

Verité Research Series



An Assessment of Labor Practices Country Report: Russia

*Sample Report prepared for the
Ethical Trading Initiative
May 2005*

Verité
44 Belchertown Road
Amherst, Massachusetts 01002
Tel: 413-253-9227
Fax: 413-256-8960
www.verite.org

About Verité

Verité is an independent, not-for-profit social auditing, research, and training organization based in Amherst, Massachusetts, USA. Verité's mission is to ensure that people worldwide work under safe, fair and legal conditions.

Verité's work includes:

- factory audits for compliance with international standards and corporate codes of conduct;
- research into key questions related to workplace human rights in global supply chains;
- evaluations of supply chain and human rights-related risk for multinational corporations and investors; and
- capacity building for governments, businesses and non-governmental organizations to improve implementation of labor protections.

Since 1995, Verité has conducted over 1,250 comprehensive factory evaluations for multinational corporations and local suppliers in 65 countries; numerous factory-based management training and worker-education programs in Asia, Latin America and the Middle East; and research for socially concerned investors worldwide.

Verité is funded through a combination of fee-for-service programs, grants from foundations and government agencies, and donations from individuals.

In addition to this report, Verité currently has several other research reports available, including:

- **Verité Country Labor Assessment Series:** including Argentina, Brazil, Chile, China, Colombia, Czech Republic, Egypt, Hungary, India, Indonesia, Israel, Jordan, Malaysia, Mexico, Morocco, Pakistan, Peru, Philippines, Poland, Russia, South Africa, South Korea, Sri Lanka, Taiwan, Thailand, Turkey and Venezuela.
- **Labor Law Digests:** for Bangladesh, Brunei, Bulgaria, China, Dominican Republic, Ecuador, Egypt, Honduras, Hong Kong, Hungary, India, Indonesia, Kenya, Macau, Mauritius, Mexico, Nicaragua, Pakistan, Peru, Philippines, Romania, Sri Lanka, Taiwan, Thailand, Turkey, and Vietnam.
- **Verité Issue Reports**, including
 - Excessive Overtime in Chinese Supplier Factories: Causes, Impacts, and Recommendations for Action
 - Protecting Overseas Workers: Strategic Perspectives on Labor Rights Among Foreign Contract Workers in Southeast Asia and the Middle East
 - Social Compliance in Information Technology: Identifying Problems and Forging Solutions in India

For more information about Verité, please visit our website or contact us at:

www.verite.org,
verite@verite.org
+1 413 253 9227
44 Belchertown Road
Amherst, MA 01002 USA

Laws and Legal System

Freedom of Association

Is freedom of association legally guaranteed, in accordance with ILO Conventions 87 and 98?

ILO Convention 87 establishes the right of workers and employers to join organizations of their own choosing without prior authorization; and the right of organizations to draw up their own rules and constitutions, elect their own representatives and organize their own affairs without outside intervention. It calls for protection of workers' organizations from governmental interference and from being dissolved or suspended by administrative authority; and calls for the right to affiliate to international organizations of workers. Although the right to strike is not mentioned explicitly in Convention 87, the ILO considers this right to be implicit, deriving from the right of workers' organizations to organize activities and formulate programs.

ILO Convention 98 grants workers the right to adequate protection against anti-union acts such as dismissals and against business interference; and encourages countries to take measures to promote collective bargaining.

Russian law contains basic protections for the rights of freedom of association and collective bargaining, including protections against anti-union discrimination and business interference. The Trade Unions Act provides protection against interference in union activity by political parties, government bodies, employer organizations and executive power, at the state and local levels. The Trade Unions Act also explicitly protects the right of workers to join international federations of trade unions.

