OUR VISION

Stichting Justice Initiative (SJI) is a non-governmental organization dedicated to ensuring justice for victims of gross human rights abuses in the post-Soviet region. We envision this region as one in which human rights are routinely guaranteed by state institutions and respected by non-state actors, victims can obtain an adequate remedy, human rights defenders are free from persecution, and the public recognizes human rights standards as accessible safeguards against arbitrariness and discrimination.

We seek to be a collaborative and effective partner within both local and international human rights movements, joining with local, regional and international stakeholders to promote shared goals and to create inclusive platforms and partnerships for maximizing rights protection.

OUR MISSION

We are dedicated to the legal protection of victims of human rights violations connected to armed conflict and counter-terrorism operations, torture and gender-based violence in the post-Soviet region.

We strive to ensure that victims of such abuse have access to effective legal remedies on the domestic level, and utilize international mechanisms, including the European Court of Human Rights, when domestic remedies are inadequate. We use the judgments we obtain in order to restore victims’ rights and to push for systemic reform in law and policy.

We build the capacity of legal professionals, NGOs, human rights defenders and other stakeholders through trainings, legal consultations, mutually beneficial partnerships and original research and publications on relevant human rights topics.

We seek to raise greater public awareness about the protections afforded by international human rights standards and current gaps in national policy and practice, by sharing significant human rights case law, highlighting legacies of conflict, and contributing to ongoing dialogues about human rights protection for vulnerable groups.

“... But how could these men and women, many of whom had lost their homes, were living in temporary accommodations, and had no jobs, possibly succeed in holding Russia accountable for its abuses? The European Court, despite its promise, seemed impossibly remote.

As it turned out, there was a way. An organization I helped found after that trip to Ingushetia, [Stichting] Justice Initiative, recently won its 200th case in the European Court on behalf of victims of abuses in Chechnya and neighing regions... for the plaintiffs this is a remarkable achievement.

A thousand courageous but powerless Chechen men and women have thwarted the powerful Russian state’s efforts to sweep its abuses in Chechnya under the rug. Thousands of pages of court documents will ensure that Chechnya will forever be a stain on Russia’s record.”

– SJI’s founder Diederik Lohman writing in Open Democracy on the occasion of SJI’s 200th judgment won at the ECtHR.
OUR GOALS AND STRATEGIES FOR 2017-2021

PROGRAM GOAL 1
To reduce impunity and seek justice for victims in ongoing armed conflicts, occupations and counter-terrorist operations in the post-Soviet region, and to address legacies of past armed conflicts.

Strategy 1.1.
Human rights litigation on the domestic and international level concerning conflict-related abuses, as well as violations of rights to free speech and free association in the context of such conflicts.

Strategy 1.2.
Engagement with victims and actors at various levels (grass-roots, regional, international) to promote alternative forms of redress, reparations and preservation of memory.

PROGRAM GOAL 2
To enhance protection mechanisms for victims of gender-based violence and discrimination in Russia.

Strategy 2.1.
Promotion of litigation as a tool to address gender-based violence and discrimination and expansion of already-existing women’s rights litigation initiatives in Russia on the domestic and international level.

Strategy 2.2.
Support and enhancement of existing public and private mechanisms, expertise, initiatives and public momentum in the area of gender-based violence and discrimination across Russia.

Strategy 2.3.
Original research, documentation and publication of issues related to gender-based violence and discrimination in Russia.

OUR MAIN INTERVENTION STRATEGIES:

A) Domestic and international human rights litigation

B) Legal and policy advocacy around resonant international judgments and/or groups of judgments.

C) Supporting key actors in our region, such as human rights defenders, NGOs and individual lawyers, including by expanding the practical skills, knowledge and awareness of local partners and other stakeholders in particularly isolated or difficult regions where we work.

D) Knowledge management: production, publication and dissemination of information for clients, the general public, journalists, academics and civil society organizations.

OUR ORGANIZATIONAL GOAL
To expand our influence and increase our visibility within our target communities, the human rights sector and the general public in the regions where we work by engaging in timely, informative and sensitive outreach, mainly by seeking opportunities for partnerships and collaboration with local and regional partners, as well as by modeling innovative approaches and perspectives.
SJ has made swift progress against its strategic plan in 2017 and 2018, achieving milestones in its domestic and international litigation, producing groundbreaking reports based on original research, and piloting successful training and educational activities that have reached over 600 students and professionals.

