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Russian Federation: President Vladimir Putin must deliver on an enabling environment for civil society in Russia

(Moscow) President Vladimir Putin must follow up urgently on his public commitment to review the implementation of Russia's legislation governing civil society organizations, a commitment he made yesterday at meetings with non-governmental organizations (NGOs) held in the context of the forthcoming summit of the Group of Eight most industrialized countries (G8) in St Petersburg. Amnesty International has been among a number of domestic and international NGOs calling for amendments to this legislation, which it regards as undermining the legitimate work of civil society in the Russian Federation and which fails to fully meet international standards.

The President, while rejecting the call to amend the federal law, agreed to review its implementing regulations. He gave assurances that NGOs, foreign as well as Russian, would not be hindered from carrying out their legitimate activities.

"This review should be undertaken as soon as possible, before the worst aspects of the legislation can be realized," said Irene Khan, Secretary General of Amnesty International, after an informal three-hour meeting in Moscow on 4 July between heads of international non-governmental organizations and President Putin.

"The true test of the President's words will be the creation of a genuinely enabling environment for NGOs in Russia itself, not just on the global stage at the G8."

The new law on civil society organizations was signed by President Putin on 10 January 2006 and entered into force three months later. Although described by the President as aiming to bring order rather than restrictions into the activities of NGOs, Amnesty International believes that the law instead undermines their work by giving the authorities increased powers of scrutiny of the funding and activities of Russian and foreign NGOs. The experience to date has been that the law is unduly burdensome, diverting resources from substantive programmes, while using a regulatory framework that can be arbitrarily applied, has key provisions which lack a precise legal definition, and sanctions that are disproportionate.

At Russia's request the Council of Europe (an intergovernmental body established to defend human rights, parliamentary democracy and the rule of law) reviewed the first draft of the legislation and made a number of recommendations, some of which were incorporated into the final version through amendments adopted by the Duma (parliament). However, the Council of Europe remains concerned about the "excessive powers of supervision" the law provides for, and about the possibly discriminatory effect of amendments which impose even stricter control of foreign NGOs.

In the meetings President Putin restated his absolute opposition to foreign funding for those involved in “political activity” in the Russian Federation. However, the law gives no clear legal definition of political activity. Amnesty International and others remain concerned that such a vague framing of this issue leaves the door open for NGOs critical of the government’s human rights policies to fall foul of the law’s restrictions and implementation.

“The founding charter of the United Nations recognizes the legitimacy of civil society, and in recent years we have seen the increasing collective power of civil society not only to influence, but to set the agenda and shift world opinion,” said Irene Khan.

“Advocacy of policy change at both the global and the domestic level is an essential role of civil society, and NGOs are a key part of this. Legislation that restricts such a role or other legitimate activities calls into question Russia’s commitment to a genuinely free and independent civil society,” she added.

Russia has a leading role on the global stage at present as chair of the G8 and of the Committee of Ministers of the Council of Europe, as well as a permanent member of the UN Security Council and an elected member of the new UN Human Rights Council. As such Amnesty International is calling on President Putin to demonstrate leadership by following through on the time he made yesterday to listen to the messages of civil society -- domestic and international.

“We appreciate the personal effort that President Putin made in meeting and engaging actively in discussions during formal and informal meetings with NGOs, both Russian and international,” said Irene Khan. “However, this effort needs to be matched now by concrete action to enable NGOs in the Russian Federation to operate without undue burden or restriction. Otherwise his overture will have been simply a public relations exercise.”

Background

Irene Khan was among heads of 12 international NGOs who took part in an extended meeting with President Putin on 4 July, in the run up to the G8 summit in St Petersburg, Russia, on 15-17 July 2006. At the meeting, the heads of the international NGOs discussed a range of issues with President Putin including energy and the environment, poverty and development, and human rights and global security. The NGO law was the subject of substantive discussion, during which President Putin reiterated a commitment -- made earlier at a broader forum of NGOs from around the world entitled Civil G8 -- to review implementation of the legislation.

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