

# What Awaits Pussy Riot Musicians in Prison

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In a regular regime colony, prisoners must line up and march together.

Though penal colonies are considered "more humane" than prisons, the successors of the Soviet-era gulag system are still no walk in the park.

But they're hardly a death sentence.

Labor is mandatory but salaried: often a couple of dollars a day. The work is regulated by the Labor Code, and inmates are sent to a location near their place of residence or conviction, not necessarily deported to the Siberian taiga.

But, like their historical predecessors, such institutions do expect inmates to pay their debt to society with a great deal of hard work.

If the three Pussy Riot convicts lose their pending appeal, they will serve two years in a penal colony, likely to sew military uniforms, mop the floors and do other chores.

Convicted of hooliganism motivated by religious hatred for a "punk prayer" at Moscow's Christ the Savior Cathedral in which they denounced Patriarch Kirill's support of President Vladimir Putin, Nadezhda Tolokonnikova, 22, Maria Alyokhina, 24, and Yekaterina Samutsevich, 30, were sentenced on Aug. 17 to a "regular regime" penal colony.

Behind prison colony "settlements," which permit inmates to move freely about the premises and even go home for vacation, regular regime colonies are considered the second least strict, as they house prisoners in barracks of 60 to 80 people and force inmates to march around the grounds in a line.

High- and maximum-security colonies as well as prisons, of which there are only a handful in Russia, are considered the most austere due to cramped living quarters and restriction of freedoms.

Valery Borshchyov, head of the Public Monitoring Commission of Moscow, a human rights group that monitors detention centers, said there was a "huge difference" between modern-day penal colonies and gulag prison camps.

Though mandatory labor and barrack-style living were evident in the old system, you cannot directly compare today's colonies to the gulag system, Borshchyov said. "That would be excessive."

In the gulag, he said, labor was decided by the camp's administration, not regulated by the Labor Code. Food was very poor and winter temperatures could become unbearable.

Inmates often murdered each other or died of hypothermia, he said.

While the food at today's penal colonies is not exactly fine dining, it doesn't leave you hungry, and inmates rarely complain of it, Borshchyov said. Also, the temperature in living facilities complies with sanitary norms.

Currently, the inmates, both male and female, mostly sew for work. Men sometimes do woodwork or work as mechanics, but work is much less tiring than in the gulag, Borshchyov said.

Russian penal colonies have lower living standards than many European prisons, but better than some U.S. ones, he added.

The law sets a regular eight-hour workday for inmates, and while colony officials sometimes violate labor rights, this does not happen everywhere and always, and is easier to control through visits of officials and rights activists, Borshchyov said.

## **Jail Time**

The Pussy Riot convicts will likely remain in jail for the duration of their pending appeal. They have been there since March.

By mid-September, the appellate court is expected to set a date for the case to be heard, defense lawyer Violetta Volkova said on Twitter.

If the Aug. 17 ruling is upheld, Pussy Riot's lawyers will file a supervisory appeal with the Supreme Court, which will be obliged to consider it within a month after receipt, defense Nikolai Polozov said.

If that fails, within six months the lawyers will appeal to the European Court of Human Rights, Polozov said.

Given that the defendants had no prior convictions and two of them had small children, the court could have sentenced them to a penal colony settlement, where they would have lived in a house for several inmates, moved freely on the colony's premises and in certain hours outside of the colony, chosen jobs and maybe even gone home for vacation, Polozov said.

But the court chose a regular regime penal colony. The Penal Code states that a convict can be sentenced to a penal colony settlement only for a misdemeanor. However, the judge stated that the three punk rockers committed a severe, premeditated crime.

Russia's penitentiary system differs from that in the United States and Europe, Borshchyov said.

In the West, criminals are confined to prisons where they are placed in cells for two to six people, and prisoners work only if they want to, he said. But in Russia, most criminals serve time at so-called penal colonies and are obliged to work.

There are some cells in penal colonies for up to 10 people, but only for those who actively cooperate with the colony's administration, Borshchyov said.

There are only a few so-called prisons in Russia, and they are reserved for the most dangerous offenders. One such prison is the notorious Vladimirsky Central, 200 kilometers east of Moscow.

Besides prisons and penal colonies, there are facilities for the criminally insane and juvenile penal camps.

## **Penal Colony**

According to the Penal Code, convicts are sent to a colony close to their place of residence or conviction. Alyokhina and Samutsevich have permanent registration in Moscow, while Tolokonnikova has permanent registration in Norilsk but resides in Moscow.

The band's lawyers refused to speculate about which colonies the defendants would be sent to.

The nearest two regular regime colonies for first-time offenders are in the Moscow region town of Mozhaisk, 110 kilometers west of the capital, and in the Oryol region town of Shakhovo, 400 kilometers to the southwest, said Vladimir Osechkin, founder of Gulagu.net and ОНК.рф, which support prisoners' rights.

Common practice is also to send Moscow's female convicts to Mordovia, 450 kilometers to the east, where there are at least three regular regime penal colonies for women, Osechkin said.

