

Freedom from torture

Kazakhstan | Kyrgyzstan | Tajikistan

Issue 3, March 2015



The right to association is a natural and inalienable human right [...] Individuals started to associate when there was no state at all [...] People join NGOs because it is easier to solve their own and try to solve common problems together. To do that, they are looking for assistance inside the country and abroad. And in the 21st century there should be no limitations to such forms of association of individuals.



Yevgeny Zhovtis
Chairman of the Board of the Kazakhstan International Bureau for Human Rights and Rule of Law

Shrinking space for NGOs in Kazakhstan, Kyrgyzstan and Tajikistan

How can human rights defenders respond to an increasingly restrictive environment? International Partnership for Human Rights (IPHR) conducted interviews with activists from Russia: **Natalia Taubina (Director of the Public Verdict Foundation in Moscow), **Galina Arapova** (Director of the Mass Media Defense Center in Voronezh) and **Aleksey Mikheev** (Co-founder of the Association of Torture Victims in Nizhni Novgorod).**

Members of the NGO coalitions against torture and other human rights groups in Kazakhstan, Kyrgyzstan and Tajikistan operate in an increasingly insecure environment. Groups and activists frequently become the targets of negative and hostile rhetoric by public figures and pro-government media, as well as other forms of intimidation.

Existing NGO legislation does not provide sufficient safeguards to activists and groups to freely exercise their human right to freedom of association. If adopted, draft legislation currently under consideration in the three countries would further limit the space in which they can operate.

The Russian government's approach towards NGOs, in particular the "Foreign Agents Law", has been a source of "inspiration" for governments and lawmakers in Central Asia. Experience gained by human rights defenders in Russia in recent years and initiatives to counter the authorities' attempts to silence NGOs can, in turn, provide a source of ideas and inspiration to Central Asian human rights groups and citizens who wish to support the work of NGOs.

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КОАЛИЦИЯ
ПРОТИВ ПЫТОК



HR HELSINKI FOUNDATION
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**International
Partnership
for Human Rights**

The **Freedom from torture** newsletter is published by the **NGO coalitions against torture in Kazakhstan, Kyrgyzstan and Tajikistan**, the **Helsinki Foundation for Human Rights** (HFHR, Poland), **International Partnership for Human Rights** (IPHR, Belgium) and the **Norwegian Helsinki Committee** (NHC).

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I am vehemently against financing by foreign companies since foreign money means hypocrisy and duplicity [...] Paedophilia, domestic violence, the dramatic rise in crime among young people, children – these are the issues non-governmental organisations should tackle.

Nurlan Erimbetov
President of the pro-government Civil Alliance of Kazakhstan

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In Kyrgyzstan [...] 99 per cent of [all NGOs] are working for the benefit of the society, are helping the sick, the disabled and vulnerable groups. However, there are NGOs, around 15 to 20, which interfere in all political issues and 'stick their nose in where it doesn't belong'. They are like parasites feeding on foreign funding [...] It's them who currently make attempts via embassies to influence the situation so that the law is not adopted [...] The president should support this draft since he is the guarantor of national security.

Tursunbay Bakir uulu
parliamentarian and co-author of the draft law on NCOs, 13 December 2014

The situation of NGOs in Kazakhstan, Kyrgyzstan and Tajikistan

Kazakhstan

NGO registration is compulsory in Kazakhstan. The authorities enjoy wide discretion to deny such status and to close down groups for alleged violations of the law.

The new Criminal Code that came into force in January 2015 and other related laws contain provisions that could be used to harass NGOs and their members, and to hamper their activities. The new Criminal Code classifies “leading, participating in or financing unregistered or banned associations” as criminal offences; criminalizes “unlawful interference” in the activities of state agencies by members of public associations; and characterizes leaders of public associations as a separate category of offenders and provides for stiffer penalties for them for a number of crimes.

Draft legislation on state grant-making to NGOs, initiated by the pro-government Civic Alliance of Kazakhstan, proposes to introduce a new grant-making body (“operator”), but it does not clarify the role or composition of this body. As currently worded, the draft legislation could result in that a non-independent body is entrusted with overseeing grant-making to NGOs not only of state-funds, but also of funds from other sources, including foreign donors. The draft law has not been introduced in parliament yet.

