SECRETARIAT / SECRÉTARIAT

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRÉTARIAT DU COMITÉ DES MINISTRES

Contact: Zoe Bryanston-Cross
Tel: 03.90.21.59.62

Date: 22/06/2020

DH-DD(2020)538

Meeting: 1383rd meeting (29 September – 1 October 2020) (DH)

Communication from an NGO (Agora International Human Rights Group) (08/06/2020) in the cases of BORISOV and VANYAN v. Russian Federation (Applications No. 48105/17, 53203/99).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

* * * * * * * * * * * *

Réunion : 1383e réunion (29 septembre – 1 octobre 2020) (DH)

Communication d'une ONG (Agora International Human Rights Group) (08/06/2020) relative aux affaires BORISOV et VANYAN c. Fédération de Russie (requêtes n° 48105/17, 53203/99) ***[anglais uniquement]***

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

Agora International Human Rights Group

Armyanskiy per., 9 str. 1, office 307
101000, Moscow, Russia
Tel: +7 (916) 324 97 89
Fax: +7 (843) 537 8901
E-mail: agorarights@gmail.com
Web: http://en.agora.legal

In the Committee of Ministers of the Council of Europe

Submissions of Agora International Human Rights Group

under Rule 9(2) of the Rules of Committee of Ministers
for the supervision of the execution of judgments
and of the terms of friendly settlements

on the execution of general measures

in the group of cases of

Vanyan v. Russia
application no. 53203/99,
judgment of 15 December 2005, final on 15 March 2006

and in the case of

***Borisov v. Russia*,**
application no. 48105/17,
judgment of 9 July 2019, final on 9 July 2019

8 June 2020

A. Introduction

1. These submissions are made to the Committee of Ministers on the Council of Europe under Rule 9(2) of its Rules for the Supervision of Execution of Judgments and of the Terms of Friendly Settlements.

2. Agora International Human Rights group has been relentlessly advocating for the respect for the fair trial rights of the defendants who became victims of entrapment or on whom drugs were planted. In particular, Agora opened a dedicated project

3. These observations are concerned with the assessment of the contemporary effect of the measures taken domestically to implement the *Vanyan* group and the *Borisov* case. Russian Government have not provided any comprehensive action plan, even though a number of measures has been taken at the domestic level. There has been no examination of the *Vanyan* group of cases by the Committee of Ministers since 2016.

4. The problem exacerbated one year ago when a *Meduza* journalist Mr. Ivan Golunov was arrested, drugs having been planted on him. After the intervention of Agora's lawyers and public outcry, which included a statement of the Secretary General of the Council of Europe,[1] Mr. Golunov was released and the case against him dropped. As a follow-up to the Golunov crisis the Office of the Prosecutor-General was instructed to make a public review of the police practices in drug-related offences, but no document has even been published.

5. These submissions will start by briefly setting out the Court's findings in *Vanyan*, in the cases that followed, and also in *Borisov* (section "B"). Substantively, these submissions will demonstrate that there has been no legislative or regulatory reform required by the Court's case-law (section "C") and that in the absence of such reform the Russian courts are unable to apply the criteria of assessment of the pleas of entrapment elaborated by the Court (section "D"). Measures to remedy this systemic failure of the Russian Government to comply with the Convention will eventually be proposed (section "E").

B. Summary of the Court's Findings in the Russian Drug-Related Cases

6. In the leading case of *Vanyan* the Court found a violation of Article 6 of the Convention for the reason that "the police had not confined themselves to investigating the applicant's criminal activity in an essentially passive manner" and that there was "nothing to suggest that the offence would have been committed had it not been for the above intervention of [an *agent provocateur*]" (para. 49).

7. This was followed in *Khudobin v. Russia* (no. 59696/00, 26 October 2006) where the Court found, as a matter of general principle, as follows (para. 133):

> Domestic law should not tolerate the use of evidence obtained as a result of incitement by State agents. If it does, domestic law does not in this respect comply with the "fair-trial" principle.