SJ's international litigation on gender-based violence (GBV) and discrimination in Russia saw several breakthroughs in the past two years.

First, the European Court handed down its first judgment on violence against women in the North Caucasus, litigated jointly by SJI and its local Grozny-based partner.

Two further judgments in joint cases concerning women’s right to family life in the North Caucasus were also handed down, contributing to important case-law against Russia on the right to family life. Later in 2018, the European Court for the first time agreed to hear SJI’s claims of gender discrimination in the area of the right to family life in the North Caucasus, testifying to the quality of SJI’s analysis into local policy and practice.

In the area of legal remedies for domestic violence in Russia, the European Court signaled its readiness to examine this issue through the lens of gender discrimination and positive obligations to prevent torture with its communication of our application Volodina v Russia in early 2018.

We complemented our litigation on GBV and discrimination in Russia with original research and training programs for professionals and service providers in the GBV sector, which we initiated in 2017 and expanded in scope and geography in 2018. Our cross-disciplinary approach ensured that a wide range of specialists gained a deeper understanding of various aspects of the problem of gender-based violence in Russia and were provided a platform to expand their regional and cross-regional support networks.

Original field research conducted by SJI in 2017 on the practice of female genital mutilation in Dagestan and honor killings of women in the North Caucasus resulted in the publication in 2018 of two groundbreaking reports that generated not only intense media coverage, but a long-lasting interest on the part of various sectors of the public.

Our trainings for lawyers and law students in the North Caucasus, as well as our second annual North Caucasus Human Rights Summer School, ensured that independent human rights curricula and education was available in the North Caucasus.

Our domestic litigation in Russia also achieved important milestones in 2017-2018. We achieved redress for clients in cases on various issues, including sexual violence, freedom of expression, child custody, and discriminatory “watch lists.” Our victories in the area of redress for sexual violence victims in the North Caucasus were particularly remarkable and were achieved through a high investment of resources in both our lawyers and in security and other support for victims and their relatives.

We also continued to litigate a range of cases concerning grave human rights violations in the North Caucasus, including on extra-judicial killings in Grozny in 2017, disappearance in Dagestan in 2016, and torture in Ingushetia and Kabardino-Balkaria. Our litigation on grave human rights abuses in the context of the armed conflict in Ukraine also progressed with the submission of 12 applications against Ukraine and Russia on behalf of 48 applicants.

At the end of 2018, a new overall milestone in our international litigation was reached when SJI won its 200th judgment at the European Court.
39 applications submitted to the European Court from Russia and Ukraine

18 cases concerning women’s rights, discrimination and freedom of expression won on the domestic level in Russia

10 judgments handed down by the ECtHR on 26 applications

540 legal submissions made on the domestic level in Russia and Ukraine

3 million euro awarded by the ECtHR to our applicants

1750 in-person legal consultations provided

Over 600 students, lawyers, psychologists and other professionals received trainings on human rights topics in over 10 regions of Russia

Over 1500 articles published in local, national and international media discussing SJI’s cases, reports or quoting staff and partners

7 local and national informational campaigns carried out on gender-based violence in Russia reaching approximately 100,000 people

21,700 views on the web of 2 reports on women’s rights

Geography of SJI Activities (highlighted in blue):

**Russia**: cities of Moscow and St-Petersburg; regions of Arkhangelsk, Vladimir, Volgograd, Voronezh, Kaliningrad, Leningrad, Lipetsk, Moscow, Novosibirsk, Pskov, Rostov, Tulsk; areas of Krasnodar, Krasnoyarsk, Stavropol, Khabarovsk; republics of Adygeya, Bashkortostan, Buryatia, Dagestan, Ingushetia, Kabardino-Balkaria, Kalmykia, Karachayevo-Cherkesia, Sakha-Yakutia, North Ossetia-Alania, Chechnya.