There are also concerns that the government may still be considering plans to introduce other new legislation aimed at stepping up control over foreign funding of NGOs. In July 2014, it was reported that a government working group had been set up to study the experience of other countries with respect to foreign grants and NGOs, giving rise to concerns that restrictive legislation initiated in this area in other former Soviet countries may be used as an example. However, no additional information about these plans was available at the time of writing.

Kyrgyzstan

In September 2013, parliamentarians introduced draft legislation into Parliament stating that non-commercial organizations that engage in “political activities” and receive foreign funding should be labelled and registered as “foreign agents”. The draft law was practically copied from Russia’s “Foreign Agents Law”.

For further information on freedom of association and the civil society environment in Kazakhstan, Kyrgyzstan and Tajikistan, refer to:

Joint report by Kazakhstan International Bureau for Human Rights and Rule of Law, Nota Bene (Tajikistan), Turkmen Initiative for Human Rights and International Partnership for Human Rights, entitled “**The protection of fundamental rights in Kazakhstan, Tajikistan and Turkmenistan. Update on developments in October 2014 to January 2015**”:

<http://www.iphronline.org/central-asia-monitoring-report-january-2015.html>

Joint statement signed by 92 Tajikistani, foreign and international NGOs, entitled “**Tajikistan: Drop draft legislation restricting NGO access to funding**”, 25 November 2014:

<http://www.iphronline.org/tajikistan-ngo-law-appeal-20141125.html>

Joint statement by the NGO coalitions against torture in Kazakhstan and Kyrgyzstan, the Helsinki Foundation for Human Rights (Poland), Article 19, Amnesty International and International Partnership for Human Rights, entitled “**Anti-torture and other human rights groups vulnerable in Kazakhstan, Kyrgyzstan and Tajikistan**”, 21 July 2014:

<http://www.iphronline.org/central-asia-joint-statement-20140721.html>

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There is a bad economic situation in the country. The government has to take out loans and receive grants. If the whole country depends on foreign contributions, then how can we limit NGOs?

Shirin Aytmatova
Parliamentarian in
Kyrgyzstan, 10 March
2015

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First they will muzzle civil society, then they will muzzle [...] mass media [...] And when they muzzle the media, they will start 'strangling' all the rest, and then everyone will wake up – MPs, politicians, officials – and will be begging human rights defenders on their knees 'to go back on stage'.



Nurbek Toktankunov
head of the NGO
Precedent and a
member of the NGO
Coalition against Torture
in Kyrgyzstan, 13
December 2014

Like in Russia, the definition of “political activity” under the law is so broad and vague that it can include human rights activities.

On 16 October 2013, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Council of Europe’s Venice Commission published a joint interim legal opinion on the draft legislation concluding that, if adopted, the law would breach international human rights standards on freedom of association. It also stated that, if passed, the law would provide state authorities with largely unfettered powers to monitor and intervene in the work of NGOs. At the same time it considered the special reporting requirements for associations as overly burdensome, and likely to impede the work of non-commercial organizations receiving foreign funding.

Later in 2013, the draft law was dropped and the President of Kyrgyzstan also noted that such a law was not needed in Kyrgyzstan.

However, in May 2014, parliamentarians again introduced draft amendments to the law “On non-commercial organizations” and other laws, similar to the ones introduced in September 2013. On 10 March 2015, the Parliamentary Committee on Law, Order and the Fight against Crime considered the draft law and approved it in its first reading. The second reading is expected to take place at the end of March.

Tajikistan

The law “On Public Associations” contains broadly worded provisions that have led to undue interference in the work of NGOs. Inspections have often been followed by warnings and legal actions against NGOs for alleged violations of the law. Courts may apply the disproportionately harsh sanction of closing down NGOs for any transgression of national law, however minor. In several cases NGOs have been liquidated on purely technical grounds, such as the failure to re-register an organization after a change of legal address.

