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**Negotiating the labyrinth: Can human rights
organisations continue to work effectively in Russia?**

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Introduction

In February 2012, the largest demonstrations in Russia's post-Soviet period took place when at least 20, 000 protestors descended on Moscow disputing the re-election of Vladimir Putin as president for a third term (Parfitt, 2012). The protests reignited the academic debate surrounding the state of civil society in contemporary Russia. The accepted view of Russian society was one which would accept the restrictions on political rights in return for economic security. Yet the 2012 protests demonstrated that Russia's middle class was increasingly looking outside securing its own immediate needs and engaging in politics, and that contrary to popular narratives, there was a burgeoning civil society which was willing to act as a bulwark against the state (Chebankova, 2013). The response of the state to these protests has been to place serious restrictions on civil society through legal and financial pressure, and it has become increasingly hostile towards non-governmental organisations (NGO) and particularly human rights organisations.

Yet despite open confrontation between the state and the civil society, Russia is not a completely authoritarian state. Most academic literature places Russia as a hybrid regime: a state which incorporates both democratic and authoritarian characteristics. However, as Levitsky and Way outline in their seminal work *The Rise of Competitive Authoritarianism*, the classification of 'hybrid regime' is too broad a concept, and those states which can be considered 'hybrid regimes' exhibit a wide range of characteristics which they may not necessarily share with other hybrid regimes (Levitsky and Way, 2005). Instead they posit Russia as a specific type of hybrid regime. In this definition, formal democratic institutions exist but are frequently

manipulated by incumbents as they are viewed as “the principal means of obtaining and exercising political authority” (Levitsky and Way, 2002:52). The violations of free and fair elections, as well as political and civil rights “are both frequent and serious enough to create an uneven playing field between government and opposition” (Levitsky and Way, 2002:53). Herein lies the crux of competitive authoritarianism. Though the playing field may be uneven, it still exists and while democratic institutions may be weakened, they are still arenas where opposition forces can pose challenges to the state (Levitsky and Way, 2002).

Therefore, there remain spaces within which non-governmental organisations and subsequently human rights organisations are able to work and co-operate with the state. In 2007, it was estimated that there were over 600,000 registered non-governmental organisations working in Russia (Klitsounova,2008: 2). Although exact figures are hard to establish, in 2001 it was estimated that approximately 5.2 per cent of those non-governmental organisations were human rights organisations, constituting around 19,500 groups (Klitsounova,2008: 2).

The contradiction between the authoritarian style legislation that has been introduced in Russia in the past years and the apparent growth in non- governmental organisations has become the foundation of this thesis. Following from the introduction of the NGO law in 2006 which stipulated the re-registering of non-governmental organisations, this thesis seeks to examine the period from 2006 until the present day in Russia and whether human rights organisations are able to continue working in Russia in the current climate. I focus particularly on human rights organisations for several reasons. Human rights organisations in Russia are particularly portrayed as working against the state’s interests, and new legislation seriously limits their abilities to report and expose human rights abuses in Russia.

Most external reports on the new legislation has therefore been concerned with the negative effects of changes to human rights organisations in Russia (Amnesty International, 2007; Amnesty International, 2015; Human Rights Watch, 2016b; Human Rights Watch, 2016c; International Federation for Human Rights, 2015; International Federation on Human Rights, 2014). Human rights organisations, more so than other non-governmental organisations, therefore have to be able to deftly maneuver between the state's autocratic and democratic tendencies in order to ensure their survival. Drawing on the experiences of two different human rights organisations, the Union of the Committee of Soldiers' Mothers and the Committee Against Torture, along with existing academic literature and other primary sources, this thesis will explore if human rights organisations can balance the democratic and autocratic contradictions in Russia and continue to work effectively. It will argue that due to the hybrid nature of the Russian state, it is still possible for human rights organisations to take advantages of the pockets of space and continue their work. However, the severity of legislation, particularly since 2012, has placed a significant burden on Russian human rights organisations. It now appears that human rights organisations can only work on issues which the state deems to be a priority. Without a relaxation of legislation on non-governmental organisations and foreign funding, it is highly unlikely that professionalized human rights organisations will be able to grow and develop the necessary networks and skills to sufficiently present a challenge to the state. It is therefore likely that the landscape of the human rights community will slowly change so that there are a few large independent human rights organisations, but will be dominated mainly by government- supported organisations which serve the state but do not challenge it.

OUTLINE OF CHAPTERS

The thesis will first briefly examine the literature surrounding Russian civil society and examine common themes and academic arguments which emerge. Using the existing literature, it will demonstrate how the spheres of space, funding and activism interact and form Russian civil society.

Chapter Two will outline the methodology used in order to answer the research question and provide details on the two organisations used in gaining empirical evidence to support the research.

Chapter Three will begin the start of the analysis of three spheres of interest, and will examine the top down approach to delineate the space in which human rights organisations are able to work. This section focuses primarily on legislation changes, but also areas where there is state-society cooperation.

Chapter Four will conversely examine human rights organisations at a grassroots level, and how cultural practices and the Soviet legacy impact the capabilities of human rights organisations in Russia.

Chapter Five will add the final part of the analysis. This chapter will focus on the funding of non-governmental organisations and, consequently human rights organisations. The most controversy has been generated regarding the foreign funding of NGOs, and while this forms a large part of the chapter, it also looks at domestic funding options such as state provision, corporate giving and individual donations.

This thesis ends by highlighting the key findings of the research. It is important to emphasis that the intention of this thesis should not be considered as an absolute

answer to the research question posed, but rather as a small intersectional examination of Russian human rights organisations which can add knowledge about some of the challenges that human rights organisations in Russia face and how they can continue to work in a difficult environment. It is only by understanding these challenges better that it is possible to support such organisations in a more effective manner.

Chapter One: Literature Review

CIVIL SOCIETY

The term 'civil society' itself is a broad term and merits a brief examination before looking to Russian civil society specifically. Philosophical concepts of civil society draw on ideas proposed by John Locke, Rousseau and de Tocqueville who used concepts of civil society in their own theories of social evolution (Greene, 2014). Theoretical conceptions of civil society have become increasingly complex and nuanced, however it can be said that in general terms civil society has come to be understood as the third sphere between the two other spheres of state and private life and to serve as a counterweight to the state. Thus, Richter defines civil society as

“the space where overlapping networks of autonomous voluntary associations-formal and informal, political and non-political-create the space for public action between the individual and the state” (Richter, 2002:30)

Within this definition, human rights organisations, sports organisations, bird watching associations and parent-toddler groups are all part of the civil society space. In addition to being independent of government working to promote citizenship, Chebankova adds further prerequisites for a civil society. She argues that a vibrant associational life can exist in less desirable forms such as criminal gangs and fundamentalist organisations, and therefore takes a Kantian view that civil society should promote positive ideals such as equality and “be active in the dissemination of its ideals of the good life in the public domain” (Chebankova, 2013:2)

In addition, civil society is thought to be an important condition for the development of a democratic state (Henderson, 2003; Linz and Stepan, 1996;). Eberly goes as far to say that “the development of democratic nations is simply not possible without the

underpinnings of a robust civil society” (Eberly, 2008:215). Civil society supports democratic development in two ways. Firstly, it encourages “habits of cooperation, solidarity, public-spiritedness, and trust. Externally, these networks then aggregate interests and articulate demands to ensure the government’s accountability to its citizens” (Henderson, 2002:140).

RUSSIAN CIVIL SOCIETY

There is a broad consensus between academic literature and Western human rights organisations that the state of Russian civil society is weak and underdeveloped with a considerable state presence. It has been under Putin that the concept of civil society has become an important part of state discourse and a focus for the Kremlin. The adoption of the ‘NGO law’ in 2006 marked the point from when the Kremlin began to take an active interest in civil society and how it was formed.

Putin has repeatedly emphasized the importance of civil society in Russia, and has frequently assured Russian citizens and governments abroad that Russia values an independent and robust civil society (Putin, 2004; Putin, 2012). However, academics have noted that state actions in Russia rarely match the overtures made in public. Many have concluded that Putin’s concept of civil society is consistent with his concept of the “vertical of power”, whereby civil society “acts as an executive auxiliary of the state”, rather than as an independent sector (Salmenniemi, 2014; Daucé 2010). The Russian state has therefore continued to extend its participation in civil society through the regulations of civic activism and creating different restrictions and opportunities for those who are allies to those who are considered adversaries (Lyytikäinen, 2013).

However, Russia is not a totalitarian state. Unlike other countries such as Uzbekistan where it is not possible for any kind of effective civil dissent, Russian civil society does possess some independence agency as shown by the protests in 2012, and other anti-government protests which have happened in the country, focusing on issues such as pensions, salaries and tax. The key reason for this independency originates from the desire of the Russian state to be perceived as a legitimate, democratic state. Vladimir Surkov's proposal for "sovereign democracy" in Russia, a special hybrid regime ideology which would promote the liberal democratic values of the West while maintaining a strong state control. In practice, this has meant that the state has largely suppressed those which directly challenge it, while facilitating and supporting those groups that are more co-operative.

As a result, Russian civil society has developed in a unique and unanticipated way. It has been influenced by the presence of Western funding and information transmission between different groups, yet the state effectively manages it, despite its desire to appear to be a democratic state. For human rights organisations, they provide an indirect form of contestation to Putin's concept of civil society as they bring issues to the public and political agenda which would otherwise remain suppressed (Salmenniemi, 2010). This has led to the emergence of human rights organisations which can be broadly placed into three categories. The first is 'marionette groups' or government operated non-governmental organisations (GONGOs) which are created by the state in isolation from society. This is usually done in order to "legitimise, complement and support the state's policy agenda and create the image of an autonomous and functioning civil society" (Crotty et al, 2014:1255). They are also often created as a direct counterpart to independent organisations which already exist, and undermine the ability of the independent organisations to collaborate with the

authorities (Daucé, 2010:97). The second type are grassroots organisations, which are locally based, do not have paid staff and generally struggle to attract funding. The third and final group is traditional, professionalised organisations which are larger and retain employees, and office space but were reliant on Western funding in the past (Crotty et al, 2014:1255). Western funding of professionalized organisations also tends to mean international connections with other human rights groups (Henry, 2006:112). It is also the professionalized organisations which are the suffer the most from government repression, as they are seen as the most likely to represent a challenge to the government's position, as they can use international connections as leverage. Transnational advocacy groups, such as human rights groups, which are centered on principled ideas and values, can utilize their international connections to lobby their governments when it is not possible for them to exert domestic influence. Therefore, domestic groups can encourage other international groups aligned with their values to lobby their government on their behalf. Keck and Sikkink label this the 'boomerang effect' (Keck and Sikkink, 1998:13). In contrast, grassroots organisations, while sharing human rights ideas, tend to focus on local issues which can be beneficial for the government, and they largely remain isolated from international organisations (Henry, 2006:112).

EMERGING THEMES

From reviewing literature, it is clear that three key themes emerge while analyzing Russian civil society is made. Firstly, Russia appears to be a 'top-down' civil society, where the state remains the primary driving force in civil society (Hudson, 2003:214-216). Therefore, the legal framework within which they operate becomes extremely important. The government can control the existence of groups through policy and legislation which is enacted through the state bodies. Russia's culture of 'legal nihilism'

has long been criticized, particularly in reference to NGOs where their work had been limited as a result. President Medvedev made some conciliatory remarks in 2009 about relaxing laws towards NGOs, however this was not matched by action (Human Rights Watch, 2009). Subsequently it has been seen that increasingly restrictive laws have been passed in Russia which seriously constrain the ability of independent NGOs to work, and it has become clear that this is a strategic move to further incorporate civil society into the executive branch by weakening independent voices.