Several key restrictions and weakness in Russia's laws pertaining to freedom of association are as follows:

- Russia's new Labor Code of 2002 restricts workers' ability to form unions at the workplace level, by recognizing only those unions that are affiliated with higher union bodies
- Russia's Law on Countering Extremist Activities allows the government to suspend union activities by administrative decree.¹
- In-country experts report that the legally imposed fines for anti-union discrimination, which range from 500 to 5000 rubles (US\$16.50 to US\$165), are too low to be effective.
- A framework for collective bargaining is provided for in Russian law. However, as follows, there are significant restrictions placed on workers' ability to exercise this legal right:
- Under Article 37 of the new Labor Code, only unions that represent more than 50 percent of the workforce at a workplace are permitted to negotiate a collective bargaining agreement with the employer. This requirement restricts the ability of unions to conclude collective agreements on behalf of their members in situations where no trade union fulfils this condition, which is contrary to the collective bargaining principles stated by the ILO's Committee of Experts on the Application of Conventions and Recommendations.²

- Article 45 of the Labor Code does not provide for the recognition of occupational-level unions or their right to collective bargaining. The ILO has recommended that the Russian government amend this article in such a way that ensures the possibility of conducting collective bargaining at the occupational or professional level, both in law and in practice.³
- Article 31 allows union members to elect outside parties to represent them, which is regarded by the ILO as providing a measure for “bypassing trade unions existing at the enterprise” and not promoting collective bargaining.⁴
- The Labor Code states that there may be only one collective bargaining agreement per workplace, and that the agreement must apply to all classifications of workers in the workplace. The law does not stipulate incentives or penalties for failure to bargain in good faith. Although employers are required to negotiate with unions, there is no time limit within which they must act; and although the Labor Code requires the registration of all new collective-bargaining and wage agreements within seven days of being signed by all parties, the law does not include penalties for failure to register such agreements.
- Some collective bargaining agreements have been determined to be legally non-binding as a result of ambiguity in the Labor Code pertaining to the legal identity of employers.⁵
- The ILO has observed that there are a number of problems with Russian legislation pertaining to workers’ right to strike. The ILO has expressed concern regarding the legally required procedures for staging a strike in Russia, stating that the law contains overly restrictive provisions, including the requirement that all strikes be announced within a specific timeframe, and that the strike’s “possible duration” be declared. The ILO has requested that the Government of Russia revise the law requiring all strikes to be approved by a majority at a meeting of workers (at which two-thirds of all workers must be present), as the ILO has judged this requirement to be too high, and an impediment to the ability of workers to legally stage a strike. Finally, the ILO has reported concern regarding ambiguity in the law providing workers with the right to strike, further stating that the law suggests that minimum services are required to be established for all categories of workers during strike activity, regardless of whether those workers are part of an essential service.⁶

Forced Labor

Is forced labor legally prohibited, as articulated in ILO Conventions 29 and 105?

ILO Convention 29 obligates countries to suppress the use of forced or compulsory labor “in all its forms” with exceptions for military service, civic or emergency duties, and as the result of a court conviction (so long as the labor is supervised by a public authority and not hired out to private individuals or companies). Forced or compulsory labor is defined as work or service exacted from any person under the menace of penalty and for which the person has not volunteered.

ILO Convention 105 forbids forced labor used “as a means of political coercion” or as punishment for “holding or expressing political views” or for participating in strikes.

Forced labor and bonded labor are explicitly prohibited in the Constitution of the Federation of Russia and in Russia’s Labor Code. However, the law lacks explicit protection against the use of forced labor as political punishment or coercion. Russian law also appears to allow for the employment of prisoners by private entities: Article 103.1 of the Criminal Code provides for prisoners to be recruited to work for enterprises of correctional facilities, state enterprises or enterprises of other forms of ownership, under conditions of appropriate protection and isolation of the prisoners. However, conditions of appropriate protection are not explicitly defined in the Code.

Russia’s protections against forced labor were strengthened in 2003 by the adoption of new amendments to the Criminal Code, which criminalizes human trafficking and the use of forced labor (with a maximum punishment of 15 years in prison for perpetrators).

Child Labor

Is the legal minimum age for work is 15, and are children under the age of 18 protected from dangerous work, as articulated in ILO Conventions 138 and 182?

ILO Convention 138 sets the minimum age for work at 15 years of age (although countries with insufficiently developed economies and educational facilities can qualify for “exception” status with a minimum working age of 14). The convention permits light work (defined as work that is not likely to be harmful and does not interfere with schooling) for 13- to 15-year-olds.

ILO Convention 182 obligates countries to take effective steps towards eliminating the worst forms of child labor (slavery, debt bondage, work in the sex or drug trades, or any other physically or morally harmful work).

