

S K O S H

Promoting health and human rights of vulnerable groups through education and technologies

General support to protect the health and human rights of marginalized communities in Russia affected by HIV/AIDS.

## Interim report

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## Background

*Stichting Skosh* is a not-for-profit organization with a goal to promote health, justice, dignity and human rights in the area of drugs and drug policy through education, networking, and technological innovation. The organization is based in the Netherlands but works internationally, focusing on Eastern Europe and Central Asia. It aims to support health and rights preserving activities based on the latest science and best practices, and empower communities' participation in knowledge production and innovation.

*The Andrey Rylkov Foundation for Health and Social Justice (ARF)* is a Russian grass-root NGO that works to promote and implement humane drug policies based on tolerance, protection of dignity and human rights. Since its official registration in 2009 ARF became an inspiring path-setter in the most innovative service, advocacy and human rights work in Russia and internationally. ARF works in several directions:

(1) Direct services to people who use drugs (PWUD) on the streets of Moscow via daily outreach, free access to HIV prevention materials, HIV self-testing, access to legal aid, education on health and human rights, mental health support and facilitation of access to HIV and other treatments.

(2) Systematic documenting, analyzing, redressing and reporting human rights violations. The documentation is used to guide advocacy, strategic litigation and reporting to the UN Treaty Bodies and other Human rights organs with the aim to improve the legal environment for health.

(3) Community systems strengthening through community empowerment, education on health and human rights; self-organizing, technologies and art.

(4) Stigma-reduction through educating the public about humane evidence-based drug policy, dismantling the propaganda of the war on drugs; developing a new public discourse.

Stichting SKOSH provides technical assistance and complements ARF activities, in accordance with the *Resilience Strategy* developed backed in 2016 when ARF has been included in the registry of Foreign Agents NGOs in Russia which exposed the team to greater risks of political prosecution. The *Resilience Strategy-2016* envisaged developing NGO Skosh to the level that it could complete ARF work and be able to continue it in the case of ARF dissolution in case of a major political disruption.

The Levi Strauss Foundation has supported systems strengthening between ARF and Stichting SKOSH and the capacity building of both organizations. The arrangement aimed to pilot a flexible NGO sustainability model in a time of political uncertainty and aggravating governmental crackdown on civil society.

The long-term goal was to model a resilient HIV/public health work in very unfavorable climate(s) of political dictatorship(s) and explore new modalities of resistance, community empowerment in order to protect people's health and keep saving the lives of the most vulnerable citizens in the dark times.