1 https://www.coe.int/ru/web/portal/full-news/-/asset_publisher/5X8kX9ePN6CH/content/statement-concerning-russian-investigative-journalist-ivan-godunov?_101_INSTANCE_5X8kX9ePN6CH_languageId=en_GB

8. Elaborating on these findings of principle, the Court developed a set of procedural and substantive criteria to assess entrapment in *Bannikova v. Russia* (no. 18757/06, 4 November 2010). Substantive test of entrapment included the assessment of whether the police or other investigative authorities took entirely passive attitude towards the defendant's acts, the existence of legal framework regulating legitimate test purchases, and the allocation of burden of proof on the prosecution. This was to be completed with a procedural test which included the manner of review of the entrapment pleas by the courts, disclosure of the entrapment-related evidence to the defendant, and the possibility for the defence to cross-examine the police *agents provocateurs*.

9. In the later case of *Veselov and others v. Russia* (nos. 23200/10 *et al.*, 2 October 2012) the Court put a particular emphasis on the systemic failure consisting in the absence of a clear and foreseeable procedure for authorising test purchases. The Court reiterated its case-law to the effect that the authorisation of a test purchase by a simple administrative decision of the same body as the one which conducts the operation, without any independent supervision, with no need to justify the operation and virtually no formalities to follow, was in principle inadequate and afforded no structural safeguards against abuse (para. 126).

10. All the above cases dealt with the issue of entrapment *per se*, where the defendant could be said to have committed criminal acts, even though such acts would not have been committed had it not been for the intervention of *agents provocateurs*. The recent case of *Borisov* is different in that the applicant was successful in demonstrating that the police had planted drugs on him. However, because the national courts had failed to examine the applicant's submissions as to the irregularities of the search, the case was treated domestically in the same way as the entrapment cases.[2] In Agora's submission this justifies dealing with the matters related to the execution of *Vanyan* and *Borisov* jointly.

C. Failure to Adopt Legislative or Regulatory Measures in Response to *Vanyan*

11. It is recalled that the Russian Supreme Court adopted two documents with the aim to echo the Court's findings in *Vanyan*. On 15 June 2016 the Plenary Supreme Court adopted the Resolution no. 14 on "judicial practice" in drug-related crimes. On 27 June 2012 the Presidium of the Supreme Court adopted a review of case-law on the same matter. These document recalled that entrapment was contrary to the Convention, but, as will be demonstrated below, these documents of the Supreme Court have little, if any, effect on the lower courts which routinely convict despite the defendants' entrapment pleas.

12. The Russian Government's Action Plan of 25 March 2014 (DH-DD(2014)485) limited the proposed general measures to sending a translation of the *Veselov* judgment to a number of executive agencies, the Office of the Prosecutor-General, and a few courts, as well as to the publication of the translation.

2 Judgment of the Presidium of the Supreme Court of 30 October 2019 no. 138-P19, available at: http://vsrf.ru/stor_pdf.php?id=1830030

13. The Government's Action Report of 30 April 2014 (DH-DD(2014)616) was somewhat more informative. The Government outlined, in particular, a number of regulatory instruments and internal circulars adopted in order to regulate test purchases and operative-search activities generally.

14. It is, however, recalled that in *Veselov* (para. 103) the Court required the enactment of legislative measures introducing procedural restrictions for the conduct of test purchases and operational experiments, including a clear and foreseeable procedure for authorising these operational-search activities by judicial or other independent body. While entrapment was expressly outlawed by the 2007 amendments to the Operative-Search Activities Act, no legislative or regulatory instruments give a definition or interpretation of the term, or any practical guidance as to how to avoid it (*Veselov*, para. 103).

15. The regulatory instruments referred to by the respondent Government fall entirely short of the *Veselov* requirements. In particular, the Joint Instruction on the Presentation of the Results of the Operative-Search Activities to the Investigation and the Courts of 27 September 2013 merely defines the paperwork to be produced to document the operative-search activities. It does not, however, empower independent officials to authorise or review the authorisation and conduct of test purchases or other operative-search activities.

16. The Prosecutor-General's internal circular, as presented by the respondent Government in the 2014 Action Report, appears to correctly summarise some, but not all, of the elements of the *Bannikova* test. However, not only the Prosecutor-General treated the Court's binding judgments as mere "recommendations", it also does not appear to instruct the prosecutors to treat as inadmissible the evidence drawn from the operative-search activities where the police or its undercover agents acted actively rather than passively. In any event, the prosecutorial circular that pre-dates the 2014 Action Report is not publicly available.