In its 2013 concluding observations, the UN Human Rights Committee expressed concern “that the Law on Non-governmental Associations (2007) imposes undue conditions and restrictions on the registration of public associations and endows the Ministry of Justice with excessive oversight power, resulting in major practical obstacles and delays in the registration and operation of such groups. The Committee is further concerned at reports of the arbitrary shutting-down of various human rights-based NGOs, without observance of procedural safeguards or as a disproportionate response to technical irregularities.”

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We have nothing against civil society organizations, but questions about what political views they support, what political activities they engage in, all this has to be monitored by the government.

Rustam Mengliev
Justice Minister, 21
January 2015

In November 2014, human rights groups were able to obtain from the Ministry of Justice a draft of amendments to the Law on Public Associations that had been prepared by the Ministry. According to the draft, local NGOs would only be able to carry out projects funded by foreign governments, international organizations and other foreign sources following the official registration and inclusion of these grants in a special state register on humanitarian assistance. The draft amendments also require the registration of funds received “through other physical and legal entities,” an ambiguous provision that leaves it unclear whether the same requirements outlined in the amendments would also apply to funds received from local sources. In addition, the draft law leaves it unclear whether the registration requirement would apply to all funds originating from these sources, irrespective of size, and there is no information about the procedure of registering funds.

It is expected that the draft law will be considered by Parliament following parliamentary elections that took place on 1 March 2015.

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The MO of non-commercial organisations has been established in Russia. This refers to financing from abroad, among other issues. This legislation shall be implemented unconditionally. Any direct or indirect interference in our national affairs, any form of pressure on Russia, our allies and partners is unacceptable.

President Vladimir Putin
in a speech to the Federal
Security Service, 14
February 2013

The shrinking space for NGOs in Russia

Russia’s NGO law, commonly termed the “**Foreign Agents Law**,” has been in effect since November 2012. The law requires NGOs that carry out “political activities” and receive foreign funding to register with the authorities as “foreign agents” and print the unjust and shameful term on all their publications, thus implying that the groups are engaged in espionage for foreign governments. The definition of “political activity” under the law is so broad and vague that it can include human rights activities.

Human rights groups and other NGOs in Russia refused to register as “foreign agents” pointing out that the label does not apply to them,

The authorities began carrying out unannounced inspections of hundreds of NGOs in Russia to identify groups fitting the label of a “foreign agent” under the law. Still, NGOs refused to accept the shameful label and many groups challenged the Ministry of Justice and the Prosecutor’s Office in courts. Most lost their cases and some chose to close down to avoid registering as “foreign agents”.

On 23 May 2014, Parliament amended the “Foreign Agents Law” giving new powers to the Ministry of Justice to include NGOs in the register of “foreign agents” without their consent.

Since then, the authorities have entered more than 40 NGOs in the register; administrative charges have been brought against at least 27 NGOs; prosecutors have brought civil law suits against six NGOs: and the

For further information refer to the report “**The Judicial Dimension of the NGO crackdown – The Application of the Foreign Agents Act by Russian Courts**”:
<http://www.iphronline.org/russia-ngo-trials-report-20140606.html>

The report summarizes the findings of a ten-month trial monitoring project implemented by IPHR in the framework of the Civic Solidarity Platform (CSP). In the period from July 2013 to May 2014, CSP experts monitored over 30 court hearings affecting leading human rights NGOs in Russia under the notorious Foreign Agents Law.

leaders of six groups have personally faced administrative charges. Around a dozen NGOs took their cases to the European Court of Human Rights, where they are currently pending.

On 20 January 2015, Parliament approved a draft law on “**Undesirable Foreign Organizations**” in its first reading. If adopted, the law would allow the authorities to ban foreign and international organizations whose activities they deem “threaten the defence or security of the State or public order and the health of the population”. These terms are not further defined in the law and local and international human rights groups believe that the law would provide the authorities with an additional tool to clamp down on foreign and international human rights groups and silence human rights reporting.

Those foreign and international organizations that would fall under the provisions of the law, would not be allowed to run branch offices in Russia; to disseminate information or organize or participate in public events; and their employees would be banned from entering the country. Employees of such organizations who would continue to work despite the ban would risk stiff fines or prison sentences.