The Russian Labor Code sets the minimum age for regular employment at 16 and has special regulations for the working conditions of workers under 18 years of age, which preclude engagement in the worst forms of child labor, including bans on the following: overtime, hazardous work, night work, and child prostitution. Article 59 of the Russian Labor Code states that children at least 14 years of age may be employed (with the consent of their parent or guardian) in light work that will not disrupt their schooling. Article 94 states that 15- and 16-year-old workers may work a maximum of five hours per day, and that 17- and 18- year-olds may work a maximum of seven hours per day.

Equality/Nondiscrimination

Is discrimination legally prohibited, and is equal remuneration legally provided for, as articulated in ILO Conventions 100 and 111?

ILO Convention 100 establishes the principle of equal remuneration for men and women for work of equal value.

ILO Convention 111 forbids any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

Russia's Labor Code explicitly protects the right to equal pay for equal work. Section 3 of the Labor Code also prohibits discrimination in employment on the basis of gender, race, skin color, nationality, language, origin, material, social and employment status, age, place of residence, religious beliefs, political convictions and affiliation or non-affiliation with social associations, or other circumstances not related to an employee's occupational qualifications. However, Article 253 prohibits women from performing heavy work and from working under dangerous conditions, which Verité considers a deficiency in a woman's right to choose her place of work.⁷

Conditions of Work

Are hours and wages, health and safety, and sexual harassment legally regulated?

Legislation on conditions of work shows great variation among countries. Verité's approach to evaluating conditions of work legislation was straightforward, not attempting to measure, for example, the adequacy of minimum wages against living wages.⁸ Countries received points for the existence of legislation establishing a minimum wage, regulating hours of work and overtime, protecting the health and safety of workers, and outlawing sexual harassment in the workplace. Absence of legislation meant no points.

Russia has legal provisions for minimum wage, hours of work, and health and safety in the workplace. Russia's new Labor Code of 2002 significantly raised the minimum wage. Article 130 of the Russian Labor Code requires that the minimum wage be equal to the living wage. The right to safe conditions of work is established in the Constitution, and the Labor Code has a number of provisions regarding the maintenance of working conditions and inspections to guarantee safety requirements.

Russia's laws limit regular hours of work to 40 per week, and employers are required to pay workers, accordingly, for overtime work. However, employers are not required to pay overtime rates for overtime work if the employer does not initiate the overtime request. Article 99 of the Labor Code states that overtime shall be limited to four hours every two days and must not exceed 120 hours a year.

Article 133 of the Russian Criminal Code prohibits coercive sexual relations in the workplace, and stipulates fines, or up to one year in prison, for violations of the provision.

Institutional Capacity

Government Capacity

What is the effectiveness of government capacity to develop, monitor and enforce labor laws?

To assess governmental capacity, a variety of sources were used, including in-country interviews; statistical data regarding budgets, personnel and factory inspections; and proprietary reports from audits carried out by Verité. Three primary factors were considered:

- Frequency and adequacy of **inspections**, and adequacy of inspections personnel and budgets compared to number of workplaces
- Adequacy and effectiveness of **grievance mechanisms**
- Scale and frequency of labor-related **corruption**

The breadth of administrative coverage within enforcement departments and the severity and frequency of penalties levied for violations were also taken into account.

Government capacity to enforce labor protections was judged to be limited in Russia.

Inspections: Confidential interviews with key labor experts, as well as publicly available information from the Russian Federation’s Ministry of Labor, indicate that the labor inspections system in Russia is inadequate:

- Field interviews indicate that the Russian Labor Inspectorate is under-funded and cannot afford to send inspectors to all of the regions of Russia. Government representatives interviewed by Verité reported that there are not adequate funds available to pay for inspections in regions where there is no branch of the labor inspectorate.
- Field interviews indicate that while inspections of the large, state-owned factories generally occur at least once per year, there is not adequate inspection of private companies and small- to medium-size businesses, for which the inspections are likely to be conducted only after complaints are filed.
- Official statistics indicate that there are approximately 1000 workplaces per inspector, a ratio that has been judged by in-country experts to be too high to be effective.⁹

According to an interview with one government official, the restructuring of the former Ministry of Labor into the Federal Service of Work and Employment has led to cutbacks throughout the Inspections Service. The Inspections Service was downgraded from a department to a directorate. Reportedly, staff cuts were likely to be announced and put into effect by the beginning of 2005 (by which time the administrative reform was scheduled to be completed).

