

Russia: New Law Leads to Fewer Reported DV Cases

by D. Kelly Weisberg

Last year, the Russian Parliament (Duma) decriminalized some forms of domestic violence. (See “Russia Decriminalizes Some DV,” 22[4] *DVR* 24 (APR/MAY 2017). In February 2017, the Duma enacted amendments that downgraded a first offense of domestic violence provided that it did not cause serious harm that resulted in hospital treatment. However, domestic violence that consisted of serious injuries (*e.g.*, broken bones or a concussion) remained a criminal offense.

The new law (dubbed the “slapping law” to signify that it covered minor acts of violence) applies to intimate partner violence as well as child abuse. Pursuant to the 2017 law reform measure, a first offense of a less serious act of domestic violence would be characterized as an administrative offense. Formerly, family violence offenses were punishable by a maximum jail sentence of two years. Under the new law, first offenses that were minor were punishable by 15 days in jail or a fine, or compulsory community service. In addition, under the new law, some Russian women were forced to pay the fines imposed on their abusers, with unpaid fines often taken from shared bank accounts.¹

The Duma enacted the new law in response to the claims of many Russian Members of Parliament that it was necessary to protect the family unit. That is, the MPs charged that the new law would stop law enforcement from interfering in private matters between a husband and wife. The law was fueled by a return to traditionalism spearheaded by the Orthodox Church under Russian President Vladimir Putin in his third term.² In the socially conservative legislature, the bill passed almost unanimously with only three of 380 lawmakers voting against it.³

The decriminalization law reform was the focus of a BBC documentary, “Russia’s War on Women.” In the documentary, journalist Stacey Dooley investigates the reasons for, and the

impact of, the law that decriminalized certain forms of domestic violence.⁴

The law reform has had negative consequences for survivors. Since the law was passed in 2017, advocates charge that the decriminalization movement has led to a sharp decline in the number of reported cases of domestic violence. Government statistics, released in July 2018, revealed that the number

punished and subject to criminal charges. For example, feminist blogger Lyubov Kalugina was recently charged with inciting hatred toward men and faces up to five years in prison.¹⁰

Domestic violence is a large problem in Russia. More than 16 million women a year are estimated to experience domestic violence there.¹¹ According to official estimates from the Interior

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of cases of domestic violence reported to police decreased by almost half following the new law;⁵ a total of 36,037 domestic violence cases were reported in 2017 compared with 65,543 in 2016. Marina Pisklakova-Parker, the director of an NGO that provides support to survivors, claimed that the decrease showed that women were less inclined to report cases to the police rather than that decriminalization had actually reduced cases of domestic violence.⁶ Another advocate criticized, “[S]tatistics are lower because women are even less inclined to ask for help than they were before.”⁷ In addition, one of Russia’s leading human rights activists, Russian Commissioner for Human Rights Tatyana Moskalkova, concurred. She told a conference recently that decriminalization was “a mistake.”⁸

Following enactment of the slapping law, Russian women enjoyed few protections from domestic violence. Police began refusing to intervene in incidents of domestic violence unless the attack caused substantial bodily harm. In addition, according to Human Rights Watch, police also refused to investigate reports of domestic violence. “This marks a return to the treatment of women in the 1990s, when the police and authorities simply refused to get involved in family matters, and spells more violence to come.”⁹ Moreover, critics of the new law have been

Ministry, domestic violence kills around 14,000 of those women every year.¹²

End Notes

1. Jenny Stallard (March 7, 2018). The Dark Reality of Russia’s Domestic Violence Laws. Available at <https://www.bbc.co.uk/bbcthree/article/0dd0ab91-145a-4137-bf87-28d0498c8d56>.
2. *Id.*
3. George Steer (December 4, 2018). Russian Human Rights Official Admits Softening Domestic Violence Laws Was “a Mistake.” *Time Magazine*. Available at <http://time.com/5470166/domestic-violence-russia/>.
4. See Stacey Dooley (July 17, 2018). Russia’s War on Women. Available at <https://www.bbc.co.uk/programmes/p05vb22n>.
5. Mariana Spring (August 16, 2018). Decriminalisation of Domestic Violence in Russia Leads to Fall in Reported Cases, *The (U.K.) Guardian*. Available at <https://www.theguardian.com/world/2018/aug/16/decriminalisation-of-domestic-violence-in-russia-leads-to-fall-in-reported-cases>.
6. *Id.*
7. *Id.*
8. Steer, *supra* note 3.
9. Anna Denejkina (November 15, 2018). In Russia, Feminist Memes Buy Jail Time, but Domestic Abuse Doesn’t. Available at <https://foreignpolicy.com/2018/11/15/in-russia-feminist-memes-buy-jail-time-but-domestic-abuse-doesnt/>.
10. *Id.*
11. Spring, *supra* note 5.
12. David Brennan (December 3, 2018). Decriminalizing Domestic Violence Was a “Mistake,” Russian Official Admits, *Newsweek*. Available at <https://www.newsweek.com/decriminalizing-domestic-violence-mistake-admits-russian-official-1241472>. ■

*D. Kelly Weisberg’s biography appears on p. 41.



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