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## Practitioner's Note

# Women's Rights in Russia: Training Non-Lawyers to Represent Victims of Domestic Violence

Dianne Post†

### I. WOMEN FACING VIOLENCE

Prior to 1918, a vibrant feminist movement flourished in Russia. With the onset of Communism, however, this movement waned. During the Soviet era, social groups and movements that did not conform with official Communist ideology were not allowed to exist. Although Communism itself began as a feminist ideology, the Soviet regime perpetrated the subordination of women.<sup>1</sup> Since 1990, feminism and women's rights organizations have reemerged with a vengeance. Today there are over 650 non-governmental organizations (NGOs) working on women's human rights issues, primarily violence against women.<sup>2</sup>

As many Russians will now admit, violence against women is not new in Russia, only newly talked about. After the first blush of Communism when its proponents did address the beating of women in the home, such

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1. Natalia Khodyreva, *Sexism and Sexual Abuse in Russia*, in *WOMEN IN A VIOLENT WORLD: FEMINIST ANALYSES AND RESISTANCE ACROSS 'EUROPE'* 32-3 (Chris Corrin, ed., 1996) (arguing that the official image of equality presented by the Soviet regime masked systemic gender subordination and violence against women).

2. Replies to the Questionnaire to Governments on Implementation of the Beijing Platform for Action by the Department of Women, the Family and Children of the Ministry of Labor of the Russian Federation and the State Statistical Committee (GOSKOMSTAT) at <[http://www.un.org/womenwatch/daw/followup/Russian%20 Federation.pdf](http://www.un.org/womenwatch/daw/followup/Russian%20Federation.pdf)> (1999).

abuse became, as in the United States and other countries, a taboo topic. It was considered a family affair not fit for public debate. Each woman was to bear her burdens bravely and silently. Only in 1995 did the first battered women's crisis center (Center ANNA) start its hotline and the first rape crisis center (Syostri) begin its work. Despite the vigor of the emerging feminist movement, there are still only four to six shelters for battered women.<sup>3</sup> The Russian movement to address the issue of battered women is about where the U.S. movement was in 1980. At that time, women's groups in the United States were becoming aware of the magnitude of the problem, but public awareness was nil. A few programs existed in the most progressive cities, and in others, women's groups were marching. Few allies existed in the government, law enforcement agencies, the medical profession, or elsewhere, and few laws existed to protect women and children who were victims.

Russian women have no time to waste. Approximately fourteen thousand Russian women are murdered annually in domestic violence situations, and there is no public outcry.<sup>4</sup> That a comparable number of Russian men died in the ten-year war with Afghanistan by contrast, is considered a national tragedy.<sup>5</sup> In the United States, the number of women murdered in such situations has recently declined from an estimated 3,000 to 1,320.<sup>6</sup> Since Russia only has a population of 150 million compared to the United States' 280 million, this means that the per capita rate at which Russian women are murdered through domestic violence is almost twenty times that in the United States.

A recent Human Rights Watch report on Russia detailed a response to domestic violence cases that is analogous to that which prevailed in the United States two decades ago: the police routinely refuse to accept complaints from domestic violence victims;<sup>7</sup> in rape cases the woman is often blamed;<sup>8</sup> prosecutors refuse to prosecute all but the easiest cases;<sup>9</sup> and doc-

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3. I observed that there were only four to six shelters during my stay to Russia in during 1999-2000. According to Human Rights Watch, only two shelters existed in 1997. HUMAN RIGHTS WATCH, VOL. 9, NO. 13, TOO LITTLE TOO LATE: STATE RESPONSE TO VIOLENCE AGAINST WOMEN 46 (Dec. 1997).