In addition, local and international human rights groups are concerned that the vaguely worded Article on **treason** in the Criminal Code of the Russian Federation (Article 275) could be applied to individuals to punish them for their peaceful activities as human rights defenders.



Natalia Taubina
Director of the Public
Verdict Foundation

Interview with Natalia Taubina

IPHR: To date, the authorities in Russia have entered more than 40 civil society groups into their register of “foreign agents”. Your group, the Public Verdict Foundation, was entered into the register on 1 July 2014. The draft law on “Undesirable Foreign Organizations” has been approved by the Duma in its first reading in January 2015 and the vaguely worded Article on Treason in the Criminal Code of the Russian Federation is hanging above human rights activists like the sword of Damocles.

Could you outline the strategy discussions that NGOs in Russia have had on how to respond to the authorities’ aim to stigmatize them as spies or traitors and to register them as “foreign agents” under the “Foreign Agents Law”?

Natalia Taubina: A number of experts agree that one of the goals of the “Foreign Agents Law” was to split Russian civil society. The calculation of the

For up-to-date information about the situation of NGOs in Russia, refer to the 11 March 2015 Human Rights Watch press release, entitled “**Russia: Government against Rights Groups**”, www.hrw.org/news/2015/03/11/russia-government-against-rights-groups

About Natalia Taubina:

Natalia Taubina lives in Moscow and is the director of the Public Verdict Foundation.

She graduated from the Faculty of Cybernetics of the Moscow Physics-Engineering Institute in 1993 and has worked as a human rights defender since 1992. First she worked with the Russian Research Center for Human Rights and in 1997 she became director of the Foundation for Civil Society. Since 2004 Natalia Taubina has been director of the Public Verdict Foundation. She is also a member of the Expert

authorities is clear: This law affects the interests of each organisation and its employees, and whenever specific interests are at stake, it is much more difficult to agree on a common strategy. It's not about common values, declarations and principles but about very specific things: the threat of huge fines imposed on an organisation and its leader, suspension of operations, the freezing of accounts, prospects of prosecution. And it's absolutely clear that the mechanism will operate in an arbitrary manner. It will affect some and omit others, some will get the tough scenario, others a light version. You must admit that under such circumstances it's difficult to agree on a common strategy for the future.

In my opinion, Russian civil society has managed to do the main, and very important, thing – to put across a simple, clear and unambiguous message to the authorities: “We are not going to become agents on our own volition – that's a lie, a disgraceful label. We are not serving anybody's foreign interests. On the contrary, we are working for the benefit of Russia and its citizens”. And this has been a consolidated message from civil society as a whole: human rights groups, women's groups, environmental groups, social groups, charitable organisations etc. As a result, no independent organisation has appeared in the register of its own volition. NCOs have been in litigations, have been closing down, have paid fines, some leaders have been forced to leave the country, some have changed their focus areas and working approaches to some extent, a few have refused foreign funding, launched campaigns to raise private donations, become engaged in commercial activities to support non-commercial activities in that way etc. But not a single NCO has gone out of its way to pin “the yellow star” on itself and no team has discontinued its work. Even in those cases where it had become impossible to continue working in their NCO people have set up new NCOs, they continued their work as an association of citizens or have found other ways of pursuing their important work.

Eventually the authorities had no other choice but to amend the law and entrust the Ministry of Justice with the obligation to run that register and enter organisations itself. But this is a totally different situation: it's not the NCO that has admitted to be a “foreign agent”, but it was the authorities that entered it into the register. Since the Ministry of Justice got the right to add to the register on its own initiative, it has already included over 40 organisations – some of the most well-known, speaking with their own voice, recognised both in Russia and far beyond its borders. None of these organisations has accepted this status and in all cases I am aware of the organisations contest the entry (into the register) in the courts. Some of these organisations are in the process of liquidation, some continue to operate and

Council of the Human Rights Ombudsman of the Russian Federation.

In 2013, Human Rights Watch chose Natalia Taubina for the organization's Alison Des Forges award.

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We are not going to become agents on our own volition – that's a lie, a disgraceful label. We are not serving anybody's foreign interests. On the contrary, we are working for the benefit of Russia and its citizens.

