

NETWORK MEMBER: HAND-HELP.RU



## Digital Justice Across the Vastness of Russia

**Hand-help.ru** is a project of Russia's **Human Rights Institute**. It uses the internet to improve the legal protection of people who use drugs, and prisoners convicted under Russia's drug laws, as well as improving the legal knowledge of civil society groups, legislators and lawyers.

**Founded 2007**  
**hand-help.ru**



Hand-help.ru founder Lev Levinson (R) and deputy director Arseniy Levison.

**A** bkhazia is a sliver of territory in the Caucasus located either west of Georgia or in Western Georgia - depending on your political viewpoint. It fought a war of independence from Georgia in 1992 and during that war a seven-year old boy called Roland S. and his family became refugees in Russia. A Russian-speaker, he never acquired Russian citizenship, which he had a right to, at a time when nations and nationalities were a very fluid and changeable concept in the Caucasus.

Zoom forward to 2011 and Roland had lived most of his life in Russia and had a five-year old son himself. He was arrested in the Black Sea resort city of Sochi for possession of marijuana and sentenced to 15-days' detention. However his timing was poor. Russia had just passed a tough new law requiring the deportation of foreigners for

even the smallest legal infringements. Roland's detention turned from 15 days to 18 months, as the authorities held him in the legal limbo of a foreigners' detention facility after both Abkhazia and Georgia refused to accept him - because he had neither citizenship, nor any relatives or property in their territory.

Court officers were unable to secure his deportation, and the courts refused to consider Roland's release. He was stuck. There had been three court trials, two of which Roland was not even allowed to attend. The first trial at which Roland was present, he was not given a chance to speak. Under the law, there were grounds to allow his release, but the courts refused to consider them.

A friend of Roland had heard of a website - Hand-help.ru - that advises people convicted under

Russia's harsh drug laws. The site's administrator helped Roland to write a letter to the Ombudsman of the Russian Federation. The Ombudsman, who on his own has no enforcement powers, appealed to the prosecutor's office. The prosecutor appealed the court verdict ordering Roland's detention, and shortly after he was released.

"We initially helped in one case," says Arseniy Levinson, of the Human Rights Institute (HRI), which runs the Hand-help website. "But many more situations like this exist in a country with a dysfunctional legal and judicial system that punishes people for smallest infringements of the law, where the law always helps people in positions of power, and where "small" people are vulnerable to all sorts of human rights violations."

"This is especially true for people who use drugs, and therefore 'do not deserve the sympathy' of the legal system," he adds. In Sochi alone HRI heard of another four prisoners who were in a similar limbo as Roland S. "All four of them were released, after Roland's case became public. Our organization's involvement created a precedent, and a pattern of how to address these kind of cases. It helped to empower people to use law and official channels to fight for justice and thus its impact went beyond the individual circumstances of the case."

Russian drug policy is among the most restrictive in the world, and people who use drugs frequently end up in prison for the smallest infringement of the law. Often drug users are harassed, abused and pressured to confess to other crimes they did not commit. Anecdotally, about 95 per cent of all criminal cases end with a conviction in Russia - court independence is notoriously unreliable, and lawyers' are unenthusiastic about taking on cases related to drugs, leaving defendants in the hands of poorly-qualified state-appointed lawyers whose main tactic is a quick guilty plea.

Hand-help.ru provides on-line consultations to drug-related cases, especially to people who use drugs, people in prison and detention facilities,

women-prisoners and youths.

"Our on-line legal consultations reach a wide audience in all regions of Russia," says Levinson, "Including its remote regions, where legal aid by an experienced lawyer is hard to come by." Consultations by specialist lawyers are provided on a variety of issues: the website contains an archive and search engine to browse questions that have already been answered. Clients who wish to receive consultation by email may do so.

The website also empowers community leaders, harm-reduction advocates and peer groups to protect their own rights, by publishing "know your rights" materials. It publishes sample letters to government bodies; legislation and implementing acts that one may appeal to in order to protect your rights, and sample forms of applications and requests for legal protection.

In addition to its website and consultancy work, HRI works on advocacy campaigns with legislators. "Even before Hand-Help began, our cooperation with the Russian Parliament, the Presidential Administration, and Ministry of Justice resulted in a revised Criminal Code and Decree No.231, which raised the minimum possession amount of prohibited drugs for the purposes of the Criminal Code," says Levinson. "This led to the decriminalization of offences which previously were considered criminal, and the reduction of liability for offences that did not present a public danger. As a result, the project contributed to the release of more than 80,000 people imprisoned for drug-related offences in Russia."

In 2013 it also held public hearings on the handing of repressive powers to the Russian Drug Control Agency - which were eventually thrown out by the Government. HRI also tracks legal developments in Russia's often contradictory courts around deportation orders and 'derivative narcotics' - substances with an ambiguous legal status. "No other organisation in Russia is doing this work, for these people" says Liya.

## Key Lessons

- 1 People who use drugs and people in prison deserve the same kind of legal rights and legal opportunities as the rest of the population, and if they possess those rights, not only they but all of society will be better off.
- 2 The online model of delivery of legal assistance is cost-effective and efficient. It is able to reach diverse and frequently remote and hard-to-reach communities, with specialised advice and legal counseling. It is a model that would suit other large countries.
- 3 Imperfect and punitive laws and legal practices are one of the main contributors to the marginalization and vulnerability of people who use drugs, prisoners, women who use drugs and women prisoners. These policies push people away from treatment and other services.
- 4 Often harmful policies and laws are unintentional, and adopted out of best interests by uninformed or/and misled decision-makers. This is why education and effective advocacy in the field of human rights and law by all stakeholders is extremely important in challenging the status quo and creating an enabling legal environment.



Lev, Arseniy and their volunteer lawyers give around 90-100 legal consultations a month and send out many more email messages of confidential legal advice.