



EU-RUSSIA CIVIL SOCIETY FORUM **ГРАЖДАНСКИЙ ФОРУМ ЕС-РОССИЯ**

The Nation-Wide Voting on the Amendments to the Russian Constitution and Its Aftermath: No Fair Procedure, No Observance of Citizens' Rights

Statement by the Board of the EU-Russia Civil Society Forum

The Board of the EU-Russia Civil Society Forum is dismayed at numerous violations prior and during the nation-wide voting on the amendments to the Russian Constitution – beginning with the very process of introducing amendments¹ and culminating in a dubious procedure, which lasted from 25 June 2020 until 1 July 2020. We also condemn multiple detentions, arrests and searches at homes of activists and journalists all over Russia that followed the approval of amendments².

We demand from the Russian authorities to duly investigate all the violations prior and during the nation-wide voting, as well as to stop a crackdown on independent voices in Russia and to adhere to the international obligations of the country. We also call on international institutions, such as the Council of Europe, to closely monitor the situation in Russia and react appropriately to any breaches of the international norms and Russia's international obligations.

The GOLOS Movement, a member organisation of the EU-Russia Civil Society Forum and an independent observer at elections and referenda at various levels all over Russia, which covered 42 Russian regions during this vote, identified violations of the procedure and citizens' rights related to the disregard of the law, a high diversity of the amendments, the absence of the necessary conditions for the provision of pluralism of opinion in the public discussion, the enforced participation in the voting, multiple falsifications of the votes and the limited control of the fairness of the voting and the vote count³.

The very voting procedure was introduced by the special Law No. 1-FKZ on the Amendment to the Russian Constitution "On Improving the Regulation of Certain Aspects of the Organisation and Performance of Public Authority" of 14 March 2020⁴. Hence, it was not the same as a nation-wide referendum, which provided for broad opportunities for abuse. Furthermore, all amendments were posed for a package vote rather than each amendment for a separate vote, as it is the case with referenda. Given a big number (206 in total!) and diversity of amendments, which included both those of social nature (e.g., a minimum wage at a rate not lower than the rate of the cost of living) and changes to the political system (like a nullification of term limits for the incumbent president), the support for one amendment alone could affect the voting behaviour of a citizen.

¹ For more information, see the related statement by the Forum Board of 27 January 2020: <https://eu-russia-csf.org/wp-content/uploads/2020/01/StatementRussianConstitution27.01.2020.docx.pdf>

² See, e.g., <https://www.themoscowtimes.com/2020/07/10/a-timeline-of-russias-crackdown-since-the-constitutional-reform-vote-a70836>

³ See the full preliminary report on the all-Russian voting at www.golosinfo.org/en/articles/144480

⁴ See the text of the law at www.consultant.ru/document/cons_doc_LAW_346019 (in Russian)

Despite all those flaws before the voting, massive violations could be observed in its course as well. The preliminary voting between 25 and 30 June 2020, which was marked by enforced participation of employees by their employers, especially those coming from the authorities and public sector, and opportunities to give a vote virtually everywhere – from airports and train stations to playgrounds and parkings⁵, culminated in the voting on 1 July, which was announced an official holiday. In these circumstances, a fair observation of the voting was next to impossible. Independent observers were impeded in executing their mission in various ways, while a policeman at a polling station in St. Petersburg broke an arm of the journalist David Frenkel, who just asked him and a member of a precinct election commission to introduce themselves⁶.

What is more, the crackdown on journalists and activists accelerated in the week right after the approval of the amendments. Raids at homes of activists planning protest actions against the newly adopted changes to the Constitution, a judgement of conviction for the “justification of terrorism“ for the journalist Svetlana Prokopieva, charges against the “Mediazona“ publisher Petr Verzilov and his arrest that followed an interrogation, searches at homes of activists and journalists of the “Open Russia“ Movement and “MBKh Media“, detentions of the journalist Ivan Safronov charged with state treason and of those who participated in one-person pickets in support of the journalist – these are just a few of the cases in just one week after the vote that raise our concerns.

The Board of the EU-Russia Civil Society Forum demands to immediately stop the persecution of independent voices in Russia. Furthermore, taken into account data by the GOLOS Movement and other sources related to the nation-wide voting, we consider this specially invented procedure illegitimate and call on the Russian authorities to adhere to the international obligations of the country.

We welcome an opinion by the Venice Commission on the draft amendments to the Constitution related to the execution in the Russian Federation of decisions by the European Court of Human Rights and await another document on legal expertise of changes to the Russian Constitution, a call, which has been supported up to date by over 230 thousand Russian citizens⁷.

13 July 2020

Contacts:

Polina Filippova, Board Member, EU-Russia Civil Society Forum/ Sakharov Centre (Moscow, Russia); polina@sakharov-center.ru

Pavel Havlíček, Board Member, EU-Russia Civil Society Forum/ Association for International Affairs (Prague, Czech Republic); pavel.havlicek@amo.cz

⁵See, e.g., www.rferl.org/a/election-monitors-find-unprecedented-levels-of-fraud-in-russian-vote-on-extending-putin-s-rule/30704791.html

⁶ See www.rferl.org/a/investigation-launched-into-allegations-russian-police-broke-journalist-s-arm-at-polling-station/30699946.html

⁷ See <https://tinyurl.com/ww7rvr2>

The EU-Russia Civil Society Forum was established in 2011 by non-governmental organisations as a permanent common platform. At the moment, 181 NGOs from Russia and the European Union are members or supporters of the Forum. It aims at development of cooperation of civil society organisations from Russia and EU and greater participation of NGOs in the EU-Russia dialogue. The Forum has been actively involved, inter alia, in the questions of facilitation of visa regime, development of civic participation, protection of the environment and human rights, dealing with history and civic education.