Secondly the cultural aspect of Russian society “enters into any explanations of the dichotomy between general opinion and democratic practice” in Russia (Shomina et al, 2002:245). The conventional view on Russian society is that it is “browbeaten and unable to play a meaningful role” (Javelline and Lindemann-Komarova, 2010:173) and with “an almost infinite capacity to bear hardship” (Robertson, 2011: 41). While the 2012 protests countered this view, it has been a long held opinion that Russian society has little interest in civic engagement. This has been attributed to the ‘social contract’ which was developed in the 2000s whereby economic security provided by the state was exchanged for the non-interference of the people in political affairs. Lack of interest in social organisation is often ascribed to a difficult economic situation and insufficient income to be able to engage in civic activities (Selivanova, 2003:6; Shomina et al, 2002:267). Social capital also becomes a key concept when analyzing Russian society and civic engagement. Originally a concept within sociology, it was Robert Putnam who brought the concept of social capital into political science and it is often believed to be a critical factor in a well-functioning democracy (Marsh,2000:184). Putnam defines social capital as trusts, norms and horizontal networks of civic engagement. Co-operation between “horizontal groups” generates social capital which can be then used to exert influence on the state (Rose, 1995:34). A

strong civil society requires a strong level of interpersonal trust as it facilitates the ability of citizens to actively participate in independent associations and civic activism (Chebankova, 2013:20), yet research in Russia demonstrates that the level of trust in public institutions is historically low, as is trust in fellow citizens. This results in negative atomization and a preference for strong personal networks instead of engagement with the state.

The final key issue which emerges is the question of Western influence on the Russian third sector, both through funding and through the exchange of information, such as training and conferences. The collaboration between the Russian non-governmental organisations and Western countries began almost immediately after the collapse of the Soviet Union, and covered a variety of areas such as technical assistance, business loans and grants (Wedel, 1998:9). The impact of Western practices on Russian NGOs has been mixed. On the one hand, it is acknowledged that it remains a vital life source for many organisations who cannot secure funding in any other way. On the other hand, it has been seen to carry a neoliberal and colonial message which entrenches the superiority of Western practices and methods over the local knowledge and encourages the creation of elites and disconnects organisations from their 'constituents' (Hemment 1998; Hemment 2004; Henderson 2002; Henderson 2003). While capacity building and grant giving is often promised to be neutral, it is sometimes unavoidable that there will be some reflections of political ideologies within it (Wendel, 1998:10). As Henderson notes, many Western aid foundations made an active decision to channel funding towards groups based on the neo-Tocquevillian theory that civil society strengthens democratic forces. There was therefore a tendency to fund non-governmental organisations they believed would be able to strongly advocate pro-democratic reforms (Henderson, 2003). The Russian state has also

become increasingly concerned with the international funding of some Russian civil society organisations, resulting in the notorious “Foreign Agent Law” passed in 2012, requiring organisations who receive foreign funding to register as ‘foreign agents’.

From the literature, the many issues which face human rights organisations can be loosely grouped into three areas of analysis: legal frameworks and government institutions, civic culture and society and finally funding. In addition, it appears that there is a clear timeline mapping the relationship between the state and human rights organisations. Although the relationship between the Russian authorities and human rights organisations has always had its tensions, 2006 marks the beginning of a more strategized approach towards civil society. Particularly from 2012, the amount of legislation regulating non-governmental organisations has increased significantly. Thus, in assessing whether human rights organisations can continue to work in Russia, it will examine these three areas from the period 2006-2016. Having established the research question central to the thesis, it is now necessary to examine how it will be answered.

Chapter Two: Methodology

HUMAN RIGHTS ORGANIZATIONS IN RUSSIA

Human rights organisations play a vital role in advocating and protecting human rights. They are often independent of governments to ensure impartiality in their work and therefore can be considered as a subsection of civil society. Human rights organisations work in the space between human rights norms and the enforcement of those norms in order to defend human rights (Marcinkutė, 2011: 54). There has been some contention about the validity of universal human rights, with some states such as China, stating that human rights emphasise the Western philosophy of individualism and are not compatible with cultural norms (Carey, Gibney and Poe, 2010: 25).

Cultural relativity is an idea which has become increasingly prominent in Russia as it has increasingly sought to establish itself as a beacon of conservative, Orthodox and distinctly Russian values. However, as Brown argues, the concept of human rights may have emerged in the West but this does not necessarily make it an exclusively Western concept (Brown, 2005: 700). Instead he suggests that human rights act as a code to delegitimize acts which are universally unacceptable such as genocide (Brown, 2005: 700). Furthermore, it can be seen that there is a grassroots demand for protection and implementation of human rights as groups and defenders begin to emerge in hostile countries such as Afghanistan and Sri Lanka. Russia's own human rights groups are diverse and exist at a grassroots level and at a professional level.

Claude Welch outlines four areas where human rights organisations have traditionally focused. These are standard setting; researching and disseminating information about human rights abuses; lobbying officials and media; and providing direct assistance to

victims of human rights abuses (Welch, 2001:3). While it is a state's obligation to meet any ratified human rights treaties, without the information and insight provided by local human rights organisations, implementation of those rights would be very difficult. Korey notes that the "overwhelming bulk of the credible and reliable information [on human rights abuses] has been and is provided by NGOs" (Korey, 1998: 259). Human rights organisations therefore perform an important role as impartial watchdogs and provide information on human rights violations not only to their respective states but also to international NGOs such as Amnesty International, and international bodies such as the United Nations.

The Russian Constitution contains provisions for the protection of human rights, which "will be provided according to the universally recognized principles and norms of international law and according to the present Constitution" (Article 17, Russian Constitution). In addition to constitutional protection of human rights, the Russian Federation has signed and ratified a number of international human rights treaties and European conventions (University of Minnesota, 2008). While Russia is formally and legally bound to a number of different human rights legislation, it has a patchy track record of enforcing and protecting those human rights. Civil Rights Defender assert that a number of human rights are under pressure in Russia, including the right to life and physical security, the right to freedom of expression and the right to protection from discrimination (Civil Rights Defenders, 2015).

This pressure is extended to many human rights organisations which work in Russia, particularly those which are critical of the government. It should be noted that human rights are a broad sphere and Russia's human rights organisations reflect this. This means that there a variety of human rights organisations which focus on a number of different issues focusing from children's' rights to judicial rights. However, this thesis

intends to focus on those organisations which find it increasingly difficult to work in Russia, and therefore related to the more controversial issues in Russia which are often at odds with the desires and actions of the state, such as freedom of expression, protection for minority groups and torture and ill-treatment.

CASE STUDIES: THE UNION OF COMMITTEE OF SOLDIERS' MOTHERS AND THE COMMITTEE AGAINST TORTURE

I focused on two organisations: The Union of Committee of Soldiers' Mothers and the Committee Against Torture. These organisations provided a number of interesting differences. The Committee of Soldiers' Mothers is a well-established organization based in Moscow, but with regional branches throughout Russia. The Union of the Committee of Soldiers' Mothers (UCSM) was established in 1989 and works to establish human rights abuses within the Russian military and helps provide legal aid to soldiers and their families to raise awareness of their rights. Peacetime deaths among Russian conscripts are estimated to be as high as five thousand each year, which are primarily attributed to beatings, intolerable living conditions, denial of medical treatment and excessive labour (Sundstrom 2006: 62). Most recently, the UCSM has worked to provide information about Russian soldiers fighting in Ukraine, helping to document deployments to the border as well as piecing together information relating to dead and injured servicemen as the Russian government refuses to disclose such information (The Guardian, 2014). The UCSM has publicly criticized authorities clamp down on information regarding military involvement in Ukraine and other military practices such as hazing and abuse by superiors. The UCSM enjoys fairly widespread public support as a result of conscription in Russia, and therefore are a highly relevant organization for many families all over Russia with

a predicted 150,000 young men conscripted per year (Daucé, 1997:133; Braw,2015). In 2014, the St Petersburg chapter of the organization was designated as a foreign agent.

The Committee Against Torture (CAT) is a more recent organization which is based in Nizhny Novgorod. Like the UCSM, the Committee Against Torture had regional offices throughout Russia, including in Grozny, though its main base was in Nizhny Novgorod. The Committee Against Torture provides professional legal and medical aid to torture victims in Russia. For its clients, the CAT uses public investigation lawyers to conduct an independent investigation and build legal cases in order to prosecute. Their website claims that their work has led to 111 officials being sentenced, and that they had 1908 applications for their help (Committee Against Torture, no date). The CAT was designated a 'foreign agent' and was forced to declare bankruptcy after fines were levied against it by the government. It was eventually dissolved despite attempts to work around legal restrictions.

RESEARCH METHODS

In this thesis, I have gathered limited empirical evidence to support wider patterns which have emerged from the research. The convergence of time and practicalities resulted in conducting questionnaires with two organisations. In order to better identify trends and patterns, it would be better to conduct in depth face-to-face interviews with a larger number of organisations and use participation observation over time to establish a good level of trust and, in turn, yield better data. However, practicalities would make this approach too difficult. I initially identified a number of human rights organisations, mostly from my own knowledge of the human rights sector in Russia. I wanted to ensure that the organisations I contacted were Russian-created and Russian-led. I purposefully focused on these as including larger non-governmental organisations which were Western in origin such as Amnesty

International and Human Rights Watch, would undoubtedly yield interesting results, but would also distort my overall picture. Despite having regional offices in Moscow and therefore understanding the working environment, these multi-national organisations are ultimately able to rely on much larger networks and resources than many Russian-led organisations and therefore their experiences would be much more different.

I undertook test Skype interviews to confirm the practicality of conducting interviews but discovered that Skype was not the best method. This was due to several factors. One was the interminable issue of good internet connection. The second was recording the conversation for reference in the future. Despite attempts, the recording software did not work due to different firewalls in Russia. The final reason was my capabilities in Russian. Although I understood most of what was being said, my Russian is not at a level which enabled me to have the kind of reflexivity necessary to conduct an in-depth interview.

I therefore decided on using email correspondence and a loosely structured set of questions. This meant that it offered some flexibility for participants in answering and the chance to reflect more deeply on the questions asked than would be possible during an online conversation. However, a drawback would be not being able to gauge tonal inflections or body language. For example, the participant from Committee for Soldiers' Mothers seemed reluctant to answer questions regarding funding, and several times asked me to restate my research question and what, precisely, I was trying to find out and establish about human rights organisations in Russia. Of course, there are a number of reasons which could explain this cautiousness. However, it felt that the participant was trying to tread a line which would not be able to be interpreted as being too critical of the government's position. In contrast to the answers from the

Committee Against Torture, which were particularly detailed, reflective on their experiences and also heavily critical of the current position of the government, the Union of Committee for Soldiers' Mothers gave neutral answers which focused on the positive effects of the organization and were very short. Despite this, I believe that both organisations have offered insights into how human rights organisations work in Russia today and provide necessary empirical information to corroborate larger patterns which have been observed by other academics.