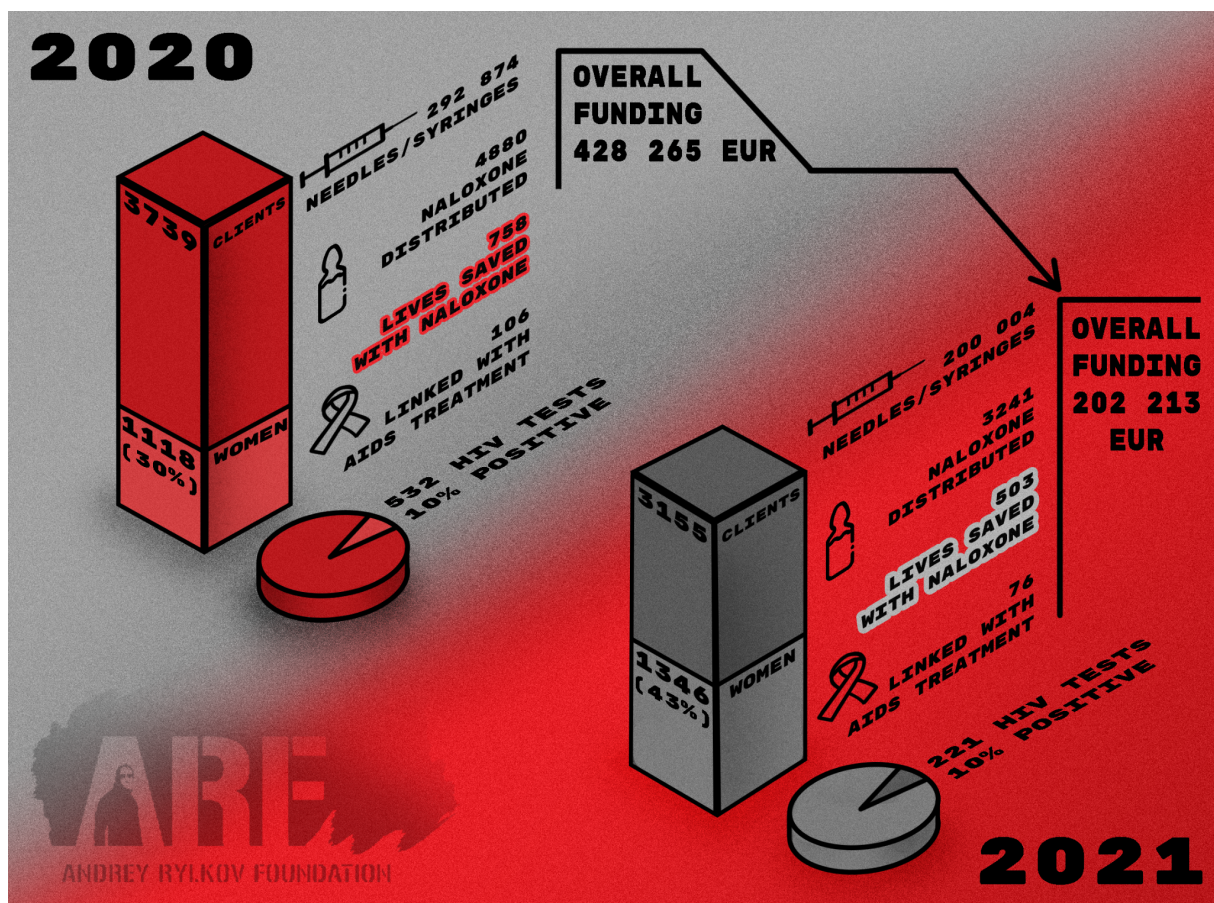
The short term goals were: 1) Building the capacity of Stichting Skosh in the Netherlands, especially it's capacity to promptly respond to the needs of ARF and other community groups involved in the HIV/AIDS response. 2) Developing an adaptable model of HIV/AIDS service provision, advocacy, strategic litigation and public discourse work in Russia.

## **Main achievements**

As to date, thanks to the support from the LSF, SKOSH/ARF achieved our main aspiration - to continue uninterrupted service provision, rights protection and anti-stigma work in Russia despite the pressing political environment. The work persists on several levels - from individual assistance and human rights violations data collection on the streets to advocacy for better health policies on the international and UN levels.

## 1. Direct services to people who use drugs (PWUD) in Moscow

Despite its low-profile and decreasing funding, Moscow's harm reduction service achieved good results in 2020-2021. We maintained the already established services, such as outreach, case management, legal aid/street lawyers, community know-your-rights education and developed new integrations. The main focus of our piloting and development has been on improving sustained access to HIV treatment for our clients, expanding mental health services (an acute need during the pandemic and the war), HIV prevention in the chemsex scene, channeling support to vulnerable families, developing a service algorithm for women survivors of gender-based violence. In 2020-21 we also had to integrate COVID-specific information. And in 2022 we had to adjust to the war crisis.



We maintain our legal / paralegal service (Street Lawyers) that started in 2012-13 with the seed-funding from the LSF. The service is currently supported via EJAF's RADIANT project

until July 2022, and after that we plan to use the funding from the Global Fund to Fight AIDS, tuberculosis and malaria, if they don't withdraw their support to from Russia.

ARF is continuing the “Know your rights” education. Despite the COVID limitations in 2020-2021 we carried out several human rights schools, mostly online. Our lawyers have also participated in the educational webinars organized by other affinities, such as *Trava* group in St. Petersburg. With the support of SKOSH the Forum of PWUD have rolled out an initiative *Rave not raid* aimed at the exposure of illegal police practices at the raves in Moscow and St. Petersburg. Together with the Forum we provided more than 30 consultations (via Telegram) and helped to file more than 15 complaints to the Ministry of Internal Affairs and the Prosecutor's Office on behalf of victims of illegal and abusive police raids.

#### *Monitoring technologies*

In 2020- 2021 SKOSH's consultant developed ARF's own extensive outreach database that helps to monitor outreach work. The recent focus of the development was to integrate human rights indicators into the database and align it with several other databases used in the region. In 2021, we also received help from the Canadian group [eQualitie](#) who supported an additional developer, and in 2022 they supported our main developer so we stopped funding his work from SKOSH.