Grievance Mechanisms: There are a number of gaps and weaknesses in Russia’s grievance mechanisms. Although workers may file complaints either to the Labor Inspectorate or through the courts, Verité field research and interviews indicate that workers do not often have the resources to engage in a legal dispute with their employer; and even when they do, the decision of the court is often unenforceable. The U.S. Department of State has reported that Russian court cases tend to be very lengthy and complicated.¹⁰ Field interviews indicate that cases often take years to complete, and that judgments are not adequately enforced.

Corruption: Transparency International’s Corruption Perceptions Index ranks Russia at 2.8 (a 10 is free from corruption, a 0 is highly corrupt).¹¹ This is one of the lowest scores of the 26 countries under study. Verité considers this Corruption Perceptions Index as an indicator of the likely effectiveness of labor inspections regimes. Confidential interviews with Russian labor experts confirmed that corruption decreases the effectiveness of inspections and the effectiveness of the court system. A recent survey by the World Economic Forum for its annual Global Competitiveness Report rated Russia as being among the most corrupt countries in the world.¹²

↓ **Forward Looking Indicator:** A restructuring of the Ministry of Labor (scheduled to occur in January 2005) will reportedly lead to cuts in the Inspections Service

Non-Governmental Organization Capacity

Are there restrictions on the involvement of NGOs in social and labor issues?	Both legal and de facto restrictions on the establishment, organization, and activities of NGOs were considered.
---	--

While NGOs generally operate without restriction in Russia, there are, as follows, several causes for concern:

- A new Russian law on “extremism” allows for the immediate closure of newspapers deemed to be extremist, and allows for the property seizure of organizations deemed to be extremist.
- Several NGOs reported that their dealings with local government officials have become increasingly difficult. There were three high-profile cases of government harassment of NGOs in 2003: an audit by tax police of the NGO, *Otkrytaya Rossiya*, founded by former-CEO of Yukos, Mikhail Khodorkovsky; a raid by private security forces (believed to be linked to the government) on the Soros Foundation’s Open Society Institute; and the procedure to trial of a case against the Director of the Sakharov Center in Moscow, for allegedly organizing a provocative exhibit of religious art.¹³
- Human rights NGOs have reported being denied entrance to refugee camps, and NGOs monitoring conditions in Chechnya report that they have had an especially tense relationship with the government.¹⁴ In March 2003, Imran Ezhiev was kidnapped, detained, interrogated and threatened with murder by masked men in Chechnya while working on the Helsinki Group’s annual report on human rights in Chechnya. Ezhiev was later released, but authorities have reportedly failed to make adequate attempts to find, arrest and prosecute his kidnappers.¹⁵
- In 2002, Irene Stevenson, the director of the Russia office of the American Center for International Labor Solidarity (an affiliate of the AFL-CIO), was denied re-entry into Russia on the grounds that she was a threat to national security. Stevenson had been living in Russia since 1989 and had been active in promoting workers rights issues.
- The U.S. Agency for International Development (USAID) reports that the legal environment for NGOs in Russia has been “unusually confusing, restrictive, and inhospitable.” USAID reports that Russian NGOs have complained of various difficulties with the government, including registration problems, petty harassment from tax authorities, undue questioning by security organs, and demands for bribes from government officials.¹⁶

Implementation Effectiveness

Freedom of Association

Are labor unions able to operate freely and conclude collective bargaining agreements in practice?

Factors under consideration include: whether unions are able to organize workers without government interference, the extent of undue influence from political organizations on union activity, formal or informal interference in union organization from businesses, the extent to which union activity is allowed to occur in the unionized sector without any interference, and other onerous restrictions.

The U.S. Department of State has estimated that approximately 60 percent of Russia’s workers are unionized – a very high rate among the countries under study. However, only roughly 10 percent of those workers belong to “independent” trade unions (i.e., trade unions other than the Federation of Independent Trade Unions [FNPR], which is the heir to the Soviet era trade union structure).¹⁷ In general, union membership has been on the decline in Russia since the fall of the Soviet Union.

