evidence on conditions in refugee producing countries to support decision making. Quality information about human rights, legal provisions, politics, culture, society, religion and healthcare in countries of origin is essential in establishing whether or not a person's fear of persecution is well founded.

CORI Country Reports are designed to aid decision making within RSD. They are not intended to be general reports on human rights conditions. They serve a specific purpose, collating legally relevant information on conditions in countries of origin, pertinent to the assessment of claims for asylum. Categories of COI included within this report are based on thematic issues relating to mental health, relevant to the consideration of asylum applications made by nationals from the Russian Federation. This report covers events up to March 2015.

COI is a specific discipline distinct from academic, journalistic or policy writing, with its own conventions and protocols of professional standards as outlined in international guidance such as The Common EU Guidelines on Processing Country of Origin Information, 2008 and UNHCR, Country of Origin Information: Towards Enhanced International Cooperation, 2004.

CORI provides information impartially and objectively, the inclusion of source material in this report does not equate to CORI agreeing with its content or reflect CORI's position on conditions in a country. It is acknowledged that all sources have a bias, it is for decision makers to place a weight on sources, assessing relevance to each individual application.

CORI Country Reports are prepared on the basis of publicly available information, studies and commentaries within a specified time frame. All sources are cited and fully referenced. Every effort has been taken to ensure accuracy and comprehensive coverage of the research issues, however as COI is reliant on publicly available documentation there may be instances where the required information is not available. Any translations made are unofficial translations made by CORI, as with all sources referenced, please see the full text of the original article. The reports are not, and do not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

CORI is an independent centre providing specialist research resources to support Refugee Status Determination.

CORI works internationally with all parties to RSD, including governments, legal representatives and NGOs, producing commissioned research reports and providing knowledge management services. CORI works to improve standards of COI production through capacity building and training.

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1. Mental health legislation

1.1 provisions relating to forced confinement to a mental health institution (on the basis of the person's own best interests or in the interests of society)

In 2012 the *Russian Federation* ratified the Convention on the Rights of Persons with Disabilities.¹

Article 15, paragraph 1 of the Convention on the Rights of Persons with Disabilities states,

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.”²

According to the *European Court of Human Rights*, the Psychiatric Care Act of 1992, as amended, states that any recourse to psychiatric aid must be voluntary, unless the person has been declared fully incapacitated,

“The Psychiatric Care Act of 1992, as amended (hereinafter “the Act”), stipulates that any recourse to psychiatric aid must be voluntary. However, a person declared fully incapacitated may be subjected to psychiatric treatment at the request or with the consent of his official guardian (section 4 of the Act).”³

According to the *European Court of Human Rights* in 2013, Section 29 of the Psychiatric Care Act of 1992, as amended, sets out the ground for non-voluntary placement in a psychiatric hospital in the following terms,

“Section 29 sets out the grounds for non-voluntary placement in a psychiatric hospital in the following terms:

“A mentally disturbed individual may be hospitalised in a psychiatric hospital against his will or the will of his legal representative and before a court decision [on the matter] has been taken, if the individual's examination or treatment can only be carried out in in-patient care, and the mental disorder is severe enough to give rise to:

- a) a direct danger to the person or to others, or
- b) the individual's helplessness, i.e. inability to take care of himself, or
- c) a significant health impairment as a result of a deteriorating mental condition, if the affected person were to be left without psychiatric care.”⁴

According to the *European Court of Human Rights* in 2013, Section 32 of the Psychiatric Care Act of 1992, as amended specifies the procedure for the examination of patients compulsorily confined in a hospital,

1 UN Office of the High Commissioner for Human Rights, Status of Ratifications, <http://indicators.ohchr.org/>, accessed 31 May 2015

2 Convention on the Rights of Persons with Disabilities, adopted 13 December 2006, <http://www.un.org/disabilities/convention/conventionfull.shtml>, accessed 31 May 2015

3 *Lashin v Russia*, European Court of Human Rights, Application No. 33117/02, 22 January 2013, para 50, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116020>, accessed 31 May 2015

4 *Lashin v Russia*, European Court of Human Rights, Application No. 33117/02, 22 January 2013, para 54, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116020>, accessed 31 May 2015

“Section 32 of the Act specifies the procedure for the examination of patients compulsorily confined in a hospital:

“1. A person placed in a psychiatric hospital on the grounds defined by section 29 of the present Act shall be subject to compulsory examination within 48 hours by a panel of psychiatrists of the hospital, who shall take a decision as to the need for hospitalisation. ...

2. If hospitalisation is considered necessary, the conclusion of the panel of psychiatrists shall be forwarded to the court having territorial jurisdiction over the hospital, within 24 hours, for a decision as to the person’s further confinement in the hospital.”⁵

According to the *European Court of Human Rights* in 2013, Sections 33-34 set out the procedure for judicial review of applications for the non-voluntary in-patient treatment of mentally ill persons,

“Sections 33-35 set out the procedure for judicial review of applications for the non-voluntary in-patient treatment of mentally ill persons:

Section 33

“1. Non-voluntary hospitalisation for in-patient psychiatric care on the grounds laid down in section 29 of the present Act shall be subject to review by the court having territorial jurisdiction over the hospital.

2. An application for the non-voluntary placement of a person in a psychiatric hospital shall be filed by a representative of the hospital where the person is detained...

3. A judge who accepts an application for review shall simultaneously order the person’s detention in a psychiatric hospital for the term necessary for that review.”

Section 34

“1. An application for the non-voluntary placement of a person in a psychiatric hospital shall be reviewed by a judge, on the premises of the court or hospital, within five days of receipt of the application.

2. The person shall be allowed to participate personally in the hearing to determine whether he should be hospitalised. If, based on information provided by a representative of the psychiatric hospital, the person’s mental state does not allow him to participate personally in the hearing, the application shall be reviewed by the judge on the hospital’s premises. ...”

Section 35

“1. After examining the application on the merits, the judge shall either grant or refuse it. ...”⁶

According to the *European Court of Human Rights* in 2013, the Psychiatric Care Act of 1992, as amended provides for the courts to verify every six months the necessity of the patient’s non-voluntary confinement,

“Section 36 (3) of the Act provides for the courts to verify every six months whether the patient’s non-voluntary confinement continues to be necessary.”⁷

5 Lashin v Russia, European Court of Human Rights, Application No. 33117/02, 22 January 2013, para 55, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116020>, accessed 31 May 2015

6 Lashin v Russia, European Court of Human Rights, Application No. 33117/02, 22 January 2013, para 56, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116020>, accessed 31 May 2015

7 Lashin v Russia, European Court of Human Rights, Application No. 33117/02, 22 January 2013, para 58, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116020>, accessed 31 May 2015

According to the *European Court of Human Rights* in 2013, Section 37 (2) establishes the rights of a patient in a psychiatric hospital,

“Section 37 (2) establishes the rights of a patient in a psychiatric hospital. In particular, the patient has the right to communicate with his lawyer without censorship. However, under section 37 (3) the doctor may limit the patient’s rights to correspond with other persons, have telephone conversations and meet visitors.”⁸

2. The use of forced treatment or institutionalization as a punitive measure

2.1 Abuse of provisions on forced confinement to mental health institution

2.1.1 Abuse of provisions on forced confinement to mental health institution - on the basis of a person’s political opinions

Reporting on events in 2014, in June 2015 the *US Department of State* reported that there were multiple reports of authorities detaining defendants for psychiatric evaluations,

“There were multiple reports of authorities detaining defendants for psychiatric evaluations for up to 30 days as a means of pressuring them.”⁹

In October 2013 *Open Democracy* reported that mechanisms have been developed that allow for the use of psychiatry for political purposes,

“Having achieved the status of a subspecialty, forensic psychiatry lost contact with general psychiatry. As a result, and especially because competitive examination has been eliminated, corruption prospers in property cases, and mechanisms have been developed that allow the use of psychiatry for political purposes once again. The driving factor for this state of affairs is the administrative hierarchy in the courts and the lack of separation of powers in the country—in landmark cases, forensic psychiatric examination is always a weathercock of power.”¹⁰

In November 2012 the *Jamestown Foundation* reported that Russian psychiatrists are pressing the Russian parliament to return to a law on psychiatric assistance,

“Russian psychiatrists are pressing the Duma to return the Soviet-era law on psychiatric assistance that allowed doctors at Moscow’s Serbsky Institute and elsewhere to indefinitely detain and treat people whose only “symptoms” were opposition to Soviet leaders and their policies. For more than 40 years, the Communist Party used the provisions of this law against a wide range of dissidents. That tragic history sparked protests by psychiatrists, human rights activists and governments around the world and ultimately prompted Russian parliamentarians to replace that legislation with laws more in conformity with international practice.”¹¹

In April 2015 *the Interpreter*, a special project of the Institute of Modern Russia (a registered non-profit in the United States, dedicated to the advancement of democratic

8 Lashin v Russia, European Court of Human Rights, Application No. 33117/02, 22 January 2013, para 59, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116020>, accessed 31 May 2015

9 USDOS - US Department of State, Country Report on Human Rights Practices 2014 - Russia, 25 June 2015, http://www.ecoi.net/local_link/306252/429631_en.html, accessed 04 July 2015

10 Open Democracy, *Has punitive psychiatry returned to Russia?*, 17 October 2013, <https://www.opendemocracy.net/od-russia/daniil-kotsyubinsky-alexander-kotsyubinsky/has-punitive-psychiatry-returned-to-russia>, accessed 04 July 2015

11 Jamestown Foundation, *Russia Considering Restoring Soviet-Era Law on Psychiatry, Opening Door to Political Abuse*, 15 November 2012, <http://www.refworld.org/docid/50a4d26f2.html>, accessed 31 May 2015

values and institutions in the Russian Federation) reported that psychology is being misused by the State against the population in the same fashion psychiatry was in the Soviet era,

“One of the most notorious practices of the Soviet system in its last decades was the incarceration of perfectly health dissidents in psychiatric prisons under the pretext that they were suffering from “sluggish schizophrenia” and treating them with mind-altering drugs in the name of “curing” them of their proclivity to dissent.