## **2. Human rights work, advocacy and strategic litigation**

#### *Documenting and reporting human rights violations*

ARF documents and systematizes the human rights violations by the regime since 2009 and started reporting these violations to the UN in 2011. The data/cases collected on the ground is analyzed, summarized, and used in analytical reports. These are submitted as shadow/ alternative reports to the UN human rights bodies including Treaty Bodies, various Committees and Special Rapporteurs. ARF worked with the Forum of PWUD to provide a

platform for joint human rights efforts throughout Russia. The Forums Secretariat coordinates documentation and the preparation of reports and has been partly supported through SKOSH. In 2020 the Secretariat coordinated a study on violence against women who use drugs in preparation of a [first \(2020\)](#) and [second \(2021\)](#) alternative reports to the UN Committee on Elimination of all forms of discrimination against women (CEDAW). The two reports and an additional briefing yielded the Committees recommendation to Russia to “Adopt measures to combat and eliminate gender-based violence and discrimination against and stigmatization of women living with HIV/AIDS, women using drugs, women in detention and women with disabilities in health care and ensure that they have access to adequate health services, including sexual and reproductive health services, antiretroviral treatment, and drug treatment” (CEDAW/C/RUS/CO/9). For the first time, the Committee ranked women who use drugs among vulnerable groups of women in the RF. The Committee also expressed particular concern about the persecution of women human rights defenders in relation to the Foreign Agents Act.

In April 2021 we prepared a [report to UN Committee against torture](#) providing evidence that the State ignores the previous Committee recommendations and has not taken any measures to implement them. The report contains information that the State drug policy contradicts the international Conventions and recommendations. Unfortunately, despite the evidence, the Committee didn't include any questions to Russian Federation on its inhumane torturous drug policy.

Together with the Forum PWUD in May 2020 we prepared a shadow report to [the UN Human Rights Committee](#) focused on violations of the rights enshrined in the *Convention on Civil and Political Rights*: to protection from discrimination; to equality before the law; gender equality; to freedom from torture or cruel, inhuman or degrading treatment or punishment; to protection from arbitrary detention; to humane treatment in places of detention; to equality before the courts; and to freedom of expression. Unfortunately, the Committee has fully ignored our report of the grave rights violations.

Also, together with the Forum, we contributed to a [report for the UN Working Group on Arbitrary Detention](#) (WGAD) - a study and a 2 days working session focusing on arbitrary detention in the context of drug policy. We informed about insufficient law enforcement, prison and judicial statistics, state policies allowing arbitrary detention, disproportionate sentences for drug crimes and de-facto criminalization of consumption and possession for personal use. WGAD included our concerns into [the study's](#) recommendations to decriminalize personal use and possession and release all prisoners held under these charges. The recommendations were subsequently presented to UN Human Rights Council.

Together with Eurasian Harm Reduction Association, we prepared a [submission to the UN Special rapporteur](#) on torture for the report on accountability for torture and other ill-treatment. The submission was devoted to the structural problem of Accountability Gap for Torture and Ill-Treatment due to criminalization of drug use.

The Forums Secretary Gleb Paikachev has presented at the Vienna NGO Committee webinar on the World Drug Report 2020 and participated in the session of the UN Commission on narcotic drugs 2020 in Vienna.

### *Advocacy*

Besides documenting human rights violations, ARF is also doing a lot of advocacy work by the means of raising the public awareness on particular issues via SMM and mass media, writing letters and requests to State responsible organs. The main public issues we worked on in 2020-2021 included:

- Limited access to medical care during the COVID-19 pandemic, especially to drug-dependent women;
- Fighting unlawful mass drug testing;
- Protecting people who use drugs from criminal and administrative prosecution;
- Limited access to Naloxone to prevent overdose deaths;
- Violence against women who use drugs;



- Deprivation of parental rights on the basis of drug dependency.

ARF focused intensely on the issue of violence against women who use drugs since 2012, this work has been mostly focused on research, advocacy, cooperation with the Special rapporteur on VaW and CEDAW and raising public awareness. In 2020-22 we focused on establishing more pertinent protocol of providing help to the victims through partnership with women organizations in Moscow and developing our own capacity through education and exchange.

### *Strategic litigation*

We manage strategic litigation cases, mostly to the level of the European Court on Human Rights and several binding UN Committees with the aim to improve legal environment for health protection and HIV work. This includes filing complaints and individual appeals to the ECHR and UN Committees with binding decisions. We currently manage 11 cases .