The FNPR’s strength of representation in Russia derives from its historical legacy and its inheritance of the bulk of the property owned by its Soviet predecessor. In practice, it has been observed that FNPR acts as a barrier to true, independent trade-union representation. While independent in name, the FNPR is often closely linked to the political structure; and FNPR unions have long-standing ties to businesses and local politicians, as well as large amounts of real estate throughout the country. Reportedly, the FNPR at the national level does conduct some independent activity and is willing to criticize the government on some points.

The legal requirement, which states that unions may not negotiate collective bargaining agreements until they represent at least 50 percent of the workforce at a given enterprise (compounded by the traditional dominance of the FNPR) has made the development of small, independent trade-unions very difficult.

There are a number of additional systemic challenges restricting the ability of labor unions in Russia to operate freely and bargain collectively:

- Both the U.S. Department of State and the International Confederation of Free Trade Unions (ICFTU) have reported that anti-union discrimination is a fairly common practice in Russia, including harassment of union leaders by security services, police detainment for questioning, losses of bonuses and demotions at the workplace, and the levying of heavy fines for such things as strike activity.¹⁸ In-country experts have reported that anti-union discrimination is widespread. Discriminatory practices reportedly include transferring union workers to different work areas, limiting work hours, lowering salaries, defying court orders, raiding union offices, destroying union property, and firing workers. The violent break-up of strikes by police forces has also been reported, as have isolated acts of direct violence and threats of violence against activists of new trade unions.¹⁹ Furthermore, there is mounting evidence of government barriers to union organizing at the local level. For example, local departments of the Ministry of Justice have refused to register new unions, demanding additional documents that are not required by law.²⁰
- Interviewees report that there is a recent trend toward the creation of so-called “yellow” unions: complacent unions organized and controlled by employers.

- Field interviews indicated that there are significant obstacles to workers' ability to form and join unions:
 - Interviewees reported that Russia's required union registration process is not only lengthy and complicated, but that it is also dependent upon the full cooperation of employers. Interviewees cited several examples of union registration being blocked by employers who refused to acknowledge the existence of the union.
 - Interviewees further reported that the Russian government often refuses to register unions, or else, withdraws union registration for reportedly vague or contradictory reasons.
 - Interviewees also indicated that there have been numerous incidents of employers bribing workers to leave unions.
- In practice, it is very difficult for workers to stage legal strikes, and employers are often able to thwart attempts at strikes through informal means.
 - Interviews with key informants have indicated that a common method of breaking strikes is simply to withhold workers' bonuses and choice vacation time. This method can be extremely effective, as many workers receive up to half of their salaries in bonuses. While Russia's new Labor Code prohibits this practice, it is a difficult violation to prove, and it is not well enforced when proven.
 - In-country experts also indicate that due to restrictions stated in the law, the number of strikes has been steadily declining since the adoption of the new Labor Code in 2002. The number of strikes has reportedly dropped from several thousand per year in the 1990s to a total of 67 in 2003.²¹ But with the decline in officially recorded strikes, alternative protest methods have increased, which has revealed that the decline in the number of strikes has not resulted from increased satisfaction among the country's workforce.
- The U.S. Department of State has noted that only 16 to 18 percent of workplaces in Russia are covered by collective bargaining agreements, and that employers often refuse to negotiate collective bargaining agreements with unions and refuse to provide information requested by unions.²² The ICFTU has confirmed that there have been cases of employers refusing to negotiate with unions.²³

Forced Labor

Is forced labor prevented in practice?	Factors under consideration include the estimated per capita scale of forced labor in the country, as well as the level of governmental activity and effectiveness in addressing forced labor issues.
--	---

The U.S. Department of State has noted that there have been credible reports of forced labor in border regions of Russia and in the military, and that there have reportedly been instances of forced or bonded labor involving large numbers of North Koreans and workers from the former Soviet Union, including Uzbekistan.²⁴ These reports were corroborated by Verité interviews with labor experts in Russia.

