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THE 2014 RAFTO PRIZE IS AWARDED TO THE RUSSIAN HUMAN RIGHTS ORGANISATION AGORA BY CHAIR PAVEL CHIKOV

DEFENDERS OF THE RULE OF LAW IN RUSSIA

The 2014 Rafto Prize is awarded to the Russian human rights organisation Agora, represented by its chair Pavel Chikov (36). The award is a recognition of their relentless and professional work to defend the right to fair trial and other human rights in a Russia where organisations and individuals are subjected to increasing pressure from the country's authorities. The situation of human rights organisations is so precarious in Russia today that Agora is unable to accept the prize money awarded along with the Rafto Prize.

More than 20 years have passed since the collapse of the Soviet Union and the end of the Cold War, but hopes for a more democratic Russia are now beginning to fade. Like several other former Soviet republics, Russia has gone down a route that will not strengthen democracy and the *rule of law*. In Russia, non-governmental organisations, politicians from the opposition and independent media sources are under increased pressure from the government, who are trying to silence critics of the country's rulers. The situation has taken a drastic turn for the worse in the two years since Vladimir Putin was reinstated as President. In the period following the Sochi Olympics and the very tense situation in Ukraine, we have been seeing a new wave of violence and activists being imprisoned within Russia. The authorities have so far failed to silence Agora. Despite severe pressure, the organisation's lawyers are continuing their fight to defend the right to a fair trial and other basic human rights in the Russian legal system.

'Following the work of Agora's lawyers in Russian courtrooms is as amusing and as scary as following acrobats performing their act above a never-ending sword dance.' Timur Olevsky, Russian journalist.

Agora – for justice in the legal system

Agora is a federal association set up in 2005 by human rights organisations in the cities of Kazan, Cheboksary and Chita. It consists of 35 lawyers, who deal with cases connected to the abuse of power by authorities across the vast majority of Russia's regions. Key to their work is the defence of activists, bloggers, journalists and NGOs against the unlawful actions of government agencies. Agora does not charge its clients for its services, but the lawyers get paid via donations to the organisation.

In the autumn of 2012, Agora lawyer Irina Khrunova helped Pussy Riot member Yekaterina Samutsevich get her two-year prison sentence reduced to a suspended sentence. Another Agora lawyer, Dmitry Dinze, defended Denis Lutskevich and Aleksey Gaskarov in the so-called 'Bolotnaya Square Case', which saw participants involved in a demonstration in Moscow on 6 May 2012 accused of starting riots.

In a case where the Russian authorities are the opponents, fearless and expert lawyers, who know how and dare to defend the right to a fair trial, are crucial. Agora's lawyers provide this unique combination. In its 2013 annual report, Agora announced that 703 people had received legal assistance from the organisation or its partners in 2013. To Chikov, defending anyone subjected to abuses of power by the authorities, regardless of whether they are a nationalist convicted of violence or a homosexual, is a matter of principle.

Systematic abuse of power

Denis Lutskevich is a 22 year old humanities student who has been convicted to 3 1/2 years of prison accused of having used force against a public servant during a demonstration against the inauguration of Vladimir Putin for his third term as president on 6 May 2012. 22 April 2013 Lutskevich was beaten up by the policeman who escorted him to a hearing on the prolongation of custody. After the hearing he received five karate blows to the neck by a police sergeant. He was then handcuffed and thrown into a glass box the size of a square meter for more than an hour. According to Lutskevich he had not done anything that should merit such a reaction — the police officer simply did not like the way he looked at him. Lutskevich is one of several victims of police violence in what is claimed to be the most important court case in Russia this year.

This story was told by Pavel Chikov, Chair of Agora, as part of a chronicle about the torture employed in Moscow. Together with his lawyer colleagues, he has been documenting a dramatic increase in the torture of defendants in the Russian capital – 15 instances in 18 months. In nearly all cases, victims have been taken into a room without video surveillance, had their clothing removed and been subjected to the kinds of electric shocks or beatings that leave no visible trace on the body. All of these occasions have been documented and taken to court, but to no avail. Although not confident there will be any action taken, Chikov recently put all the cases together in one report and sent it to the public prosecutor in Moscow. Chikov thinks it is fundamentally important for cases of this nature to be subjected to legal processes. It's a question of using the law to fix the system.