In all of these colonies, inmates sew uniforms eight hours a day, five or six days a week, for several hundred rubles per month, Osechkin said.

Also, they work as janitors or cooks, are fed badly, have a bath once a week, and have to use one toilet for several dozen people in plain view of other inmates, Borshchyov said.

The day at a colony starts at 6 a.m. with physical exercise and breakfast. Work begins at 7:30 a.m. and lasts till 4:30 p.m., with two 15-minute breaks and a half-hour lunch. Dinner is at 6, and lights out at 10.

Mordovian colonies have "the harshest conditions in terms of climate, regime and demands of the administration," said Inna Zhogoleva, coordinator of Gulagu.net, citing former inmates she interviewed.

In Mordovia, inmates have to stitch labels with their names even to their underwear, wardens sometimes physically abuse inmates if they ask for early release or complain of abuse to their relatives, Zhogoleva said.

Former Yukos lawyer Svetlana Bakhmina, who spent three years in Mordovian Penal Colony No. 14 after being convicted of embezzlement and tax evasion in April 2006, said wardens "attentively watch whether important inmates observe the rules."

"It is very easy to get a demerit, even for tying your headscarf not very neatly," Bakhmina said, adding that two demerits get you into a disciplinary cell — a small cell for one or two people with a tiny window under the ceiling and scant meals, where one can be kept for up to 15 days.

Bakhmina supposed that wardens would not beat a Pussy Riot member for fear of losing their jobs, but might ask other inmates to bully them.

The administration "would not allow wardens to beat inmates," given the multiple official visits to the colony, Zhogoleva said.

Bakhmina also noted poor medical aid, saying a regular flu was not considered an illness there, and you could get aid or some rest from work "only if you are really dying or you are in very good relations with medical officials."

In the Oryol region colony, where inmates sew uniforms, it is "difficult" to get an early release because the colony administration "doesn't want to let workers go," said Valery Sergeyev, an expert with the Moscow Center for Prison Reform, an NGO.

The Mozhaisk colony is often visited by officials and human rights workers. It has the best living conditions and is considered "exemplary," said Zhogoleva, who served a year in Mozhaisk for fraud and was released in 2011.

There is hot water inside the barracks at Mozhaisk, contrary to the Mordovian colonies where there is only cold water, Zhogoleva said.

It is also one of the few colonies where women are allowed to wear down-feather shawls, which is a real "salvation" in the cold winter, she said. Inmates can also wear their own boots,

which are warmer than the felt boots provided by the colony.

## **'Very Cruel'**

Women's and teenage penal colonies are "the worst" in terms of the inmates' attitudes toward one another, Borshchyov said.

"Relations are very cruel, sometimes escalating into physical violence," he said, adding that there have been recorded cases of sexual abuse of inmates by wardens, though those are hard to prove.

However, female inmates "almost never" complain to human rights defenders when they are abused, Nadezhda Radnayeveva, an expert with the foundation In Defense of the Rights of Prisoners.

"Apparently, the system is so harsh there that it is not customary to complain," she said.

Only after release, women tell "frightening things" about how "not so much physical violence but psychological pressure" was exercised on them, Radnayeveva said.

Borshchyov said the Pussy Riot members may face bullying due to the nature of their crime.

"There is nothing good in being in a room with 50 to 60 people with different backgrounds, who often have no education and think of the [Pussy Riot's] performance negatively," Borshchyov said.

Many inmates find solace in religion, and Pussy Riot, who were convicted of offending believers, can be treated badly because of that, he said.

A bad attitude to the punk rockers could be aggravated by the fact that only state television, which portrays them in a bad light, is switched on in a penal colony, Polozov said.

"On the other hand, a person who fights the authorities gets certain respect," Borshchyov said.

Many in Russia believe that large barracks are "more humane" than small cells because inmates "get more air" there, especially given that they have a fenced off place for smoking outside the barracks where they can go anytime.

But when so many people are living together, the warden cannot manage to keep an eye on all the people at once and conflicts arise, Borshchyov said.

There also so-called operatives, colony officials whose task is to "create conflicts" in order to force certain inmates into violations so that they would forgo an early release, Borshchyov said.

Two minor violations, such as an unbuttoned shirt or failure to greet a colony official on time, make an inmate a "flagrant violator," which deprives him or her of the right to early release, Borshchyov said.

"I think that the main danger for the girls comes not from the living conditions but

from operatives who will amass their offenses in order to make them flagrant violators," Borshchyov said.

Justice Minister Alexander Konovalov, reporting to the State Duma in September, called Russia's penitentiary system "monstrously archaic," saying it had "many traits reminiscent of gulag times, and maybe even of pre-revolutionary penal servitude," Itar-Tass reported at the time.

As of Aug. 1, almost 60,000 women were serving time in Russian correctional facilities, compared with 660,000 men, according to the Federal Prison Service. Some 49,000 of those women were in penal colonies.

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