4. Radio Free Europe/ Radio Liberty, *Figures on Family Violence Released* (Oct. 21, 1997), at <<http://www.rferl.org/newsline/1997/10/211097.html>>. Other sources state that the number of deaths is 12,000, Human Rights Watch, *What Will It Take? Stopping Violence Against Women: a Challenge to Governments* (June 2000), available at <<http://www.hrw.org/backgrounder/wrd/fiveplus.htm>>, and 15,000, Sergei Strokan, *Russia: NGOs Condemn Sexual Discrimination in the Moscow Workplace*, INTER PRESS SERVICE, Nov. 3, 1995, available at 1995 WL 10135459. Between 1993 and 1998, approximately 30,000 "felonious homicide(s) and attempts to kill" were committed each year. GOSKOMSTAT OF RUSSIA, RUSSIA IN FIGURES 12.1 (1999), <<http://www.gks.ru/scripts/eng/1c.exe?XXXX12F.13.2.1/011110R>>.

5. Carlotta Gall, *Misgivings on the Russian Front Line*, MOSCOW TIMES, Dec. 15, 1994, at no. 611 (noting that 13,000 Russian soldiers died in the Soviet War in Afghanistan).

6. BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, PUB. NO. 178247, INTIMATE PARTNER VIOLENCE 2 (May 2000), available at <<http://www.ojp.us.gov/bjs/abstract/ipv.htm>>.

7. See HUMAN RIGHTS WATCH, *supra* note 3, at 21-22.

8. See *id.* at 19.

9. *Id.* at 31-32, 40.

tors are inaccessible to or even hostile toward sexual assault victims.<sup>10</sup> In the United States, lawyers were pivotal in addressing these problems. Individual and class action lawsuits brought “swift and often meaningful change” in the way police responded to victims of domestic violence.<sup>11</sup> Lawyers wrote the laws for the first orders of protection and lobbied for their passage. Lawyers brought civil actions against perpetrators and governmental agencies. In the Russian Federation (RF), that source of reform is missing.

## II. THE MISSING LINK

A primary reason for the lack of legal representation for victims of domestic violence in Russia is that most attorneys only advise clients in such cases; they don't litigate. There is no concept of class action lawsuits such as those brought against the police in the United States, and there is still a great fear of suing the State or even disagreeing with police officers or prosecutors when they distort or misunderstand the law. The American notion of “civil rights attorney” is absent. Lawyers who were trained under Soviet rule have a very narrow idea of the role of lawyers in society and do not conceive of law as an instrument of social change. Thus, most Russian lawyers do not identify with advocating for victims' rights but rather carry the same stereotypes and prejudices about battered and raped women as the rest of society.

Legal efforts to reform the Russian response to domestic violence are also hampered by the astounding degree of legal misinformation provided to victims and ignorance among lawyers. For example, crisis center staff and doctors wrongly believe that patients, including rape victims, must get police referral slips to receive medical treatment. The Human Rights Watch study mentioned previously reports that few victims get referrals because most police refuse to give them.<sup>12</sup> Many doctors also refuse to treat a rape victim if she lacks a police referral, even though it is a criminal offense to deny medical treatment to someone who is hurt or sick.<sup>13</sup>

Another prevalent myth is that only a State-paid forensic physician can perform a rape exam or can testify in legal proceedings.<sup>14</sup> Most regions or cities in Russia have only one State-run evidence center. Moscow, a city of ten million, and its surrounding region have only three.<sup>15</sup> The centers are poorly staffed, often without any gynecologists.<sup>16</sup> This scarcity of State forensic doctors who are able to perform rape examinations, along with the belief that an examination by such a doctor is a prerequisite to bringing a

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10. *Id.* at 26-30.

11. R. EMERSON DOBASH & RUSSELL P. DOBASH, *WOMEN, VIOLENCE AND SOCIAL CHANGE* 295-96 (1992).

12. HUMAN RIGHTS WATCH, *supra* note 3, at 24-25.

13. Ugolovnyi Kodeks RF [UK RF] [Criminal Code] arts. 124, 125.

14. HUMAN RIGHTS WATCH, *supra* note 3, at 26.

15. *Id.*

16. *Id.*

legal action, is a further reason why few rape cases are brought.<sup>17</sup> In fact, non-State paid doctors *can* testify to what they observe,<sup>18</sup> although they must do so as regular witnesses, not experts.