In addition to using the information gathered through correspondence, I have also used existing literature on human rights organisations, civil society and other activist organisations such as environmental and women's rights groups. Several academics have conducted their own field research with organisations all over Russia. I acknowledge that my own research based on two cases is limited. I therefore will utilize a mixed methods approach, using secondary literature to establish patterns and using the primary research to corroborate those trends to answer the research question. The literature review and methodology have established what is known about Russian civil society, common issues that have emerged and which methods will be used to answer the research question. It is now time to begin analyzing the three areas of interest, the first of which will explore the civic space and the legal framework which shapes the extent to which human rights organisations can work in Russia.

Chapter Three: Narrowing the civic space

This chapter will focus on how the third sector is shaped by the Russian state. The common discourse when analysing the activist space in Russia is that the space where NGOs can operate freely is becoming much more restricted and more difficult to navigate, particularly since 2006. Both Richter and Evans note that under Putin, the Kremlin has been seeking to integrate Russian civil society into the Russian executive branch, and to use it to provide the regime with information regarding issues it can utilize to achieve its own political objectives (Richter 2009, Evans 2008). As will be elucidated in this chapter, the state is encouraging a civil society, but one which is narrowly demarcated. Therefore, only those organisations whose activities are deemed legitimate by the state are able to participate in the civic space. However, those organisations which find themselves outside of the boundaries, often human rights organisations which are critical of the government, are not able to participate in Russian civil society on the same terms. The thesis will first examine the areas where there has been limited co-operation between the state and society with the creation of the Public Chamber and the Presidential Council on Human Rights. While the introduction of the Public Chamber and the Presidential Council on Human Rights can be seen to be part of Russia's attempts to adopt democratic practices, the Russian state remains largely unresponsive to these institutions. It will then move on to detail how the state has restricted the ability of human rights organisations to work through increasingly intrusive legislation. While legislation has been applicable to all non-governmental organisations, it has had a particularly adverse impact on human rights organisations as they gradually fall outside of the lines of an acceptable civil society defined by the state. Therefore, the space occupied by human rights organisations from 2006-2016 has become increasingly narrow.

CO-OPERATION: THE PUBLIC CHAMBER AND THE PRESIDENTIAL COUNCIL

PUBLIC CHAMBER

In 2006, the Public Chamber of the Russian Federation was created. After the creation of the Chamber in Moscow, regional chambers were also established in at least fifty-five Russian political districts (Richter, 2008:7). The public chamber was seen to be an institution which would help to mediate between the state and civil society. President Putin proposed the creation of the Chamber (Общественная палата) in order to monitor the activities of state institutions and to work as an oversight committee, as well as supporting citizens' initiatives and distributing government grants for civil society projects. It also has the ability to convene civic forums and hearings which can be used to gather information to help shape government policy (Richter, 2009:12). While this was initially welcomed by many organisations in the third sector as an opportunity to collaborate and influence state policy, the Chamber has achieved limited success in creating dialogue between the government and non-governmental organisations. The representation at the national and regional levels can be described as sporadic and varies widely from region to region.

The structure of the Public Chamber means that it is heavily slanted towards the authorities. As Hudson notes, the Civic Chamber was intended to create dialogue between NGOs and the government, which would lead to the construction of horizontal links among NGOs and thus strengthen Russian civil society (Hudson, 2003:217). However, the nomination system has led to the Chamber being filled with pro-regime social movement organisations, as opposed to those who would be potentially more critical. Forty-two members are appointed directly by the President. These appointed members then select another forty-two members and together these eighty-four members appoint an additional forty-two based on nominations from

regional groups (Robertson, 2011:193). Clearly, these system of nomination is open to bias towards pro-Kremlin groups and thus creates a Civic Chamber which is largely toothless.

In addition to the structural problems of the Public Chamber, it has also been noted that the establishment of regional public chambers has done little to build connections between the regional administrations and local civic societies. Richter has noted that regional activism varies greatly across Russia and often relies on the personal investment of those involved in the chamber. Therefore, often the “value of the Public Chamber is precisely equal to the sum of its parts” (Richter, 2008:12).

Despite this, it is important to note that the Public Chamber has pushed back against the state on several occasions. This was notable during the implementation of the NGO law in 2006. The Chamber appealed against the Duma and pushed for greater scrutiny. However, the pushback from the Chamber could not stop the NGO law being passed. The Chamber has continued to voice its concern with legislation concerning non-governmental organisations but has not been able to successfully campaign for more progressive amendments.

In addition, the Public Chamber developed a working group to deal with *dedovshchina*, a particular issue in the Russian army where new army recruits are bullied by senior officers often resulting in extreme abuse. The working group involved representatives from the Public Chamber, the Duma, the Defense Council, the Presidential Council on Human Rights and surprisingly the Union of Committee of Soldiers’ Mothers. The inclusion of the UCSM in the working group was unexpected as they had been openly critical of the government’s stance towards the issue of *dedovshchina*. The working group signified what the Public Chamber was capable of: a collaboration between state representatives and human rights experts to deliver a

report outlining the causes of human rights issues within the army, with the Defense Minister Sergei Ivanov agreeing to adopt some of the proposals outlined (Evans, 2008:351).

However, while the Public Chamber may have been able to exert some influence, it has been extremely limited. In the early days of its formation, it was able to fulfill its original purpose. Yet despite the apparent encouragement of greater public participation in civil society from the authorities, the Public Chamber and regional chambers have few resources or formal power (Richter, 2009:15). Instead it is often used as a means of gathering information on pressing social issues such as housing, or health care, or even forming part of the Kremlin's soft power strategies abroad. In 2013, the Russian Foreign Policy Concept document gave the Ministry of Foreign Affairs a mandate to utilize the Chamber and NGOs to promote a positive image of Russia abroad (Lutsevych, 2016:4). When it attempts to contradict the will of the authorities or discuss more controversial human rights issues it is largely ignored. The Chamber has therefore been largely used to support the Kremlin's vision of a civil society which is a "coherent, ordered space where individuals assist the state in the interest of the whole" (Richter, 2009:8).

PRESIDENTIAL COUNCIL FOR CIVIL SOCIETY AND HUMAN RIGHTS

In 2004, Putin re-named the Committee for Human Rights as the Council for the Development of Civil Society and Human Rights and has been a point of independent analysis and lobbying. The role of the Council is to inform the President on the state of human rights and civil society in Russia and abroad. In stark contrast to the Public Chamber, the Council is composed of figures from a variety of Russian NGOs community, and has included some of the Kremlin's harshest critics, such as Pavel Chikov from AGORA, a human rights organization based in Kazan (Presidential

Committee for Civil Society and Human Rights, 2015). While it plays only a consultative role in policy shaping, “it is widely seen as one of the most democratic institutions in the country” (Owen, no date).

While it has provided an often liberal critique of the government’s policies, according to its own research, only five per cent of its recommendations become policy (Owen, no date). Since 2006, the Council has been accused of becoming a hollow institution which holds little power. Ella Pamfilova, a previous head of the council, distinguished figure in the human rights community, and the current head of Transparency International-Russia, resigned from her post in 2012, citing that it had become evident that the Council was no longer able to exercise its independence and that the authorities were more interested in bringing the council under state control (Radio Free Europe, 2011). Pamfilova’s resignation also coincided with fourteen other prominent members of the council resigning in protest against the re-instatement of Putin as president following widespread allegations of election fraud. The resignations meant that the Council was left with less than half of its original elected experts.

The resignations generated some negative publicity and criticism from abroad (Bocharova, 2012; Stanovaya, 2012). While it demonstrated that there was some room for independence of opinion, it did little to alleviate the problems of the Council. New members to fill the empty positions had considerably less expertise, which made it less capable in its advisory capacity (Owen, no date). It has also been speculated that Putin took the opportunity to “pack” the Presidential Council with milder Kremlin critics to dilute the voices which had remained (Blamforth, 2012). Both the Committee of Soldiers’ Mothers and the Committee Against Torture acknowledge that while they have participated in the Council, there is little opportunity to influence the decisions

and that the Council acts as “consultative organ and decisions are not binding” (Interview Two, 2016).

However, the CAT interviewee notes that it does, however limited, provide the opportunity to bring human rights violations to the attention to those in the “highest echelons of Russian power” (Interview Two, 2016). One academic writes that having access to the presidential administration is “the most valuable type of connection in Russia” (Evans, 2008:357). Thus while the advisory aspect of the Presidential Council holds limited influence and which the administration can choose to collaborate with or marginalize, it can serve as an important conduit which is not largely available to human rights organisations in any other form. Prominent human rights activists have acknowledged that the Council “was the only remaining platform for dialogue between the Kremlin and Russia’s civil society organisations” (Tétrault-Farber, 2015). Ludmila Alexeeva, one of the oldest Russian human rights activists and head of the Moscow Helsinki Group, returned to the Presidential Council in 2015 after resigning in 2012. While many have been supportive of her return, it is also considered by many to demonstrate that the Council is the only way to push a human rights agenda within Russia’s confined system (Tétrault-Farber, 2015).

Both the Public Chamber and Presidential Council offer small pockets of opportunity for non-governmental organisations to collaborate and influence government authorities. However, both bodies lack real independent power and state authorities are able to adopt recommendations when it wishes and ignore those it does not want to consider. By minimizing the effectiveness of the two institutions, the Kremlin “creates a licensed civil society that is largely controllable by the state” (Robertson, 2011:214). Within the limitations of the Presidential Council and the Public Chamber, human rights organisations have struggled to be able to make their voices heard. As can be

seen, within both organisations, social minded organisations are more likely to be able to utilize the connections to the presidential administration that the Presidential Council and the Public Chamber offer. Human rights organisations, however, have largely been unable to use the institutions to effectively lobby.

CONFRONTATION: LEGISLATION CHANGES FROM 2006-2016

While the Presidential Council and the Public Forum have been limited in their abilities to affect real change for human rights organisations, they have been relatively accommodating within the structures of power and can be considered to be part of the democratic characteristics in Russia. In contrast, however from 2006-2016, the legislative changes in Russia have had a profoundly negative impact on human rights organizations and their ability to work effectively. Daucé notes that non-governmental organisations in Russia increasingly use legal channels as a means to frame their activism as this is the manner which is deemed “acceptable to the state” (Daucé, 2014:248). Pursuing a legal argument for human rights abuses effectively depoliticizes human rights activists, presents issues to the government in the context of its legal obligations set out in the Russian Constitution and other agreements and thus makes “their presence in Russia public space acceptable” (Daucé, 2014: 248-250). However, the legal changes made in Russia has made this approach increasingly difficult. The NGO law introduced in 2006 and the ‘Foreign Agent’ law in 2012 with subsequent amendments has been used particularly against human rights organisations and has drastically changed the human rights community in Russia and the way in which they work.

NGO Law 2006

In January 2006, federal law no-18-FZ was adopted and became widely known as the NGO Law 2006. The law introduced closer regulation of non-governmental and non-commercial organisations in Russia, with a number of new procedures being introduced, including new registration procedures and a closer monitoring of NGO finances, including budgets and donations (Maxwell, 2006: 236). In its initial stages, the law was heavily criticized by a number of human rights organisations both within and outside Russia (Moscow Helsinki Group and Human Rights Without Frontiers, 2009; Human Rights Watch, 2008) The concern was that the law would “increase the intrusive power of the state” and enable them to interfere with the work of independent NGOs (Maxwell, 2006:236:238).