Aleksandr Zelichenko, a Moscow psychologist, says that this practice which has never been fully recognized or condemned is now returning, albeit in a somewhat different guise. “History is repeating itself — but no longer with psychiatry but with psychology,” which is being misused by the state against the population.”¹²

In April 2015 *the Interpreter* reported that Russian psychologist Zelichenko that Russian law dictates that psychologists are tasked with establishing ‘motives of various kinds of hatred’ a defined in the criminal code. The Interpreter reports that Zelichenko states that politically aligned psychologists serve the country’s ‘punitive organs’,

“Article 213 of the criminal code defines “hooliganism’ as the violation of public order for MOTIVES of various kinds of hatred,” Zelichenko points out. Who are to establish these motives? Clearly, psychologists are. Article 282 makes illegal actions “DIRECTED at the awakening of hated.” And once again, he says, psychologists are used to do so.

As so often happens, he continues, “in general, the intention here was exclusively good: for the assessment of social danger of this or that action it is necessary to know the motives of the individual. But as with many other good intentions, things have turned out ‘like always,’” Zelichenko says.

Are all psychologists capable to making these determinations? Are they given enough information to do so? Or are they being used by the authorities to come up with “diagnoses” that they authorities have decided upon in advance? These and many other questions, he suggests, remain open.

Psychologists, of course, are aware of these issues, but they generally prefer not to talk too much about them not only because it could cost them work but because it might result in “the loss of the aura of mysteriousness” around their science, Zelichenko says. People in glass houses don’t normally throw stones. But that failure, he says, has had some unfortunate results.

People with “very doubtful professional preparation and still more doubtful” standards simply serve the country’s punitive organs, especially if they feel politically aligned with the authorities and what they are doing, Zelichenko argues. Sometimes that leads to scandals as in the Pussy Riot case, but more often it passes unnoticed.”¹³

12 The Interpreter, Putin Regime Abusing Psychology the Way Soviets Did Psychiatry, Russian Psychologist Says, 07 April 2015, <http://www.interpretermag.com/putin-regime-abusing-psychology-the-way-soviets-did-psychiatry-russian-psychologist-says/>, accessed 04 July 2015

13 The Interpreter, Putin Regime Abusing Psychology the Way Soviets Did Psychiatry, Russian Psychologist Says, 07 April 2015, <http://www.interpretermag.com/putin-regime-abusing-psychology-the-way-soviets-did-psychiatry-russian-psychologist-says/>, accessed 04 July 2015

In June 2011 the *Moscow Times* reported that Soviet era practices of political abuse of psychiatry have made a comeback in the Russian Federation,

“In the Soviet Union, dissidents were labeled schizophrenics, thrown into psychiatric hospitals and drugged just for questioning the government. It wasn't until the Soviet demise that officials grasped the difference between criticism and mental illness.

But old habits die hard.

Galina Yartseva, 47, editor of a small opposition newspaper in Veliky Novgorod, learned this the hard way after she took on the city establishment, accusing local officials of corruption and a local plant of air pollution damaging to children's health.

She was slammed with dubious charges of showing disrespect to a judge in 2010, but cleared by a jury. A few weeks later, the Supreme Court overturned the acquittal at the request of regional prosecutors and sent the case back to the regional court.

In the new trial, regional prosecutors asked the court to order a psychiatric examination of Yartseva. Local psychiatrists found that she showed "signs of a personality disorder" but was "criminally sane," meaning she could be tried in court, her lawyer Yegor Mylnikov said.¹⁴

In June 2011 the *Moscow Times* reported that the following people were tested for sanity or given psychiatric treatment between 2001 and 2010,

“People Tested for Sanity or Given Psychiatric Treatment, 2001 to 2010

- Alexei Manannikov, a senior member of rights watchdog Memorial's branch in Novosibirsk who was a political prisoner in Soviet times and a Federation Council senator in the early 1990s, spent a week in a psychiatric ward in December 2010 as part of an investigation into allegations that he defamed a judge.
- Poet Yulia Privedyonnaya was hospitalized in a psychiatric facility in February 2010 for a month as part of a criminal investigation into charges that she formed a militant group under the guise of a poetry club. The check confirmed her sanity, but two club members were sentenced to psychiatric treatment.
- Sergei Kryukov, a reporter with the Chechen separatist web site Ichkeria.info, was hospitalized in a psychiatric facility by a court for a month in June 2009 at the request of the Federal Security Service.
- Rifkhat Khakimov, a candidate in elections in the Urals town of Pervouralsk, was put into a psychiatric hospital for a month for examination in April 2009 as part of a criminal case against him on defamation charges after he accused local law enforcement agencies of corruption.
- Vadim Charushev, founder of an online community for supporters of slain State Duma Deputy Galina Starovoitova, was placed in a psychiatric hospital by police in March 2009 under unclear circumstances and released later that month after treatment.
- Roman Nikolaichik, a lawyer from Garry Kasparov's Other Russia opposition group, was detained in Tver in February 2008, questioned about his political activities, and taken to a local psychiatric hospital afterward. He walked out later that month after forced treatment.

¹⁴ The Moscow Times, In Soviet Relapse, Critics Sent to Psychiatric Hospitals, 29 June 2011, <http://www.themoscowtimes.com/news/article/in-soviet-relapse-critics-sent-to-psychiatric-hospitals/439672.html>, accessed 04 July 2015

- Andrei Novikov, a reporter for Chechenpress, a news service connected to the Chechen separatist government, was released after nine months in a psychiatric hospital in the Yaroslavl region in 2007.
- Artyom Basyrov, an Other Russia activist, was committed to a psychiatric hospital in Bashkortostan in November 2007 and released a month later after protests by Russian and international human rights groups.
- Larisa Arap, a journalist and Other Russia activist, spent six weeks in a psychiatric facility in Murmansk in 2007. She had criticized the facility in print shortly before her hospitalization.
- Albert Imendayev, an opposition candidate in the 2005 elections for the Cheboksary city legislature, was sent to psychiatric hospital in the middle of his campaign. Officials cited as the reason a series of legal complaints against local officials, police, prosecutors and judges, whom he accused of corruption, cronyism and other wrongdoings. The local prosecutor called his activity "paranoia."
- Igor Molyakov, a card-carrying Communist who served four terms in the Cheboksary region parliament, was sent to a psychiatric facility while serving a six-month jail term for defamation in 2004. A lawyer for the Cheboksary governor said his reports about corruption in the region reflected an outlook so "somber" that it might imply a "mental disorder."
- Ivan Ivannikov, a lecturer at St. Petersburg's State University of Economics and Finance with 38 years of professional experience, was placed in a psychiatric hospital for 60 days in 2003 after repeatedly complaining about a company that botched repairs at his apartment. A psychiatrist ordered the check without examining Ivannikov, ruling that his complaints about the company — which reportedly had ties to city authorities — indicated an "obsession" with "revenge."
- Audit Chamber official Natalya Kuznetsova was fired from her job after accusing her colleagues of stealing \$140 million in state funds between 2001 and 2002. When she sued for compensation over her sacking, agency officials accused her of mental problems.¹⁵

In 2013 the *European Parliament Directorate-General for External Policies* reported that the resumption of cases of political abuse of psychiatry in Russia is closely linked to a deteriorating human rights situation in the country. The first cases started to emerge at the beginning of the twenty-first century when Vladimir Putin resumed the Presidency,

“The resumption of individual cases of political abuse of psychiatry in Russia is closely linked to the deteriorating human rights situation in the country and the fact that lower-level authorities feel much more freedom to clamp down on undesired elements than previously. Again an air of untouchability is returning to Russia’s rulers, and the rule of law has increasingly become subject to political machinations. The current situation in Russia also shows that much of the structure is still in place that allowed the political abuse of psychiatry to happen. The first cases of renewed political abuse of psychiatry started to emerge in the beginning of the twenty-first century, after Vladimir Putin resumed the Presidency and the downward spiral towards increased repression commenced. Here are some of the cases that surfaced.”¹⁶

¹⁵ The Moscow Times, In Soviet Relapse, Critics Sent to Psychiatric Hospitals, 29 June 2011, <http://www.themoscowtimes.com/news/article/in-soviet-relapse-critics-sent-to-psychiatric-hospitals/439672.html>, accessed 04 July 2015

¹⁶ European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.16, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

In 2015 the *UN Human Rights Committee* expressed concern that torture and ill-treatment are widely practiced,

“The Committee, while noting that acts that may constitute torture or ill treatment can be prosecuted under several articles of the Criminal Code, remains concerned at reports that torture and ill-treatment, including for the purpose of eliciting confessions, are still widely practised, and notes with concern recent allegations that Mr. Zaur Dadaev and other suspects had confessed to the killing of opposition leader Boris Nemtsov under torture (arts. 2, 7 and 14).”¹⁷

In 2015 the *UN Human Rights Committee* expressed concern about reports of harassment, death threats, intimidation, physical violence and killing of lawyers, journalists, human rights defenders and opposition politicians,

“The Committee remains concerned (CCPR/C/RUS/CO/6, paras. 14 and 16) at reports of harassment, death threats, intimidation, physical violence and killing of lawyers, journalists, human rights defenders and opposition politicians, in particular of those working in the North Caucasus, in connection with their professional activities, and at the slow progress in investigating such cases, including with regard to the killings of journalists Khadzhimurad Kamalov (2011) and Akhmednabi Akhmednabiev (2013) and human rights advocate Natalia Estemirova (2009) (arts. 2, 6, 7, 9, 14 and 19).”¹⁸