The Moscow Helsinki Group's 2003 report on human rights documents that the Group received reports of illicit use of military personnel as cheap labor in 13 Russian regions. It was further reported that, in three of the 13 regions, the practice resulted in the death of soldiers.²⁵

A study on forced labor by the International Labor Organization (ILO), which included interviews with 442 migrant workers in Moscow (Omsk and Stavropole), yielded the following findings: 70 percent were men; 38 percent worked in construction; 25 percent worked in trade and sales; 3 percent worked in the entertainment sphere; 12 percent were forced to pay off a debt to their employers; 24 percent were made to work without payment; 38 percent were given additional work without their consent; 20 percent had limits placed on their freedom of movement; and 22 percent of the women were forced to provide sexual services.²⁶ Of the women who worked in entertainment, 92 percent were forced to provide sex. According to a survey of 41 experts in the ILO study, six of the experts reported believing that slave labor was common in Russia; 25 reported believing that there were isolated instances of slave labor in Russia; nine reported being unfamiliar with any such cases; eight reported believing that forced labor is widespread in Russia; 27 reported believing that slave labor sometimes occurs in Russia; and one reported believing that slave labor does not occur in Russia.²⁷ [

The legality of many migrant workers in Russia is questionable. While officially there is visa-free travel between members of the Commonwealth of Independent States (all the former Soviet states except the Baltics), registration is often denied on a local level. Registration requirements, while technically unconstitutional, are still enforced, particularly in Moscow. Among the migrants surveyed, 51 percent had received local registration, but only 25 percent had received permission to work. Twenty percent of those surveyed reported that their passport had been held by their employer; 12 percent reported that they were in debt to their employer; and 40 percent reported that they remained with their employer for lack of other employment options.²⁸

No serious government efforts to combat the problems of forced labor are in evidence. The inactivity of the government on issues of forced labor in the military is judged to be a serious inadequacy. Although the Russian government has enacted laws on trafficking and the use of slave labor, Verité research indicates that there are no obvious signs of the Russian government developing the institutional capacity required to reduce the country's scale of forced labor. According to the conclusions of abovementioned ILO report, the government lacks the ability to enforce the country's laws banning forced labor.²⁹

Child Labor

Is child labor prevented in practice?	Factors under consideration include the estimated per capita scale of child labor in the country, as well as the level of governmental activity and effectiveness in addressing child labor issues.
---------------------------------------	---

The scale of child labor in Russia is considered to be small. Reports of the U.S. Departments of State (USDOS) and the U.S. Department of Labor, as well as confidential interviews with labor experts, indicate that child labor in Russia is largely part of the informal economy.³⁰ The phenomenon of “street children” has become a particular issue of concern. Street children work as apprentices in small enterprises, hawk goods on the street, beg, and work at other odd jobs such as trash collection and car washing. Estimates of the number of street children range from 100,000 to 700,000.³¹ Another reported issue of concern has been the involvement of children in the armed conflict in Chechnya, where there have been reports of children being recruited to fight and plant landmines.³²

In February 2003, Russia ratified Convention 182 concerning the worst forms of child labor, and enacted legislation protecting children against trafficking and pornography, which has been viewed as a step forward in the direction of protecting of the rights of children. The government has been actively involved with the International Programme on the Elimination of Child Labor (IPEC) in St. Petersburg and Moscow.³³ Schooling is compulsory in Russia through the ninth grade.

Equality/Nondiscrimination

Is discrimination protected against in practice?	Factors under consideration include the estimated scale of unequal remuneration and occupational segregation between men and women overall in the country, and the level of governmental activity and effectiveness in addressing discrimination on the basis of race, color, sex, religion, political opinion, national extraction or social origin. ³⁴
--	---

The ILO has reported that the level of women’s pay in Russia is 65 percent of that of men.³⁵ Official statistics from 2002 indicate that women earn an average of 67 percent of what men earn in Russia.³⁶

Reports of the U.S. Department of State (USDOS), and Verité’s confidential interviews, indicate that the Russian government has failed to effectively implement and enforce anti-discrimination protections for women, and that the government’s actions have exacerbated discrimination against minority ethnic groups. An Amnesty International report details discriminatory practices on the part of the government in relation to the issuing of passports and residence registration stamps.³⁷ The USDOS has reported persistent governmental and societal discrimination against Roma and migrants from the Caucasus and Central Asia.³⁸

Interviews with in-country experts have revealed that sexual harassment is a common and accepted practice in the Russian workplace. Interviewees further reported that awareness of sexual harassment laws is very low.

Conditions of Work

Are health and safety, hours, and wage levels acceptable in practice?