Labelled as foreign agents

Russian authorities are actively using legislation to silence critics. In July 2014, Agora was labelled a 'foreign agent' by the Russian Department of Justice because they receive financial support from other countries and are allegedly engaged in political activity. This is the latest in a number of measures implemented by the Russian authorities to control civil society since 2012. Civil society is made up of the non-governmental and non-commercial groups which exist to protect the interests of the individual against the state and the market. It is essential to any effective democracy.

The 'foreign agents' legislation means increased reporting requirements for the finances and activities of organisations, as well as a requirement to label all publications from the organisation with 'foreign agent'. The term stirs up negative feelings in Russia, in the same way as the terms 'saboteur', 'spy' or 'enemy of the people'.

Unable to accept the prize money

The legislation has been created to smear the reputation of human rights organisations among the Russian population, and to restrict their access to international networks and external funding. If Agora fails to comply with the legislation, they risk being forced to close down by the authorities. One consequence of this is that Agora feels forced to turn down the 20,000 dollars of prize money awarded with the Rafto Prize.

Another measure is high treason legislation, making it a punishable offence to provide information to international organisations about sensitive topics in Russia if these are seen as putting the country at risk. The legislation could have major repercussions for human rights activists and in particular affect their cooperation with international partners.

A new law has made it more difficult to gain state accreditation to hold demonstrations and increased the maximum fine for taking part in unlawful demonstrations from 5,000 to 300,000 Russian roubles.

In June 2013, the Duma passed a law which bans the ‘spreading of propaganda of non-traditional sexual relations to minors’, which may prevent impartial information about sexual minorities from being circulated.

Political protest banished from the public sphere

Taken as a whole, these laws are threatening to set the development and the rights of Russia’s civil society back many years. In 2013 and 2014 we have seen the impact of these laws. Almost a thousand organisations have been subjected to inspections to counter ‘extremism’, or as to whether they should be registered as ‘foreign agents’. Consequently, dozens of organisations have had cases brought against them, both by the authorities and in the legal system. Research institutes, LGBT organisations, equal opportunity organisations and women’s groups have been affected in various ways by the authorities’ very strict enforcement of the laws. The area they cover is so wide that it appears as a systematic effort to constrain civil society in all its manifestations and thus limit the sphere for political debate. In a report published in May 2014, Amnesty International pointed out that political protest has been banished from the public to the private sphere.

An example of how this happens in reality is the conviction of electoral rights organisation Golos. In April 2013, the organisation was convicted of breaking the ‘foreign agents’ law, accused of receiving prize money after winning the Sakharov Award bestowed upon them by the Norwegian Helsinki Committee. What made the verdict even more absurd was the revelation during the case that Golos had actually turned down the money. Golos’s interests during the trial were defended by a lawyer from Agora. This is just one of many cases in which NGOs have been prosecuted over the past few years. This pressure has resulted in a number of organisations having no option other than to close down. Both the prosecution authorities and the court system are being used as political tools, which throws into question the impartiality of Russia’s legal system.

Agora’s legal defence work is helping in particular to uphold the European Convention on Human Rights, which Russia is signatory to. Article 6 requires state authorities to uphold citizens’ right to a fair trial. With constitutional bodies failing in their duty to protect these rights, and the principles of the rule of law in jeopardy, it is highly commendable that Agora’s lawyers are taking on the responsibility for providing assistance to those risking their freedom working towards the development of a free and democratic civil society in Russia.

Freedom of expression in a global reality

Agora also runs the news agency ‘Open information’ (openinform.ru), which reports violations of human rights by the authorities. Their website is an important source of information about human rights issues and provides information about corruption, xenophobia and conditions in Russian prisons. Agora’s extensive network means they are quickly able to access information from across Russia.

Aside from documenting abuses of power, Agora also produces reports detailing the situation of human rights in Russia. In February 2013, they published a report on the position of sexual minorities in the country, in which they looked at assaults on gays and lesbians in the preceding seven-year period. In their report 'LGBTs – beyond Russia's rule of law', Agora demonstrate that MPs and other people in power have allied themselves with extremist groups in Russian society, which has resulted in homophobic initiatives. They have thereby created an acceptance of attacks on sexual minorities.