To the great surprise of US lawyers, another common myth is that attorneys are prohibited from talking to their witnesses, including experts, before trial. Many Russian lawyers assume that this would be coaching and would be illegal.<sup>19</sup> To the contrary, experienced Russian attorneys have said that lawyers who do not prepare their witnesses are incompetent. Yet this myth continues to be prevalent among experienced as well as novice attorneys.

Many attorneys, even those who volunteer at the crisis centers, remain very conservative and some very "Soviet" in their thinking. They do not investigate cases, prepare witnesses, cross-examine the opposition's witnesses, intervene in the government's investigation, or even discuss the case with the government attorney. They seem to believe that whatever the government says is the way it is. At a December 1999 lawyer training session organized by the Gender Law Project of the American Bar Association Central and East European Law Project (ABA CEELI), not one of 36 attorneys present had ever cross-examined a State-paid expert.

If the interest is there, however, training lawyers can work. For example, one lawyer who attended the December class credited the techniques she learned at the ABA CEELI training—cross examination, use of documentary evidence and experts, and making an effective closing argument—as the keys to her victory in a very difficult child custody case that no one thought she could win.<sup>20</sup>

### III. GENDER LAW PROJECT OF ABA CEELI

CEELI was formed in 1991 to address the need for legal reform in the former Soviet Union. Today it has approximately sixty attorneys in twenty-two countries of the former Soviet Union and Eastern and Central Europe. The attorneys focus on Rule of Law, legislation drafting, criminal law, commercial law, clinical legal education, and gender law. From Moscow, I headed the Gender Law Project, an initiative that began in December 1996. The project's mission was to address violence and discrimination against

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17. Estimated number of doctors is taken from an interview with Dr. Larissa Romanova, early 1999, Moscow. During a recent follow-up conversation on Feb. 23, 2001, Dr. Romanova reported that she is now training 6 colleagues. She also mentioned how she finally has a new examination table, but is still looking for a colposcope.

18. Ugolovno-Protseussual'nyi Kodeks RF [UPK RF] [Code of Criminal Procedure] arts. 69, 276.

19. This popular notion is not a codified rule. In Russia, lawyers are not taught to be zealous advocates of their clients, as required by the American rules of professional responsibility. I suspect that this "rule" developed during the Soviet regime when defense attorneys were just for show and never talked to their clients. But no one is sure where the notion came from or how it is perpetrated.

20. The case seemed difficult to win because the opposing side had connections to the military: the father was a lieutenant in the police and his mother, the child's grandmother, was a colonel in the military.

women by promoting the development of NGOs and training lawyers and judges on women's rights issues.

At first, the NGOs working on violence against women were skeptical about the possibility of changing such an entrenched social reality in Russia. The women would say, "You can't accomplish anything in Russia on violence against women. We have a proverb, 'If he beats me, he loves me.'" Then I told them a personal story. When I was seventeen in 1964, I lived in Muscoda, Wisconsin, a tiny town of 800 on the Wisconsin River. One of my girlfriends was being beaten by her boyfriend and I told her to break up with him. She replied, "But I know if he takes the time to hit me to correct me, then he really loves me." Russians may have a proverb for this sentiment, but the sentiment is international. Women suffer from similar problems around the globe. If other countries can address these problems, so can Russia.

It was both shocking and comforting to the Russians that women in the United States had struggled with the same problems. When I described working in the early domestic violence movement, how I was thrown out of the police academy in 1980 for criticizing how the police handled cases of domestic violence, threatened with contempt citations by judges if I mentioned violence against women again in the courtroom, and laughed at in the state legislature when I testified about violence against women, they began to understand that women in Russia and the United States have far more similarities than differences. We knew we had much to learn from each other. After I shared my own experiences in the early domestic violence movement with my Russian colleagues, tensions between us relaxed, barriers fell, and we began to communicate openly.