17. It further appears that in 2015 the Office of the Prosecutor-General adopted Recommendations on the Legality of Test Purchases. However, they remain unpublished and only came to light in the press after the 2019 illegal arrest of Mr Golunov. It follows from the *Novaya Gazeta* report[3] that the said Recommendations remain classified. Be that as it may, in the Russian system the prosecutors have a vested interest in securing criminal convictions, so they can't be regarded as independent and impartial officers open to public scrutiny (*Trubnikov v. Russia* (dec.), no. 49790/99, 14 October 2003; *Roman Zakharov v. Russia* [GC], no. 47143/06, 4 December 2015, paras. 279-280 and 283).

18. The only reform that took place in the last decade was the dissolution of the Federal Drug Control Service ("the FSKN") in 2016. The FSKN was supposed to investigate large-scale drug trafficking, but it was proven that it essentially devoted its resources to arresting poppy harvesters and substance abusers with amounts of drugs only good for immediate consumption.[4] The FSKN thus duplicated the functions of the police and the

3 https://novayagazeta.ru/articles/2019/06/15/80908-instruktsiya

4 Aleksey Knorre and Vadim Volkov, "Kto effektivnee boretsya s narkotrafikom" [Who is more effective in the fight

police became the only authority in charge of combating the sale and possession of drugs.

19. In sum, just under 15 years since *Vanyan* Russian law still lacks binding and publicly available list of acts prohibited to the police and set of criteria allowing to assess the actions of the undercover agents of the police. As is demonstrated in the following section the regulatory void is exacerbated by the Russian courts' inability to correctly apply the criteria of analysis of the entrapment pleas set out in the Court's case-law.

D. Russian Courts' Failure to Apply the *Bannikova* Test in 2017-2019

20. Agora International Human Rights Group conducted a research into how Russian courts addressed the entrapment pleas in 2017-2019, thee full years between the most recent consideration of the *Vanyan* group by the Committee of Ministers and the time of writing.

21. The research concerned the court judgments under Articles 228 and 228.1 of the Russian Criminal Code published in the official database "*Pravosudie*". Agora proceeded on the assumptions that a) defence raising an entrapment plea would rely on the Convention and/or the Court's case-law and b) that at least the defence submissions are correctly summarised by the judges. There queries returned no less than 600 full-text judgments. This being qualitative rather than quantitative research, after the study of 256 judgments (2 in the power of 8) it became apparent that the findings that follow are representative of the approaches of the judges and new judgments do not anything substantive to the conclusions. The judgments covered all three years and different Russian regions in all parts of the country.

22. At the outset Agora points out to suspicious clusters of multiple consecutive guilty pleas, where defendants either moved for abridged trial or did not contest charges at what was supposed to be full trial and judgments were copy-pasted one from another. These clusters are the Sovetskiy District Court of Vladikavkaz, Zheleznodorozhny District Court of Ulan-Ude, Leninskiy District Court of Komsomolsk-on-Amur, Khabarovsk *krai*, and Oktyabrskiy District Court of Novosibirsk. The Committee of Ministers is invited to request explanations of the Russian Government as to the reasons of prevalence of guilty pleas at those specific locations.

23. The analysis of the cases that follow is divided by outcome either favourable to the defendant (b) or not (a).

(a) Outcome unfavourable to the defendants

24. Generally, it follows from the judgments studied that the courts, when convicting, do not at all examine the entrapment pleas, however detailed, against the *Bannikova* criteria.[5] The courts either make a generalised statement that the Operative-Search

with drug-trafficking], *Vedomosti*, 16 December 2015; the duplication varied, however, from one region to another: Dmitry Skugarevskiy, "Karta narkoprestupleniy" [Map of Drug Crime], *Vedomosti*, 20 January 2016; but this latter consideration was disregarded in the course of the dissolution of the FSKN: Aleksey Knorre and Dmitry Skugarevskiy, "Reforma vslepuyu" [Short-sighted reform], *Vedomosti*, 21 September 2016.