On the one hand, there have been scholars and practitioners who have argued that the introduction of the law may be beneficial for Russian civil society. Javelline and Lindemann-Komarova note that Russia’s NGO sector had been plagued by problems with financial mismanagement, corruption and illegal operations which contributed significantly to high rates of NGO liquidation (Javelline and Lindemann-Komarova, 2010:174). Thus, they argue that the NGO law could help to limit such problems, and increase the professionalism of the sector. In turn, they also argue that this could help to build trust as NGOs become increasingly perceived as legitimate and trusted institutions (Javelline and Lindemann-Komarova, 2010:175). Others have noted that Russia’s laws regarding NGOs are quite outdated; it was therefore essential that Russia modernize its statutes to regulate all non-governmental activities uniformly (Maxwell, 2006:239).

Yet some have also indicated that the perceived role of NGOs in the Colour revolutions in post-Soviet states was an incentive to increase regulation on these organisations (Crotty, et al, 2014:1254). The colour revolutions, particularly in Ukraine, unsettled

many of Russia's political elite, and provided a powerful discursive framework within which to advocate for an increased control over independent associations which could potentially threaten the stability of the Russian state (Klitsounova, 2008: 8). Human rights organisations are often considered to be averse to the state's interests and contradict its traditional values. It is therefore natural that it would be these organisations who would become the target of a law, which could be subject to broad interpretations.

One key concern of human rights organisations was that the new registration requirements and documentation would be burdensome, particularly for smaller organisations, and that it would be human rights organisations which would be specifically targeted with not complying with the new legislation (Human Rights Watch, 2008). However, Javelline and Lindemann-Komarova argue that according to surveys and focus groups, new registration regulations have not "proven any more burdensome for human rights and advocacy groups than for other NGOs" (Javelline and Lindemann-Komarova, 2010: 173). While this may have been the case at the time of research in 2009/2010, more contemporary evidence demonstrates that this can no longer be convincingly argued. After undertaking research with environmental organisations in industrial towns across Russia, Crotty et al findings suggested that smaller organisations were indeed struggling to navigate the necessary paperwork. This was because the larger organisations, which were also more likely to receive state funding, had the time and expertise to complete these forms (Crotty et al, 2014:1260). This effectively squeezes grassroots organisations from Russia's third sector. While it is possible to remain un-registered, this places serious limitations on the ability of that organisation to work. It denies the NGO legal status and "essentially results in curtailing the group's right to freedom of association" (Maxwell, 2006:250).

While at first glance, the issue of registration may seem insignificant, it has a heavy influence on how the Russian third sector is shaped. With smaller organisations being increasingly marginalised and unable to fully access support necessary to function, it is the larger organisation which are state aligned which will dominate. As Crotty et al writes, this will create a ‘managed’ Russian third sector “where NGOs are the agents of social policy, not the influencers of it (Crotty et al, 2014:1265)”.

‘FOREIGN AGENT’

Perhaps the most controversial amendment to NGO legislation came in 2012 with the introduction of the ‘foreign agent’ amendment. Unlike the NGO law in 2006, this was perceived to be a full frontal assault on Russian civil society, and particularly human rights organisations (Human Rights Watch 2016). The law required all those NGOs to declare whether they were receiving foreign funding, and thus be deemed a ‘foreign agent’. The word ‘foreign agent’ is not neutral in Russia and holds Soviet connotations as a foreign spy and being designated as a ‘foreign agent’ can cause great damage to a NGO’s public image. A report delivered by the Presidential Council on Civil Society and Human Rights stated that the number of NGOs working in Russia has decreased by a third since the ‘foreign agent law’ had been enacted (Digges, 2015). Since June 2014 the Ministry of Justice declared 122 groups as foreign agents and by March 2016, at least fourteen groups have shut down, with many choosing to shut, rather than be designated as a ‘foreign agent’ (Human Rights Watch, 2016).

Russian authorities have often drawn comparisons between the Russian Foreign Agent law and other similar laws which are present in the United States (Maxwell, 2006:238). While this comparison can certainly be drawn, it lacks the contextual background. Russia does not have the institutional capacity that the US does to maintain checks and balances on the implementation of the law. The Public Chamber

and the Presidential Council, as has been discussed earlier, can publicly criticize such legislation but are unable to influence changes. The foreign agent law can therefore be used and enforced arbitrarily.

The selective nature of the foreign agent law is reflected in the further amendments which have been made. An amendment made to the NGO law of 2006 now extends the grounds on which organisations could be labelled as ‘foreign agents’. This now would include those who were engaged in ‘political activity’ which was vaguely defined as those organisations which was involved in publicly analysing government decisions, and any steps taken by an NGO to shape “social and political views and opinions, including carrying out and announcing public opinion polls or other sociological research” (Digges, 2016). In addition, in 2014, the Ministry of Justice was granted ability to register independent groups as ‘foreign agents’ without their consent, should the ministry consider that the organisation is engaged in political activity and receiving foreign funding (Human Rights Watch, 2016). As political lobbying and influencing policy makers in the areas of human rights is a key function of most human rights organisations, many are potentially at risk of being designated unilaterally by the Ministry of Justice as a ‘foreign agent’. In 2014, the Human Rights Centre Memorial, one of Russia’s oldest and most respected human rights organisations, was one of the first organisations to be placed on the compulsory list of foreign agents after the Ministry of Justice allegedly found materials on the organisation’s website which were calling for the overthrow of the government and a change in the political regime (McGill, 2015).

Most recently in 2015, a law was passed in which any organization can be designated as ‘undesirable’ if it could be considered as threatening the state security and banned from working in Russia. Anyone working for an ‘undesirable organisation’ can be fined

up to 15,000 rubles for an employee, and 100,000 rubles for the organization itself. An undesirable organization can be both foreign and Russian. The George Soros Fund, National Endowment for Democracy, and the Crimean Mission for Human Rights have all been designated as ‘undesirable’ since the enactment of the amendment (Kozenko, 2015).

For human rights organisations, the foreign agent law has perhaps had more impact than the original NGO law introduced in 2006. In more nuanced ways, the labeling of human rights organisations as ‘foreign agents’ subtly reinforces the Kremlin discourse of Russian traditional values against Western liberal values. Human rights are alien to Russia’s traditional values, they threaten Russian identity and ways of life, and are merely agents of Western governments who seek to weaken Russia. This can be clearly seen in the case of gay rights in Russia. Laws were introduced which banned the “promotion of non-traditional sexual relations to minors” and were justified as protecting Russian Orthodox conservative values, and ideas of the traditional family (Bennetts, 2015). As a result, many lesbian, gay, bisexual and transgender human rights organisations have been unable to promote their organisations and have been effectively isolated from the Russian public and the government.

From a pragmatic perspective, many human rights organisations receive funding from abroad and thus make them a prime target of the legislation. Ludmila Alexeeva states that she took the decision for the Moscow Helsinki group to completely cut funding from overseas as she felt that “I couldn’t ask my team to take the risks that came with the label of “foreign agent” (Alexeeva, 2016). For the Committee Against Torture, the ‘foreign agent’ law has had an extremely detrimental effect, as in 2015 the organization was designated as a foreign agent. In order to try and carry on their work, the organization decided to re-form into two separate organisations: one which would

continue to engage with the work and ‘political activities’ and not receive foreign funding. The second would receive foreign funding but “would not be involved in activities considered to be political”. Despite trying to create organisations which could continue human rights work in accordance to the new legislation, both new organisations were labelled as foreign agents. The interviewee laments that the label of ‘foreign agent’ seriously damaged the image of the organization and states that “we had to destroy a brand which we had worked on for fifteen years”. Despite this, the participant notes that the Constitutional Court of Russia insists that the status of ‘foreign agent’ does not affect the work of those who carry the label (Interview Two, 2016).

Despite the establishment of the Public Chamber and regional representation, as well as the Presidential Council, the civic space in Russia has become increasingly difficult for human rights organisations. The NGO law in 2006 marked the beginning of the deterioration of the relations between human rights organisations and the Russian state as it introduced more stringent registration procedures. However, it has been from 2012 with Putin’s re-election as president, where there has been a noticeable strategy in restricting the space where human rights organisations can operate. This has been in keeping with two of the Kremlin’s overarching policies: one to create a more uniform civil society which could be used to the Putin administration’s advantage, and the second to effectively delegitimize human rights organisations. The incrementally repressive legal changes since 2012 have made it difficult for human rights organisations to survive. In another interview, a participant noted that:

“Civil society is systematically being destroyed from above... they are trying to build a civil society in a conformist and ordered fashion from above with no respect for

individual autonomy or the principles of democratic rule.” (Crotty et al, 2014: Interview 3.2:1263).

SUMMARY

Russia’s legal frameworks and government institutions provide limited opportunities for human rights organisations to co-operate with the state, and they often lack the power to be able to fully confront the state. Russia’s ‘lawfare’ approach to civil society organisations makes human rights organisations particularly vulnerable as the laws are often applied arbitrarily to those who are critical of the state. The state institutions that are available to human rights organisations are not completely open channels of dialogue. Both the Public Chamber and the Presidential Council offer limited access to the presidential administration, but it is the state which determines the terms of that relationship. Thus the civic space in Russia is becoming increasingly restrictive for human rights organisations, as they struggle to effectively make their voices heard and to influence change at the state level. At present there are 100 organisations listed as ‘foreign agents’, most of which are human rights based. This can only be expected to grow in time as there are no effective mechanisms with which the human rights community utilize to counter these laws. Thus while a number of human rights organisations continue to exist in Russia, it can be expected for that number to decrease. Unless legislation becomes less severe, it will slowly erode the human rights community in Russia as it limits their ability to hold the state to account, their ability to promote human rights without being portrayed as part of Russia’s fifth column, and their ability to garner international financial support to continue their work.

Effective activism: Culture and Structure in Human Rights Organisations in Russia

While it is undeniable that the state authorities have embarked upon a legal and institutional to incorporate Russian civil society into the “vertical of power” and is a pivotal force in shaping how human rights organisations from the top, Russian cultural traditions and structure also profoundly shapes the attitudes of Russian people towards civil society, and civic activism. This chapter will be analysing a number of factors which influence Russian civic engagement and attitudes towards human rights. As it has been noted in the literature review, active participation in civil society in Russia has often been low. This low level participation has often been attributed to atomisation of society, low levels of trust in impersonal institutions, and a heavy reliance on personal networks. While this is certainly important, human rights organisations in Russia also have specific cultural heritage which influences their abilities to work in contemporary Russia. This is particularly rooted in the Soviet intelligentsia and the dissident movement, and the legacy of public opinion towards the idea of human rights. These combined make it extremely difficult for human rights organisations to win public support for their organisations and create a coherent human rights movement in Russia.

CIVIC CULTURE AND SOCIAL CAPITAL

Cultivating an activist culture in Russia is difficult due to the state of civic culture and social capital. Civic culture is defined by Almond and Verba as the innate belief in one’s ability to influence political decisions and the political system. It also includes the belief that other citizens are trustworthy and can be co-operated with (Almond and

Verba, 1963). Countries which have a high level of civic culture often translates into a high level of participation of individuals through contributing time or money to social problems in their communities, and voluntary associations in particular are “often seen as a locus of civic participation” (Spencer and Skalaban, 2015:2). Russia, however, has a low level of civic culture and a majority of the population do not actively participate in voluntary organisations. Field research indicates that Russians often feel helpless at influencing the political system (Salmenniemi, 2010:322), which lowers the will to partake in civil society as it is often seen as not being able to achieve any tangible outcome.