One of the Gender Law Project's main endeavors is the Legal Literacy Course for women's rights activists. This course evolved from a casual conversation about the sheer lack of adequate legal representation. During my first year working with the NGOs, they became increasingly frustrated in their efforts to find competent attorneys to advise their clients. Either they couldn't find any attorneys, or the ones they found were very conservative, full of stereotypes themselves, or non-committed. Law students were better, but they too worked with the victims for only a short time. On the way home from a seminar in Tula one day, an activist asked me, "Can you teach me how to do it?" Thus, the Legal Literacy course was born.

Under Russian law, non-lawyers can represent clients in court<sup>21</sup> and organizations can bring complaints, including criminal ones.<sup>22</sup> Therefore, it was possible to train lay activists to represent battered women in legal proceedings. Originally there was some concern from the Gender Law Project's funding organization that attorneys would complain that jobs were being taken away from them. But domestic violence victims have no money to pay attorneys, and even in they did, most attorneys wouldn't take these cases. In reality, all the Russian lawyers we asked to teach the

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21. UPK RF art. 47.

22. *Id.* at art. 108.

program were very enthusiastic. None expressed concern about non-lawyers taking jobs or money away from them.

While the main goal of the Gender Law Project remains training lawyers and while that effort should not be abandoned, significant challenges stand in the way. As the United States becomes less involved in Russia, funding for legal training programs is being cut. Without outreach and concentrated time in the country, those lawyers interested in human rights can't be found or mentored. The bad economy and lack of democratic change in Russia has made many who would have been interested fearful or hopeless. Until such conditions improve, training the women activists is a sound alternative.

Another major effort of the Gender Law Project is public legal education. It is well known that the general level of legal literacy in Russia is extremely low in relation to other developed countries.<sup>23</sup> To improve public awareness of the law, we created and distributed 258,000 Rainbow of Rights brochures on domestic violence, sexual assault, sexual harassment, family law, housing, labor, and constitutional rights. While this public education is valuable and necessary, it is not enough. Knowledgeable lawyers or "social advocates"—as the non-lawyers call themselves—are necessary to guide citizens through the maze of procedures or their newfound knowledge won't do them much good.

#### IV. STRATEGY

The first step in organizing legal training of non-lawyers was to identify who would receive the most benefit and be most likely to utilize the training. We decided that those women already working on women's rights issues were the best targets. A general announcement was sent out by e-mail, fax, and mail to every women's group we were familiar with asking for applicants for the course. The requirements were that they had to attend all nine classes, take the information back to their local community, and represent poor, battered women for at least two years. Criteria for acceptance included geographical distribution and demonstrated commitment to women's issues. We asked that only one person apply from each organization. If we had worked with the person previously, that helped us make our selection. The ABA capped the class size at twenty-five participants to allow for small group activity and interactive teaching.

The classes were given on Fridays and Saturdays, for eight hours each day. The Russian office staff of ABA CEELI and others warned that Russians would not work long hours, especially on a Saturday. On the contrary, the students were intensely interested and actively participated the entire time. The lawyers who taught them were impressed by their interest and abilities, and could not believe they were non-lawyers. The topics for the classes were based on my past experience working with Russian NGOs, my personal knowledge of what preparation is necessary to represent

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23. Often, even judges do not have their own copies of the laws.

women victims of violence, and my previous experience teaching on the subject. Because we did not have the resources to address every problem faced by battered women in Russia, we concentrated on the most common situations and dilemmas.

Primarily, the instructors were lawyers with whom I had worked or who were recommended in the program and by Russian partners. Some of them were also women's rights advocates who had already worked as trainers in my seminars. All of the instructors were paid \$100. The main challenge was finding qualified Russian teachers who knew or could learn interactive teaching methods. All instructors were asked to incorporate interactive techniques of teaching, which are novel in Russia. None of the instructors had previous experience in this area, so I often had to help them write hypothetical problems and exercises and devise varied, interactive, and practical lesson-plans.