5 Cases without even a generic statement of the legality of the operative-search measures are, for example: Irkutsk Regional Court, appeal judgment of 14 May 2018, case no. 1-260/2018; Ivolginsk District Court of the Republic of

Activities Act was not violated by the police or, more rarely, add a further statement that the operative-search measures (test purchase) were authorised by the relevant officers and the operative-search activities were duly recorded in accordance with the Joint Instruction of 27 September 2013.[6] This exhausts the courts' most common replies to the defence entrapment pleas.

25. In the rare cases where the courts go beyond the mere declarations that law was complied with the judges refer to the statements of the police that it had operative information on the defendant's possession of or involvement in the sale of drugs. This finding is made on the basis of statements made by the police operatives either to the investigator or in court.[7] The courts neither request to specify the exact information available to the police and its sources, nor obtain police files with such information, nor hear any further corroborating evidence. Those files are also not disclosed to the defence at any other stage of criminal proceedings.

26. Having heard or read such a statement from the police the courts conclude that because it *had operative information* on the defendant's actions, it means that the police *acted passively* and complied with the Convention.[8] This way of argumentation is not only illogical, but is also contrary to *Bannikova* and only answers one question out of six that the European Court set forth. The courts' approach does not depend on whether the police officers and their informants were cross-examined by the defence or the prosecutor merely read their statements given at the pre-trial stage.[9]

27. Even though the acquittals after Strasbourg judgment exist,[10] Russian courts deal with entrapment pleas in the described way even where the European Court found a violation of Article 6 of the Convention and the case was sent for retrial by the

Buryatia, judgment of 9 August 2019, case no. 1-250/2019.

6 Levokumskiy District Court of Stavropol *krai*, judgment of 10 May 2017, case no. 1-3/2017; Rostov Regional Court, appeal judgment of 24 May 2017, case no. 22-2892/2017; Novgorod Regional Court, appeal judgment of 15 June 2017, case no. 22-795/17; Primorskiy Regional Court, appeal judgment of 15 August 2017, case no. 22-4283/17; Oktyabrskiy District Court of Ulan-Ude, judgment of 15 August 2017, case no. 1-495/2017; Leninskiy District Court of Stavropol, judgment of 18 August 2017, case no. 1-259/2017; Rostov Regional Court, appeal judgment of 23 November 2017, case no. 22-6563/2017; Kasimov District Court of Ryazan Region, judgment of 4 June 2018, case no. 1-9/2018; Oktyabrskiy District Court of Stavropol, judgment of 22 June 2018, case no. 1-8/2018; Supreme Court of the Republic of Tatarstan, appeal judgment of 1 February 2019, case no. 22-534/2019 (despite defence's extensive references to the Convention).

7 Supreme Court of the Republic of Khakassia, Presidium judgment of 23 November 2017, case no. 44u-87/2017; Krasnoyarsk Regional Court, appeal judgment of 31 July 2018, case no. 22-4493/2018; Rostov Regional Court, appeal judgment of 2 August 2018, case no. 22-4056/2018; Sharya District Court of Kostroma Region, judgment of 30 August 2018, case no. 1-260/2018; Supreme Court of the Republic of Khakassia, Presidium judgment of 11 October 2018, case no. 44u-63/2018; Krasnoyarsk Regional Court, appeal judgment of 26 February 2019, case no. 22-1147/2019; Rostov Regional Court, appeal judgment of 25 April 2019, case no. 22-2450/2019.

8 Saratov Regional Court, Presidium judgment of 22 January 2018, case no. 44u-8/2018; Rostov Regional Court, appeal judgment of 5 March 2018, case no. 22-1238/2018; Stavropol Regional Court, appeal judgment of 6 September 2018, case no. 22-4977/2018; Rostov Regional Court, appeal judgment of 20 March 2019, case no. 22-1587/2019.

9 Cases with cross-examined policemen and informants: Oktyabrskiy District Court of Stavropol, judgment of 22 June 2018, case no. 1-8/2018; Rostov Regional Court, appeal judgment of 2 August 2018, case no. 22-4056/2018. Cases where the pre-trial statements were read or the informants not otherwise examined: Levokumskiy District Court of Stavropol *krai*, judgment of 10 May 2017, case no. 1-3/2017; Primorskiy Regional Court, appeal judgment of 15 August 2017, case no. 22-4283/17; Ivolginsk District Court of the Republic of Buryatia, judgment of 9 August 2019, case no. 1-250/2019.