**South Ossetia**

**Ukraine**

**Georgia**
Cases Submitted to the European Court, ICC and UN Mechanisms 2001-2018

- North Caucases (military conflict/CTO): 335
- Georgia/South Ossetia: 35
- Ukraine: 16
- Women Rights, Russia: 16
- Other, Russia: 13
- Total: 415

ECHR Judgments by Main Violation 2001-2018

- Disappearances: 179
- Torture: 11
- Interference with family life (refusal to return the bodies): 5
- Killing by shelling/detonation: 15
- Women’s Rights: 3
- Total: 213

SJI Case-load by Violations Claimed in 2017-2018

- Domestic Violence: 21
- Right to family life: 33
- Sexual Violence: 12
- LGBT Discrimination: 3
- Refusal of Medical Assistance: 5
- Disappearances, North Caucasus: 4
- Death by disproportionate use of force: 7
- Torture/Inhuman Treatment, North Caucasus: 8
- Freedom of Assembly, North Caucasus: 4
- Inhuman Treatment, Ukraine: 2
- Right to Life, Ukraine: 12
- Total: 111
GENDER-BASED VIOLENCE AND DISCRIMINATION IN RUSSIA

DOMESTIC VIOLENCE

Domestic violence is endemic across Russia, and victims are often denied access to legal remedies due to the lack of a legislative framework to deal with the problem. Not only does Russia not have domestic violence legislation, it also decriminalized the crime of assault in 2017, and there is no such thing as restraining or protective orders. Cases that make it to court are rarely prosecuted, and law-enforcement often disregard imminent threats, which sometimes leads to tragic results. SJI provides legal representation to domestic violence victims across Russia in national courts and before the European Court of Human Rights and CEDAW.

In the first case we took to the European Court on this issue, the Court communicated the case six months after submission, and posed questions to the Government concerning sex-based discrimination and domestic violence as a form of torture. The victim in the case is a woman who was continually threatened and physically assaulted by her former partner in several different cities over a period of 2 years. The victim reported every violent episode and threat to law-enforcement officials, who did nothing to prevent further violence. SJI has a total of 6 cases pending on domestic violence in Russia before the ECtHR and CEDAW.

SEXUAL VIOLENCE

The Russian authorities’ response to sexual violence and abuse, including against children, often denies victims justice. Mishandling of evidence, improper forensic expertise, reliance on stereotypes, failure to protect victims from threats and the risk of re-traumatization discourage victims from reporting sexual violence and leaves them vulnerable to further abuse.

In the North Caucasus, victims face additional hurdles due to the taboo nature of sexual crimes, making them even more vulnerable to threats and pressure from the perpetrators, and even investigators in cases concerning minors may prefer to plan drugs on perpetrators and prosecute them for another crime rather than exposing the true nature of the offense.

RIGHT TO FAMILY LIFE

Over the past decade, the Russian central authorities have either ignored or tacitly condoned the increasing subversion of state law in the North Caucasus in favour of de facto customary norms (known as “adat”) that often have a devastating effect mainly on women and girls’ rights. Women’s right to participate in their children’s upbringing is one area of major concern, since according to customary law upon divorce children “belong” to their father or their father’s relatives. In Chechnya in particular, women and children are systematically denied their right to a normal family life after divorce or the death of the children’s biological father. Local authorities often directly uphold discriminatory norms by refusing to enforce court decisions granting custody or visitation rights to mothers.

SJI has been using the local court system to represent women who — despite the often severe countermeasures and threats — sue for custody of their children. Many have succeeded, but just as many are separated from their children for years due to non-enforcement. In 2017–2018, SJI litigated 7 cases on this issue at the ECtHR. Two judgments were handed down in the first half of 2018 finding violations of women’s right to family life, and in the second half of the year, the European Court communicated a similar case under the prohibition of sex-based discrimination.

HARMFUL TRADITIONAL PRACTICES

Women in the NC are furthermore victims of so-called honour killings, bride kidnapping, forced marriage, child marriage, polygamy and other harmful traditional practices. The case of Bopkhoyeva v. Russia, decided in February 2018, concerned a young woman from Ingushetia, who was kidnapped for the purposes of marriage at age 19, and then forced to marry by her male relatives. After spending two months in the home of her new husband, where she was mistreated by her in-laws and forbidden all contact with her mother, the previously healthy woman began to suffer from mysterious ailments, and had to be hospitalized.