The Legal Literacy Course consisted of ten topics: an introduction to the Russian Codes, the Constitution, civil procedure, family law, criminal law and procedure, civil law, labor law, housing law, international law, and legal writing. Russian practitioners taught all classes in Russian except legal writing. Legal writing is not taught in Russian law schools, so there was no Russian instructor available. In fact, the ABA CEELI helped to publish the first known Russian language legal writing text in the Spring of 2000.<sup>24</sup> For that reason, legal writing was taught in English with a Russian interpreter.

The introductory class was designed to familiarize trainees with Russian legal norms. The structure of the Russian Criminal Code is similar to that of the United States Model Penal Code, with general norms first, then substantive provisions detailing individual crimes, punishments attached to each crime or type of crime, and criminal procedure in a separate code. What the Russian Criminal Code lacks are definitions, which must be supplied by Supreme Court commentary. In addition, the students learned about other legal norms, arising from presidential decrees, the constitution, and international law. Instructors explained the structure and language of the Codes, and demonstrated how to use the index to find specific sections. Since the instructor was a specialist in commercial law, she drafted hypothetical problems for which they had to find specific code sections on non-profit registration and liability.

The second class was on the Russian Constitution, which is not the strong backbone of the law as is the U.S. Constitution. The Russian Constitution is fifty-seven pages and hundreds of articles long. The lesson focused on an overview of the various sections, how the Constitution applies to the political process and individual rights, and methods of applying provisions to concrete problems. One important focus was on Article 40. Although lawyers, prosecutors, and judges often say that Article 40 of the Constitution forbids eviction of a violent husband from the home, it clearly

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24. See E.S. Shugrina, *Teknika Yuridicheskovo Pis'ma* [Technical Legal Writing], (2000). In my experience at ABA CEELI with the Russian legal community, this is the first legal writing text to appear in Russian.

does not.<sup>25</sup> Rather, the Constitution says that the government cannot arbitrarily deprive a person of his home.<sup>26</sup> Seventy-five per cent of the judges who have participated in judicial trainings organized by the ABA CEELI Gender Law Project have agreed that it would *not* be arbitrary to evict someone after a hearing based on his violation of the law. The constitutional law instructor focused to a lesser extent on Article 53, the victims' rights provision, which unfortunately is completely ignored.<sup>27</sup>

The next class concerned civil procedure, a little-developed area of Russian law. This session covered the process of filing a complaint, courtroom procedures, strategy, tactics, and filing an appeal. The instructor, who works in family violence, discussed many of her own cases, explained why she chose the strategies she did, and shared with the students some of the "tricks of the trade." One such trick allows lawyers to obtain copies of their clients' files despite the existing bureaucratic obstacles. There exists only one copy of each file at the courthouse and the victim or her attorney has to copy by hand whatever sections they want. Yet often she is given only thirty minutes to do so, even when the file is several inches thick. This attorney would take her client with her and the client would sneak out of the building with parts of the file, photocopy them elsewhere, and run back to take another section until she had copied the entire file. All the while, the attorney sat there poring over the file so the clerk could not take it away.

For our fourth class, a family law practitioner using the case study method showed how lawyers fail to use the provisions that do exist for protecting victims. For example, Russian law has a rarely-used article which states that an abuser should not be given custody of the child.<sup>28</sup> Child support collection is also an enormous problem in the area of family law because there is no central database of information about payments and no enforcement mechanism. The students asked many questions from their personal experiences working daily with battered women. Criminal law and procedure was the least successful class, as we were unable to find an instructor who was familiar with the problem of domestic violence and its potentially lethal consequences. The trainees were often more sophisticated and knowledgeable about using criminal law in these situations than the attorneys, who continued to urge the advantages of encouraging reconciliation, in spite of vehement disagreement from the trainees. This was a problem both of not knowing enough attorneys to find a good instructor and of the reality that there are not many good attorneys doing human rights work in Russia. We supplemented this class with a lecture by a criminal law professor who was no more familiar with the dynamics of domestic violence, but was more neutral than our attorney-teachers.

