



EU-RUSSIA CIVIL SOCIETY FORUM  
ГРАЖДАНСКИЙ ФОРУМ ЕС-РОССИЯ

# Policy Paper

## **From Medvedev Back to Putin: Trends in Russian Civil Society**

To the Summit of the  
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## **Introduction**

The return of Vladimir Putin to the Kremlin has been marked by a witting attempt to restrain and neutralise an increasingly conscious and active civil society. The progressive though rhetorical encouragement that was given to civil society during Dmitry Medvedev's term in office has given way to more traditional Kremlin views about the "dangers" of opposition forces acting outside state sight. Recently, several cases have confirmed such tendency and led to increased societal polarisation and strained relations between Russia and the West.

### **Rhetorically paving the way on civil society: hopes under Medvedev**

Throughout his four years as President, Medvedev had often emphasised the importance of the rule of law as well as the relevance of a strong civil society as "an inalienable social institution of any state". [1] Hence, he paid growing attention to bodies such as the Public Chamber organism and gave moral support to human rights campaigners. Nevertheless, the former Russian President was limited in what he could do as indicated, for instance, by his inability to grant a pardon to Mikhail Khodorkovsky.

Medvedev's efforts were undertaken against the background of an increasingly lively civil society which resorted to variety methods, including social media, to launch campaigns and seek greater influence in what has always been a state-centric society. After moving from the Presidency to the Premiership, Medvedev lost what little influence he had in helping to create a more favourable climate for civil society. Although he recently argued that Russian "society is becoming increasingly mature" and its "civil society is more developed, diverse, multifaceted and far more proactive now" than in 2008, his words seems to carry little weight nowadays. [2]

### **Putin's returns to trusted methods: tendency and impact towards civil society**

The large demonstrations against the results of the Duma and Presidential elections were a shock to Putin and his establishment. Although he made some efforts to improve the political system - *e.g.* direct elections of regional governors, easing of requirements for presidential candidate and party registration norms - he soon resorted to tried and tested methods of dealing with that strand of society that is moving outside his control. [3] From June 2012, President Putin has introduced several measures approved in haste by the State Duma that distort and drift from the commitment to comply with European and international standards and practice. Such initiatives taken together demonstrate a conscious attitude aimed at restricting and curtailing civil society's freedom of action.

In June 2012 he pushed through a draconian new bill intended to intimidate organisers and participants of unsanctioned rallies with steep fines, limiting the possibility for demonstrations and freedom of assembly at large. [4] The record of harsh treatments on peaceful protest leaders and rallies' participants risk to reveal counterproductive, favouring a radicalisation of such movements. [5] Afterwards, the bill (121-FZ) setting tough new administrative restrictions on NGOs was approved, attracting domestic and international critical attention. The new law required NGOs which receive foreign funding and are engaged in "political activities", to register as *inostrannyi agent* (foreign agent), a Soviet term still negatively perceived by the large majority of Russians. [6] The sharp NGOs reactions to such an unacceptable bill coupled with the concern expressed in the decision of the Russian Presidential Human Right Council to prepare amendments to the law NGOs law as there is a need to clarify a number of wording within the law, particularly the concept of "foreign source" of funding and the rather vague acceptance of "political activities". [7]

The NGOs case was followed by another draft bill on internet freedom that could restrict itself internet freedom as it envisages "blacklisting websites that contain allegedly harmful content" to children or "extremist ideas" as well as it introduces "additional restrictive measures without court orders or due judicial process." [8] Putin also expanded "the scope for prosecution of and reduce the burden of proof for charges of treason and espionage", an initiative that attracts serious concerns "as it is harmful to international cooperation, for civil society, and for all Russian citizens". [9] In addition, Putin insisted that the US Agency for International Development (USAID) should cease its activities in Russia at the end of October. [10]

What gathered most attention outside Russia was the disproportionate sentence given to three members of the Pussy Riot punk band for a controversial though pacific performance in Moscow's main cathedral. This led to widespread condemnation of the legal process ranging from Chancellor Merkel to Madonna. The EU High Representative, Catherine Ashton released a statement claiming that the Pussy Riot case, and in general the negative trend occurring in Russian civil society, "raises serious questions as to the state of the rule of law" in Russia since there is record of "use of legal and law enforcement structures and other instruments for political purposes rather than for protecting and safeguarding the rights and freedoms of the citizens of Russia". [11] She called on the government "to respect its international obligations to ensure fair, transparent and independent legal process". [12]

The criticism of these trends in the West reinforced those arguing that Russian officials involved in the Magnitsky case should be subject to a travel ban in the EU, US and Canada. The Kremlin views these bans "as a politically-motivated attempt to interfere in Russian domestic affairs" while the "West" demands progress towards a transparent further investigation from the Russian side. [13]

### **German and Czech reactions**

Among EU Member States, Germany has by far the most important bilateral relationship with Russia and has often been reluctant to criticise Russia too sharply on human rights. But Putin's attempts to stifle civil society have prompted a negative reaction from political and media circles in Germany. The Commissioner for German-Russian Coordination, Andreas Schockenhoff, was outspoken in his criticism arguing that since the massive demonstrations "we have seen disconcerting developments that rely on intimidation and repression of civil society". [14] Chancellor Merkel also let it be known that she was concerned about the crackdown on civil society during her last visit to Russia. Standing beside Putin at the press conference, she chided the President for not accepting that politicians should be subject to daily criticism by the media and civil society.