Natalia Taubina

carry out their activities in the open, risking huge fines every day for not calling themselves agents. But then again, none of the organisations has stopped working. Even when closing down the “agent”-NCO, people find other lawful means by which to continue their work and help citizens.

This experience very convincingly shows that we are all different, we have different approaches and we might have different individual strategies of development, but when we are together and agree on the main, fundamental issue (in our case: We are not agents), this alone is enough for victory. And I am convinced that the forced amendment to the law and the entrusting of the Ministry of Justice with powers to run the register are a defeat for the authorities. Yes, the pressure continues, yes, the threats and harassment have not gone away, but we won a key battle by refusing to be forced into putting on the badge of shame ourselves.

IPHR: What NGO approaches have been successful in your view? Could you give us examples of NGOs or activists in Russia that you believe have found successful ways to respond to the threats NGOs are under?

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Yes, the pressure continues, yes, the threats and harassment have not gone away, but we won a key battle by refusing to be forced into putting on the badge of shame ourselves.

Natalia Taubina

Natalia Taubina: I believe that all the work conducted by many NCOs in order to draw the attention of the international community and international structures to the problem of pressure the Russian civil society is under, is extremely important. Moreover, I am convinced that this is the second reason why the authorities were forced to change the rules of the game. It was precisely this harsh, public criticism on an international level that prevented the cauldron of pressure from reaching maximum temperature. And together with the adamant refusal of NGOs to accept this law, it has forced the authorities to change the rules of the game.

The last two years can definitely be seen as the period when the media (even though there are fewer and fewer independent outlets) have been writing extensively about different NCOs, about their history, successes, difficulties, examples of programmes they implemented and results that were achieved, and about how people benefit from them. And this has hopefully contributed to a better understanding of the role and place of civil society and the importance of its existence for everyday life.

A number of NCOs have started to pay more attention to working with society, informing about their activities, results, work and talking about cases. They have stopped speaking and writing “NGO-ese”, but instead use common and concrete language. And this is also important, it provides opportunities to secure support of a larger number of people and to raise

awareness of the importance to continue such work. And if society will support us, it will be more difficult for the authorities to pressurize us.

IPHR: A lot of what you said could be relevant to human rights groups in Central Asia who are facing increasing threats to their work. In some cases these threats resemble the Russian scenario. What are your main points of advice to NGOs operating under such conditions?:

Natalia Taubina:

- to agree on the most important issue, to hold to this stance and defend it in a consolidated manner;
- to work with society and inform it about activities, successes, resolved problems, all that was made possible thanks to the activities of civil society;
- to be transparent and comprehensible for citizens;
- to call on the international community to keep focusing on the problem of pressure being exerted on civil society and speak openly and critically about the clampdown;
- to be ready to reformat your work, using other legitimate forms of activities to further implement programmes and help people;
- to use all the available internal (national) and international legal mechanisms to defend your case.

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For a long time we have been treating society as a client whom we help and not as a partner with whom we build a bright future [...] The sooner this approach is changed, the easier it will be to fight repressive laws which suppress civil society.

Natalia Taubina

And one more thing about work with society. This is how I see our problem: for a long time we have treated society as a client whom we help and not as a partner with whom we build a bright future. I can assume (based on my contacts with colleagues from Central Asia) that it's the same story there. And in my opinion, the sooner this approach is changed, the easier it will be to fight repressive laws which suppress civil society. But I have no new recipes here. We ourselves are now working on new approaches regarding our communication strategy. Perhaps, this is actually an issue we should discuss all together.

IPHR: When you compare how Public Verdict is able to operate today with how it worked before the “Foreign Agents Law” came into force, what are the main differences?

Natalia Taubina: The “Foreign Agents Law” came into force more than two years ago.

It seems as if it was only very recently that we made our first statements that we would not accept this law, that we believe it is anti-constitutional and that we would not lie to ourselves and society and pin on ourselves the label of a “foreign agent”. It seems as if

it was only a few days ago that we filed a complaint with the European Court of Human Rights and that people from the Prosecutor's Office came into our premises.