In 2013 *European Parliament Directorate-General for External Policies* reported that Ruslan Makarov, a Siberian journalist and Maksim Yefimov a human rights activist were sent for psychiatric evaluations in 2012 and 2011 respectively,

“In September 2012, Siberian journalist Ruslan Makarov was sent for psychiatric evaluation after his personal psychiatrist purportedly told investigators he had threatened to kill Altai Republic Governor Aleksandr Berdnikov. In his case, the psychiatrist who was his personal doctor initiated the case in the first place because she reported something that he told her in a private session, something that must be considered a breach of medical confidentiality. A court ruled, however, that his forced psychiatric evaluation was illegal because prosecutors had dispensed with the required court hearing. Karelian human rights activist Maksim Yefimov was sent for evaluation after publishing a December 2011 blog post that was critical of the Russian Orthodox Church. After he was released, he fled to Estonia and is seeking political asylum.”¹⁹

In October 2012 the *World Post* reported that journalist Ruslan Makarov was committed to a psychiatric hospital, from which he escaped several days later,

17 UN Human Rights Committee, Concluding observations on the seventh periodic report of the Russian Federation, Advance Unedited Version, 2015, para 14. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/RUS/CO/7&Lang=En, accessed 30 May 2015

18 UN Human Rights Committee, Concluding observations on the seventh periodic report of the Russian Federation, Advance Unedited Version, 2015, para 18, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/RUS/CO/7&Lang=En, accessed 30 May 2015

19 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.17, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DR0I_ET%282013%29433723_EN.pdf, accessed 04 July 2015

“The government's approach to addressing hate crimes through the prism of extremism has led to erroneous prosecutions of nonviolent dissidents, including journalists, activists, independent media, and religious organizations.

One example is Ruslan Makarov, a journalist who writes for the Siberian opposition-minded newspaper LIStok (“a leaf”). Through his reporting, he digs deep into local corruption cases or environmental concerns and comments on bigger-than-life federal issues. Makarov has been charged with threatening to commit a murder “motivated by political hatred.” His supposed target: The Altai Republic’s Governor Alexander Berdnikov. According to the prosecutors, Makarov first revealed his murderous intent to his psychiatrist in July. He then wrote a satirical “lawsuit” against the governor, which was both published in the newspaper and actually filed with a court. The “threat” expressed in this satirical piece was enough to initiate criminal proceedings against the journalist, and on September 14, he was committed to a psychiatric hospital, from which he escaped several days later.”²⁰

In October 2012 the *World Post* reported that the practice of forcing dissenters to undergo psychiatric evaluation seems to be making a come-back,

“Ruslan Makarov was captured earlier that week in October 2012 and will now spend at least another two months in pre-trial detention. If found guilty, he can face up to five years in prison. His initial hospitalization was illegal and ordered without a court hearing, following an old Soviet model of forcing dissenters to undergo psychiatric evaluation. This practice seems to be making a come-back.”²¹

In August 2012 *Radio Free Europe/ Radio Liberty* reported that Maksim Yefimov fled to Estonia after investigators asked that he be placed in hospital for psychological examination,

“The blogger, who was not detained during his trial, fled Russia in May after investigators asked that he be placed in a hospital for psychological examination -- a move denounced by veteran rights campaigner Lyudmila Alekseyeva as “absolutely illegal.”

Yefimov now lives at an undisclosed location in Estonia, where he has applied for political asylum. Russian authorities have placed him on the international wanted list.”²²

In February 2014 the *US Department of State* reported that blogger and activist Maxim Yefimov fled Russia in 2012 because of threats of psychiatric incarceration,

“On January 25, the Investigative Committee for Karelia resumed its criminal extremism investigation into the 2012 case of blogger and activist Maxim Yefimov, requesting additional expert analysis of a blog post in which Yefimov criticized the

20 The World Post, Punitive Psychiatry Making a Comeback in Russia?, 24 October 2012, http://www.huffingtonpost.com/innokenty-kes-grekov/pussy-riot-prosecution_b_2000854.html, accessed 04 July 2015

21 The World Post, Punitive Psychiatry Making a Comeback in Russia?, 24 October 2012, http://www.huffingtonpost.com/innokenty-kes-grekov/pussy-riot-prosecution_b_2000854.html, accessed 04 July 2015

22 Radio Free Europe/ Radio Liberty, 31 August 2012, <http://www.rferl.org/content/plight-of-blogger-pussy-riot-highlight-churches-political-ambitions/24693980.html>, accessed 04 July 2015

Russian Orthodox Church. Yefimov remained outside the country at year's end, having fled threats of psychiatric incarceration in 2012.”²³

In 2013 the *European Parliament Directorate-General for External Policies* reported that the practice of ordering a person to undergo psychiatric evaluation is being more common, particularly common in cases involving corruption, so-called extremism and political dissent,

“Another recent case concerns Yelena Kotova, a former director of the European Bank for Reconstruction and Development (EBRD), who was accused of commercial corruption in connection with a \$95 million EBRD loan to businessman Sergei Chernikov in 2009. Chernikov, She underwent a 28-day psychiatric evaluation ordered by Moscow's Tverskoi district court, but also in her case no psychiatric diagnosis followed. This mechanism appears to become more and more common: judges using their right to send a person for a compulsory psychiatric evaluation to a psychiatric institution. And it is becoming particularly common in cases involving corruption, so-called extremism and political dissent. Although in general no psychiatric diagnosis follows, the ultimate goal seems not to be psychiatric hospitalization but frightening the persons concerned.”²⁴

In April 2013 British newspaper *The Independent* reported that Kotova was committed to a Russian psychiatric hospital.²⁵

In 2013 the *European Parliament Directorate-General for External Policies* reported Albert Vasilievich Imendayev, a human rights activists who had decided to run for the legislature was detained and sent to a psychiatric hospital,

“In the fall of 2005 a human rights activist from Cheboksary, Albert Vasilievich Imendayev, decided to run for the legislature. He was required to appear at the local election commission to finalize his candidacy, when an investigator from the prosecutor's office met him at the courthouse with three police officers. They kept him locked up until a judge could be found to sign the order committing him for a psychiatric evaluation. He was sent straight to the psychiatric hospital. By the time he was released nine days later, the election-filing deadline had passed and he was out of the race. Imendayev's “act of insanity” had been filing a series of legal complaints against local officials, police, prosecutors and judges, alleging corruption, violation of court procedures and cronyism. The prosecutor, a frequent target of Imendayev's complaints, called his behaviour “paranoia”.²⁶

In 2006 the *LA Times* reported that Imendayev was sent for psychiatric evaluation,

“Albert Imendayev collected the signatures he needed to run for the legislature last fall in this city on the banks of the Volga River. He met with supporters, prepared his

23 United States Department of State, 2013 Country Reports on Human Rights Practices - Russia, 27 February 2014, <http://www.refworld.org/docid/53284a815.html>, accessed 09 May 2015

24 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.18, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

25 *The Independent*, Elena Kotova: a corrupt Russian banker or an innocent pawn in a global power struggle? 29 April 2013, <http://www.independent.co.uk/news/world/europe/elena-kotova-a-corrupt-russian-banker-or-an-innocent-pawn-in-a-global-power-struggle-8595448.html>, accessed 04 July 2015

26 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.17, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

campaign material. He would have made the ballot had it not been for one thing: He was hauled off to a mental asylum.

Only days before he was required to appear at the local election commission to finalize his candidacy, an investigator from the prosecutor's office met Imendayev at the courthouse with three police officers. They kept him locked up until a judge could be found to sign the order committing him for a psychiatric evaluation.

"The hearing took place, and I was taken straight off to the asylum," said the businessman and human rights activist. By the time he was released nine days later, the election filing deadline had passed and he was out of the race.

Imendayev's act of insanity was filing a series of legal complaints against local officials, police, prosecutors and judges, alleging corruption, violation of court procedures and cronyism -- charges that are far from rare in today's Russia. The prosecutor, a frequent target of Imendayev's darts, called his behavior "paranoia."²⁷

In 2013 the *European Parliament Directorate-General for External Policies* also reported that an opposition deputy in the regional parliament, Igor Molyakov was sent for psychiatric hospitalization as a result of his writings on corruption,

"In another case in Cheboksary, a four-term opposition deputy in the regional parliament, Igor Molyakov, spent six months in jail on libel charges in 2004. While incarcerated, he was sent for psychiatric hospitalization after a judge agreed with government lawyers that Molyakov's repeated writings about corruption among local authorities reflected an outlook so "sombre" that it might constitute a "mental disorder."²⁸

In 2013 the *European Parliament Directorate-General for External Policies* also reported that Natalya Kuznetsova, of the Audit Office of the Russian Federation was dismissed from her job and threatened to be taken to a psychiatric hospital for forced treatment,

"In the same period Natalya Kuznetsova was dismissed from her position at the Audit Office of the Russian Federation after she openly asserted that in 2001 and 2002 some 140 million US dollars were stolen from the State budget. A State psychologist issued a statement that she was suffering from mental health problems. "When finally on January 25, 2005, they dismissed me from my job," she stated, "they threatened to call an ambulance to take me immediately to a psychiatric hospital for forced treatment."²⁹

In 2013 *European Parliament Directorate-General for External Policies* also reported that Yuri Budanov, an Army Colonel who had been charged with raping and murdering a Chechen girl. The case lasted three years and during this period six commissions examined Budanov and several psychiatric evaluations were carried out,

²⁷ LA Times, Speak Out? Are You Crazy?, 30 May 2006, <http://articles.latimes.com/2006/may/30/world/fg-psychiatry30>, accessed 04 July 2015

²⁸ European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.17, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

²⁹ European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.18, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

“Among all these cases that have some “political connotation”, one case stands out, in which there was definitely a repeated and strong intervention from the highest authorities. This concerns the case of Yuri Budanov, an Army colonel who had been charged with raping a Chechen girl, Elza Kungaeva, and murdering her in an exceptionally brutal manner. The case began on March 26, 2000, the day Vladimir Putin was first elected President of Russia, and lasted for more than three years. In the course of these years six commissions examined Budanov in an attempt by the political and military establishment to avoid him being sentenced to a long term of imprisonment. Every time the official line of the Kremlin changed a new psychiatric examination was ordered that provided a report in agreement with the official political position. The Serbski Institute in Moscow was deeply involved in the case and one of the psychiatrists involved, professor Tatyana Pechernikova, had been active in the political abuse of psychiatry in Soviet times. Interestingly, however, a military court eventually found him of sound mind and guilty, and sentenced him to ten years in camp.”³⁰

In October 2014 British newspaper *the Guardian* reported that a Russian artist, Pyotr Pavlensky, cut off his right earlobe in protest at forced psychiatric treatment of dissidents,

“A controversial Russian artist who once nailed his scrotum to the cobblestones of Red Square has been taken to hospital after cutting off his earlobe to protest at the forced psychiatric treatment of dissidents.