Agora has also worked a great deal on internet freedom and the right to freedom of expression. In a 2012 report, their conclusion was that Russia was becoming a danger to a free internet, including outside of the country's borders, after Russian authorities took it upon themselves to create an international framework of rules to regulate internet activity. Agora wrote the following: "In doing this, Russia represents a global threat to the internet's freeness and openness – based on the fact that the country is making much more effort than China to put in place international laws to regulate the internet." In 2013, they recorded a 50% increase in the number of restrictions of the freedom of the internet in Russia, from murders of and assaults on internet activists, to litigation and blocks on access.

New human rights activists emerge

Pavel Chikov is a highly visible advocate of human rights in Russia. He has chaired Agora since the organisation was founded in 2005, and his main focus is those who have suffered as a result of the authorities abusing their power. He has been involved in formulating the principles behind a reform of the Russian Ministry of the Interior. Furthermore, he has published a number of articles on the reforming of Russian police and writes regularly for Forbes.ru, Gazeta.ru, Novaja Gazeta and Slon.ru. Chikov sits on the President's council on development of civil society and human rights, which is further proof of Agora's wish and ability to enter into constructive dialogue with the authorities whenever possible.

Agora stands out among high-profile Russian human rights organisations in that it stems from a network that is not based around Moscow or St Petersburg, but Kazan, Russia's seventh largest city. Agora's location is important because it is helping to focus attention on regions that seldom receive media coverage, and where the risk of negative developments is even greater for this very reason. The fact that Agora is a professional organisation with expertise in legal issues is also very important. The confrontation between Russian authorities and civil society is to a large degree playing out in the legal system, which is why there is a major need for organisations that can defend human rights using the law, both within the Russian legal system and in the European Court of Human Rights.

Principles of the rule of law in jeopardy

The situation for Russia's civil society is now precarious. The country's authorities is facing a cross road, where the question at stake is whether to continue in a anti-democratic direction or not. By awarding the 2014 Rafto Prize to Agora, the Rafto Foundation wishes to underline the fact that Russia has committed itself to fulfil the obligations in the European Convention on Human Rights. The systematic and growing suppression of non-governmental organisations must stop and be replaced by policies that make it possible to establish and maintain civil society, which is of vital importance to a country.

The Rafto Foundation is pleased at indications that the Norwegian authorities are discussing the human rights situation with their Russian counterparts, and pleased that they have taken the time to meet Russian human rights activists on their trips to Russia. However, it is not sufficient to conduct such discussions behind closed doors, where neither the Russian general public nor

the rest of the international community can take part. The Rafto Foundation believes that Norwegian authorities should also discuss and address human rights abuses publicly. Doing so would enable Norway to confront the Russian authorities and also openly lend their approval to the human rights activists who are going into battle on a daily basis in Russia.

In the current escalating geopolitical situation, an organisation like Agora is vital to safeguarding the rule of law in Russia and the development of democracy in the country. The Rafto Foundation would like to highlight their work as an example of how it is possible to fight for basic human rights in today's Russia.

The Rafto Foundation, Bergen, Norway, Wednesday 13 August 2014

The 2014 Rafto Prize is awarded at the National Venue of Theatre (Den Nationale Scene), in Bergen, Norway, on Sunday, 2 November 2014 at 18:00.

The Rafto Foundation in Bergen, Norway, was established after the death of Professor Thorolf Rafto in 1987, in gratitude of his longstanding work to help people who are oppressed and persecuted, and in the realization that this work must be ongoing.

The Rafto Prize is a human rights award established in memory of Professor Thorolf Rafto. The Prize is awarded annually by the Rafto Foundation. Several Rafto Laureates: Aung San Suu Kyi, Burma (Rafto Prize in 1990), people of East-Timor by Josè Ramos-Horta (Rafto Prize in 1993), Kim Dae-jung, South-Korea (Rafto Prize in 2000), and Shirin Ebadi, Iran (Rafto Prize in 2001), have subsequently been awarded the Nobel Peace Prize.