ARF strategic litigation cases focus on the following:

- Using the diagnosis of "drug addiction" to deprive of parental rights (**Elena Ismailova**, who had had her three children permanently removed from her based solely on her drug addiction, we submitted an application concerning violation of Article 8 (Application No. 68868/14 Y.I. v. Russia);
- Prohibition of the "drug propaganda" as a violation of the freedom of information and expression. (Konstantinov Sergey v. Russia, №25465/16).
- Violation of the freedom of assembly. (Smirnov v. Russia, № 12896/20)
- Prosecution of non-profit organizations. Challenging the labeling of ARF as a "foreign agent". (Fond imeni Andrey Rylkova v. Russia, № 11264/20)
- Refusal to provide medical assistance to detainees experiencing opioid withdrawal as a form of torture. (Case of Bulatova Elena in CEDAW).
- Disproportionately severe punishment on drug charges. (Case of Uliana Koneva (CEDAW), Oksana Shpagina (CEDAW), Julia Yarina (Human Rights Committee).

- The registration of PWUD as a mechanism to restricts civil rights.
- Revoking a driver's license on the basis of drug dependency. (Alexey Nigmatulin v. Russia).
- Arbitrary detention of PWUD.

2021 brought an important victory. A 8 years long strategic case of ARF client and later worker E.I. vs Russian Federation in the European court on human rights has restored our client's parental right over her 3 children that were taken away. The ECoHR decided that deprivation of parental rights on the basis of drug dependency violated her rights and demanded that her 3 children be returned to the mother. It took over a year to implement the decision through the Russian courts,, but on Sept 23, 2021, a russian judge has returned her children. It was a huge victory for our client and the whole organization, as each and every member of our team [since 2013 has contributed to this case](#).

In July 2020 ARF lawyers and paralegals successfully defended Tatyana P. in a case against the Federal Penitentiary Service. The Federal Penitentiary Service filed a demand for real-time imprisonment of Tatyana instead of the deferment that has previously been issued, that took into account that she is raising a child. In the court, we proved that since the girl is raising her daughter, supporting her, she needs not be deprived of freedom, and the court agreed.

In February 2021, Elena H. has been acquitted in an administrative case for drug use in a public place. The court took our side and decided that the police did not prove that Elena was using drugs on the street, and a positive drug test is not enough. After the court session, Elena said that she "saw justice for the first time in her life!"

### **3. Work with the public opinion via mass media and SMM**

ARF focuses on the public awareness of HIV and drug policy issues. In 2011 ARF started the *Narcophobia* project aiming to expose the stigma and fear of drugs and people who use them, to dismantle the war on drugs propaganda and explore the new discourses on drugs. During the past ten years ARF has established a tactful dialogue with other communities and civil society sectors, mass media and affinities of art and political activists.

In 2020 alone, ARF contributed to at least 35 publications in the Russian and international mass media. Among them were publications in Meduza, Mediazona, The Village, Takie Dela, Novaya Gazeta, Kommersant, [VICE](#), [Independent](#), [The Economist](#) and others. We also cooperate with the Radio Svoboda where we publish a regular blog highlighting the matters of drug policy, health and HIV.

A newspaper report on the suffering of the most vulnerable groups during COVID has caused an attack on ARF from the Kremlin media and a certain Duma deputy who initiated a defamation campaign. Because of this attack we had to take down our website that makes us very vulnerable to sanctions. At the same time, we have received a lot of solidarity. ARF work was featured in several supportive publications such as [a large feature of our COVID work on Meduza care](#). We were happy to witness that overall public debate has shifted from reinforcing stigma and myths to a humane and supportive perspective. In 2021 we redesigned and re-launched [ARF website](#), leaving only bare minimum information in order to mitigate risks. In 2021 the repressions for the “information crimes” have worsened, arrests for posts on Instagram, Twitter and Facebook have become a norm and we decided to reduce our social media work to a bare minimum as well.

In 2020 we secured additional funding from the German Ministry of Foreign Affairs / Deutsche AIDS Hilfe to organize our annual journalist competition and a number of public

events. However, due to COVID and the war, the journalist prize trip to Berlin is now indefinitely postponed.

#### **4. Administrative work, sustainability, security**

##### *Expanding volunteer network*

##### *Administrative work*

During the reported period ARF has carried out an annual audit for 2019, 2020, submitted the regular reports to the Ministry of Justice, Tax Inspection and Pension Fund. We have to report extensively due to our Foreign Agents status.