In reality though, we have been in court battles with the Prosecutor's Office for more than a year-and-a-half now, since we believe both the inspection and ruling are illegal. And seven months have already passed since the Ministry of Justice decided to include us in the register of "foreign agents" based on a decision of the Prosecutor's Office, which we continue to appeal.

We have continued to exist despite all of this for two years and the days have started to blur. And it may seem that the situation has become routine. There is a camera on a tripod in the office all the time, ready to start recording immediately when the comrades arrive. We already know by heart how to respond to journalists' questions, how to describe the situation at various public events. The document flow is in order, except perhaps that we haven't copied all the documents in advance, since we also know perfectly well what they are going to ask if they come to carry out another inspection. Our key lawyer Lena Pershakova visits or calls Zamoskvorechiye and other courts, defending not only us, but also colleagues from other organisations, with the same regularity as she goes to the grocery store.

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Natalia Taubina

At the same time, we continue to implement all our programmes. Of course, some of them had to be reformatted since, for example, the possibilities for cooperation with public officials and law enforcement officers have been significantly curtailed.

We still receive funds from both Russian and foreign sources. Our position is simple: sources of assistance for our work should be as diverse as possible. This serves to ensure our stability and impartiality. And this is not an empty declaration, we know only too well what it means to have only one source of funding and what it means when it suddenly ceases to exist, but you have an approved project, the contract is signed and you have undertaken commitments to your regional partners but they don't manage to transfer the money because out of the blue the Prosecutor's Office freezes all the accounts of our donor – Open Russia. And we apply for support for our projects that we have elaborated only to those donors whose procedure of reviewing proposals and making decisions correspond with our understanding of transparency and openness.

In my personal view, to give up foreign funding at this moment would be tantamount to betraying the right to freedom of association. It would mean providing our opponents with an argument that these donors must

have done something wrong since we have given up on their money so easily in exchange for the opportunity to go on working. And this is again, in my view, a betrayal, since it has been entirely thanks to many years of support from abroad that highly professional civic organisations have developed in Russia. Remember the 90s and early 2000s: who was the main donor of the civil sector in Russia? Thanks to whom could we carry out thousands of useful projects?

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But even following liquidation, we won't go away and, in a different form, we will continue helping people and attempting to change the system in our country so that respect and dignity of the individual and protection and respect for human rights become inalienable parts of our lives.

Natalia Taubina

We are committed to working our fingers to the bone. We simply don't know how much time is left and when the time will come when we will have to liquidate. And why can it happen? There are plenty of scenarios: fines for the alleged violation of labour discipline, for not mentioning that we are an NCO-“foreign agent” according to the decision of the Ministry of Justice, one may fiddle with taxes, one may eventually contrive criminal charges and there are many other means; as people often say here: “if you have a man, you have a charge”. And a quick and definite decision will be taken, as the experience of NCOs in courts has proven without a shadow of doubt. But even following liquidation, we won't go away and, in a different form, we will continue helping people and attempting to change the system in our country so that respect and dignity of the individual and protection and respect for human rights become inalienable parts of our lives. Because without this, Russia's future can hardly be perceived.



Galina Arapova
Director of the Mass Media Defense Center
Photo: © Lesya Polyakova

Interview with Galina Arapova

IPHR: Please describe briefly the current situation of the Mass Media Defense Center.

Galina Arapova: On 26 February 2015, the Ministry of Justice entered the Mass Media Defense Center into the register of NCOs that function as a “foreign agent” after the regional office of the Ministry of Justice had conducted an unannounced inspection and decided that the Center is engaged in political activities.

Interestingly, the assessment of our activities as political was based solely on comments I gave to the media on their initiative and concerned final amendments to the legal regulation on the operation of the press, journalists and the internet. Thus, expert assessment of legislation on freedom of speech and freedom of expression was considered to constitute political activity, which is rather absurd.

This raised serious objections of journalists throughout the country, since in the recent past the Mass Media Defense Center has been the only organisation in Russia that offers legal aid to

journalists and assists them in courts throughout the country. It also organises a lot of educational seminars on media legislation for journalists, media lawyers and even press secretaries representing public authorities and judges.