www.rafto.no

Relevant reports and news items

“Laws of Attrition” report from HRW:

http://www.hrw.org/sites/default/files/reports/russia0413_ForUpload_o.pdf

“Russia adopts repressive LGBTI law” news item from the Norwegian Helsinki Committee:

http://nhc.no/no/nyheter/Russia+adopts+repressive+LGBTI+law.b7C_wlfW38.ips

“Stilles til veggs”, commentary (in Norwegian) by Elena Milashina in ‘Ny Tid’:
<http://www.nytid.no/meninger/artikler/20130411/stilles-til-veggs/>

“Legal actions against Golos violate human rights” news item from the Norwegian Helsinki Committee:
http://nhc.no/no/nyheter/Legal+actions+aga+inst+Golos+violate+human+rights.b7C_wlfQ5e.i ps

“Russia — a global threat to Internet freedom” <http://agora.rightsinrussia.info/archive/reports/global-threat>

“Civil activists expose violations of Internet freedom across Russia”
<http://www.ewdn.com/2014/02/10/russian-civil-activists-expose-abuses-of-internet-users-rights/>

“Russisk rulett” (‘Russian roulette’), *Samtiden* 2/2013, article in Norwegian by Brynjulf Risnes

“Russia: Government Tightens Screws After Sochi”:
<https://www.hrw.org/news/2014/03/18/russia-government-tightens-screws-after-sochi>

“A Right, Not A Crime: Violations of the right to freedom of assembly in Russia”
<http://www.amnesty.org/en/library/info/EUR46/028/2014/en>

“Russia’s backward role”: <http://www.hrw.org/news/2014/07/30/russias-backward-roll>

“Lett å kneble russiske regimekritikere” (in Norwegian)
<http://www.hf.uio.no/ilos/forskning/aktuelt/aktuelle-saker/2014/kneble-russiske-regimekritikere.html> (in English: <http://www.hf.uio.no/ilos/english/research/news-and-events/news/2014/easy-to-gag-russian-regime-critics.html>)

“Putin’s War on NGOs Threatens Russia’s Future”
<http://www.themoscowtimes.com/opinion/article/putin-s-war-on-ngos-threatens-russia-s-future/504245.html>

In Russian, about or relating to Agora and Pavel Chikov

“Punctual law” http://www.gazeta.ru/politics/2012/10/23_a_4821625.shtml

“Pussy Riot case: Y. Samutsevich freed, her girlfriends sent to prison camps”
<http://top.rbc.ru/society/10/10/2012/673669.shtml>

“The defenders of the accused: investigations committee had the opportunity to plan the ‘mass riots’ at Bolotnaya Square in advance” news item on Openinform:
<http://openinform.ru/news/pursuit/05.10.2012/27468/>

“List of NGO inspections by state lawyers as at 30 April 2013”
http://openinform.ru/fs/j_photos/openinform_405.pdf

“Human rights activists investigated cases linked to attacks on LGBTs in the past seven years.”
<http://openinform.ru/news/pursuit/12.02.2013/28038/>

“Peculiarities during work done by legal system’s escort service in Moscow”
<http://www.vedomosti.ru/opinion/news/15016051/temnica-v-tereme?full#cut>

“I thought it was the end for us” http://rusplt.ru/society/Chikov-interviu.html?fb_action_ids=535332403206875&fb_action_types=og.recommends&fb_source=other_multiline&action_object_map=%7b%22535332403206875%22%3A346614675470299%7d&action_type_map=%7b%22535332403206875%22%3A%22og.recommends%22%7d&action_ref_map

“Belief in injustice” <http://www.snob.ru/profile/26878/blog/79073>

“Blacklist of NGOs” <http://www.svoboda.org/content/transcript/25468586.html>

“The Department of Justice has updated the register of NGOs acting as foreign agents”
<http://minjust.ru/ru/press/news/minyustom-rossii-vneseny-dopolneniya-v-reestr-nekommercheskih-organizacij>

“Prosecutors in Tatarstan call for Agora to be declared a foreign agent”
http://prokrt.ru/main/news1/v_tatarstane_prokuratura_trebuat_priznat_mezhregionalnuyu_associyuu_pravozawitnyh_obwestvennyh_obedinenij_agora_inostrannym_ag/

“The Russian President’s human rights council” <http://www.president-sovet.ru/composition/3085/>