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Russian Justice Ministry Maintains Quotas for Closing NGOs

By Paul Goble

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About this blog

Window on Eurasia covers current events in Russia and the nations of the former Soviet Union, with a focus on issues of ethnicity and religion. The issues covered are often not those written about on the front pages of newspapers. Instead, the articles in the Windows series focus on those issues that either have not been much discussed or provide an approach to stories that have been. Frequent topics include civil rights, radicalism, Russian Islam, the Russian Orthodox Church, and events in the North Caucasus, among others.

Author **Paul Goble** is a longtime specialist on ethnic and religious questions in Eurasia. Most recently, he was director of research and publications at the Azerbaijan Diplomatic Academy. He has served in various capacities in the U.S. State Department, the Central Intelligence Agency and the International Broadcasting Bureau as well as at the Voice of America and Radio Free Europe/Radio Liberty and at the Carnegie Endowment for International Peace. He writes frequently on ethnic and religious issues and has edited five volumes on ethnicity and religion in the former Soviet space.

President Dmitry Medvedev's May 2008 decision to transfer responsibility for the registration of non-governmental organizations from the Federal Registration Service (FRS) to the Ministry of Justice has not led to the kind of progress toward a law-based state for which many activists had hoped.

According to a new analysis of the legal situation in which Russian NGOs find themselves by Olga Gnezdilova, the legal affairs advisor to the Voronezh Inter-Regional Legal Defense Group, in many regions exactly the same officials are overseeing the registration process as were before this change was made, and the justice ministry has set quotas for the number of NGOs to be shut down each year.

Still worse, Gnezdilova says, there is growing evidence that the Russian government plans to target NGOs conducting educational work for inspection, thus putting nearly half of all such organizations at risk of losing their right to operate.

Last month marked the third anniversary of the introduction of amendments to the law on NGO registration that then-President Vladimir Putin said were necessary to combat terrorism, block espionage by foreign governments, and prevent the rise of "orange" revolutions in the Russian Federation.

But since then, Gnezdilova notes, despite highly invasive official supervision of NGOs, the Russian authorities have not exposed "a single terrorist or extremist NGO," except for the case of a Tyumen gay group that was charged with threatening "the sovereignty and territorial integrity of Russia" by contributing to "a reduction of its population."

Despite that, she continues, "it became difficult for organizations to register; problems began with registration of changes of rules, addresses and their leaders; and cases of criminal persecution of leaders and searches in organizations increased." In addition, many NGOs faced problems with the tax authorities, and the media continued to attack NGOs as "extremist."

In May 2008, the Russian NGO community thought that their situation would improve when incoming President Dmitry Medvedev stripped the Federal Registration Service of its power over registration and put the Justice Ministry and its regional administrations in charge of this function.

But these "hopes have not been realized," Gnezdilova says, because "real changes in the authority of the new controlling organization have not occurred" and because "in many regions, the very same officials [who had been involved at the FRS] are filling the same posts in the Ministry of Justice."

Still more disturbing, she says, the ministry last year and again this year set a quota of 1,400 organizations as the number of NGOs to which its officials were supposed to deny registration, thus leading regional officials to compete to find reasons to do so and thus to look good in the eyes of their Moscow superiors.

Moreover, over the last year, officials have frequently exercised their power under the amended legislation to refuse registration to groups if there has been a change in leader or address, shifts that often happen in the NGO community but ones that now put the existence of many such organizations at risk.

As of the start of 2009, Gnezdilova continues, 219,802 NGOs had ceased to exist since the amended law came into force. Of those, many simply ceased to exist, but "more than 44,000" were shut down by court order, generally for failing to meet one or another often burdensome government registration requirement.

More NGOs are likely to be closed by the courts in the future, Gnezdilova says, especially since the government is checking almost all NGOs that have any foreign funding and plans to focus on the 46 percent of them engaged in educational work, attention that "puts under threat the existence of every second organization."

In addition, attacks on NGOs continue largely unabated. In March 2009, for example, a FRS

official in Voronezh said that NGOs there were being financed illegally by "Western special services," but when asked for details, she could not provide any and said that officials were focusing on the failure of NGOs to provide necessary registration documents.

And last month, FSB chief Nikolay Patrushev added that "particular foreign NGOs provide information support to terrorism," a charge for which he provided no evidence but which the Russian media played up and which, according to Gnezdilova, undoubtedly "sent 'a signal' to bureaucrats working with NGOs."

The legal affairs specialist concludes that "despite the hopes" many had last year, "it is now possible to say that without a fundamental change in the laws regulating the activities [of those working with NGOs] and without a change in the attitudes of leading political figures [on these groups], it is not possible to speak about the growth and development of the civic sector."

"For the time being," she says, "the main tasks" of the NGOs in this sector "will remain the struggle for survival."

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