In March, the Centre will face trial in the magistrate court and will likely receive an administrative sentence for failing to register of its own volition. The fine is quite substantial: 300 to 500 thousand roubles. The Center itself is planning to appeal the decision of the Ministry of Justice on entering the organisation into the register of foreign agents.

IPHR: Do you have ideas or recommendations for human rights defenders in Kazakhstan, Kyrgyzstan and Tajikistan as to the way they could react, the way they could “prepare” for a deterioration of the situation, which at least partly follows the Russian example?

Galina Arapova: I’m afraid it is impossible to prepare for entry into the register of foreign agents, if you rationally assess the situation. Even if you understand the general tendency whereby the most experienced, successful and reputable NCOs are entered into the register involuntarily. Every time it happens it feels totally absurd. We all understand that the tightening of control over NCOs, including the procedure of considering human rights groups as “foreign agents”, is not aimed at providing transparency and accountability (these have always been there) but, at discrediting them in the eyes of the public, lowering their standing and demeaning their role in defending the interests of citizens and society as a whole. Facing such a politicized approach towards legal regulation of the activities of non-commercial organisations, all that is left to do is to become aware of these difficulties and make a decision – whether we go on defending human rights despite the difficulties and unfair labelling or not.

I’m not surprised that similar laws are being adopted in neighbouring countries in the region. Unfortunately, this tendency is observed in many legal areas, including the area of regulating the activities of the press and the internet.

The only thing NCOs should understand at this stage is that their work, their reporting, their mission should be highly accurate, transparent and open. The more professional the attitude of NCOs to their work, the more absurd would any labels look when attached to those who successfully and professionally defend human rights and do it in a sincere manner and not at the behest of anyone else. They defend them since they believe in the value of human rights and are convinced of the need to provide assistance to those who are in trouble.

About Galina Arapova:

Galina Arapova has a degree in law from Voronezh State University and completed post-graduate studies at the Institute of World Economy and International Relations (IMEMO) in Moscow. She also studied at the Institute of European Law of the University of Birmingham (United Kingdom) and took a course on NGO management and methodology at the Scuola Superiore Sant’Anna di Pisa (Italy).

Galina Arapova has been director of the NGO Mass Media Defense Center in Voronezh since its foundation in 1996.

She works as a lawyer and has taken cases on freedom of expression to the European Court of Human Rights. In 2011, she was the first media-lawyer to have received an award by the Russian Union of Journalists for “defending the interests of the community of professionals”.

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The more professional the attitude of NCOs to their work, the more absurd would any labels look when attached to those who successfully and professionally defend human rights.

Galina Arapova

IPHR: There has recently been and there still is a big campaign in support of the Mass Media Defense Center carried out by different civil society organisations, the media and individuals. Could you please describe who participates in the campaign and what events have been organized?

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The Russia-wide campaign in support of the Mass Media Defense Center, launched in connection with its entry into the register of foreign agents, was initiated by journalists whom the Center's lawyers had helped during different years of the Center's existence.

Galina Arapova

Galina Arapova: The Russia-wide campaign in support of the Mass Media Defense Center, launched in connection with its entry into the register of foreign agents, was initiated by journalists whom the Center's lawyers had helped during different years of the Center's existence. The Center itself is not involved in coordinating or organizing the campaign. Of course, we are pleased about this wave of support, but the main thing is that it's very important and somewhat unexpected. Journalists have been discussing the lack of solidarity in the professional community for many years. And now, all of a sudden, they have gathered together to support those who have been defending their professional rights for 20 years.

I want to add that this is not only a unique manifestation of solidarity by journalists but also quite a unique initiative in support of a non-commercial organisation against the backdrop of a fairly passive attitude of Russian society towards the entry of NCOs into the register of foreign agents in the last two years. This is the first case where society (the beneficiaries of NCOs, but not only) has expressed its criticism of the Justice Ministry's decision and has provided substantial support to the Mass Media Defense Center. We hope we will also be able to support other NCOs that have already been included in the register, since this practice is very repressive and violates the rights of human rights groups to work and society's rights to receive help in human rights defence, to preserve the heritage of Academician Sakharov, to commemorate the repressions, to discuss and tackle problems relevant to society, and to cooperate with international partners etc.