Within the vast field of civil law, the instructors focused on two areas:

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25. Konstitutsiia RF [KONST. RF] [Constitution], art. 40 (1993).

26. *Id.*

27. *Id.* at art. 53.

28. Kodeks Zakonov o Brake, Seme i Opeka RF [KZoBSO RF] (Code of laws on marriage, family, and guardianship) art. 69.

legal issues confronting NGOs and contract law. It is very difficult for NGOs in Russia to register properly and comply with regulations because the laws in this area, especially regarding tax ramifications, are sometimes contradictory and ever-changing. In addition to reviewing common legal problems of NGOs, within contract law we addressed consumers' problems. Although not directly relevant to alleviating domestic violence, consumers' problems were identified by the social advocates as a repeated concern of their clients. Common problems for Russian consumers include shoddy workmanship on consumer goods and apartment repairs.

The two young attorneys who taught labor law worked at the AFL-CIO Free Trade Institute and focused on the rights of labor unions and individual workers. Unfortunately, they did not focus on the problem that most affects Russian women: sexual harassment. Human Rights Watch has documented widespread sex discrimination in the Russian workplace.<sup>29</sup> But there is not yet a movement to address it. The prevailing attitude toward sexual harassment in Russia is that it is just "part of [the] culture."<sup>30</sup>

Another area of law crucial to advocacy for battered women is housing law. Because of severe housing shortages, in many cases battered women must continue to live with their batterers, even after divorcing them.<sup>31</sup> It is difficult to divest owners or even occupants from their property rights in the apartment. It is possible to evict a violent person; the housing code provides that if someone is destroying his home or is impossible to live with, he can be evicted and lose the right to reside in the property, though not his legal right of ownership.<sup>32</sup> However, even the eviction procedure is sparsely used.

The international law class used as a backdrop the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the main international instrument setting a standard for women's rights, which Russia has ratified.<sup>33</sup> CEDAW has proven to be a good organizing tool and an inspirational document but has limited practical value, because individual complaints based on its provisions have not been allowed in the past. The new optional protocol provides for individual complaints to be made to the United Nations.<sup>34</sup> However, until the optional protocol is ratified by Russia, CEDAW has limited use for the social advocates.<sup>35</sup>

29. See *supra* note 3, at 3.

30. *Id.* (quoting interview with Elena Zdravomyslova, Research Fellow, Center for Independent Social Research, in St. Petersburg (Mar. 28, 1994)).

31. HUMAN RIGHTS WATCH, *supra* note 3, at 46.

32. Zhilishchryi Kodeks RK [ZK RF] [Housing Code] art. 98.

33. Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 12 (entered into force Sept. 3, 1981); *Status of Ratifications of the Principle Human Rights Treaties as of March 28, 2001* at 9, U.N. High Commissioner for Human Rights (Mar. 28, 2001), <<http://www.unhchr.ch/pdf/report>>. (stating that Russia ratified CEDAW on January 23, 1981).

34. Optional Protocol on the Elimination of Discrimination against Women, entered into force Dec. 22, 2000, G.A. Res. 54/4, annex, 54 U.N. GAOR Supp. (No. 49) at 5, U.N. Doc. A/54/49 (Vol. 1) (2000).

35. Russia signed the optional protocol on May 8, 2001. *Signatures to and Ratifications of the Optional Protocol*, at <<http://www.un.org/womenwatch/daw/cedaw/sigop.htm>>.

