

EUROPEAN HUMAN RIGHTS ADVOCACY CENTRE

EHRAC

SUMMER 2008
ISSUE 9



МЕМОРИАЛ

In partnership with Memorial Human Rights Centre (MHRC), the Georgian Young Lawyers' Association (GYLA) and Article 42 of the Constitution

15

'Citizen and Army' – a Russian civil initiative

Andrey Kuvsbinov, Rights Society and Nick Williams, LSE

The reform of military conscription has been the subject of debate in many countries in recent times. In Russia, two decades into the post-Soviet era, military service is firmly rooted in the past. The current system is characterised by systematic intimidation, violence, torture, blackmail and unpaid labour while the officers responsible are afforded blanket immunity. Any process of reform must therefore fill the legal vacuum by establishing the rule of law and the application of international human rights standards. This involves Russia accepting its obligation to protect all its citizens, including soldiers, and guaranteeing their fundamental rights under the ECHR. Cases such as those of Mikhail Perevedentsev, reported in the *EHRAC Bulletin 5* (Summer 2006), are sadly commonplace. In this case criminal proceedings were suspended by military investigators just two months after Mikhail was found dead in February 2004. A suicide verdict was given without an apparent evidential basis and the conscript's family were forced to apply to the ECtHR due to the absence of any other effective avenue for legal redress.

'Citizen and Army', a Russian human rights initiative, was set up in 2006 to focus on tackling these problems by capacity-building in Russia. The initiative acts as an umbrella body combining the efforts of a network of Russian human rights organisations which include the Union of Soldiers' Mothers' Committees, *Memorial*, the Moscow Helsinki Group, the All-Russian Coalition for Democratic Conscientious Objection, the Siberian Association for Democratic Military Reform and the Youth Human Rights Movement. By combining the strengths and experience of these individual NGOs, Citizen and Army aims to achieve the following goals:

- (i) raising awareness of human rights among young people in Russia, in particular in relation to conscription and military service;

- (ii) promoting effective advocacy for active participation in Russian government institutions at both regional and federal level; and
- (iii) developing a broad public framework of the major human rights networks and other NGOs facilitating closer links and exchange of skills and experiences.

The main focus so far has been on developing a number of regional programmes for the co-operation of organisations from different parts of Russia to achieve concrete objectives using common methodology and techniques. Seven regional programmes have been set up for the first stage of the project. These deal with key issues such as conscientious objection, monitoring the legal enforcement of conscripts' rights, the provision of legal assistance to conscripts and to other servicemen and monitoring the use of soldiers for unpaid labour.

There are already almost 100 organisations involved in these regional programmes. To date over 20,000 people have received different forms of legal assistance, there have been over 1,000 relevant publications in the

media and a number of roundtables with governmental institutions have been organised at both federal and regional levels. Despite these positive developments, however, there are two major challenges for the initiative: developing an effective partnership with governmental bodies and ensuring that information about its work reaches the public domain.

As is well known, in recent years NGOs have had an increasingly strained relationship with the government in Russia. In the case of Citizen and Army the problem is exacerbated by the particular sensitivity of its subject matter. As a result, significant efforts have been put into establishing a relationship with the President's Council on Civil Society Development and Human Rights ('Pamfilova's Council'), the

Public Chamber and the Russian Federal Ombudsman. A variety of reports have been submitted and presentations made to these bodies. In addition, a number of conferences and roundtables have taken place. This approach has yielded some success: the Public Chamber has agreed that the next monitoring report on conscription will be prepared in consultation with Citizen and Army. These bodies remain the only method of bridging the gap between NGOs and the Russian authorities, however limited their apparent ability to influence the decision-making process.

Generating publicity in the Russian media is difficult due to the reluctance of journalists to report on the work of NGOs, especially in relation to human rights issues. There are two main reasons for this. First, human rights groups are criticised for providing insufficiently reliable information. Journalists are particularly vulnerable - and frequently exposed - to libel claims where the NGOs providing the information are unable to disclose the sources used for their reports (for obvious reasons). Secondly, NGOs are vulnerable to political accusations, led by the Russian government, that they are the mouthpieces of their foreign

donors. For this reason Citizen and Army recently set up the Legal Defence Programme aimed at facilitating court hearings on human rights violations in the armed forces. One of the anticipated results will be the ability to use court decisions as a basis for working with the media. Court decisions will help provide independent evidence of the information presented by human rights groups. The initiative aims to include all relevant court decisions in a publicly accessible database available on its website (<http://www.army-hr.ru>). Citizen and Army invites all organisations and lawyers whose work relates to human rights violations in the army to participate in this programme - please get in touch!¹

1 E-mail: agk505@gmail.com; Tel.: +7-495-771-0203; Postal address: Moscow, 119331, PO Box 41.