Factors under consideration include estimated per capita scale of occupational injuries and fatalities, wage payment violations, and violations of overtime limits and premiums in the country.

According to official estimates, there were 14.9 deaths per 100,000 workers in 2000;³⁹ 13.8 deaths per 100,000 workers in 2002; and 13.1 deaths per 100,000 workers in 2003.⁴⁰ Confidential interviews with in-country experts revealed that official estimates are, reportedly, lower than the country's actual death rates.

The nonpayment of wages has been a significant and widespread issue in Russia since the collapse of the Soviet Union. While the magnitude of the problem has significantly decreased in past years, the Secretariat of the Russian Tripartite Commission for Regulating Social-Labor Relations reported that at the beginning of June 2004 the country's workforce was owed a total of 24.4 billion rubles (\$838 million). Of that, government workers were owed 2.7 billion rubles, mostly out of regional budgets. This number has remained fairly steady over the last two years.⁴¹ Anecdotal evidence from field interviews indicates that many employers hire workers under the condition that the workers submit a request for overtime. Interviewees reported that this type of mandatory overtime is widespread, even though it is technically voluntary.

Presence of Foreign Contract Labor

Are foreign contract workers protected against labor abuses in practice?

Countries were assessed for whether there are widespread abuses of fair labor practices and labor laws among foreign contract laborers. For example, foreign contract laborers are frequently, and often illegally, denied freedom of movement rights and face discrimination, limited job opportunities, sexual harassment, mandatory pregnancy testing, physical abuse, and barriers against union activities in greater numbers than domestic workers.

Verité found no widespread or significant abuse of foreign contract laborers in Russia.

Although there are reports of significant abuse of foreign contract laborers from North Korea, the scale of this problem is unclear. In 2001, the Moscow Times reported that there were camps in Russia's Far East containing some 10,000 forced laborers from North Korea. Such laborers are reportedly sent from North Korea to work for the Russian government in the construction and timber industries as repayment for a soviet-era debt between North Korea and Russia.⁴²

Endnotes

¹ International Confederation of Free Trade Unions. *Russian Federation: Annual Survey of Violations of Trade Union Rights 2004*.

<<http://www.icftu.org/displaydocument.asp?Index=991219408&Language=EN>>.

² International Labour Organization. *International Labour Standards: A Global Approach*. First edition. Geneva: International Labour Organization, 2002. P 50.

³ International Labour Organization. *334th Report of the Committee on Freedom of Association*. Geneva: International Labour Organization, 2004.

<<http://www.ilo.org/public/english/standards/relm/gb/docs/gb290/pdf/gb-5.pdf>>

⁴ International Labour Organization. *334th Report of the Committee on Freedom of Association*. Geneva: International Labour Organization, 2004.

<<http://www.ilo.org/public/english/standards/relm/gb/docs/gb290/pdf/gb-5.pdf>>

⁵ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.

⁶ International Labour Organization. Committee of Experts on the Application of Conventions and Recommendations. *Individual Observation concerning Convention No. 87, Freedom of Association and Protection of the Right to Organise, 1948 Russian Federation (ratification: 1956)*. 2003.

⁷ Verité's scoring methodology strives equitably to assess laws that exist in widely varying social contexts. Of particular difficulty were laws that restrict women's freedom to work in ways that are intended, in a culturally-specific manner, to enhance women's security and well-being. In many of the countries under study, women are legally excluded from working in certain jobs in situations that legislators identified as socially unacceptable or physically hazardous. Though intended to be protective of women, such laws contravene the broad freedoms that the ILO intended for women to have in choosing their place of work. This study – following the ILO – considered such laws to be a deficiency in a woman's freedom to choose her place of work.

⁸ Though comparing minimum wages with living wages would be a valuable inquiry, it would require far more time than was available during this project. Furthermore, for the purposes of this assessment, it seems clear that minimum wages in most countries surveyed would fall short of both actual average wages and a living wage.

⁹ Sokolin, V.L. (ed.). *Rossiya v Tsifrakh 2004* (Russia in Figures). Moscow: Statistika Rossii, 2004.

¹⁰ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>..

¹¹ Transparency International: The Coalition Against Corruption. *Corruption Perceptions Index 2004*. <<http://www.transparency.org/cpi/2004/cpi2004.en.html>>.