The practical component of the international law class focused on the procedure for filing a claim with the European Court of Human Rights (ECHR). This approach is widely used by Russians because of the weakness of their legal and judicial system. Since 1990, Russia has been the single largest source of complaints to the ECHR. In 2000, 1,325 complaints were submitted by Russians, the greatest number from any single country.<sup>36</sup> Bringing complaints of human rights violations to the ECHR has resulted in successful European Union pressure on Russia to put a moratorium on the death penalty.<sup>37</sup>

The legal writing course covered general writing and argumentation skills, argument organization, logic, conclusions, and writing mechanics such as paragraph structure, sentence structure, and punctuation. Each student worked separately to write or rewrite paragraphs and sentences and identify techniques to make arguments more persuasive. They worked in groups to structure an argument using logic and persuasive techniques. This was completely new terrain for them but they struggled with much interest and learned quickly. Much Russian legal writing is almost incomprehensible because of its rambling style and lack of logical progression to a clear conclusion. Much more work needs to be done in this area.

All of the students were given copies of the Codes, which is rare enough in Russia. Simply distributing these materials was an important part of the training, as they are difficult to obtain. Often even judges and lawyers don't have their own Codes. The Codes cost only about fifty cents each, but this is a large amount for the average Russian.<sup>38</sup> In addition, the Codes were simply not printed in large numbers because few people actually bought them.<sup>39</sup>

## V. RESULTS

Throughout the nine-month program, students reported how they were using the information and skills they had acquired from the Legal

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36. EUR. CT. H. RTS., INFORMATION NOTE ON THE COURT'S STATISTICS, 2000 (Jan. 22, 2001), *available at* <[http://www.echr.coe.int/BilingualDocuments/infodoc.stats\(2001\)bil.htm](http://www.echr.coe.int/BilingualDocuments/infodoc.stats(2001)bil.htm)>.

37. See BBC News, *Yeltsin Pardons Death Row Inmates* (June 3, 1999), *available at* <[http://news.bbc.co.uk/1/hi/english/world/europe/newsid\\_360000/360100.stm](http://news.bbc.co.uk/1/hi/english/world/europe/newsid_360000/360100.stm)>.

38. The average monthly income for Russians was \$89 in December 2000, compared with \$66 in the fall of 1999. U.S. DEP'T OF STATE, 2000 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: RUSSIA (released Feb. 2001), *available at* <<http://www.state.gov/g/drl/rls/hrrpt/2000/eur/index/cfm?docid=877>>.

39. The printing house where I purchased the Codes frequently ran out, and I had to harass them constantly to get more. I found out that they also had 700 books on international human rights documents, none of which had been requested by anyone in the past. I started buying them to distribute across the country. When the store's supply got down to the last 150 books, they refused to give me any more. I asked why, since no one else had asked for these books for 4 years and I was distributing them to Russians. Their answer was that someone else might want them and they just flatly refused. This is a typical example of what we put up with all the time.

Literacy Course.<sup>40</sup> An initial requirement for participation had been that the women “take the information back to their local community” by offering legal courses based on what they learned in the classes. After attending the ten lesson-trainings, several advocates launched their own training programs for non-lawyers defending victims of social violence. To further promote training of new advocates and professionalize the movement, these graduates also discussed forming an association of “social advocates.”

The social advocates educated not only new advocates, but also students, health service professionals, law enforcement officers, and the general public. One graduate organized multiple educational sessions on violence against women at the local university and town school. She also established a library with materials on violence against women and women's rights. A second graduate toured the region of Barnaul, holding seminars on women's rights issues that drew more than 150 women. Through informational presentations, another Barnaul advocate persuaded the local legislature to include funding in the city budget to address the problem of domestic violence. An enthusiastic advocate from Tver held several meetings with police about domestic violence and lectured to over 500 students on the topic. She spoke to gynecologists about the health problems of homosexual couples and currently writes a legal column on women's rights in her local newspaper. A graduate from Pskov prepared five television shows on violence against women, while one from Moscow is coordinating a project to educate doctors about violence against women. The latter has organized numerous training sessions in Moscow—for health clinic staff, NGOs, police, prosecutors, and social workers. Finally, the advocate from Yaroslavl conducted 18 hours of training for specialists on domestic violence.