Eventually she fell into a coma and has never recovered. The ECtHR found Russia responsible for failing to conduct an investigation into the circumstances of her near-fatal poisoning in the home of her in-laws and awarded her mother 20 000 euro in moral damages. We appealed the decision not to open a criminal case into gross bodily harm to the prosecutor’s office. As a result the prosecutor’s office for Sunzensky district, Ingushetia, opened a criminal case on the fact of intentional infliction of gross bodily harm, which it had hitherto refused to do for over 9 years. We will continue to push for individual accountability for the poisoning of the applicant’s daughter.

WHAT OUR PARTNERS SAY

"Their work on women’s rights in the North Caucasus fills a gap. There are few working on these issues in the region, but the violations are very serious and the victims have little support otherwise.”

Zaira Bopkhoyeva with her mother, 2016
TORTURE
In 2017-2018 SJI worked on five cases of torture on the domestic and international level from Chechnya and Ingushetia. The European Court handed down a judgment in the case Mukayev v Russia, concerning torture of a man in Chechnya at the infamous ORB-2 in 2003. The ECtHR granted the applicant, who is serving a life sentence, 40,000 EURO in moral damages. Throughout 2017-2018 SJI petitioned the Russian Supreme Court to quash the applicant’s conviction obtained under torture and to grant a re-trial.

EXTRA-JUDICIAL KILLINGS IN INGUSHETIA
On the evening of 3 April 2012 four brick-factory workers were traveling home from Karabulak, Ingushetia in a civilian car, including Akhmed Gardanov’s two sons. Their car came under fire from FSB officers, who claimed during the investigation that the car belonged to members of illegal armed groups, who were firing at the officers. Gardanov claimed that the passengers in the car were still alive when the car was blown up—likely to cover up the mistake. The investigation into the event lasted over five years and was marred by procedural violations. An application alleging violations of the right to life was lodged at the European Court of Human Rights in March 2018.

ENFORCED DISAPPEARANCES IN CHECHNYA
In early 2017 a spate of detentions, disappearances and extra-judicial executions plagued Chechnya following an attack on a policeman on 17 December 2016 in Grozny by a group of young men (who were subsequently killed). On the night of 25-26 January 2017, at least 27 men are alleged to have been executed after being detained from several different towns in Chechnya on various dates since 17 December 2016. A special investigation conducted by Novaya Gazeta provided a list with the names of those killed and the numbers of detainees taken from each village. While the names of 27 of those allegedly executed have been published, NG has stated that the actual number of men executed may be closer to 56. The presence of several high-ranking Chechen officials on the night of 25 January at the detention centre where the detainees were being held further suggests that the largest mass execution in the recent history of Chechnya was carried out with the full knowledge—or on the direct order—of the republic’s leadership. SJI is representing 5 families whose relatives disappeared during this time period.

INGUSHETIA PROTESTS
In June 2018, protests broke out in Ingushetia regarding changes to the rules for electing local leaders. We represented 20 protestors who were arrested for an unsanctioned protest and each fined 20,000 rubles (around 350 USD). Following our representation during the court hearings, all of the fines were cancelled (totaling around 7000 USD). Large-scale protests swept Ingushetia in the second half of 2018 due to a border dispute with neighboring Chechnya. We are also representing two activists who were beaten and detained and later made to apologize for blog posts criticizing Ingushetia’s leadership in connection with the border dispute.

DISCRIMINATORY WATCH-LISTS
Throughout 2017 the organization litigated on behalf of 4 victims of arbitrary detention and discrimination who were placed on “watch-lists” in Dagestan. Domestic courts found that the detentions had indeed been arbitrary. At the end of 2017, the Ministry of Interior in Dagestan announced that it would end the practice of the “watch-lists.”
ATTACKS ON CIVILIANS

In June 2014 two families got in a car in order to escape shelling in the Vostok neighborhood of Marioupol. As they traveled towards the center of town, they were stopped by members of the Azov battalion at a mobile checkpoint. The driver followed all the instructions from the servicemen but the car was attacked with a grenade and machine gun fire. As a result two passengers were killed and one was gravely wounded. The domestic investigation declined to find anyone responsible for the attack.