¹² Korchagina, Valeria. "Survey: Russia a World Leader in Corruption." *The Moscow Times*. 14 October 2004.

¹³ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.

¹⁴ Ibid.

¹⁵ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2003: Russian Federation*. February 2004. <<http://www.state.gov/g/drl/rls/hrrpt/2003/27861.htm>>.

¹⁶ United States Agency for International Development. "NGO Index 2003." <http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2003/russia.pdf>.

¹⁷ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>..

¹⁸ Ibid; and International Confederation of Free Trade Unions. *Russian Federation: Annual Survey of Violations of Trade Union Rights 2004*.

<<http://www.icftu.org/displaydocument.asp?Index=991219408&Language=EN>>.

¹⁹ International Confederation of Free Trade Unions. *Russian Federation: Annual Survey of Violations of Trade Union Rights 2003*. <<http://icftu.org/displaydocument.asp?Index=991217750&Language=EN>>.

²⁰ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>; International Confederation of Free Trade Unions. *Annual Survey of Violations of Trade Union Rights 2004*. <<http://www.icftu.org/survey2004.asp?language=EN>>.

-
- ²¹ Sokolin, V.L. (ed.). *Rossiia v Tsifrakh 2004*. Moscow: Statistika Rossii, 2004.
- ²² U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.
- ²³ International Confederation of Free Trade Unions. *Russian Federation: Annual Survey of Violations of Trade Union Rights 2004*. <<http://www.icftu.org/displaydocument.asp?Index=991219408&Language=EN>>.
- ²⁴ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.
- ²⁵ Lokshina, T. (ed.). *Human Rights in Russian Regions 2003*. Moscow: Moscow Helsinki Group, 2004.
- ²⁶ International Labour Organization. *Prinuditelnyi trud v sovremennoi Rossii*. Moscow, 2004.
- ²⁷ Ibid.
- ²⁸ Ibid.
- ²⁹ Ibid.
- ³⁰ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>; U.S. Department of Labor. Bureau of International Labor Affairs. International Child Labor Program. *2003 Findings on the Worst Forms of Child Labor*. 2004. <<http://www.dol.gov/ILAB/media/reports/iclp/tda2003/tda2003.pdf>>..
- ³¹ Ibid.; and U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.
- ³² U.S. Department of Labor. Bureau of International Labor Affairs. International Child Labor Program. *2003 Findings on the Worst Forms of Child Labor*. 2004. <<http://www.dol.gov/ILAB/media/reports/iclp/tda2003/tda2003.pdf>>; and U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.
- ³³ U.S. Department of Labor. Bureau of International Labor Affairs. International Child Labor Program. *2003 Findings on the Worst Forms of Child Labor*. 2004. <<http://www.dol.gov/ILAB/media/reports/iclp/tda2003/tda2003.pdf>>.
- ³⁴ Note that the scale of unequal remuneration and occupational segregation within demographic groups other than men and women are not considered under Verité's framework, due to a lack of consistently available statistical information.
- ³⁵ International Labour Organization. Committee of Experts on the Application of Conventions and Recommendations. *Individual Observation concerning Convention No. 111, Discrimination (Employment and Occupation), 1958 Russian Federation (ratification: 1961)*. 2003
- ³⁶ Laikam, K. (ed.) *Trud i Zanyatnost' v Rossii 2003*. (Labor and Employment in Russia, 2003). Moscow: Statistika Rossii, 2003. Section R-08, 8.20. p. 392.
- ³⁷ Amnesty International *Report 2003*. <<http://web.amnesty.org/report2003/index-eng>>.
- ³⁸ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Country Reports on Human Rights Practices 2004: Russia*. February 2005. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41704.htm>>.
- ³⁹ GosKomStat. *Information on the Social and Economic Situation of Russia January - August 2002*. Moscow. 19 September 2002.
- ⁴⁰ Sokolin, V.L. (ed.). *Rossiia v Tsifrakh 2004* (Russia in Figures). Moscow: Statistika Rossii, 2004. p. 491
- ⁴¹ Russian Tripartite Commission for Regulating Social-Labor Relations. "Indicators of the quality of life of the population: Wage arrears." June 2004.
- ⁴² Valeria Korzhagina. "North Korea Exports Slaves to Work off Debt." *The Moscow Times*. August 10, 2001