Social capital is also important to examine when analyzing levels of activism in Russia. Social capital refers to the ability to create horizontal networks between voluntary associations and civil organisations. These networks subsequently create trust and cooperation between citizens, and subsequently build impersonal trust (Newton, 2001). Social capital tends to be very low as well in Russia, which has created an atomization in society. Rose describes Russia as an “hour glass society”, whereby the links between those at the top of the hour glass and those on the bottom are narrow and thus restrict the ability of individuals at the bottom to influence those at the top (Rose, 1995:36). This has created a society which looks inwards for survival; a trait which is compounded by Russia’s expansive geography (Rose, 1995:36). Many do not see the benefit of engaging with official institutions and withdraw from state-society relations, instead relying on strong informal networks to get ahead in life (Rose, 1999; Morris and Polese, 2014). These strong networks remain closed to outsiders and weakens “forms of generalised trust, and trust in impersonal institutions” (Ledeneva, 2006:191). According to Shlapentokh, in 2006 only 10 per cent of people polled trusted the Duma and the Federal Council in Russia (Shlapentokh, 2006: 156). A fundamental

mistrust of formal institutions means that citizens are likely to resist engagement which in turn means that participation in civil society will remain low (Henry and McIntosh Sundstrom, 2006:309).

Both social capital and civic culture provide important background knowledge for understanding the environment in which human rights organisations operate in Russia. While Greene argues that the current disengagement of Russian society from civic engagement should be understood “to be circumstantial and contingent, rather than cultural and absolute” (Greene, 2014:10), it remains an important factor in cultivating activism in human rights organisations. Strong informal networks and lack of trust in formal organisations make it difficult to encourage involvement, and also create alienation from other groups and the ability for organizations to work together on projects (Rimskii, 2008:54).

Spencer extends this atomization to human rights organisations in Novosibirsk and compares them to the Soviet *kollektivs*, where organisations are based on strong personal ties within small groups. Spencer notes that the *kollektiv* is inherited from the Soviet Union, but that civic organisations reproduce the patterns which maintain a “closed cellular type of society” (Spencer, 2010:1082-1084). During the course of her research in Novosibirsk, Spencer’s observations match those described by Mendelson and Gerber: organisations were usually conditioned by connections and leaders of those groups showed little interest in collaborating with other groups in order to achieve their aims, “nor letting strangers join or volunteer for their group” (Spencer, 2010:1080).

THE RUSSIAN INTELLIGENTSIA AND SOVIET DISSIDENTS

When analyzing human rights organisations in Russia, an examination of the Soviet legacy is essential. The Soviet Union is still very much living history in Russia, and human rights organisations continue to be shaped profoundly by the “deep structural cultural legacies” of the past (Spencer, 2010:1076). This is seen in the affiliation with the Soviet dissident movement, the association of activism with the intelligentsia and the organizational structure of many human rights NGOs. The idea of the Russian intelligentsia has been transformed into a myth in the Russian consciousness and is highly symbolic in current society. Kochetkova summarises the myth of the intelligentsia as possessing unique characteristics such as intellect, ability to be critical, and holding progressive morals. It occupies a distinct social position which is separated from the power and the masses, and often perceived to fulfill special roles or missions. The intelligentsia identity is also symbolic of the struggle of a group against a hostile state (Kochetkova, 2010: 33).

Human rights defenders in the USSR often identified themselves with similar moral values of the pre-revolutionary intelligentsia: courage and integrity, defence of human life and a commitment to intellectual endeavour (Kochetkova, 2010: 25). Identification with the intelligentsia also served to legitimize their actions (Kochetkova). The Soviet dissident movement played a pivotal role in the promotion of human rights and founded many of the human rights organisations which exist today. The late 1960s saw the emergence of the *pravozashchitnik*, which is broadly understood as human rights defenders, and the movement to hold the Soviet Union to account through legal channels and provisions set out in the Soviet Constitution (Horvath, 2005:84). Key dissident figures such as Ludmila Alexeeva, Andrei Sakharov and Sergei Kovalev have played pivotal roles in the emergence of human rights promotion in Russia. Ludmila Alexeeva continues to be a formidable force in the human rights community as the

head of the Moscow Helsinki group, the Presidential Human Rights Council and a committed protester. Sakharov founded the Committee on Human Rights in 1970 and began to promote the legalistic perspective on human rights in the USSR, and Sergei Kovalev, who co-founded Memorial Human Rights Group, and the Moscow branch of Amnesty International, subsequently became Russia's first Presidential Human Rights Commissioner under Yeltsin, pushing forward the first human rights orientated legislation in Russia in the post-Soviet era. Contemporary human rights organisations continue to be influenced by the Soviet dissident movement, which drew heavily on the Russian intelligentsia myth, not least because key dissidents in the Soviet era continue to be the 'faces' of Russia's human rights movement.

For many who were engaged in controversial topics such as human rights during the Soviet period, it was difficult to communicate such views to a broader public. The response was therefore to create circles with other like-minded people (Mendelson and Gerber, 2007:57). These circles were similar to the pre-revolutionary intelligentsia which conceived of themselves as having a moral mission to educate and reform the Russian people. Yet while the intelligentsia were *for* the people, they were not *of* the people, and largely operated in isolation from the masses (Mendelson and Gerber, 2007). This idea of belonging to an exceptional group has permeated through to activist identity in Russia today as they tend to identify heavily with this aspect of intelligentsia culture (Lyytikäinen, 2013:508). Indeed, according to a CSI population survey, only 2.9 per cent of the Russian population are involved in politically orientated civil society organisations (Yakobson et al, 2011:21), such as human rights, thus reinforcing the idea of human rights activists as an extra-ordinary group of people who are to act as the moral educator to the Russian public.

The tendency to remain inward-looking translates into a number of problems for human rights organisations. Firstly, as Mendelson and Gerber note, organisations can be reluctant to engage outside of their own group members and instead rely on existing members, and orientate towards those who are already converted to their message. This type of behavior is typically seen in leaders of more professional organisations who have received training and believe that they “know what is best” (Usacheva, 2012:89). Thus rather than seeking to persuade public opinion and encouraging deeper involvement in human rights organisations, many instead “devote their energies to displaying the authenticity of their commitment to human rights norms” (Mendelson and Gerber, 2007:51).

In the previous chapter, it could be seen how the state was working to isolate human rights organisations from power structures through legislation and selectively working with some groups over others. However, as Daucé chronicles, the dissident practices of being anti-political of human rights organisations have also contributed to the isolation of human rights groups. The dissident movement was rooted in protest against the Soviet party system, and was non-political in its nature. Apoliticism was a protest against the Communist party and a refusal to endorse the regime (Daucé, 2010). The gradual erosion of liberal party presence in the State Duma has presented a dilemma to human rights organisations. With no liberal representation in a position of power, human rights organisations have faced the decision to become involved in politics, which is directly opposed to the dissident tradition, or to boycott the system entirely.

The Union of Committees of Soldiers’ Mothers embarked upon a new political strategy in an attempt to gain power to further their aims. In 2004, they created the United People’s Party of Soldiers’ Mothers as a liberal voice but stated that they were “willing

to cooperate with any political party to achieve its goals” (Yablokova, 2004). This marked a significant break from the dissident tradition. However, it was largely symbolic as the party participated in local elections in Moscow, but it was unable to take part in further elections due to new legal requirements (Daucé, 2010:98). While the UCSM demonstrated its willingness to engage in new strategies, its experience demonstrates the near- impenetrability of the Russian political system. Within the human rights community, there appears to be a feeling of helplessness as it struggles to find ways to influence policymakers in Russia. Many human rights leaders believe that in the position which there are “elections with no choice”, they can do no more than just observe (Kokorev, 2007). Thus many human rights organisations are reluctant to engage or compromise with the state, instead basing their actions on the “perfect morality” of the intelligentsia by refusing to engage with the state system and withdrawing into circles of other human rights defenders (Daucé, 2010: 91)

Thus, human rights advocacy has traditionally been associated with the Soviet dissident movement and as occupying a position in society which is outside the sphere of power and everyday society. The cultural practices of the dissident movement have contributed to the isolation that human rights organisations currently experience in Russia as they tend to position themselves activist to activist in response to the political situation. This limits their ability to connect with the wider public and encourage involvement in human rights.

OUT OF TOUCH?

A further issue for human rights organisations in Russia is the gap which exists between the organisations aims and values and the general public. According to a Levada poll in 2014, 68 per cent of Russian citizens thought it likely that human rights violations were occurring in Russia, however this does not equate into support for

human rights NGOs (Levada Centre, 2014). Firstly, there is a clear hierarchy of needs which emerges when Russians are surveyed on rights. Economic rights are frequently ranked as the most important, with access to free medical care and the right to work and fair pay being the most popular (Public Opinion Foundation, 2013). Civil liberties, such as freedom of speech are considered unimportant by the majority (Yakobson et al, 2011). Thus despite over two decades of work trying to root human rights practices in Russia, Gerber notes that the “Russian public appears at best indifferent towards human rights NGOs” (Gerber, 2016). A dichotomy in perception also exists between human rights organisations and ordinary Russians. In a poll conducted in 2014, 45 per cent of Russians believed that the human rights situation had improved, 33 per cent believed that it had not changed and 14 per cent believed that it had worsened (High Commission for Human Rights in the Russian Federation, 2015: 12). Only 6 per cent of those surveyed believed that human rights NGOs could help Russians protect their rights while 24 per cent believed that nobody was able to protect their rights (High Commission for Human Rights in the Russian Federation, 2015 :15). Only one per cent had asked a human rights NGO for help when they felt their rights had been violated with 40 per cent not reporting the violation at all (High Commission for Human Rights in the Russian Federation,2015 :15). The statistics gathered by the High Commission for Human Rights, and other polling centres demonstrate that there are significant differences in the assessment of the human rights situation by the public and human rights organisations (High Commission for Human Rights in the Russian Federation, 2015: 12). They also strongly suggest that human rights organisations in Russia have failed to reach out to the Russian public, as the vast majority feel that they cannot wield influence or that they are aware of the work of those organisations.

In addition to this, research suggests that activism is a heavily based on class. Salmenniemi notes that the economic collapse in Russia resulted in many highly educated professionals, many of them women, with a high level of social capital, facing unemployment (Salmenniemi, 2014:44). They quickly came to occupy seminal positions in the civic field. The class identity of activists has continued in contemporary Russia. In interviews with *Oborona*, a non-partisan civic youth group which promotes democratic values, Lyytikäinen notes that many described themselves as coming from “intelligent” families. In nearly all cases, the parents had attended higher education and worked white collar professions, and some families had a history of being involved with dissident movements during the Soviet period (Lyytikäinen, 2013:505). Although research on Russian activism has largely been based on women’s organisations and eco-activism, it is reasonable to suppose that such trends would also be applicable in human rights activism as all three are similar in many ways, being motivated by international values, the belief in the power of individuals in influencing change and acting outside of the government (Keck and Sikkink, 1998: 2).

The marker of class in activism is not surprising in itself, as many socio-economic studies demonstrate that the more financially secure and educated middle class are more likely to begin looking outwards and become more interested in securing political and personal freedoms (Fukuyama, 2013). However, in Russia the middle class is particularly small. The Independent Institute of Social Policy (NISIP) defines the middle class as: being a home-owner, having a higher education or white collar job and sufficient financial security to afford certain life choices, such as schools. According to this definition, only 20 per cent of the Russian population constitutes as middle class, with 70 per cent of society “living in near or outright poverty” (Jenson, 2013). In comparison, it is estimated that around 50 per cent of the population in the UK are

middle class (Arnett, 2016). Thus if most activists tend to be middle class, it reinforces the distance between activists and ordinary citizens, who may not have the time and resources to become actively involved in human rights organisations and sets activists apart as belonging to a distinct social stratum.