Pyotr Pavlensky, a St Petersburg-based performance artist, climbed naked on to the roof of the Serbsky psychiatric centre in Moscow on Sunday and cut off his right earlobe with a large kitchen knife.

Covered in blood, he was removed from the roof by police and taken to a Moscow hospital. Doctors thought he might also have contracted pneumonia, his lawyer, Dmitry Dinze, said on Monday.”³¹

In October 2014 *Radio Free Europe/Radio Liberty* also reported that Russian artist Pyotr Pavlensky cut off his right earlobe in protest to Russia’s “growing use of psychiatry to silence dissidents”,

“If Russian artist Pyotr Pavlensky planned to shock the public, his latest stunt can certainly be described as a success.

On October 19, Pavlensky stripped naked, climbed onto the roof of Moscow's Serbsky psychiatric center and sliced off his right earlobe with a huge kitchen knife. The stunt, titled "Separation," was meant to denounce what he says is Russia's growing use of psychiatry to silence dissidents.

"Like the knife separates the earlobe, this wall separates the society of 'normal people' from 'crazy patients,'" he told RFE/RL. "The question is -- where is this wall, where is this threshold, who establishes it?"³²

30 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.18, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

31 The Guardian, Russian artist cuts off earlobe in protest at use of forced psychiatry on dissidents, 20 October 2014, <http://www.theguardian.com/world/2014/oct/20/russian-artist-cuts-off-earlobe-protest-forced-psychiatric-treatment-dissidents>, accessed 31 May 2015

32 Radio Free Europe/Radio Liberty, Self-Mutilating Russian Artist Says 'There's No Greater Evil Than Law-Abiding Citizens', 28 October 2014, <http://www.rferl.org/content/russia-pyotr-pavlensky-interview-protest-earlobe/26663128.html>, accessed 31 May 2015

In October 2013 the *Institute of Modern Russia* reported that the case of Mikhail Kosenko is the first instance of a return to Soviet-era punitive psychiatry,

“In the last ten to twelve years, elements of punitive psychiatry have appeared every so often in Russia. These have been attempts by local and regional authorities to revert to this time-tested Soviet method of solving problems. However, in each instance, as soon as the case was made public and caught the attention of the IPA, the media, and the public, the authorities have backed down.

The case of “Bolotnaya” prisoner Mikhail Kosenko became the first instance of the post-Soviet regime deciding to openly and deliberately use psychiatry for political purposes.”³³

In October 2013 *International Policy Digest* reported that Mikhail Kosenko’s sentence sets a dangerous precedent for the other cases, as it signals a return to the Soviet practice of punitive psychiatry,

“On October 8, Mikhail Kosenko, an opponent of President Vladimir Putin, was arrested after participating in the May 2012 anti-Putin Bolotnaya Square protests for assaulting an officer and taking part in the mass riots, and was condemned to indefinite detention in a psychiatric ward. He will be forced to undergo compulsory psychiatric treatment. Kosenko is the second in a series of 28 cases to be found guilty, after Maxim Luzyanin was sentenced last year to 4½ years for his involvement in the protests. While Putin’s crackdown on the opposition is certainly nothing new, Kosenko’s sentence sets a dangerous precedent for the other cases, as it signals a return to the Soviet practice of punitive psychiatry.”

In March 2014 the British newspaper *the Guardian* reported that a Russian court had upheld the verdict against Mikhail Kosenko who was sentenced to indefinite compulsory psychiatric treatment,

“A court in Moscow has upheld a verdict against a protester who was sentenced to indefinite compulsory psychiatric treatment in what activists have called a political prosecution.

Mikhail Kosenko, 38, was convicted in October on charges of rioting and assaulting a police officer at a protest on Bolotnaya Square on 6 May 2012, the day before Vladimir Putin was inaugurated for his third presidential term. A total of 28 people were arrested after clashes between demonstrators and police, but human rights defenders have said the case against them is an intimidation tactic against the street protest movement that emerged in 2011-12.

Despite witness testimony and publicly available video footage showing that Kosenko had tried to move away from a nearby scuffle during which a riot police officer was struck, a judge found him guilty and sentenced him to indefinite compulsory psychiatric treatment, concluding that his mental condition made him a danger to society. The riot policeman whom Kosenko allegedly struck told the court he did not know the defendant and could not remember who had struck him.

³³ Institute of Modern Russia, *Echoes of the Past: Punitive Psychiatry*, 21 October 2013, <http://imrussia.org/en/society/581-echoes-of-the-past-punitive-psychiatry>, accessed 04 July 2015

Kosenko has mental health issues after a concussion during an army hazing incident nearly two decades ago but has undergone outpatient treatment for it. In an article in the Russian publication *Snob*, three psychiatrists criticised the sentence and the prosecution's argument that Kosenko has a dangerous form of schizophrenia. Amnesty International has declared Kosenko a prisoner of conscience and called his sentence a return to the Soviet practice of confining dissidents to psychiatric institutions.

His sister, Maria Kosenko, told the *Guardian* after the appeal that she and her brother "had a small thread of hope that maybe some sort of mercy and fairness was possible, but it turned out that it wasn't. This was just another charade of Russian justice, which doesn't in fact exist."

Kosenko has been held in pre-trial confinement since 2012 and was not allowed to attend his mother's funeral in September.

Oleg Orlov, the chairman of the respected human rights organisation Memorial who testified at the trial, said he and a colleague were standing only a few metres away from Kosenko when the incident occurred. He said he was "100% confident that Mikhail Kosenko didn't commit the illegal actions that they have incriminated him in".

"It's a political trial and Kosenko is a political prisoner who was unfairly convicted," he said.

Human rights watchers have not been able to assess the conditions in which prisoners and defendants from the Bolotnaya protest are being kept and are not allowed access to the kind of psychiatric institution where Kosenko will be confined, Orlov said.

In February, a Moscow court convicted eight other Bolotnaya protesters of rioting, handing down sentences ranging from two-and-a-half to four years in prison, as well as one suspended sentence. Police detained more than 400 peaceful protesters outside the court, including opposition leader Alexei Navalny. After his detention, prosecutors successfully requested house arrest for Navalny, who faces fraud charges in another controversial case.

Kosenko's lawyers will appeal the verdict again but have little hope it will be overturned, his sister said.^{34,35}

In December 2012, 2012, P.N. Gusev, Editor-in-Chief of the newspaper *Moskovsky komsomolets*; L.M. Alekseeva, Chair of the *Moscow Helsinki Group* and of the board of the *Foundation for the Defense of Prisoners' Rights*; L.A. Ponomarev, Executive Director of the *All-Russian Movement for Human Rights*; N.A. Tagankina, Executive Director of the *Moscow Helsinki Group*; and V.V. Yakov, Editor-in-Chief of the newspaper *Novye Izvestiya*, sent a letter to Olga Aleksandrovna Egorova, Chair of the Moscow City Court, asking that the court trying Mikhail Kosenko,

34 International Policy Digest, Mikhail Kosenko's Conviction: A Return to Soviet Punitive Psychiatry, 14 October 2013, <http://www.internationalpolicydigest.org/2013/10/14/mikhail-kosenko-s-conviction-return-soviet-punitive-psychiatry/>, accessed 04 July 2015

35 The *Guardian*, Russian protester's sentence of indefinite psychiatric treatment upheld, 25 March 2014, <http://www.theguardian.com/world/2014/mar/25/sentence-indefinite-psychiatric-treatment-protester-mikhail-kosenko>, accessed 09 May 2015

“be allowed to make rulings strictly in accordance with the law, based on unconditional adherence to the code of criminal procedure, as well as the principles of humanity and fairness, giving priority to the human rights guaranteed by the Constitution of the Russian Federation.”³⁶

In October 2013 *Amnesty International* reported that the decision by a Russian court to send Mikhail Kosenko to treatment in a psychiatric institution illustrated a return to Soviet-era practices used to silence dissent,

“Today's decision of a Moscow court to send Mikhail Kosenko to forcible treatment in a psychiatric institution is an abhorrent return to the Soviet-era practices used to silence dissent, Amnesty International said.

"To incarcerate Mikhail Kosenko forcibly in a psychiatric unit smacks of the worst excesses of the now defunct Soviet era when dissidents were languishing in mental institutions, treated as mental patients only because they dared to speak their mind," said John Dalhuisen, Europe and Central Asia Programme Director.