10 Kirovskiy District Court of Saratov, judgment of 31 August 2017, case no. 1-135/2017, and Saratov Regional Court, appeal judgment of 21 October 2017, case no. 22-3871/2017, in respect of Mr Afishin, one of the applicants in Ulyanov and others v. Russia [Committee], nos. 22486/05 *et al.*, 9 February 2016.

Presidium of the Russian Supreme Court. Namely, the defendant is convicted as originally charged.[11]

(b) Outcomes favourable to the defendants

28. In the remaining few cases where the courts' assessment of entrapment pleas results in an outcome favourable to the defendant, the judges proceed as follows. They declare the repetitive test purchases inadmissible evidence ruling that just one test purchase based on the existing "operative information" is enough to trigger criminal proceedings and the following purchases are excessive.[12] Not without exceptions,[13] this may result in reducing the sentence, but it does not lead to a lesser charge. The first test purchase was made by the police in order to reach at least "large" amount of a prohibited substance or of a mix[14] containing prohibited substance, the mere possession of which is punishable by ten years in prison, and it remains good evidence in the courts' eyes.

29. There is strong evidence that the police manipulates evidence to reach "large" and "especially large" amounts.[15] Nevertheless, the courts equally dismiss the defendants' pleas as to the planting of drugs without any analysis.[16]

30. The only conviction that was quashed in its entirety on the basis of finding evidence obtained by entrapment inadmissible was in the case where the defendant had already served his sentence in full.[17]

31. Having said that, in the only case of a violation of Article 6 because of the police having planted drugs on the applicant (*Borisov*) the prosecutor decided not to prosecute after the case had been sent for retrial.[18]

32. In sum, whether favourable to the defendant or not, the assessment of the legality of test purchases or other pleas of entrapment by Russian courts never actually follows the stages of the Court's test set out in *Bannikova* and in the cases that followed.

---

11 Ivanovo Regional Court, appeal judgment of 12 March 2019, case no. 22-245/2019; the defendant Mr Bolotnikov was one of the applicants in *Paramonov and others v. Russia* [Committee], nos. 74986/10 *et al.*, 22 February 2018. An earlier and even more striking case concerns Mr Mingazov, one of the applicants in Klimov and others v. Russia [Committee], no. 22625/07, 30 November 2017: reopening ordered by the Supreme Court, Presidium judgment of 30 May 2018, case no. 37P18, new conviction entered by the Nizhekamsk Town Court, judgment of 19 November 2018, case no. 1-383/2018, overturned on appeal for the failure to deal with the plea of entrapment by the Supreme Court of the Republic of Tatarstan, appeal judgment of 25 January 2019, case no. 22-381/2019; again convicted as charged by the Nizhekamsk Town Court, judgment of 11 October 2019, case no. 1-199/2019, upheld on appeal by the Supreme Court of the Republic of Tatarstan, appeal judgment of 13 December 2019, case no. 22-9328/2019.

12 Olonets District Court of the Republic of Karelia, ruling of 31 August 2017, case no. 1-37/2017; Supreme Court of the Republic of Bashkortostan, Presidium judgment of 18 October 2017, case no. 44u-232/2017; Stavropol Regional Court, Presidium judgment of 22 August 2018, case no. 44u-284/2018.

13 Polyarnye Zori District Court of Murmansk Region, judgment of 26 June 2018, case no. 1-24/2018, where the second "test purchase" was found admissible; the legality of the first "test purchase" was analysed in detail, but this was only because the judge conducted full trial despite the defendant's guilty plea and motion for an abridged trial. So the analysis was made in the absence of any plea of entrapment.

14 Under Russian law the possession of 5 g of marijuana is punishable by up to 3 years in prison, but the possession of a mix of 100 g of tobacco and 5 g of marijuana is punishable by up to 10 years in prison, even though possessing tobacco is entirely lawful.

15 Alex Knorre, "Do Russian Police Fabricate Drug Offenses? Evidence From Seized Heroin's Weight Distribution", (2020) *Journal of Drug Issues*, doi: 10.1177/0022042620918951.