Generally, the European response to Russia's current tendency has been rather similar, particularly for what concerns the Pussy Riot case. Indeed, as far as the Czech reactions are concerned, along with Prime Minister Nečas, who gave his support to Pussy Riot, the Czech Foreign Minister Karel Schwarzenberg claimed to be "deeply embarrassed" about the Pussy Riot sentence as he "cannot imagine any other European country where such a deed [...] would be punished as if a crime were committed". [15]

### **Conclusion**

Civil society in Russia has been alarmed and weakened by Putin's onslaught which has led to a further polarisation of Russian society. Traditionalists, close to the President, oppose change including any little allowance of more freedom for civil society. Liberals are becoming more and more relegated to the fringes of society and the opposition remains divided.

What should the EU do? The EU needs to continue monitoring the situation on the new measures implementation, their further developments, as well as their impact within Russian society. The EU should continue to engage in a frank dialogue with Russia on civil society and not shy away from criticism. It should state that recent measures in Russia are likely to prove counterproductive in the medium/long term, as they hamper the ultimate goal of a stable and prosperous Russia, limiting the opposition and civil society space to develop. The institutionalised EU-Russia relations already have the tools to do so, as for instance the Partnership for Modernisation mechanism: what needs to be done is to continue the strong support to EU-Russia civil society cooperation as well as to further the promotion of a constructive government-society dialogue within Russia, as a key for Russia to progress democratic reforms.

## Notes

- [1] Novaya Gazeta, *Deklaratsya Medvedeva. God 2009*, 15/04/2009.
- [2] Dmitry A. Medvedev interview to The Times, 30/07/2012. The full transcript of the interview is available in English at <http://government.ru/eng/docs/19842/>.
- [3] Statement by EU High Representative Catherine Ashton in the European Parliament on the political issues of justice in Russia, A 403/12, 11/09/2012.
- [4] The bill amends the 2004 Federal Law FZ-54 on public rallies. *Ibid.*; Human Rights Watch, *Russia: Reject Restrictions on Peaceful Assembly*, 08/06/2012.
- [5] Statement of the Steering Committee of the EU-Russia Civil Society Forum on the adoption of legislation restricting freedom of assembly in Russia.
- [6] The NGO law was adopted on 20th July and came into force on the 21st November. Bowring B. (2012), *Russian Legislation and NGOs in Russia*, Russian Analytical Digest, n.120, pp.7-9; Aris B. (2012), *Russia's Reaction to the Magnitsky Act and Relations with the West*, Russian Analytical Digest, n.120, pp. 2-5; Statement by the Spokesperson of High Representative Catherine Ashton on the amendments to the Russian NGO, A 319/2012, 10/07/2012.
- [7] Kommersant, Gogodetskaya N., The Presidential Human Rights Council took up the “foreign agents” cause: in the NGO law it will be amended, 06/12/2012.
- [8] The bill was approved at the beginning of July 2012. Civic solidarity, Plans for Internet blacklist in Russia may lead to censorship, warns OSCE media freedom representative.
- [9] Statement by the Spokesperson of High Representative on the new law on treason, A 473/2012, 25/10/2012; Bellona, *Russia's upper house of parliament passes treason bill as season of broad repressions continues*, 02/11/2012.
- [10] Aris B. (2012), *Russia's Reaction to the Magnitsky Act and Relations with the West*, Russian Analytical Digest, n.120, p.3. Eu-Russia Civil Society Forum, The draft law on Treason is a threat to international cooperation of civil society.
- [11] Statement by EU High Representative Catherine Ashton in the European Parliament on the political issues of justice in Russia, A 403/12, 11/09/2012.
- [12] Statement by EU High Representative Catherine Ashton on the sentencing of “Pussy Riot” punk band members in Russia, A 370/12, 17/08/2012.
- [13] Aris B. (2012), *Russia's Reaction to the Magnitsky Act and Relations with the West*, Russian Analytical Digest, n.120, pp. 2-5.
- [14] Spiegel Online International, *Sharp Words Define German-Russian Relations*, 01/11/2012.
- [15] Prague Daily Monitor, PM Nečas: Support to Pussy Riot, Dalai Lama harms Czech export, 11/09/2012.

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