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Human rights defenders and journalists in Russia: how many deaths will it take?

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In 2006, the then President Vladimir Putin finally spoke out about the killing of Anna Politkovskaya: the murder was a "disgustingly cruel crime that cannot go unpunished."¹ Since then, however, the legal and judicial apparatus of the Russian Federation have failed to bring the intellectual authors or the perpetrators of this crime to justice. Meanwhile the killing continues. Since the beginning of 2009 we have seen the assassinations of Natalia Estemirova, Stanislav Markelov

and journalist Anastasia Baburova.

In addition to high level killings, there have also been threats and attacks on Yelena Maglevannaya who works for the newspaper Svobodnoye Slovo (Free Speech), Malika Zubayraeva who campaigned against the use of torture during the war in Chechnya, Alexei Sokolov who is the chairman of the NGO Pravovaya Osnova (Legal Foundation) which defends prisoners' rights and Maxim Efimov who works to combat anti-Semitism and racism. In August 2009 the offices of the Mothers of Dagestan for Human Rights were burned down.

The pattern is clear: any human rights defender or independent journalist who

stands up for the rights of others, who challenges corruption or the abuse of power by the State or who demands accountability for war crimes is an immediate target for harassment, intimidation or, ultimately, assassination, while the authors of these crimes enjoy total immunity.

The State cannot absolve itself of complicity in these crimes

The State cannot absolve itself of complicity in these crimes by pointing the finger of blame at shadowy criminal or paramilitary groups. The political culture of the country and the attitude of State and non-State actors towards human rights defend-

continued on page 2

continued from page 1

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ers come from the top.

While President Putin made a strong statement on the killing of Anna Politkovskaya and on the need to bring the killers to justice, he also stated that Anna Politkovskaya's, "ability to influence political life in Russia was extremely insignificant," and that, "her killing had caused greater damage to Russia than her writings."

Throughout the Russian Federation, human rights defenders face endless difficulties in registering their organisations and in many cases their applications to register are denied. Their offices are subjected to repeated inspections and audits to ensure compliance with increasingly restrictive laws.

However, the official attitude to human rights defenders is best illustrated by the introduction of the 2006 NGO Legislation. According to a recent Human Rights Watch report, *Choking on Bureaucracy*,² Russian Ministry of Justice statistics for 2007 indicate that more than 11,000 denials were issued by the regional NGO registration offices. In 10 regions more than 20 percent of registrations were rejected; in St. Petersburg and the surrounding region more than 35 percent of registrations were denied.

If we also take note of the official statements which accused "certain non-governmental organisations" of trying to peel away Russia's Caucasian republics or the remarks earlier in the year by the director of the Federal Security Service (FSB), which accused unspecified foreign NGOs of supporting and recruiting terrorists in Russia, then it becomes clear that official hostility towards and harassment of human rights defenders and the independent media has created a climate in which those predisposed to oppressive tactics can act with impunity.

The Government of the Russian Federation may deny that a climate of impunity prevails for attacks on human rights defenders. The facts, however, speak for themselves. Maxim Efimov was assaulted by an unknown assailant in his home in Karelia on 31 July 2009. Maxim Efimov is the chairperson of the Karelia office of the Youth Human Rights Group and the editor of the anti-fascist human rights news-

paper, *Chas Nol* (Hour Zero). Konstantin Baranov is the head of the Rostov branch of Molodaya Evropa (Young Europe), which is an international network of organisations from Western and Eastern Europe and Central Asia promoting values such as tolerance, intercultural exchange and human rights. On 15 July 2009, Konstantin Baranov's name and contact details were published on the web page of one of the members of Slavic Union, an ultra right-wing movement, with an appeal to "all right-wing people of Rostov" to respond to Baranov "adequately". Since then, Konstantin Baranov has received multiple phone threats and the web page of Young Europe suffered from a spam attack.

Alexander Lashmankin is the chief editor of the human rights information centre, Liberty, in Samara. Liberty is a web resource that publishes information about human rights violations in the Russian Federation. On 28 April 2009, unknown assailants fired two shots at the windows of Alexander Lashmankin's apartment. Nobody was injured in the incident. Alexander Lashmankin filed a complaint at the Leninsky District Police Department in Samara, but it is not yet clear whether an investigation into the attack has been opened or not.

Since 2000, 16 journalists alone have been killed for doing their job reporting on human rights issues. These are clearly not

just cases of violence linked to the war in Chechnya or Ingushetia or of a few journalists who got too close to the subjects of their articles on organised crime. We cannot explain away these incidents by inferring that they were exceptional or out of the norm.

Following the killing of Natalia Estemirova, President Medvedev of Russia, like President Putin before him, spoke out very strongly to state that every effort would be made to bring the perpetrators to justice. He added, "it is obvious to me that this murder is linked to her professional work and this work is necessary for any normal state."

³ While President Kadyrov of Chechnya promised to lead the investigation into the killing of Natalia Estemirova, this commitment was undermined by his comments on Natalia Estemirova in an interview with Radio Free Europe - "Estemirova never had any honor or sense of shame".⁴ Despite these strong words by Presidents Medvedev and

Kadyrov, what now appears to be the norm in the Russian Federation is that any human rights defender or journalist who challenges the interests of powerful people is in danger.

Context of unrelenting hostility

The context in which these killings are taking place is one of unrelenting hostility to the work of human rights defenders and independent journalists on the part of the State and its agencies. As a member of the Council of Europe since 1997 and a party to the ECHR since 1998, Russia has binding and clear obligations to respect both freedom of association and expression.

In April 2009 President Medvedev signalled that it was time to reverse the hostile rhetoric, to relax restrictions on civil society instituted during Putin's presidency and to amend laws regulating NGOs. During a meeting with members of the Presidential Council for Civil Society Institutions and Human Rights, President Medvedev acknowledged the unwarranted restrictions on NGOs and pledged his willingness to review the law. In an interview on the same day with *Novaya Gazeta*, an independent newspaper, Medvedev articulated a commitment to democracy, and to political rights and freedoms, stating that they cannot be traded for prosperity.

It is time for President Medvedev to translate those fine-sounding sentiments

into practical protection measures for human rights defenders and independent journalists. Sadly, to date, there has been neither the moral commitment nor the political will to take meaningful action to investigate these crimes, to bring the perpetrators to justice or, above all, to take action to end the climate of impunity which prevents human rights defenders from continuing their legitimate work without the risk of further assassinations.

1 Radio Free Europe, 10 October 2006. *Russia. Where's Putin?* [Online]. Available at: <http://www.rferl.org/content/article/1071936.html>.

2 Available at: <http://www.hrw.org/en/reports/2008/02/19/choking-bureaucracy>.

3 BBC News, 16 July 2009. *Kremlin Tribute to Dead Activist*. [Online]. Available at: <http://news.bbc.co.uk/1/hi/8154620.stm>.

4 Radio Free Europe, 8 August 2009. *Chechen Leader Denies Blame For Killings, Accuses West Of Violence*. [Online]. Available at: http://www.rferl.org/content/Chechen_Leader_Kadyrov_Denies_Blame_For_Killings_Accuses_West_Of_Violence/1795686.html.