16 Polyarnye Zori District Court of Murmansk Region, judgment of 26 June 2018, case no. 1-24/2018.

17 Nizhny Novgorod Regional Court, Presidium judgment of 20 September 2017, case no. 44u-130/2017.

18 Timiryazevskiy District Court of Moscow, ruling of 13 March 2020, case no. 1-15/2020.

E. Further Measures Proposed

33. The legislative reform to give effect to the Court's judgments in the entrapment cases is still required. It has to spell out the prohibited actions for the police to make the existing general prohibition of entrapment effective. In the absence of such a reform criminal proceedings against the policemen for falsifying evidence are ineffective to compel the police to comply with the prohibition of entrapment, they rarely result in a conviction and even more rarely in anything other than a suspended sentence.[19]

34. It is also clear from the preceding section that in the absence of the legislative reform required by the *Veselov* judgment the Russian courts are consistently unable to examine entrapment pleas in accordance with the Convention, as interpreted and applied by the Court in multiple cases since *Vanyan*.

35. Because the case being sent to court for trial before a professional judge automatically results in a conviction, the courts not being able to deal with the pleas of entrapment, the only other way to avoid violations of Article 6 of the Convention is to ensure that such cases are not sent for trial.

36. Two officials stand in the way of a criminal case being sent to the court: an investigator and a prosecutor. Both, however, have a vested interest in securing a conviction (section "C", *supra*) and will have no incentive to stop cases going for trial if the trial always results in a conviction. Both are accordingly unable to provide safeguards against violations of Article 6 of the Convention.

37. Consequently, what is required – as a part of a wider reform or on its own – is the creation of a new oversight mechanism / ombudsperson institution ("the oversight body"). It may be modelled on ombudsperson institutions overseeing the functioning of security services, national preventive mechanisms under OPCAT, or, for example, data protection commissioners; none of which exists in Russia. The oversight body should be accountable to the parliament elected at free and fair elections. It should be comprised of persons independent from the executive and with no vested interest in prosecutions; it should include representatives of independent civil society organisations. The members of the oversight body should have access to the files of police operatives and be empowered to assess their compliance with the prohibition of entrapment. Finally, the oversight body should be empowered to give confidential recommendations in individual cases and make public reports to the parliament.

38. The Committee of Ministers is invited to insist that the Russian Government creates such an oversight body.

F. Conclusions and recommendations

39. To conclude, there has been no legislative or regulatory reform to implement *Vanyan*, *Veselov*, *Borisov* and other related judgments of the Court. Russian courts do not apply the test developed by the Court in *Bannikova* to assess the lawfulness of test purchases

19 *Zona Prava* report, "Falsifikatsiya dokazatelstv. Politseyskiye metody" [Falsification of evidence. Police methods], available in Russian at http://zonaprava.com/download.php?file=6178

and go as far as denying the Court's findings. The officials that have the power to stop prosecutions based on entrapment have vested interest in securing convictions.

40. Accordingly, the legislative reform that would spell out the prohibition of entrapment by listing specific actions prohibited to the police and their agents is required, as is the creation of an independent oversight body.

41. The Committee of Ministers is to substantively consider the issue for the first time in almost five years. The Committee is invited to:

- reinstate the *Vanyan* group of cases on its agenda and commence the supervision of general measures in the *Borisov* case;
- request that the Russian Government produced a binding time-frame for the implementation of these judgments, including the timeline of the proposed legislative and regulatory reforms;
- request that the current regulations, instructions, circulars on test purchases are declassified and published, as are any studies of the police practices;
- request that the transparency of any legislative and regulatory reforms is ensured and make it clear that no step would be regarded as positive if taken without meaningful public consultation with, *inter alia*, lawyers specialising in combating police entrapment;
- request that clear legislative and regulatory framework is introduced in line with the Court's case-law;
- request that independent oversight body is created along the parameters set out in section "E" above;
- request that the operative information against the defendants in drug-related case in the possession of the police is disclosed to the courts and to the parties in criminal proceedings.

42. Every year over 100,000 criminal cases for drug-related offences result in convictions. The convicts for drug-related offences represent approximately 1/3 of the Russian prison population. Police engage in operative-search activities to obtain virtually all drug-related convictions, the flow of complaints of entrapment to the Court is stable. It is accordingly justifiable that the Committee of Ministers engages in enhanced supervision of these issues.

Respectfully submitted,

Kirill Koroteev,
Head of International Practice