CLUSTER BOMBING OF KRAMATORSK

Both Ukrainian and Russia-backed forces used cluster munitions in the armed conflict in Ukraine. Between noon and 1 p.m. on February 10 2015, cluster munitions were used in an attack on at least two residential areas in Kramatorsk, a Ukrainian government-controlled city in Donetsk region, about 50 kilometers northwest of the front lines. 6 civilians were killed and over 30 wounded. SJI is representing the interests of 11 people who were killed or wounded in the attack at the European Court of Human Rights. Both Ukrainian and Russian authorities have condemned cluster munition use in populated areas, but neither are party to the 2008 Convention on Cluster Munitions. Cluster munitions should never be used, even outside of populated areas, because of the risk of harming civilians.

THE ODESSA TRADE UNION BUILDING CLASHES

On 2 May 2014, a deadly clash between pro-Ukrainian and pro-Russian activists in the Ukrainian city of Odessa lead to over 30 deaths, mainly from a fire that broke out in the trade union building, which trapped many pro-Russian protestors, while others fell to their deaths. Both sides claim that the security forces failed to keep people safe and each side blames the other for the violence. The exact cause of the fire remains unknown, and the Ukrainian investigation and inquiry into the events was criticized by the Council of Europe for a lack of independence. SJI is representing the interests of over 22 people who were wounded or killed in Odessa.

KILLINGS OF JOURNALISTS

In May 2014, Italian journalist Andrea Rocchelli and his Russian counterpart Andrey Mironov were reporting from war-torn Slavyansk in Ukraine. While on mission, they appear to have become the deliberate targets of a mortar attack from Ukrainian army units stationed above them. They both died of wounds inflicted during the shelling. An application was submitted to the ECtHR in early 2017. In 2018, the trial of a Ukrainian army colonel alleged to have participated in the attack began in Milan, Italy.
MAINSTREAMING HUMAN RIGHTS EDUCATION IN THE NORTH CAUCASUS

Since 2016, providing independent training and educational opportunities on human rights topics has become an integral part of our mandate, especially in regions with particularly poor human rights records, like the North Caucasus. In 2017-2018, we reached over 200 lawyers and law students with in-depth theoretical and practical trainings on topics such as fundamental lawyering skills, the mechanics of jury trials under Russian and European human rights law, provocation under national and European human rights law, using and challenging forensic expertise in torture and domestic violence cases, and the interplay of law and mediation in family law cases.

In 2017 we piloted a human rights summer school for law students in the North Caucasus which we repeated in 2018, and which we intend to become an annual event that will contribute to the mainstreaming of human rights education in the region.

The summer school combines in-depth study on a particular human rights topic with courses and activities designed to teach lawyering skills, such as interviewing victims and witnesses, case analysis, collection and analysis of evidence, preparation for and participation in court hearings.

“I appreciated the format of the teaching and the trainers, who really infected us with the desire to absorb knowledge.”

(FROM EVALUATIONS OF THE SUMMER SCHOOL PARTICIPANTS)

STRENGTHENING MULTI-SECTOR SUPPORT FOR VICTIMS OF GENDER-BASED VIOLENCE

Since 2017, SJI has sought to coordinate projects that combine litigation with improvement of other support measures for GBV victims. A research assessment conducted in 2016 and our outreach with regional partners across various Russian regions confirms that victims of GBV receive insufficient support from a range of actors: law enforcement, investigators, medical personnel, social workers and child protection services. The lack of adequate response from such actors perpetuates victims’ reluctance to come forward with complaints of gender-based violence.

We recognize that in order to bring about sustainable change in addressing GBV issues in Russia, complex protection measures are required, of which litigation is only one component. Since early 2017 SJI has collaborated with partners from 4 different Russian regions, including the North Caucasus, in order to increase capacities and document best practices in the area of creating sustainable protection mechanisms and referral networks. In 2017-2018 our educational activities reached over 500 lawyers, psychologists, social workers and medical doctors who provide services to GBV victims.

“What I enjoyed most was that theory was backed up by practice. We discussed real-world court approaches. And I liked working with experts in different areas of law, and with the psychologists…”

(FROM EVALUATIONS OF THE SUMMER SCHOOL PARTICIPANTS)
In 2018 we released two reports based on data gathered from new field research conducted in 2017 into female genital mutilation (FGM) in Dagestan and the practice of "honor killings" in Dagestan, Ingushetia and Chechnya.