"Mikhail Kosenko is a prisoner of conscience put behind bars for peacefully exercising his right to protest and should be released immediately."

Mikhail Kosenko was arrested after he took part in a Bolotnaya Square protest in May 2012 which turned violent. He was charged with taking part in a riot and using violence against police officers.

The court decision was announced as dozens of people gathered in a peaceful protest outside the court shouting Kosenko's name and "Freedom". It is reported that at least eight people have been arbitrarily arrested.

"Involuntary psychiatric treatment should only be used in cases of severe mental illness when it is likely that that person will cause immediate or imminent harm to themselves or others," said John Dalhuisen.

"This is not the case with Mikhail Kosenko. He is set to be forcibly hospitalized after the judge refused to allow an independent examination of the state of his health. This is a breach of fair trial procedure".³⁷

In October 2013 the Russian-based English-language news channel *Russia Today* reported that Mikhail Kosenko had “sluggish schizophrenia” according to Russian mass media and as a result had been ordered to be sent to a closed psychiatric ward,

“A Moscow court has found a participant of 2012 street protests guilty of rioting, but did not issue a prison sentence - sending the convict to a closed psychiatric ward instead.

According to the verdict of the Zamoskvoretsky District Court, 38-year-old Mikhail Kosenko was found guilty of taking part in mass unrest and of behaving violently towards a representative of the authorities, crimes that can carry up to eight and 10 years in prison respectively. Both offences were committed on May 6, 2012, during

36 Rights in Russia, Free Akimenkov and Kosenko, 27 December 2012,

<http://www.rightsinrussia.info/archive/comment/ponomarev/bolotnaya-2>, accessed 31 May 2015

37 Amnesty International, Russia: Abhorrent use of punitive psychiatry to silence dissent, 8 October 2013,

<http://www.refworld.org/docid/5257ae844.html>, accessed 09 May 2015

the so called Bolotnaya Square riots – clashes with police during a thousands-strong rally against alleged violations during the 2011 parliamentary poll.

According to prosecutors, during the unrest Kosenko punched and kicked an officer from the OMON riot police squad.

However, the court did not send Kosenko to prison. Investigators established that he is officially disabled due to mental illness (continuous sluggish schizophrenia, according to Russian mass media) and has been registered with a local psychiatric dispenser for about 12 years. The court has requested an official evaluation from the State Institute of Forensic Psychiatry and experts agreed that during the riots Kosenko could neither fully comprehend his actions nor understand their danger to others.

As a result, the judge ordered him to be sent to a closed psychiatric ward for treatment until the doctors in the ward deem him healthy enough for release. The decision was in accordance with the prosecutors' request. The defense attorney insisted that his client was not guilty on all counts and promised to appeal the verdict."³⁸

In October 2013 *Russia Today* reported that the decision caused a wave of protests in the Russian and foreign mass media and social networks,

“The decision caused a wave of protests in the Russian and foreign mass media and social networks. Several dozen people picketed the court building on the day the verdict was announced and police had to interfere, dissolving the rally and briefly detaining nine of its participants who had lit flares.

Veteran of the Russian Human Rights movement, Lyudmila Alekseyeva, of the Moscow Helsinki Group promised to get Kosenko out of the asylum.

The leader of the pro-business political party Civil Platform, billionaire Mikhail Prokhorov, blasted the court verdict in press comments saying that the decision to send someone to a closed asylum must be verified by independent psychiatric expertise “recognized by both the participants of the case and the community.”³⁹

In June 2014 *Human Rights Watch* reported that a Russian court had ordered the release of Mikhail Kosenko on the condition that he undergo home care and medical observation. Human Rights Watch called the ruling an “an important victory for Kosenko”,

“On June 11, a court in Chekhov, Moscow region, ordered the release of Mikhail Kosenko from a closed psychiatric hospital on the condition that he undergo home care and medical observation. The ruling, delivered two years and two days after Kosenko's arrest, will enter into force on June 21. “This ruling is an important victory for Kosenko,” said Hugh Williamson, Europe and Central Asia director at Human Rights Watch. “But there still needs to be justice for the fact that Kosenko spent two years of his life in custody, first behind bars, then in a closed psychiatric institution.”⁴⁰

38 *Russia Today*, Compulsory treatment in psych ward ordered for convicted Bolotnaya protester, 09 October 2013, <http://rt.com/politics/kosenko-court-verdict-asylum-932/>, accessed 31 May 2015

39 *Russia Today*, Compulsory treatment in psych ward ordered for convicted Bolotnaya protester, 09 October 2013, <http://rt.com/politics/kosenko-court-verdict-asylum-932/>, accessed 31 May 2015

In February 2014 the *US Department of State* reported that Russian officials denied due process in politically motivated cases, including the sentencing of Mikhail Kosenko to indefinite psychiatric detention,

“Officials denied due process in politically motivated cases initiated by the Investigative Committee, including the continued detention and trial of protesters arrested following the May 2012 demonstration on Bolotnaya Square in Moscow; the sentencing of Bolotnaya demonstrator Mikhail Kosenko to indefinite psychiatric detention.”⁴¹

In June 2015 the *US Department of State* reported that Mikhail Kosenko was released on June 2014,

On June 11, the Chekhov City Court of the Moscow Region released Bolotnaya Square activist Mikhail Kosenko from his 2013 sentence of indefinite detention in a psychiatric facility, which human rights activists widely believed to be politically motivated. Kosenko, who served 11 months in psychiatric detention, continued his court-ordered treatment on an outpatient basis.”⁴²

In August 2014 *Radio Free Europe/Radio Liberty* reported that a Russian court ordered Nadiya Savchenko, a Ukrainian Air Force officer charged with complicity in the killing of two Russian journalists to be sent for a psychiatric examination,

“A Russian court has refused to free a Ukrainian Air Force officer on bail and ordered her to be sent to Moscow for a psychiatric examination. Senior Lieutenant Nadiya Savchenko was captured in June and is awaiting trial in Russia.

She is charged with complicity in the killing of two Russian journalists who died while covering the conflict between pro-Russian separatists and government forces in eastern Ukraine.

At a hearing on August 27, a court in the city of Voronezh refused to release her on bail and extended her pretrial detention through October 30. It ruled that she will be sent to Moscow for a psychiatric examination.

Savchenko's lawyer, Mark Feigin, says his client has lodged a protest against the psychiatric examination. Savchenko told the court that she is not guilty and that Russia has no right to try her.”⁴³

In October 2014 *VICE News*, an international news channel, reported that Russian authorities have begun a psychiatric evaluation of Nadiya Savchenko,

“Russian authorities have begun a psychiatric evaluation of captured Ukrainian air force pilot Nadiya Savchenko, who is accused of complicity in the killing of Russian journalists in eastern Ukraine, without waiting for a court hearing on this procedure.

40 Human Rights Watch, Russia: Withdraw Charges Against Protestor, No Compulsory Psychiatric Treatment, 27 March 2014, <http://www.hrw.org/news/2014/03/26/russia-withdraw-charges-against-protester>, accessed 31 May 2015

41 United States Department of State, 2013 Country Reports on Human Rights Practices - Russia, 27 February 2014, <http://www.refworld.org/docid/53284a815.html>, accessed 01 June 2015

42 USDOS - US Department of State, Country Report on Human Rights Practices 2014 - Russia, 25 June 2015, http://www.ecoi.net/local_link/306252/429631_en.html, accessed 04 July 2015

43 Radio Free Europe/Radio Liberty, Russian Court Orders Psychiatric Examination For Ukrainian Officer, 28 August 2014, <http://www.rferl.org/content/savchenko-pretrial-detention-court-separatists-psychiatric-examination/26554285.html>, accessed 09 May 2015

Human rights observers have called the case against Savchenko politically motivated, and US authorities have said that her freedom is one of the conditions for sanctions against Russia to be relaxed.”⁴⁴

In October 2014 *VICE News* reported that Nadiya Savchenko had been moved to a Moscow psychiatric institute on the same day that a Moscow court was to consider her complaint about the procedure. *VICE News* reported the court date was delayed due to Savchenko’s absence,

“Russia's Investigative Committee announced Monday that Savchenko had been moved from a pre-trial detention center to a Moscow psychiatric institute for an evaluation of her sanity, the same day that a court in the capital was to consider her complaint about the procedure. In a closed session, the court later delayed the hearing until November 11 due to Savchenko's absence. Police detained a protestor carrying a sign that read "Nadiya Savchenko is Joan of Arc," and yelling "Glory to Ukraine" outside the court.

"Only after the evaluation will we have a chance to appeal the evaluation. We think this is wrong," Savchenko's lawyer Mark Feygin, who previously defended the activist punk group Pussy Riot, told reporters after the decision to delay the hearing.

"Investigators said the [psychiatric] evaluation should be conducted without interruption. This is a violation of the law, and it's being done to keep Savchenko out of court and limit access to her," said Nikolai Polozov, another member of the defense team”⁴⁵

In October 2014 British newspaper *the Telegraph* reported that Nadiya Savchenko was running for Ukraine’s parliamentary election from a Russian psychiatric ward,

“A Russian psychiatric ward is an unlikely base for a career in Ukrainian politics. Yet a female army helicopter pilot is contesting Sunday's parliamentary election in Ukraine from a secure unit over the border in Russia.

Despite her enforced absence from her country, Nadia Savchenko dominates the election billboards of the Fatherland party.”⁴⁶

In March 2015 *BBC* reported that Nadiya Savchenko is known as a hero in Ukraine and went on hunger strike for 83 days, starting in December 2014,

“Nadiya Savchenko is feted as a hero in Ukraine. Captured during fighting with pro-Russian rebels, the military pilot has become a symbol of resistance to Russia in her home country.