ORGANIZATIONAL STRUCTURE

Spencer notes that organizational culture “can have marked effects on the ability of groups to collaborate, how a group is structured and how it operates” (Spencer, 2010:1075). Organisational culture in Russian human rights NGOs can be seen to be influenced by old Soviet attitudes towards volunteering and the use of personal connections in achieving goals. In addition, the NGO sector in Russia is still developing and for many smaller organisations, there is a serious “skills gap” issue.

During the Soviet Union there was the practice of ‘forced volunteerism’ which were organized through the workplace and regulated by the state. Citizens were expected to participate in activities which normally worked to support the Communist party, or could face consequences if they did not (Henderson, 2002:140). The European Volunteer Center Report details that a particular voluntary activity was known as ‘*subbotnik*’ was a day of unpaid work usually undertaken on a Saturday to contribute towards a public project or cause. An annual ‘*Lenin’s subbotnik*’ was regularly held around 22nd April on Lenin’s birthday (Ginga, 2010:7).

It is argued that this experience of forced volunteerism has manifested itself as an unwillingness amongst the population to join volunteer organisations, or are distrustful of voluntary organisations which are not regulated by the state (Henderson, 2002:140; Mendelson and Gerber, 2007:54). In investigating corporate volunteering, Krasnopolskaya notes that subjects in the study were more likely to volunteer in a

project which was supported by their company as it signaled that it was a legitimate as it has been effectively authenticated by the corporate company, but remained uncertain of other non-profit organisations, as the philanthropic credentials were often questioned and participants were unsure where their time and donations were being funneled (Krasnopolskaya, 2014:10). The Charities Aid Foundation undertook research which demonstrates that only 2.4 per cent of Russians volunteered their time in 2015 (CAF, 2015), and in 2011 only around 7.7 per cent of Russians reported membership or engagement with associations, civil initiatives or other non-state organisations (Yakobson et al, 2011:17). However, paradoxically the majority of organisations rely on volunteers and 40 per cent of all civil society organisations in Russia have no permanent employees (Yakobson et al, 2011: 21), impacting the ability of human rights organisations to be strategic and consistent in their work. Both the Committee Against Torture and the Union of Soldiers' Mothers rely on volunteers and have a small number of permanent staff (Interview One, 2016; Interview Two, 2016). This small amount of willing participants limits the impact of human rights organisations, as they are unable to garner the important public support when lobbying on key issues, and makes it easier for the government to disregard raised concerns.

In addition, there appears to be a generational gap when it comes to volunteering and activism, with tensions between 'older' and 'newer' activists. As was stated earlier, the identity of the human rights movement remains deeply connected to the dissident movement; but there are also activists on the ground which continue to use Soviet tactics. Many retain a 'top-down' approach, and rely on the traditions of the Soviet period, with some believing that it is essential to bring back *subbotnik* in order to swell their volunteer ranks (Usacheva, 2012:89). Adhering to the 'top-down' approach

means that the organization is centered on the leader, rather than on values or goals. The leader therefore defines the tactics of the organization as well as which allies are “acceptable” (Usacheva, 2012:89). Therefore, connections between organisations can often be contingent on the good relations between two individual leaders. It is unlikely that co-operation would continue should that trust be broken or a personal disagreement arise. Therefore, the ‘top-down’ approach affects an organisation’s ability to build a coalition around an issue and negates the capacity to pressure the authorities. For newer activists who tend to emphasise a more participatory approach, the fear remains that the new organisations which are developing at the grassroots level will simply be remade in the style of the previous ones (Sperling, 2001:1167).

Personal connections and patrimonial practices have also come to play an important role in how NGOs work in Russia. The use of personal connections in the business and political sphere have been written about extensively (see Ledeneva, 1998; Ledeneva 2006.). These networks are infused with power and create “effective yet illegitimate shortcuts that undermine the efficiency and legitimacy of formal institutional channels” (Ledeneva, 2006: 214). However, in the NGO sector, personal connections with the authorities are largely considered to be “the most efficient way to exert influence, gain access to public resources and further organisations’ goals” (Salmenniemi, 2010: 323). The use of personal connections as a strategy is compounded by the weakness of Russian formal institutions, which makes Western strategies of lobbying impractical (Sperling, 2001:1172). As Melinkova from the Soldiers’ Mothers Committee states “there are no real laws, the system is pernicious. Only personal contacts are important” (Daucé,2010:92). These clientelistic practices can be also be connected to the hybridity of Russia’s political regime. When the state cannot, or will not, guarantee a fair playing field for civil society organisations and has

weak democratic institutional capacity, it can be argued that this drives organisations to utilize other tools, such as personal connections, in order to get ahead.

However, personal connections are not just important in gaining influence with the authorities. Spencer notes that many local civic organisations that she observed in Novosibirsk were based on pre-existing friendships or connections to the elite. As was noted earlier, the chaos of the 1990s saw a number of people with high levels of social capital facing unemployment and uncertainty. Salmenniemi observes that many recognized that those personal networks could be transformed into economic capital by way of registering an organisations and winning donor contributions and government funding and essentially a way of creating self-employment (Salmenniemi, 2014:44).

The extensive use of personal connections in Russia can be seen as a key cause to obstructing the development of the NGO sector. Firstly, the use of informal connections impedes the institutionalisation of NGO practices such as lobbying. Secondly it impedes the meritocratic development within an NGO's organizational structure, and in the NGO network as a whole. On an activist level, an individual with better social capital will be privileged over an activist with more experience or knowledge. Within the network, it subverts the formal channels and creates an uneven playing field for other organisations which may not have such high levels of social capital. This can be seen in the disparities in regional development of NGO, relying on fewer resources and connections than those in Moscow or St Petersburg (Buxton and Konovalova, 2012:9). It can therefore be argued that the use of personal connections in NGOs contributes to a circle of a few organisations which are able to leverage connections to gain access to resources and further their goals. However, smaller and

perhaps more controversial organisations are unable to win patronage in such a system.

SKILLS GAP

The final aspect of cultivating activism in Russia relates to the “skills gap” which has emerged in Russia’s third sector. In the early years of capacity building and collaboration between Western practitioners and Russian activists, the greatest demand came for skills such as “techniques for speaking in groups, forming networks around a concrete issue, and thinking strategically at the grassroots level about specific actions” (Sperling, 2001:1172). While there has been significant development in the NGO sector, since the 1990s, training and activism skills remain a key issue within Russian NGO organisations and subsequently, human rights organisations. What has emerged is that many organisations rely on old habits and tactics and are reluctant to embrace new practices. Based on working with human rights organisations in Russia, Mendelson and Gerber note that many were unwilling to adopt social marketing strategies which would frame human rights campaigns in accordance to polling information, and thus in a way which the Russian public would find more stimulating. Social movement theorists have termed this “frame resonance”, which remains critical to the success of a movement or campaign. For example, the Chechen war would no longer be framed as human rights abuses committed against the local Chechen population, which many Russians felt ambivalent about, but instead focus on how the war impacted on Russian soldiers and particularly the number of soldiers’ deaths. Social marketing required many of the organisations to completely transform their previous approaches and make more strategic and concerted efforts to reach beyond those who were already familiar and supportive of similar movements. Mendelson and

Gerber noted that the reluctance to adopt this new strategy was typical of older activists and led them to conclude that

“the human rights movement in Russia faces a demographic and methodological crisis: either younger voices, new strategies and innovative techniques will multiply or the movement will simply perish” (Mendelson and Gerber, 2007:73).

The combination of traditional ‘top-down’ approach in human rights organisations and a reliance on using personal connections to achieve goals has seemingly created a human rights ‘elite’ which is profoundly influenced by Soviet habits, and which displays “few relevant skills and no experience communicating with the public” (Mendelson and Gerber, 2007:55). The Committee Against Torture particularly noted that leaders in the human rights sector did not have sufficient resources regarding social media which impacted their communications. (Interview Two, 2016). A dependence on existing practices and habits which are unique in Russia reinforces the existing structures and shapes organisations in unanticipated directions (Spencer, 2010:1081).

SUMMARY

It can be seen that analysis of Russia’s society involves a number of complex variables which influence how human rights organisations work in Russia. The legacy of the Soviet Union has deeply affected the ways in which individuals in society relate to each other, and expectations of the state-society relationship. Russia’s civic culture and low social capital severely restrain the capabilities of human rights organisations.

Experiences of forced volunteerism and closed networks make it difficult for human rights organisations to reach the Russian public with their message and so are unlikely to be able to build their power base and hold influence.

However, while the wider cultural issues are important, it is also vital to note the ways in which human rights organisations reproduce negative patterns within their organisations. Of course, there are exceptional human rights organisations in Russia which work tirelessly to build bridges between themselves, the state and the individual. However, there are also some fundamental issues that need to be addressed if they are to become effective in their fields. By relying on closed networks and facing inwards, human rights organisations isolate themselves even more from their constituents. From a strategic point of view, this makes it difficult for the organisations to “convert their claims and agendas into messages that resonate with norms which are already widely accepted by Russians” (Klitsounova, 2008:5). This means that their ability to “moderate the Russian government or mobilize the population will remain marginal” (Mendelson and Gerber, 2007:51:53). In addition, by engaging in clientelistic practices, the small space which is available for human rights organisations to work in becomes even more restrictive as it will become dominated by those organisations which are considered to be ‘safe’ and can utilize networks to achieve their aims, or those which are fortunate to have connections. Finally, Mendelson and Gerber argue that it is imperative that human rights organisations adopt new and innovative strategies in order to make their voices heard, instead of relying on old methods. Without key leadership and communication skills, Russian human rights organisations cannot effectively push forward their agendas. This is particularly important in a hybrid regime where the space to work is limited, but also because it is possible that a miss-step can see that organization fall victim to the numerous pieces of legislation which regulate civil society.

Funding

Thus far, we have examined both ‘top-down’ and ‘bottom-up’ influences on the ability of human rights organisations to work in Russia. Connecting both of these chapters, and the final area of analysis of these thesis, is funding. Securing funding is often a priority for any non-governmental organization, as it is essential in enabling it to continue its work. In larger, more corporate NGOs, whole departments are dedicated to finding funding for their organization. While this is often challenging for even experienced NGOs, in Russia there are a number of factors which make securing funding even more difficult, particularly for human rights organisations. While there are genuine arenas for opposition to the state in a hybrid regime, it is unlikely that the state will fund those organisations which are critical of the regime and which threaten its position of power, or encourage others to help sustain organisations it may deem as a threat. Since 2006, it is possible to see that the Russian government has engaged in a strategy of restricting international funding while simultaneously increasing state support ensures a diversion of resources away from “adversaries” and maintaining an image of a functioning civil society. First and foremost, it will look broadly at foreign funding in Russia, particularly from the US and Europe and examine some of the ways which is has positively and negatively affected NGOs in Russia. It will then look specifically at the state attempts to regulate the funding of human rights organisations, which is fundamentally linked to the ‘foreign agent’ law which was discussed in detail in chapter one. It will also examine the ways in which the government provides public funds through the Public Chamber. It will conclude by looking at local funding as a means for human rights organisations to secure financial support for their organisations.

