

AT THE HARRIMAN INSTITUTE

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Lyudmila Alekseeva Challenges the Authorities on Challenges to Human Rights in Russia

Since Soviet times, “much in my country in the area of human rights has changed for the better,” Lyudmila Alekseeva, Chair of the Moscow Helsinki Group and a member of Russian President Medvedev’s Human Rights Council, told a gathering of the Harriman Institute on February 8, 2010. Alekseeva, who began her career in the 1970s as a pioneering Soviet *pravozaschitnik*, or human rights defender, spoke authoritatively and circumspectly about the challenges to human rights in modern Russia. Although Alekseeva claimed that the status of human rights in Russia has improved since the Soviet period, as a human rights defender, she naturally focused her remarks on “the problems that remain unresolved.”

Among Russia’s major unsolved problems, Alekseeva identified the lack of transparency and dialogue about pressing social and political issues as particularly problematic. Even though “there isn’t total censorship as there was [in] the Soviet Union,” the television stations that were independent in the 1990s are now under the “strict control” of the government, Alekseeva told the group. On Russian television stations – the primary source of information for an overwhelming majority of the population – “you won’t ever find speeches by the political opposition” and “you won’t ever hear the most minor criticism of the president or the prime minister.” Despite the growing importance of Internet media and the presence of some independent newspapers, radio stations, and television outlets, “the authorities only allow independence for those mass-media outlets with small audiences.”

Because of the Russian authorities’ control over major media outlets, “the majority of the electorate has the mistaken belief that everything is OK with Russia’s economics, politics, and future prospects.” According to Alekseeva, ordinary Russians are kept ignorant not only of bread-and-butter issues, but also of “important information in the hands of government officials,” who, in contravention of the constitution, prevent access

to it with impunity. For example, the Ministry of the Interior’s Decree 870 authorizes the use of deadly force in operations “against armed bandits, terrorists, and participants of economic disorder,” the latter being a Russian euphemism for citizens who engage in protests about economic issues. As Russia continues to reel from the economic crisis, Alekseeva suggested that protestations of job losses and economic policy would only increase. “The order allows police officers to ‘shoot to kill’ such people if they put up resistance,” yet it remains unpublished. “It is important for people to know about the order — not only the police, but also the people who could be killed under it,” Alekseeva said.

In Russia, the ability to protest has been progressively eroded, to the point where the political opposition, human rights campaigners, and other groups are reflexively forbidden or otherwise prevented from taking to the streets. Russian law requires that protesters simply notify the authorities of their intent to demonstrate, and allows the authorities to suggest alternative locations or times for protests in the interest of public safety. In practice, however, this is not the case; out of concern for “color revolutions” similar to those which deposed corrupt leaders in Ukraine, Georgia, and Kyrgyzstan, Russian authorities have made every effort to prevent protests that might challenge the status quo. Russia’s progressive law regulating the right to protest is rarely followed, according to Alekseeva. “With every year, the rift between what is written in the law, and how it is implemented, grows.” In response to mounting government pressure on public protesters, Alekseeva and other human rights advocates have organized a series of regularly scheduled demonstrations to demand authorities’ recognition of their right to peaceful assembly under Article 31 of the Russian Constitution. Ironically, it was at one of these protests that Alekseeva, dressed as the Russian fairytale snow maiden *Snegurochka*, was detained on December 31, 2009 for holding an unauthorized demonstration. Despite rampant

efforts to intimidate protesters, Alekseeva said that she and others would continue to advocate for citizens' right to assembly, and that the protests would occur at the same time and location on the 31st day of every month.

Alekseeva went on to explain that the situation regarding freedom of association is also highly troublesome. For example, the law on political parties, "and especially how it has been implemented, has made it such that in our society new parties don't rise from below, as they should... Today, only those parties that are invented by the Kremlin are [ultimately] created." Meanwhile, grassroots parties are unable to meet the requirements for registration. Given this state of affairs, it is not surprising that Federation Council Speaker Sergei Mironov's recent criticism of an economic plan touted by Prime Minister Vladimir Putin would create such a stir in the Russian political sphere; even though Mironov is a senior official of the Kremlin-supported opposition party A Just Russia, he is nonetheless expected to toe the party line of the dominant United Russia clan. "It isn't right for our country that 20 years after the fall of the Soviet Union, society is searching for new ideologies," but that process is being prevented by the authorities, lamented Alekseeva.