Here in Moscow she has been charged as an accessory to murder, linked to the death of two Russian journalists covering the conflict in eastern Ukraine between the rebels and government troops.

44 *VICE News*, Russia Begins Controversial Psychiatric Evaluation of Captured Ukrainian Pilot, 13 October 2014, <https://news.vice.com/article/russia-begins-controversial-psychiatric-evaluation-of-captured-ukrainian-pilot>, accessed 31 May 2015

45 *VICE News*, Russia Begins Controversial Psychiatric Evaluation of Captured Ukrainian Pilot, 13 October 2014, <https://news.vice.com/article/russia-begins-controversial-psychiatric-evaluation-of-captured-ukrainian-pilot>, accessed 31 May 2015

46 *The Telegraph*, Ukraine war hero fights election from Russian psychiatric ward, 25 October 2014, <http://www.telegraph.co.uk/news/worldnews/europe/ukraine/11187920/Ukraine-war-hero-fights-election-from-Russian-psychiatric-ward.html>, accessed 29 June 2015

But the BBC has seen mobile phone data from the day they died, that her lawyers argue proves her innocence.

In December, Ms Savchenko declared a hunger strike in protest at her detention, though she recently told a prison visitor she was taking a protein and carbohydrate mix so that her "brain was the last thing to fail".

She abandoned her fast on Thursday after 83 days, amid serious concerns for her health."⁴⁷

In March 2015 the *UK Foreign and Commonwealth Office* reported that Savchenko was forced to undergo psychiatric evaluation,

"In an echo of Soviet practice, Savchenko was forced to undergo psychiatric assessment in October, and Sentsov alleges that he was tortured in custody. We raised concerns about these cases bilaterally and multilaterally, and urged Russia to ensure that due legal processes are followed."⁴⁸

In March 2015 *BBC* reported that Savchenko remains in custody and no trial date has been set. The BBC reported there has been considerable international concern,

"Nadiya Savchenko has now been in custody since late June. No trial date has yet been set and multiple appeals to the courts to release her have been rejected. The most recent attempt this week argued that she has immunity from prosecution as Ukraine's delegate to the Parliamentary Assembly of the Council of Europe.

There was an expectation that her release had been secured in Minsk - along with other prisoners of war - during talks over a Ukrainian ceasefire, but nothing came of it.

In his only comments so far, President Putin has made it clear that the case against the pilot is a criminal one - not political - and should run its course through the courts.

There has been considerable international concern over the pilot's plight - with appeals from the US and EU for her freedom.

Now Ukrainian President Petro Poroshenko has written to Mr Putin directly requesting his intervention, "including on health grounds". This week, he awarded the pilot the title "Hero of Ukraine".

The Kremlin says a response "is being formulated", perhaps raising the possibility of a humanitarian gesture.

But for now, Nadiya Savchenko remains firmly behind bars."⁴⁹

Reporting on events in 2014, in June 2015 *Freedom House* reported that military pilot Nadiya Savchenko was forced to undergo psychiatric evaluation and remained in Russian custody at the end of 2014,

"Russia also illegally detained Ukrainian citizens in 2014. The most prominent, military pilot Nadiya Savchenko, was forcibly taken across the border in July and then required to undergo psychiatric evaluation. She was charged with involvement

47 BBC, Nadiya Savchenko: Ukraine resistance symbol in Russia, 06 March 2015, <http://www.bbc.com/news/world-europe-31760381>, accessed 31 May 2015

48 FCO - UK Foreign and Commonwealth Office: Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Russia, 12 March 2015, http://www.ecoi.net/local_link/298548/421029_en.html, accessed 04 July 2015

49 BBC, Nadiya Savchenko: Ukraine resistance symbol in Russia, 06 March 2015, <http://www.bbc.com/news/world-europe-31760381>, accessed 31 May 2015

in the deaths of two Russian journalists in Ukraine and remained in Russian custody at year's end."⁵⁰

In June 2015 the *US Department of State* reported that Ms Savchenko was remanded to a 30 day hold for psychiatric evaluation during her trial on charges of killing two Russian journalists in Ukraine. USDOS reported that at the end of 2014 she remained in detention,

“On August 27, Lieutenant Nadezhda Savchenko, a Ukrainian military pilot volunteering with the Aidar battalion outside Luhansk, Ukraine, was remanded to a 30-day hold for psychiatric evaluation during her trial on charges of killing two Russian journalists in Metallist, Ukraine, on June 17 (see section 1.e.). Savchenko’s attorneys noted that their client had no history of mental illness or of seeking psychiatric care and that the court’s decision came as a surprise. While psychiatric evaluation is a required element of criminal prosecution for “major violent crimes,” such as murder, manslaughter, and attempted suicide, Savchenko’s transfer from Voronezh to Moscow’s Serbskiy Institute, a psychiatric center infamously associated with the indefinite detention and excessive medication of activists during the Soviet period, coupled with the extended processing of her trial, led activists and the international media to call into question the legitimacy of this evaluation. On November 11, Savchenko was found mentally fit to stand trial, and the prosecution won a motion to use the results of her psychiatric evaluation as expert proof of Savchenko’s “history of violent behavior,” which Savchenko’s defense claimed would unfairly color her trial. At year’s end Savchenko remained in detention.”⁵¹

In October 2014 *the Guardian* reported the Serbsky centre is infamous for giving questionable diagnoses to dissidents who were sent to psychiatric wards in the USSR. *The Guardian* reported that Mikhail Kosenko and Nadiya Savchenko both underwent evaluations there,

“The Serbsky centre is infamous for giving questionable diagnoses to many of the dissidents who were confined to psychiatric wards in the USSR. In April, a protester in a demonstration in Bolotnaya Square, Mikhail Kosenko, was sentenced to indefinite psychiatric treatment after the Serbsky centre declared him insane, a decision that Amnesty International condemned as a return to that Soviet-era practice.

Nadiya Savchenko, a Ukrainian pilot who was captured by pro-Russia separatists, is being tried for complicity in the deaths of two Russian war correspondents on charges that human rights groups have called politically motivated. She has been undergoing a psychiatric evaluation at the centre since last week.”⁵²

In March 2015 the *UK Foreign and Commonwealth Office* reported that Nadiya Savchenko was forced to undergo psychiatric assessment, in an “echo of soviet practice”,

“Ukrainian film director Oleg Sentsov and Ukrainian pilot Nadezhda Savchenko were both transferred into Russia from Ukraine. In an echo of Soviet practice, Savchenko was forced to undergo psychiatric assessment in October, and Sentsov

50 Freedom House, Nations in Transit 2015 - Russia, 26 June 2015, <http://www.refworld.org/docid/55929ef415.html>, accessed 04 July 2015

51 USDOS - US Department of State, Country Report on Human Rights Practices 2014 - Russia, 25 June 2015, http://www.ecoi.net/local_link/306252/429631_en.html, accessed 04 July 2015

52 The Guardian, Russian artist cuts off earlobe in protest at use of forced psychiatry on dissidents, 20 October 2014, <http://www.theguardian.com/world/2014/oct/20/russian-artist-cuts-off-earlobe-protest-forced-psychiatric-treatment-dissidents>, accessed 31 May 2015

alleges that he was tortured in custody. We raised concerns about these cases bilaterally and multilaterally, and urged Russia to ensure that due legal processes are followed.”⁵³

In April 2013 *Radio Free Europe Radio Liberty (RFE/RL)* reported that Lyudmila Popkova, a labour union leader was sent for 30 days psychiatric evaluation. *RFE/RL* reported that Russian law makes it easy for prosecutors to send such people away for a month in a psychiatric hospital,

“The whole process took less than an hour.

At 10:26 a.m. on March 18, Lyudmila Popkova was handed a piece of paper ordering her to appear before Moscow Judge Tatyana Neverova. At 11 a.m. the same day.

Hustled off to court by investigators, Popkova spent 15 minutes in front of Neverova at the Tverskoi district court. She was not allowed to speak. All her attempts to object were dismissed.

In the blink of an eye, the judge ordered Popkova remanded to a Moscow psychiatric hospital for up to 30 days of "evaluation."

Popkova, a labor union leader who got into trouble with the authorities after exposing corruption in the Kremlin administration, was released on April 9.

"It is a strange life. I wouldn't advise anyone to go through it," Popkova says. "You enter a state of shock when a healthy, normal person is placed in a ward with the mentally ill, with drug addicts, with alcoholics."

Russian law makes it easy for prosecutors -- with the help of compliant judges -- to send people like Popkova away for a month in a psychiatric hospital. And there are indications the practice is becoming an increasingly common tool in the country's various campaigns against corruption, extremism, and political dissent.”⁵⁴

In 2013 the *European Parliament Directorate General of External Policies* reported that Lyudmila Popkova was sent to a Moscow psychiatric hospital for evaluation,

“On March 18 2013, Lyudmila Popkova, a labour union leader who got into trouble with the authorities after exposing corruption in the Kremlin administration, was handed a piece of paper ordering her to appear before a Moscow judge the same day. Within fifteen minutes she was remanded to a Moscow psychiatric hospital for up to 30 days of "evaluation." She was eventually released on April 9, 2013.”⁵⁵

In Mary 2009 *Radio Free Europe/Radio Liberty* reported an opposition activist in St Petersburg who created online opposition groups was forcibly placed in a psychiatric clinic,

53 FCO - UK Foreign and Commonwealth Office: Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Russia, 12 March 2015, http://www.ecoi.net/local_link/298548/421029_en.html, accessed 01 June 2015

54 Radio Free Europe/Radio Liberty, **Whistle-Blower's Case Revives Concerns Of Punitive Psychiatry In Russia, 18 April 2013**, <http://www.rferl.org/content/russia-whistle-blower-psychiatric/24961309.html>, accessed 31 May 2015

55 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.17, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

“An opposition activist in St. Petersburg who created several online opposition groups on the website contact.ru was forcibly placed in a psychiatric clinic, RFE/RL's Russian Service reports.

