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## **Russian Federation: New Amnesty Law -- healing the symptoms not the disease**

Today's adoption by the Russian State Duma of a new law designed to grant amnesty to around 100,000 detainees and prisoners in the Russian Federation is a positive step which, however, does not tackle the deficiencies of the criminal justice system, Amnesty International said today.

"We welcome the new amnesty law, but hope that it will not be regarded as a quick-fix solution aimed at easing heavily overcrowded detention centres and colonies holding up to one million prisoners," the human rights organization said.

"It is crucial that the whole justice system is reformed rather than simply adopting amnesty laws to release thousands of detainees, many of whom should not have been detained in the first place."

Amnesty International is calling on the Russian government to implement the law in practice, which it believes was not done following the adoption of an earlier amnesty law, when only about 30,000 people were released. The government should also introduce, and the Duma adopt without delay, a whole package of new legislative acts and amendments of existing criminal legislation, aimed at reforming the entire system of criminal justice in the Russian Federation.

Not covered by the current amnesty law are people charged for "theft in a gang" (Article 158(2)). According to Russian human rights observers, in a number of colonies up to 60 per cent of the prisoners were convicted under this article.

Amnesty International is concerned that most of the cases of charged or convicted adolescents appear related to petty theft in a gang, which automatically excludes a huge number of adolescent detainees and prisoners from the new amnesty. According to official statistics, there are more than 21,000 adolescents under 18 currently held in pre-trial detention centres and colonies in the Russian Federation. Independent sources estimate that under the current amnesty only up to 1,000 adolescents may be released from detention.

Amnesty International is urging the government and the State Duma to review the imprisonment of detainees and prisoners under 18 who are held for minor, non-violent offences. This is especially in view of the upcoming consideration of the Russian Federation's compliance with the provisions of the UN Convention on the Rights of the Child at the next session of the Committee on the Rights of the Child in September.

### **Background**

It was reported that the new law applies to people convicted of non-violent crimes, war veterans, pregnant women and women with children, adolescents, elderly people and invalids. It was not clear how many people would actually be freed under the amnesty. Minister of Justice Pavel Krasheninnikov was quoted as saying that among those actually released from prisons would be 3,500 veterans and invalids, 2,000 adolescents, 11,000 women and 13,500 prisoners serving their first sentence.

It was also reported that the law will apply only to up to 17-18,000 detainees in pre-trial detention, where the conditions are known to be the worst and hundreds of detainees are known to have died in recent years from lack of air, suicides and widespread tuberculosis. There are a total of about 350,000 detainees in pre-trial detention and temporary isolation detention centres in the Russian Federation at present.  
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