In addition, non-political organizations, such as nonprofits and non-governmental groups, "have also been subjected to strict bureaucratic control" since the introduction of new registration and government oversight procedures in 2006. Russian and international human rights groups have long maintained that the 2006 law is unfair, punitive, and harmful to Russia's civil society. Experts from the Council of Europe and Russia's international partners have taken issue with many of the law's provisions, fueling claims that the law violates Russia's international obligations to secure the right to the freedom of association. Even though reforms in Moscow have recently resulted in a limited liberalization, Alekseeva reminded the audience that "up until January 2006, there were 610,000 NGOs in Russia; now there are around 200,000." Alekseeva concluded that "it seems that the authorities want to destroy all independent political and non-political civic life in our country."

Alekseeva also noted that not only NGOs and political parties are arbitrarily subjected to the whim of the authorities; many parts of Russian society are injured by the "lawlessness." For example, "many young men are forced to serve in the army," where they face humiliation, extortion, violence, and sometimes death, "without any recourse." Information on such violations is "constantly being sent to human rights

organizations," noted Alekseeva. Indeed, every year thousands of complaints and accusations, many of them detailing horrific abuse, substandard living conditions, and illegal "recruiting" tactics implemented during the biannual military draft, are directed towards human rights groups like Alekseeva's Moscow Helsinki Group, Memorial, and the Soldiers Mothers Committees.

"Even more helpless are those in the prisons," many of whom are serving time for crimes that they didn't commit and are living under conditions rivaling those in the military. Human rights advocates "are convinced that one of the most frequently violated rights [in Russia] is the right to a fair trial." Alekseeva suggested that trials are unfair because of the judiciary's lack of independence from other organs of power, general incompetence, and poor understanding of the law. Due to the courts' inability to properly administer justice, "Russia leads [the rest of Europe] in the number of applications to the European Court of Human Rights" in Strasbourg, which is meant to be a court of last resort. Indeed, Karinna Moskalenko, a prominent Russian human rights lawyer who spoke at another Harriman Institute event not long ago characterized the European Court as Russia's "domestic court."

Many of the 20,000-plus complaints submitted by Russian citizens to the European Court allege torture, extrajudicial killings, enforced disappearances, and other abuses by Russian authorities during their counter-terrorism campaign in the North Caucasus. Alekseeva flatly characterized this campaign as "government terror against the civilian population." In Russia's preventive war on terrorism, regular attendance at a mosque "is enough to arouse suspicion" among the security services. According to Alekseeva, in the lawless region of Ingushetia, if the authorities "suspect someone, they just take them." While Alekseeva acknowledged that there are indeed terrorists in Ingushetia, she also noted that "in a civilized country, if someone is suspected of terrorism, they are arrested, an investigation is conducted, and they are judged openly." The growing docket of European Court cases from Ingushetia likely confirms Alekseeva's contention that "nothing of the sort happens in Ingushetia."

At times, it was exhausting to hear Alekseeva's honest account of the problems facing human rights in Russia, which taken together "[don't] allow us to call modern Russia a democratic, rule-of-law state." One could see how her fearless words and unflagging efforts to defend human rights would irk the targets of her criticism, such as Chechen President Ramzan Kadyrov. Indeed, Kadyrov sued Alekseeva for slander after she

alleged that his notorious militia had committed human rights abuses in Chechnya, only dropping his claim at the insistence of his mother. Nonetheless, such developments hardly seem to faze Alekseeva, who, for over 30 years has been a dogged advocate for human rights and democracy in Russia. Her remarks at the Harriman Institute show that she still has the passion and determination to continue fighting for a truly just Russia – one created from the ground up, with respect for the rule of law and for the rights of its citizens.

Reported by Matthew Schaaf