Vadim Charushev is an outspoken online critic of the Kremlin's position on what is known in Ukrainian as the Holodomor – the man-made famine in Ukraine in 1930s that led to millions of deaths. He also often criticizes Moscow policies in the Caucasus.

It has been reported that Charushev was forcibly brought to a psychiatric clinic on March 7, where a mobile court satisfied a request by medical personnel to place him in the clinic.

The leader of the United Civic Front opposition movement's branch in St. Petersburg, Olga Kurnosova, told RFE/RL that Charushev's current state of health in the clinic is very worrisome. She said he has lost a lot of weight and looks sick.”⁵⁶

In August 2012 *the Moscow Times* reported that members of punk band Pussy Riot were subjected to psychiatric testing,

“[Judge Syrova] cited conclusions from the prosecution's psychological and psychiatric report that the three women suffered from "personality disorders" and thus should be isolated from society. Notably, the experts did not appear in court and could not be questioned by the defense.

This is how the psychiatrists described the defendants' supposed disorders: Nadezhda Tolokonnikova shows signs of "an active life position ... and a tendency to express her opinions categorically"; Yekaterina Samutsevich suffers from "obstinacy, decisiveness and a tendency toward oppositional forms of behavior during conflicts, along with subjectivist and vigilant character traits"; and Maria Alyokhina shows signs of "demonstrative, overrated self-opinion.”⁵⁷

In 2013 the *European Parliament Directorate-General of External Policies* reported that all members of Pussy Riot had been examined psychiatrically,

“Also following Putin's re-election as President of Russia in 2012 complaints about non-medical use of psychiatry to silence dissident or “bothersome” citizens continued.

In August 2012 it appeared that in the case of “Pussy Riot”, the defendants had all been examined psychiatrically by psychiatrists from the Kashchenko psychiatric hospital outside Moscow, an institution that in Soviet times was heavily implicated in the political abuse of psychiatry. According to the psychological and psychiatric report presented by the prosecution, the three women suffered from "personality disorders" and thus should be isolated from society. The experts themselves, however, did not appear in court and could not be questioned by the defence. The language used in the report, however, sounded very similar to the qualifications used in Soviet times when diagnosing dissidents.”⁵⁸

56 Radio Free Europe/Radio Liberty, Russian 'cyber-opponent' forced into psychiatric clinic, 16 March 2009, available at: <http://www.refworld.org/docid/49c26a97c.html>, accessed 01 June 2015

57 The Moscow Times, 24 August 2012, <http://www.themoscowtimes.com/opinion/article/why-the-pussy-riot-judge-hid-her-face/467052.html>, accessed 04 July 2015

58 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.16, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

In February 2012 Russian-based non-governmental organisation *Rights in Russia* reported that Solidarity activist Nadezhda Nizovkina from Buryatia has been released from the psychiatric hospital where she had been involuntarily detained,

“Solidarity activist Nadezhda Nizovkina from Buryatia has been released from the psychiatric hospital where she had been involuntarily detained. A day earlier, Preobrazhensky district court had ruled that Nadezhda Nizovkina should be forcibly kept at the psychiatric hospital until the arrival of her mother. The report comes from Nizovkina’s colleague Vera Lavreshina, who was also detained after Sunday’s events on Red Square.”⁵⁹

In February 2012 *Rights in Russia* reported that Nizovkina was taken to a psychiatric hospital and was strapped to a bed,

“On Sunday, Nizovkina and Lavreshina held one-person pickets on Red Square, bearing placards displaying the messages "Lubyanka must be destroyed" and "We are for a Constitutional Convention". The activists stood 30 metres apart from each other. They were immediately pounced on by men in uniform and flung to the ground. The two women resisted the attacks and for a long time the men were unable to detain them.

In Kitai-gorod police station the activists refused to identify themselves, however when a lawyer, Violetta Volkova, arrived and gave Lavreshina’s personal details, the latter was released following preparation of an official protocol. However, a psychiatric ambulance was called for Nizovkina.

In the hospital Nizovkina was strapped to a bed, but she was later untied. She was allowed to make one phone call and she told fellow activist Pavel Shekhtman that staff “wanted to do some procedures or other.”

On Tuesday Nizovkina и Lavreshina had been detained at the protest "Let’s Stop Dictatorship!" in front of the Central Election Commission, where they chanted slogans, tied to each other with climbing ropes. Lavreshina and Nizovkina refused to identify themselves. Lavreshina was removed and taken to Gannushkin Psychiatric Hospital. The next morning she was released after an assessment consultation.”⁶⁰

2.1.2 Abuse of provisions on forced confinement to mental health institution - on the basis of other grounds not related to the person’s mental health needs

In December 2014 British newspaper *the Guardian* reported that Tatyana Gavrilova was convicted of murder in 1999 and was sent to a psychiatric clinic and given injected illegal drugs,

“As a result, they got nothing out of me. They sent me to a psychiatric clinic attached to the Federal Penitentiary Service, where I spent the next six years. Corporal punishment wasn’t practised there but they pumped you full of drugs

59 Rights in Russia, Nadezhda Nizovkina released from psychiatric hospital, 28 February 2012, <http://hro.rightsinrussia.info/archive/abuse-of-psychiatry/nizovkina/released>, accessed 04 July 2015

60 Rights in Russia, Nadezhda Nizovkina released from psychiatric hospital, 28 February 2012, <http://hro.rightsinrussia.info/archive/abuse-of-psychiatry/nizovkina/released>, accessed 04 July 2015

instead. They even injected illegal drugs, such as sulfozinum. [Sulfozinum was used to treat schizophrenia in the USSR but was found to cause severe muscle pain: doctors later stopped using it although there are rumours it is used to punish psychiatric patients.]”

“You lose yourself in there. Under the influence of these drugs, of the torture that they inflicted upon us, you soon forget even how to hold a spoon. You have no past and no future.”⁶¹

In September 2014 *Human Rights Watch* reported that young people with disabilities were forcibly sent to psychiatric hospitals as a form of punishment for “bad” behaviour,

“Several young people with disabilities who lived or previously lived in specialized state children’s institutions reported that staff of specialized state children’s homes forcibly sent them to psychiatric hospitals as a form of punishment for “bad” behavior or for being too “active”: for running indoors, roughhousing with other children, or trying to leave their rooms or go outdoors, for example.

Human Rights Watch interviewed 19-year-old Nastia Y., a young woman with a developmental disability who grew up in a specialized state institution in Pskov region. She described how staff gave her medication or took her to a local psychiatric hospital named Bogdanova, as punishment:

If you misbehave, then they give you pills to put you to sleep or they take you to Bogdanova. Bogdanova is a psychiatric hospital where there are bars on the windows. Staff there tie kids’ hands together and give them pills and injections.... I felt very badly when I was there. Nastia Y. could not recall the year when she was hospitalized. Several other young people whom Human Rights Watch interviewed in Pskov region also reported having seen other children in the institution being punished in this way.

In September 2014 *Human Rights Watch* documented a case of a young man with a physical disability who had been sent to a psychiatric hospital for being too “active”,

“Pavel R., a young man with a physical disability who spent his childhood in a specialized state institution in northwest Russia, said that he had been sent to a psychiatric hospital as punishment for being too “active.” He told Human Rights Watch that it was painful to describe his treatment there. “It’s something I never want to talk about,” he said.”⁶²

In May 2015 Russian news agency *Meduza* reported that in 2013 a 9 year old girl who had been allegedly raped by a 51 year old teacher working in a children’s home was sent to a psychiatric facility,

“In November 2013, a nurse in Children’s Home № 1 in St Petersburg went to the police station and told the officers that a 51-year-old teacher working with her had raped a 9-year-old orphan with epilepsy. According to Vitaly Cherkasov, a lawyer at the human rights foundation *Agora*, the investigators were unable to gather sufficient evidence and the case was soon closed. Meanwhile, the director of the

61 The Guardian, ‘Violence breeds violence’: one woman’s story of 16 years inside a Russian jail, 04 December 2014, <http://www.theguardian.com/world/2014/dec/04/-sp-russia-prison-tatyana-gavrilova-pussy-riot>, accessed 04 July 2015

62 Human Rights Watch, *Abandoned by the State: Violence, Neglect, and Isolation for Children with Disabilities in Russian Orphanages*, 15 September 2014, <http://www.refworld.org/docid/5416cec64.html>, accessed 30 May 2015

children's home decided to actively defend the teacher. She then sent the girl to a psychiatric facility. This was done to put pressure on the child, discredit her and force her to recant her previous testimony, says Cherkasov.

Igor Ledebev, head of the NGO *Breakthrough North-West* which monitors compliance with children's rights, agrees with Cherkasov. He has no doubt that the child was hospitalized in order to "brainwash" her and convince her that she had imagined everything. The girl was kept under observation for several months. After being discharged from the psychiatric facility, her condition deteriorated significantly. She became extremely aggressive and was unable to recognize even her own grandmother. Human rights activists went through great hurdles, but eventually managed to get her released back to her family, who wished to take her in. Lebedev maintains that this instance of punitive psychiatry for orphaned children is far from unique."⁶³

In May 2015 *Meduza* reported the following figures on the number of children that have been sent to psychiatric clinics,

"According to the state statistics authority Rosstat, there are 80,000 children currently living in care facilities in Russia. There are no data on how many children have been sent to psychiatric clinics. The majority of requests for information sent by *Meduza* to the local children's rights commissioners in various Russian regions went unanswered. However, one can get a general idea of the situation from the answers *Meduza* managed to get. Since 2010 in Ivanovsk region, 67 orphans from children's homes have been hospitalized. In Orenburg Region, 285 have been hospitalized. In Tomsk Region, the figure is 141, and in Novosibirsk, 59 children have been put under psychiatric observation. Officials maintain that escapes from psychiatric facilities are rare, but the reality may be different."