##### *Sustainability*

The end of 2020 has become a challenging period in terms of supporting our street services and we had to make some adjustments to our sustainability strategy. But a major shift took place already in late 2019 when we focused on developing volunteer capacities of ARF. This helped to maintain our activities through 2020 especially when we needed to rely on community volunteers support during the COVID challenges to our outreach activities. In 2020 we carried out only one additional volunteer school due to COVID. In 2021 we have hired a volunteer coordinator who is helping ARF to establish good volunteer education and support system. Besides outreach, the volunteers are helping with the design of ARF info products, SMM and community events.

Besides, we have built up our crowdfunding scale and accept donations through several platforms and developed ARF merchandise which became very popular but did not bring a lot of money.

In 2020 we lost our major funding for the harm reduction work - from the EJAF so from October 1 our funding for this work has dropped by two times. In 2021 this work has been funded through a 75K GBP Award from the ViiV Healthcare Positive Action Initiative.

In 2021 we have received additional support from Medecins du Monde for outreach work with sex workers in Moscow, started the work on the GFATM-funded national project.

### *Update on the war crisis - 2022.*

As a Foreign Agent NGO, our team keeps bearing additional risks which spiraled in a new very hostile climate. In the case of the introduction of military dictatorship in Russia and given that the State fuels nationalistic action it becomes very risky for ARF members to remain in Russia; men bear additional risks of being mandated to the army. In the light of these risks, on March 3, ARF offered the team evacuation - an action possible due to flexible . As of today, we evacuated 6 people who could leave immediately (of them 1 conscript, 3 liable for military service) and we have 11 people on the waiting list for whom we couldn't buy tickets yet.

However, most of our team, and most critically, ARF co-founder Tanya who bears most legal risks, remain in Russia.

We have spent a lot of program money, that we had for human rights work and anti-stigma (our Narcophobia project) towards evacuation. Unfortunately, in this critical moment, we did not get any support - we contacted Frontline defenders but they stopped communicating, none of the regional networks/projects/donors offered additional support. We are not talking very loudly about our needs out of respect to the Ukrainians who need priority help so we just "misused" our own money, prioritizing safety + seeing how money turns to dust anyway.

At this moment it is really difficult to estimate the whole financial damage to ARF, as the cost of the ruble has crumbled and international transfers stopped. We were not able to receive a recently approved grant from EHRA for women victims of violence; Globalgiving and Benevity where we had accounts/ ongoing donations have stopped transfers to Russia.

**Despite the crisis:**

- > we continue our daily outreach and all service work in Moscow and seek to urgently expand our mental health services for which we have no money at all.
- > a part of our team is getting to Tbilisi where we plan to seek partnerships with the local organizations to do outreach, drop in, and offer mental health support to our community -- around 25k Russians have urgently fled to Georgia, many of them young people, a large part is facing problems with mental health/ substance abuse already
- > *we participate in scaled volunteer projects helping to evacuate people from the war zone such as the one [by Kultrab](#).*
- > *We are negotiating with some donors if money could be redirected to an NGO [Stichting SKOSH](#) in the Netherlands (registered in 2017) with the aim to sustain ARF work in a crisis.*

***ARF immediate needs:***

*physical safety*

- we still have 11 ppl waiting for tickets and no funds to cover;
- we need money to support accommodation of relocated staff;
- some human rights organizations in Russia were able to arrange EC visas for their teams via connections in the embassies, if you have such connections and could facilitate communication with your consulate in Moscow and Tbilisi, it would be of great help.

*activities and program compensation*

- we need money to expand our online and offline mental health services asap. we have human resources of very experienced providers, but all our mental health money is exhausted already last year.
- we need help establishing emergency service in Tbilisi
- we need to compensate money to the human rights/ anti-stigma program that we used

We are very much grateful for LSF's support that has greatly helped us in the challenging months of 2022, after the war started and Russia started to shut down. This time was very difficult for us, but we reacted swiftly, undertook emergency strategic planning, relocated part of the ARF team to Tbilisi, and mobilized additional resources to extend emergency mental health services. We also started developing a community support system in Tbilisi, Georgia for russian-speaking political and other refugees. Having flexible funds in this challenging situation was invaluable, it provided additional strength, feeling of security and protection and a room for manoeuvre. Having such trusting and loyal donors as LSF is a huge honor and we really got to appreciate your support even more. We will continue services in Moscow at the full capacity as long as it is physically possible and will also extend services for our community in Tbilisi, Georgia, with the focus on mental health support.