FUNDING HUMAN RIGHTS

Human rights are considered to be universal in their nature and organisations which are centered on protecting and promoting human rights are thoroughly transnational in nature. This has led to a considerable number of international organisations financially supporting human rights organisations in Russia. In the early years after the collapse of the Soviet Union, foreign funding for non-governmental organisations poured into Russia, both from government agencies, particularly from the United State, United Kingdom, Germany and France, and multilateral organisations, such as the United Nations. They often had the broader goal of facilitating civil society, and ultimately democracy (Henderson, 2003:63). The funding which came from abroad in these formative years provided much needed funds for many organisations; Henderson notes that “many groups did not have money to buy paper, let alone the technology, such as computers, fax machines, and copiers that could expand their impact” (Henderson, 2003:64). In the nearly two decades which have passed, the financial support from Western countries has been extensively studied, revealing an extremely complicated picture whereby motivations and methods of donors can come into conflict with local organisations’ needs or create negative outcomes.

The structures of grant giving have re-produced some negative patterns, as over time it has tended to favour a small number of elite groups. Firstly, in the early days of foreign funding, in order to participate, it was often necessary to have a knowledge of English. In the immediate post-Soviet period, very few members of the general public were able to speak another European language. Those that could tended to be old Soviet elites who had had the luxury of travelling abroad (Henderson, 2002:155). As grant writing became a professionalized skill in the third sector, it effectively concentrated the knowledge of winning international grants into the hands of a few individuals across

the third sector, and most likely those who came from a different social background than the majority of other Russians. In the previous chapter it was demonstrated that social capital could influence the ability of an organisation to lobby the authorities through leveraging personal connections; however social capital was also essential in securing positive financial outcomes for NGOs. Therefore, it was often *'odni i te zhe'* (the same old people) who attended NGO conferences and seminars and built inside tracks of support through familiarity with the system (Sperling, 2001:1178). It is worth noting that many foreign donors have since made more efforts to localize their practices by hiring Russian staff and translating guidance manuals and others resources into Russian to improve access (Henderson, 2003:81). However, these earlier practices have carried long term consequences which leads to the third issue with foreign funding.

As has been noted, budgets for NGO development in Russia can often be worth multi-millions, and foreign donors are often paid from a government budget. Therefore, there is often a constant need to justify spending and to demonstrate results. This can lead to “constituency confusion”, where the interests of the donor are prioritized over the domestic needs (Rochowanski, 2013) and create distance between Russian NGOs and their local communities as they will inevitably shape their agendas and projects to conform with the goals of the foreign assistance to successfully secure funding, rather than the other way around (Henderson, 2002:142). In addition, Western money tends to gravitate towards organisations which have already successfully delivered projects, or who they have worked with previously, as this is often easy for accountability and transparency purposes. Working with human rights organisations in Novosibirsk, Spencer notes that it was a small number of organisations in the region who managed to secure the majority of funding for their projects (Spencer, 2010). This is coupled

with the fact that despite the enormous amounts of funding from abroad, the demand in Russia is outstripping the supply, making international funding a particularly valued resource. Sperling observes that success in obtaining foreign grants often fosters feelings of jealousy among other organisations and can often be the cause of limited co-operation between certain groups (Sperling, 2001:1172). The Committee for Soldiers' Mothers highlighted in the interview an example of how another Russian human rights organization received funding from a Norwegian fund for a project which helped to train lawyers in human rights law. The interviewee noted bitterly that the Committee for Soldier's Mothers had successfully been training lawyers in a similar way for a number of years but did not receive such funding (Interview One, 2016). Therefore, many of the criticisms which have been levelled at foreign aid is that rather than facilitating the growth of civil society, and "fostering horizontal networks, small grassroots initiatives, and ultimately, civic development, foreign aid contributes to the emergence of a vertical, institutionalized and isolated civic community" (Henderson, 2002:140).

Despite these criticisms, both academics and practitioners have argued that it remains absolutely vital for Western aid to continue supporting Russian NGOs, particularly for those which contest the state's position (Alexeeva, 2016; Sundstrom 2006). Sundstrom argues that consistent support on issues will help NGOs to succeed in changing the domestic norms over time and thus help to create a dialogue (Sundstrom, 2005). Both interviewees believe that foreign funding remains essential to the development of the third sector in Russia, even if it is flawed. Despite closing as a result of being labelled a 'foreign agent', the Committee Against Torture also views foreign funding as unequivocally positive, and a way to help independent NGOs and develop the charity sector in Russia (Interview Two, 2016).

FOREIGN AGENT AND FOREIGN FUNDING

As it has been previously discussed, state authorities in recent years have become more stringent on foreign aid to Russian organisations and have restricted the sources of potential income for Russian NGOs. While the 'Foreign Agent' law carries heavily normative penalties, it has a very pragmatic aspect as well. Some academics have underlined that the Putin administration is genuinely concerned that foreign funded NGOs in Russia could create a colour revolution similar to those seen in Ukraine and Georgia (Petrov, 2010; Crotty et al 2014). Putin has stated on several occasions that NGOs receiving foreign funding are simply instruments which serve "dubious group and commercial interests" which do not work in the interest of Russian people (Putin, 2004) This cumulated in the 'spy rock' incident in 2006, when British intelligence was accused of making secret payments to pro-democracy and human rights groups through a hollow rock in a Moscow park. The 'foreign agent' law was introduced shortly afterwards (Topping and Elder, 2012). While the administration may hold a genuine belief that foreign funding poses a threat to Russian security, by restricting foreign funding the Russian state is also effectively weakening those non-governmental organisations which openly criticize the government's actions or promote an alternative discourse to the official one. Rochowanski writes that there is a belief that once foreign funding is restricted, many organisations which are critical of the regime will "simply deflate" (Rochowanski, 2013). Thus the 'foreign agent' law is central in Putin's conception of civil society being part of the "vertical of power" and drawing a line between those it considers legitimate and illegitimate.

Despite the problems which have been outlined above, choking off foreign aid is having a severely negative impact on NGOs, and being labelled a 'foreign agent' carries wider funding repercussions. The Committee Against Torture note that the legislative

changes profoundly affected their ability to finance projects due to their perceived image as an ‘undesirable organisation’. They note that many previous donors were reluctant to contribute to their projects and they were forced to find new partners, or shut down programmes entirely as a result (Interview Two, 2016). In 2013, the Committee Against Torture received over 44 million rubles in foreign grants, from long term Swedish partner Civil Rights Defenders to the United Nations Voluntary Fund for Victims of Torture. Although they received 20,000 in private donations, they received no financial support from the Russian authorities (Committee Against Torture, 2013), subsequently making it impossible for them to carry on working without financial aid from abroad (Radio Free Europe, 2015). Similarly, the UCSMR received over \$200,000 from the Swiss government, the Ford Foundation and the Right to Livelihood Foundation in 2004 (Sundstrom, 2005:427). The legislation has also caused a number of international foundations to close their doors as the environment surrounding international donations has become so difficult. This includes the prominent MacArthur Foundation and USAID, which since 1991 have disbursed \$172 million and \$3 billion respectively in grants to Russian non-governmental organisations, including human rights organisations (BBC, 2012; Walker, 2015).

In sum, the ‘foreign agent’ law has been a substantial blow to the human rights community. While organisations such as the Committee for Soldiers’ Mothers and the Helsinki Group may be able to survive without foreign funding due to their standing in Russian society, their size and their ability to work with the Russian government on some human rights issues that the state deems to be in their best interests, many smaller independent human rights organisations are likely to disappear as the foreign financial assistance shrinks.

DOMESTIC FUNDING

Local funding is becoming an increasing focus for many human rights organisations as a sustainable source of financial support and with the current restrictions placed on foreign aid, many organisations now look to domestic funding in order to secure their activities. While the practice of individual giving is increasing in Russia, it is directed towards specific charities and organisations, namely those which work with veterans, the elderly and children and the Russian Orthodox Church. The Russian government has increased its state funding for non-governmental organisations, but this is also often directed towards socially orientated NGOs, and in-keeping with the Kremlin’s policy of creating allies and adversaries within civil society.

STATE FUNDING

After the implementation of the NGO law in 2006, the Russian government has introduced state funding, both at a central and regional level. In 2006, the amount available was 500 million rubles, which increased to approximately 3.5 billion rubles in 2013 (Chikov, 2013). Since restrictions on foreign funding have been placed, there has been a development of grant programmes in Russia, which Daucé notes is “reflective of the Russian government’s desire to replace international funds with national ones” (Daucé, 2014:246). In 2015, it is estimated that presidential grants grew to 4.2 billion rubles (The Moscow Times, 2015), nearly a billion rubles more than two years previously and in 2016, 502 projects were chosen to be supported through presidential grants (Prezidentskiye granty, 2016). Presidential grants were initially distributed by the Public Chamber, but they are now divided up into nine different “operators” which cover different aspects of society, including youth, women and pensioners. Yet despite the significant increases in domestic state funding available for non-governmental organisations it has followed the pattern set out by the Kremlin as a means of control. Many of the recipients are ‘socially orientated’ NGOs, and projects

which are perceived to be beneficial to the state as they bolster social care where the state has previously been the provider. Many carry an emphasis on cultivating patriotic values through historical and cultural projects. The “operators” then award grants to different organisations based on submitted projects. In 2016, the largest grant of six million rubles was won by a project which aimed to provide free legal aid to socially orientated non-profit non-governmental organisations (Grant Portal, 2016). In 2015, 6 million rubles went to ‘Khryushi Protiv’ (Piglets Against), a sub group of the pro-Putin youth group Nashi which targets the sale of expired produce in grocery shops (Grant Portal, 2015; Earle, 2013). According to the Center for Economic and Political Reform, other major recipients of government grants are the Moscow Patriarchate or NGOs promoting an Eurasian ideology (The Moscow Times, 2015).

This is not to say categorically that no human rights organisations received presidential grants. The Moscow Helsinki Group won several grants through the presidential grant process, for projects which were focused on police reforms and general monitoring of the human rights in Russia (Moscow Helsinki Group, 2015). The influential human rights group Memorial has also been awarded grants for projects increasing awareness of human rights and increasing civic participation (Grants Portal, 2015). Both the Committee Against Torture and the Committee for Soldiers mothers received presidential grants in the past for projects (Interview One, 2016; Interview Two, 2016) but it is an uncertain source of funding which cannot be relied upon annually to support the work that human rights organisations carry out. In addition, the Committee for Soldiers’ Mothers notes that although there are large grants available, often the amount given is very small and not enough to cover essential expenses. The interviewee noted that the monthly rent for office space was

25,000 rubles, but the annual subsidy they received from the authorities amounted to 28,000 rubles (Interview One, 2016).

While clearly there are cases where human rights organisations have been able to secure state funding, the overriding belief is that the government finances NGOs which are “ideologically close” and those which “systematically criticize the government” have limited access to government resources (Interview Two, 2016). In a wider observation of human rights organisations in Russia, Crotty notes that the smaller grassroots based human rights organisations struggle to win government support, yet larger ‘marionette’ organisations, those created by the state, reported that the government had been “rather impressive and solid” and generally supportive of their activities (Crotty et al, 2014:1262).