Find more information about the campaign in support of the Mass Media Defense Center on:
<http://mmdc.me/>.

More than 150 editorial offices from 32 regions participate in the campaign and more than 1000 journalists. A wide range of professional and international organisations have expressed their support. All our colleagues' statements are available on a dedicated website created by the initiative support group at a record pace of less than a week.

On the website, you can also find a link to a petition. Journalists suggest that it should be signed by everyone who is not indifferent to the fate of the Mass Media Defense Center and the fate of freedom of speech in Russia in general.



Interview with Aleksey Mikheev

IPHR: The Association of Torture Victims in Nizhni Novgorod was founded in February 2015. You are one of the co-founders of the organisation. What does the organisation do, how does it work, and why did you found it?

Aleksey Mikheev: I was outraged when I learnt that the Committee against Torture in Nizhni Novgorod (CAT) was declared a foreign agent. In my opinion, the country's population is being deliberately misled. I shared my sense of indignation with other torture victims and realised that they share my discontent. We decided to unite as an association of torture victims in order to express our general dissatisfaction with the fact that the authorities defile and vilify the CAT. The Committee refuses to accept the label of a foreign agent. We want to convey to the authorities and the citizens of Russia that we do not agree with the decision of the Prosecutor's Office and demand its revocation.

The Association of Torture Victims has no funding. All our events and activities as well as associated costs are covered from our own resources. I'm in a wheelchair and I have to take a taxi everywhere. Other participants, some of them living more than 100 km away from Nizhni Novgorod, also pay their travel expenses out of their own pockets. At the moment we produce promotional articles, posters, banners, flyers and the like. My only income is a pension. We also produce video clips.

IPHR: What has been the reaction so far to the establishment of your organisation?

Aleksey Mikheev: So far there has been no open reaction by the authorities to the establishment of the association. The media remains quiet and there has been no reaction following the press conference, either. However, as regards the Prosecutor's Office, we faced an obstacle since we were refused permission to organise a picket outside the Prosecutor's Office. Many news agencies refused to hold press conferences when they heard of the topic of the conference and after consulted with their respective managements.

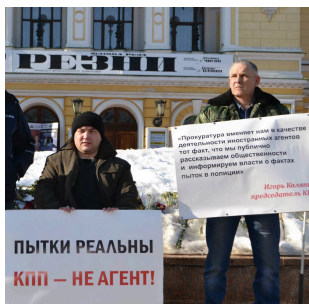
On 7 March 2015, a picket in support of the Committee Against Torture in Nizhni Novgorod was organised by the Association of Torture Victims and the Civic Movement of Nizhni Novgorod.

“ ”

I was outraged when I learnt that the Committee against Torture in Nizhni Novgorod (CAT) was declared a foreign agent.

Aleksey Mikheev

Co-founder of the Association of Torture Victims in Nizhni Novgorod



Here you can watch a **video clip of the March 2015 picket** by the Association of Torture Victims and the Civic Movement of Nizhni Novgorod:
www.youtube.com/watch?v=23I79dWqW4w

About Aleksey

Mikheev: “My name is Aleksey Mikheev. In 1998, I was charged with the kidnapping, rape and murder of a girl. Unable to withstand torture inflicted with an electric current, I jumped – in an unconscious state – out of the window of the District Department of the Interior [Ministry] and sustained a spinal injury. I confessed to the murder, but the girl I had killed returned home safe and sound.

“When I was in hospital and due to my lack of experience and relevant education, I wasn't able to take charge of and handle myself the case of the crime committed by the militia. And I was only 22. On my own initiative and upon my request the newly formed CAT (Committee Against Torture in Nizhni Novgorod) worked on my case.

“Had the CAT not worked on my case, the authorities would have closed it immediately for lack of evidence. For 8 years, CAT staff were trying to bring the perpetrators to justice, the case was closed more than 30 times, and only after the decision of the European Court of Human Rights were the militiamen found guilty and sentenced to actual prison terms.”

We welcome your ideas, comments and feedback. Please contact the editor:

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