Our report Female Genital Mutilation in Dagestan: strategies for its elimination, released on 1 June 2018, presented the results of unique field research about the attitude of men to the practice, in general as well as in regard to their own wives, daughters or other female relatives. Our research showed that while men will undoubtedly play a role in any effort to oppose the practice, women are the driving force behind its preservation in the areas where it is still performed.

SJI’s researcher also interviewed 50 religious leaders in Dagestan in practicing and non-practicing areas. Religious leaders do not back up the “religious factor” for performing FGM, although young male respondents refer to religion as one of the main motivating factors for the practice.

The report also provides contextual background, analysis of data and estimations of prevalence, as well as additional research into strategies for the elimination of FGM around the world, many of which could be employed in this region today. The report was published in its entirety on the website Mediazona, and by the end of 2018 had been read by 20,000 people. The report Killed by Gossip: honor killings of women in the North Caucasus was released in December 2018 during the 16 days against gender-based violence. By the end of 2018 the report had received over 1700 views on SJI’s website.

“The conclusions of this so-called report are far-fetched...there is nothing like [honor killings] in our republic, because there are no amoral women there.”

ALVI KARIMOV,
PRESS SECRETARY OF THE HEAD OF CHECHNYA

The report on FGM fed into the long-lasting resonance from SJI’s first report on this topic from 2016; one of the most cited conclusions of the report was the estimate of the number of girls subjected to FGM per year in Russia (1200).

The report on honor killings of women in the NC was ground-breaking, as the first analytical and documentary study of this practice in contemporary Russia.

• Our 2018 report on FGM in Dagestan received 20,000 views by the end of 2018 on our information partner’s website. A previous report on the same topic, published in 2016, received 35,000 views by the end of 2018.

• Our report “Killed by Gossip” received 1700 views in the month of December 2018 following publication.

• An information campaign # (#Killedbygossip) on social media leading up to the publication of the report reached over 35,000 people on facebook and twitter.

The report documented 36 instances of honor killings between 2008-2017 and examined the following aspects of the problem: the depth, extent and enduring nature of practices that punish women for violating the behavioral norms and rules prescribed by society; the perceptions of men and women of these murders, and the pretexts and/or justifications for committing them; “honor killings” from the point of view of applicable provisions in Russian criminal law; the difficulties in investigating such crimes and prosecuting cases in the courts; the prospects for change in the near future and steps to eradicate the practice; recommendations by international bodies to the Russian Government relevant to the situation.

Image by © Victoria Lamasko, 2016
SJII engaged in international advocacy with the Council of Europe Committee Against Torture, the Committee of Ministers of the Council of Europe, the Operation for Security and Coopera- tion in Europe (OSCE), the UN Committee Against Torture, and the UN Working Group on Enforced and Involuntary Disappearances, through written submissions and in-person presentations.

In 2018, SJII highlighted several cases of torture, enforced disappearance and impunity in the North Caucasus in a contribution to a shadow report on Russia’s compliance with the UN Torture Convention. We also focused significant attention on the problem of gender-based violence as a form of torture and discrimination in the North Caucasus, where women are particularly vulnerable and may become victims of harmful traditional practices, such as honour killings and female genital mutilation, and where gender stereotypes are entrenched, systemic and often justified as a part of the local way of life and indeed commendable.

The side-event presented SJI’s and its partner’s results obtained from using the local court system—for many years the single most underused mechanism for addressing violations of women’s rights—as well as the pushback from some regional authorities.

The Committee Against Torture’s concluding observations urged Russia to:

- criminalize domestic violence in Russian legislation;
- establish a registry of GBV cases;
- conduct quick and effective investigations;
- ensure victims’ safety, and prosecute the perpetrators of harmful practices such as honor killings.

SJI organized a side-event at the OSCE’s Supplementary Human Dimension Meeting Countering Violence against Women in Vienna, “Tackling Gender-based violence and discrimination in the North Caucasus through legal protection and empowerment of women and girls.”

Our Partners and Supporters

We are infinitely grateful to all the people and organizations that make our work possible. However, for security and other reasons we do not list our staff, partners or many of our supporters in the regions where we work.

SJII BOARD MEMBERS

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For more information on anything in this report or on SJI please write to: srji.org@gmail.com

Income and Expenses
“Damaged school in Nikishine, Donetsk region”
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