PHILANTHROPY

Traditional philanthropy has long been an essential source of financial support for non-governmental organisations all over the world, as it often allows an organisation to retain independence from political influence. Historically, there has not been a strong ‘giving culture’ in Russia to independent organisations. Spero notes that in Soviet times “charity” held particularly negative connotations as it was “considered a demeaning, manipulative capitalist practice” and was therefore forbidden (Spero, 2014:7). As with other cultural practices inherited from the Soviet era, this perception has been slow to change but it appears that there are steps in increasing philanthropy in Russia.

Spero notes that many affluent Russians chose to establish foundations. In 1999 Vladimir Potanin created the first private philanthropic foundation in Russia and the numbers have steadily increased including Mikhail Khordorkovsky’s Open Russia

Foundation. By 2006, there were over twenty such foundations (Spero, 2014:6).

However, while these foundations have certainly grown in number, they mainly work in the parameters that the state has determined and are often unwilling to give to large scale human rights projects given the potential consequences that such an action could entail. The Open Russia Foundation was forced to close in 2006 as a result of Khordorkovsky's arrest and affiliation with political activities. It has since reformed, being re-established in 2014 and used to support educational activities, as well as political opposition in Russia through its Open Elections organization. It will be supporting political opposition candidates in the upcoming parliamentary elections in September 2016 (Moscow Times, 2016). Consequently, Open Russia Foundation has been threatened by the Ministry of Justice to be placed on its 'undesirable' list of organisations which are deemed a security threat in Russia (Novaya Gazeta, 2016). Khordorkovsky's troubles with his Open Foundation has served as a warning for many other foundation executives who are unwilling to risk the existence of their foundations to support human rights organisations. In addition, corporate giving remains low as it is mainly channeled through foundations which has been set up by major commercial organisations. Businesses which do donate, tend to also give to those which are socially orientated and engaged in "conformist activities" (Chikov, 2013). Chikov also notes that local businesses, when they do donate, prefer to give in cash and based on a relationship of trust between the two organisations. As he states "no responsible manager of an organisation can rely on such support for its core funding" (Chikov, 2013).

Aside from large donations from foundations or corporations, individual donations also constitute a core part of generating revenue income. Again, individual giving does not have deep roots in Russian society, particularly given the economic conditions in

the early nineties where large proportions of the population were struggling for economic survival and had little disposable income. However, this has slowly changed and risen with economic growth. According to the Charities Aid Foundation (CAF), nearly fifty per cent of the adult population donated money to NGOs in 2015 and total donations over the year amounted to 146 billion rubles, with an average donation of 3300 rubles (Charities Aid Foundation, 2015). The imposition of sanctions and stagnation of the Russian economy in recent years has impacted somewhat on individual giving. CAF statistics indicate that while the percentage of individuals who donate to charity has increased from 41.4 per cent in 2014 to 50 per cent in 2015, the amount given has shrunk dramatically from 160 billion rubles in 2014 to 146 billion rubles (Charities Aid Foundation, 2015). A final observation for alternative routes of funding is that newer methods of collecting funds is often difficult. In tracing giving behavior among Russians, the CAF research finds that Russians are often more inclined to give spontaneously, with the most popular methods being via text messages or through public donation boxes. Online donations are rare, and monthly giving through direct debit is also not a widespread practice, with only 5 per cent of respondents having used this type of donations (Charities Aid Foundation, 2014: 15).

The trend in individual philanthropy is therefore broadly positive, but it remains a strong preference by individuals to support children's organisations and emergency relief. In a survey, CAF observed that 66 per cent of respondents' most recent donations were to support children. Only 3 per cent responded that they had donated to a human rights organisation (Charities Aid Foundation, 2014:16). This supports the findings in the second chapter that human rights organisations do not enjoy widespread support among the Russian public and this is reflected in limited possibilities of raising money through individual donations. Despite this negative

outlook, the Committee for Soldiers' Mothers stressed that the ability to fundraise in Russia was difficult as the "political and economic situation has taken a turn for the worse", but nevertheless the organization has been able to fundraise online, collecting 500 000 rubles (Interview one, 2016). However, it is worth reiterating the point made earlier that the Soldiers' Mothers is one of the few human rights organizations which enjoys widespread support and recognition from the public due to its subject matter. It is unlikely that the Committee Against Torture or a smaller human rights organization would be able to fundraise a similar amount.

ALTERNATIVE FUNDRAISING

A small number of organisations have looked to more modern technology to generate income for their organisations, as NGOs have attempted to capitalize on the growing philanthropic trends. Crowdsourcing has become a 'du jour' method for many organisations to raise funds for specific projects. Navalny sought crowdfunding for his anti-corruption *Rospil* project, which raised millions of dollars from the Russian public while explicitly rejecting foreign support (Allen, 2013). However, Navalny's case is an exception. It is estimated that an organization requires an annual budget of between \$200,000-\$500,000 to cover core logistics and staff (Chikov, 2013), an amount which is unlikely to be covered solely through private donations. Many NGOs do not enjoy the same celebrity status that is afforded to Navalny and thus limits their ability to garner widespread support for their projects. With a low level of public support for human rights, it is even more unlikely that human rights organisations will be able to garner enough publicity and interest to translate into significant financial support through this method. The Committee Against Torture specifically stated that their cause has "weak crowdfunding potential" (Interview Two, 2016).

Other methods that could potentially raise funds are often difficult to implement in Russia. An initiative proposed by the Ministry for Economic Development to allow charitable donations or membership subscription fees to socially-oriented NGOs through automatic teller machines was blocked by the Federal Financial Monitoring Service on the grounds that the donations may be used to fund terrorism (Chikov, 2013). It cannot be clear whether there were concerted efforts in restricting the methods of donations to NGOs in Russia. However, that they are often treated suspiciously and perceived to be able to collaborate with terrorist organisations speaks volumes about the perception of independent non-governmental organisations in Russia.

SUMMARY

Russian human rights organisations face a minefield of challenges in the financial sphere. While foreign funding has long been a lifeline for many organisations, it has also created some negative consequences. This has contributed to the isolation of NGOs from their Russian ‘constituents’ and encouraged the creation of projects which Western donors believe to be desired, rather than being created from a grass-roots level. However, the strict restrictions now imposed on foreign funding has had a significant impact on how human rights organisations can work, and which ones can continue to work. Many smaller human rights organisations rely on overseas partners to fund projects which are not possible to fund in any other way. Therefore, despite being problematic in many ways, it remains a vital source of financial support. Restrictions on foreign funding appear to be a deliberate legislative move in order to constrain those organisations which are independent and critically minded and thus minimize the possibilities of a strong oppositional force emerging in Russia. By continuing to accept foreign funding, many human rights organisations risk being

victim of the numerous pieces of legislation which regulate non-governmental organisations, and possibly having to limit their work even further. Human rights organisations in Russia therefore face the dilemma of whether to accept foreign funding and minimize interaction with the law, or to try and abide by the legal framework set out by the authorities but accept that this will likely mean a reduction in the number and type of projects they will be able to finance.

State funding is available in Russia, though only relatively recently and a small sum in comparison to the billions of dollars primarily goes to those organisations which enjoy close ties with the government and which work in the social sphere. Although the Moscow Helsinki Group demonstrate that it is not impossible to win state funding, this is an exception rather than a rule. As Chikov notes, the distribution of funds to human rights organisations by the state can act as a strategy to give the appearance of a fair distribution system, while ultimately distributing in an exclusionary manner.

Organisations may then turn to alternative sources of funding, such as foundations or individual donations through other means. However, human rights organisations are constrained by the nature of their work. It makes them unlikely candidates for Russian-based foundations due to the state power and they do not enjoy widespread support amongst the Russian public. They are therefore extremely limited for financial sources, and many smaller organisations are struggling to finance human rights projects which are not considered to be beneficial to the Russian state.

Conclusion

Human rights organisations in Russia today appear to be in a precarious situation where they may be able to survive, but will not be able to thrive. A difficult combination of punitive legislation, a poor civic culture and challenging environment to try and cultivate a strong interest in human rights organisations, and a restriction on funding sources but a state funding system which works to largely exclude human rights organisations creates unfavourable conditions for human rights organisations in Russia today. 2006 marked a turn in the state attitude towards human rights organisations as it became overtly aggressive in its attempts to control and regulate organisations within civil society. From 2012, it has become more evident that legal frameworks and other state measures are being used to create a civil society which can act as an auxiliary arm of the state, rather than a multitude of independent voices which campaign on a variety of issues. Given the evidence from other academics who have observed human rights organisations in Russia, as well as the primary research gathered from my sources at the Committee Against Torture and the Union of the Committee of Soldiers' Mothers, it seems that the combination of legal frameworks, low level of activist culture and restrictions on funding make it increasingly difficult for human rights organisations to negotiate the labyrinth of the Russian environment and to continue working effectively.

The severe laws which exist in regulating civil society groups are applied in an arbitrary manner, and state authorities are steadily stripping away the frameworks which support independent organisations. It appears that the Kremlin's overall strategy is to create allies within civil society which it can use as extensions of its own power and use as "dressings" to legitimize the regime and bolster its democratic

credentials. It is doing this by amending and creating legislation which grant it more invasive powers and singling out those who do not comply. The Public Chamber and the Presidential Council offer the best options for human rights organisations to make their voices heard to the presidential administration, and offer the opportunity to build connections directly with those in power. However, they are weak institutions and do little for affecting change in the human rights sphere. In addition, these opportunities are only offered to a few and do not guarantee results. Therefore, the authorities engage selectively with organisations when it is beneficial for them.

While the state has unquestionably created a hostile environment for many human rights organisations, it is vital to acknowledge the culture of activism which surrounds these organisations. The civic culture of Russia compounds the ability of human rights organisations to create a strong voice. Russian society still suffers from low levels of interpersonal trust and relies on 'pre-modern' personal networks to get ahead in daily life. The emphasis on personal networks makes it difficult for human rights organisations to engage the public on a broader platform and encourage members of the public to join their cause. This is further complicated by the low level of support that human rights organisations have in Russia, as most of the public prioritise economic rights over civil and political freedoms. In any case, many do not believe that human rights groups can help protect their rights or do not ask for their help. In addition, a reliance on Soviet strategies and a 'top-down' leadership approach means that many smaller organisations are unable or unwilling to collaborate with other groups and activists, weakening their ability to exert pressure on the state either individually or collectively as a coalition.

Finally, funding has presented a major challenge to human rights organisations. The state has increased its grant capacity but these are often distributed in a biased manner

while simultaneously dismantling the channels for human rights organisations to receive funds from abroad to continue their work. The research shows that human rights groups, such as the Moscow Helsinki Group, have received state grants.

However, this is sporadic and usually only when connected to an issue which the state sees as beneficial, such as police reform. Philanthropy, individual giving and corporate support are still nascent in Russia. Particularly given the current economic situation and combined with the general support for human rights, it is unlikely that human rights organisations will be able to make up funding through these Western traditional channels.

The combination of an unfriendly state, poor civic culture, weak support for human rights and the drying up of international funding has created a number of barriers for human rights organisations in Russia and it is a minefield sector, riddled with uncertainty. Given time and support it is likely that public attitudes towards human rights could be improved, skills within human rights organisations built up and sharing of new and effective campaign methods encouraged. However, the increasingly belligerent nature of the Russian authorities towards human rights organisations makes the environment nearly impossible for them to conduct effective and meaningful work. If the current legislation patterns continue and without significant relaxation of the current laws in place, it is likely that only a few of Russia's larger human rights organisations will be left while regional representation will be all but extinct.

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