All of the participants reported that the training they received in the course enabled them to increase the quantity and quality of legal advice available in their cities. Five of the graduates handled litigation in court; two of those initiated lawsuits themselves. One woman from Norilsk brought a suit against an orphanage director who was pocketing money designated for the children's lunch (he quickly returned the money upon learning of the suit), and she brought another suit against the police for refusing to respond to a complaint brought on behalf of a woman who had been murdered by her husband. In another city, Penza, a graduate who works for a refugee agency applied the skills she learned to litigate three lawsuits on behalf of refugees, winning two.<sup>41</sup>

Of the seventeen participants who attended the follow-up session, all

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40. In addition, a follow-up meeting was held in November 2000 in Moscow at the ABA CEELI offices. Seventeen of the original twenty-five participants attended, traveling from Moscow, Irkutsk, Penza, Smolensk, Pskov, Tver, Barnaul, Apatity, Yaroslavl, Norilsk, Tula, and Vorotynsk.

41. Evidently, some of the legal skills taught in the program are useful for social advocacy in many areas beyond women's rights. Thus, improving legal literacy is a tool transferable to other human rights struggles.

reported having provided legal consultations. Several of the women (from Smolensk, Tula, Norilsk, and Vorotynsk) have conducted well over twenty such consultations each.<sup>42</sup> In fact, one advocate from Apatity advertised her consultation service in the newspaper and within a month provided 150 consultations! A particularly zealous graduate from Penza provided 189 consultations in six months, drafting eighty-nine petitions against illegal actions of government officials.

The Legal Literacy Course empowered some of the women to continue in legal and/or political careers. Two of the social advocates applied and were accepted into law school. An advocate from Tver was nominated as a candidate to the local legislature and was ranked second on the party list. She proposed that the legislature adopt a program on the prevention of domestic violence that she herself had designed. Unfortunately, she was not elected. Two women, from Apatity and Penza, were recommended by their local legislatures to be people's assessors (similar to small claims court judges).

The social advocates felt they had a good basic knowledge of the substantive law. Based on their experience providing legal services, they asked for more training on courtroom practice and criminal and civil procedure. Several commented that the training and the certificate provided by ABA CEELI elevated their status in the legal community.

A second Legal Literacy Course with new students is planned for October 2001. The upcoming program will benefit from the lessons learned during the initial round of classes. Primarily, a training session for the instructors is needed to help them master interactive methods of teaching. Students should be given more small group and individual assignments during the lessons to strengthen their understanding of the material. Given a sufficient budget, more time should be allotted to each topic and to addressing more topics.

As mentioned previously, the greatest obstacle to our implementation of the project was a lack of qualified instructors. We can circumvent this problem at present by using previous students as instructors, but building a base of qualified lawyer instructors will be more difficult and will take time. As work on violence against women becomes more widespread in Russia, perhaps we can find attorneys who understand the complexities of the issue

## VI. CONCLUSION

In countries where the law is perceived as a tool of repression rather than of liberation, teaching existing lawyers to become zealous advocates for human rights is a daunting task. Training a new generation of lawyers is a more promising alternative, but it is time-consuming and does not ad-

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42. One advocate from Smolensk conducted consultations twice a week, totaling 42 consultations in six months; an advocate from Tula conducted up to 20 weekly consultations; a graduate from Vorotynsk provided 70 consultations; one from Norilsk gave 24 consultations and examined 127 legal problems.

dress the immediate problems battered women face. Thus, training lay-women activists who are already engaged in working for social change is a strategy worth pursuing. The twenty-five students who began the program in Moscow in September 1999 had, by November 2000, amassed an astonishing list of achievements. Because these students were already highly motivated, the law gave them one more tool, which they have used very effectively, to fight violence against women.