In May 2015 *Meduza* reported that the first major case concerning the hospitalization of orphans was uncovered in April 2015 which concerned two adolescents being sent to a psychiatric hospital for bad behaviour,

"Until recently, Moscow had not seen any scandals concerning the hospitalization of orphans in psychiatric facilities. The first major case was uncovered in April 2015. In mid-January, it became public knowledge that two adolescents were sent to Psychiatric Hospital №15 from the *Rainbow Center for Cooperation on Family Education* (formerly known as Children's Home № 46). The two, known in media reports as G and M, had been enrolled in a special corrective program and had no developmental issues. They spent two months in hospital. After being discharged, G spoke to his former caregiver, Yury Kazadayev, who worked in Boarding School № 80. The 15-year-old gave him photos he had taken on his phone. The photos showed half-naked children in diapers bound to beds. In two of the photos, it is clear that two adolescents are binding a younger child to a bed. G also told Kazadayev that he had been given some sort of medication. Kazadayev called lawyer Kulan Vennikov. Soon, the Investigative Committee, the Prosecutor General, Ministry of Health officials and the offices of the children's rights chairman had all received complaints about child abuse.

⁶³ Meduza, Punitive psychiatry in Russia's orphanages How vulnerable children were sent to psychiatric hospitals for bad behaviour, 27 May 2015, <https://meduza.io/en/feature/2015/05/27/punitive-psychiatry-in-russia-s-orphanages>, accessed 04 July 2015

Law enforcement began to show an interest in this case only after the G's photos appeared in the media. According to the material uncovered in the preliminary investigation, the young man was hospitalized for poor behavior. He was neither given a diagnosis or examined by a doctor. In reality, the Rainbow Center's employees had offered none of the help they were required to give to the adolescents in their care, didn't bother with their education, and had sent them to psychiatric facilities for "punishment." When asked why teenagers were tying children to beds, one of the doctors at the clinic answered "the children were simply playing."⁶⁴

In September 2012 Oslo-based *Forum 18* reported that Russian authorities were seeking to have a Muslim being investigated on extremism-related charges forcibly detained in a psychiatric facility,

"Russia's FSB security service is seeking to have a Muslim being investigated on "extremism"-related criminal charges forcibly detained in a psychiatric facility for a psychiatric evaluation, after he refused to undergo one voluntarily, Forum 18 News Service has learned. Amir Abuev, a Muslim resident of the Baltic exclave of Kaliningrad, has been forced to sign a statement that he will not leave the city. "They're trying to prove he is mad, but he is a perfectly sane individual," his Moscow-based lawyer Sergei Sychev told Forum 18. Abuev's car has also been tampered with - despite his being under surveillance from the authorities - and Abuev's local lawyer has been obliged to sign an order banning them from discussing the case publicly until the investigation is completed. The FSB investigator has several times refused adamantly to discuss any aspect of the case with Forum 18. The 31-year-old Abuev - a reader of the works of the late Turkish Muslim theologian Said Nursi - denies any wrongdoing."⁶⁵

In August 2007 *Radio Free Europe/Radio Liberty* reported that a journalist and opposition activist, Larisa Arap, was being held at a psychiatric hospital without any medical basis,

"The president of Russia's Independent Psychiatric Association says that Larisa Arap, a journalist and opposition activist, is being held at a psychiatric hospital without any medical basis, RFE/RL's Russian Service reported.

Yuri Savenko, who examined Arap last week together with his colleagues, told RFE/RL's Russian Service that Arap has never posed any threat "to herself or to other people."

Arap claims authorities placed her in the hospital in July in reprisal for a statement she gave to a newspaper, alleging that patients at a psychiatric clinic were beaten and sexually abused.

Arap's daughter, Taisiya Arap, has launched a legal appeal against her mother's detention.

Taisiya Arap told news agencies that police took her mother away while she was collecting documents about her mental health from a doctor in keeping with legal

64 Meduza, Punitive psychiatry in Russia's orphanages How vulnerable children were sent to psychiatric hospitals for bad behaviour, 27 May 2015, <https://meduza.io/en/feature/2015/05/27/punitive-psychiatry-in-russia-s-orphanages>, accessed 04 July 2015

65 Forum 18, Russia: Psychiatric examination, lawyer gagged, car tampering, 26 March 2012, <http://www.refworld.org/docid/4f7d8d1e2.html>, accessed 31 May 2015

requirements for obtaining a driver's license. She said the doctor called in the police when she realized that Larisa Arap had written the critical newspaper articles.

Arap is the head of the Murmansk branch of the opposition United Civic Front.

Human-rights groups have warned that her case may represent a return to Soviet-era tactics of using psychiatric diagnoses and detentions to suppress opposition.”⁶⁶

In 2013 the *European Parliament Directorate General of External Policies* reported that Larisa Arap, an opposition activist and journalist was hospitalized in 2007 for 46 days after publishing an article about human rights abuses in a psychiatric hospital. However the *European Parliament Directorate General of External Policies* states that is difficult to assert whether this was a case of political abuse of psychiatry as an independent psychiatric evaluation showed that Ms Arap was indeed suffering from mental health problems,

“Much international attention was given to the case of Larisa Arap, an opposition activist and journalist from Murmansk, who was hospitalized in 2007 for 46 days after publishing an article about human rights abuses in a psychiatric hospital in the town of Apetity, where she had been hospitalized herself as a patient in 2004. An independent psychiatric evaluation showed that Ms. Arap was indeed suffering from mental health problems; however, in hospitalizing her not the right procedure had been followed and it was questioned whether her state was such that a hospitalization had indeed been necessary. The case of Larisa Arap clearly showed the complexity of the issue. Although quite possibly both her belonging to the opposition to Vladimir Putin and her critical article triggered the psychiatric hospitalization, the fact that the person indeed suffered from mental health problems makes it very difficult to assert that this was a case of political abuse of psychiatry.”⁶⁷

In January 2009 *Radio Free Europe/Radio Liberty* reported that activists in Russia have demonstrated to protest against the use of psychiatric pressure to try to change religious beliefs,

“Activists in St. Petersburg have demonstrated to protest against the use of psychiatric pressure to try to change religious beliefs.

The director of the Civic Commission on Human Rights, Roman Chorny, told RFE/RL's Russian Service that there have been cases in St. Petersburg in which family members sent their relatives to psychiatric institutions in an effort to "cure them" of specific religious beliefs.

Chorny said it is extremely worrisome that psychiatrists are given the power to decide which religious beliefs are acceptable and which need to be "cured."

Russia's mental-health institutions have come under harsh criticism from human rights defenders for being used as an instrument of pressure and abuse against various people, including political activists.

66 Radio Free Europe/Radio Liberty, Psychiatrist says Russian activist held 'without basis', 13 August 2007, <http://www.refworld.org/docid/46c32623a.html>, accessed 31 May 2015

67 European Parliament, Directorate –General for External Policies, Policy Department, Psychiatry as a tool for coercion in post-Soviet countries, 2013, p.17, http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433723/EXPO-DROI_ET%282013%29433723_EN.pdf, accessed 04 July 2015

In 2007, an opposition activist in Murmansk, Larisa Arap, was institutionalized against her will after she wrote a newspaper story alleging abuses at local psychiatric hospitals.

Human rights advocates warned that the case marked a return to Soviet-era practices, when dissenters were commonly locked away in mental institutions.”⁶⁸

In November 2009 the *Schizophrenia Bulletin* reported that they have received reports that a deteriorating climate in Russia seems to create an atmosphere where the use of psychiatry as a means of intimidation is used by the local authorities,

“The only country that seems to abuse psychiatry for political purposes in a systematic manner is the People’s Republic of China, and in spite of international criticism, this appears to be continuing. On the other hand, reports on individual cases continue to reach us, including reports from Russia where the deteriorating political climate seems to create an atmosphere in which local authorities feel that they can again use psychiatry as a means of intimidation.”⁶⁹

The submission to the Committee against Torture by the organisation *Soldiers Mothers of St Petersburg* in September 2012 states that the practice of punitive psychology has spread to the military,

“Phenomenon of so-called “punitive psychology” was sadly common in the Soviet Union. It was widely used to silence dissidents and all those who dared to speak out against the system. Naturally, only insane individuals could have done that. Unfortunately, this abuse of psychiatric services continued after the dismemberment of the Soviet Union and was on several occasions condemned by the European Court of Human Rights and the Constitutional Court of the Russian Federation. Soldiers’ Mothers of St Petersburg with great concern and regret, note the spreading of this type of human rights violation in the military sphere. In our opinion, baseless involuntary placement in a psychiatric hospital constitutes a form of inhuman treatment, and sometimes punishment.”⁷⁰

68 Radio Free Europe/Radio Liberty, Russian protesters decry psychiatric pressure on believers, 29 January 2009, available at: <http://www.refworld.org/docid/4982d6c82d.html>, accessed 31 May 2015

69 *Schizophrenia Bulletin*, Oxford Journals, 36 (1): 33-35. First published online: November 5, 2009, <http://schizophreniabulletin.oxfordjournals.org/content/36/1/33.full>, accessed 29 June 2015

70 *Soldiers’ Mothers of St Petersburg*, Shadow Report to the UN Committee against Torture on Torture Related Practices in the Russian Army, 19 September 2012, para 55, http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/RUS/INT_CAT_NGO_RUS_13016_E.pdf, accessed 04 July 2015