

# **HUMAN RIGHTS IN RUSSIA NEXT PHASE: FROM GLASNOST TO SLYSHNOST**

**REPORT OF THE USAID/RUSSIA HUMAN RIGHTS  
STRATEGY ASSESSMENT TEAM<sup>1</sup>**

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## I. EXECUTIVE SUMMARY

As cogently summed up by a leading Russian human rights veteran, Alexei Simonov, the Russian human rights movement is poised to make the transition from the era of “glasnost” -- voicing its concerns -- to an era of “slyshnost” -- making itself heard by playing a more active and effective role in the making, implementation, and enforcement of laws and public policy related to human rights. Indeed, human rights NGOs are already undertaking such advocacy with much dedication, but varying degrees of success, largely because of inadequate resources and expertise. They recognize their needs for substantial capacity-building in the following key areas:

- A. Advocacy in the courts to enforce laws and protect human rights;
- B. Advocacy in the executive and legislative arenas at all levels of government to affect legislation and public policy; and
- C. Education of the public and building a broad public constituency for human rights organizations.

To date, USAID/Russia has focused its support of the Russian human rights movement on its “glasnost” agenda. This report recommends that, in the face of new threats to civil rights and liberties in Russia and in response to the Russian human rights movement’s desire to erect stronger safeguards against such threats, USAID/Russia should now respond to the movement’s shift of emphasis to “slyshnost” by helping it improve its capacities for litigation, lobbying, and public relations work. The assessment team has concluded that the first two of these areas should be valued highest and equal in priority, and the third somewhat below, because successes in the first two areas will help build public recognition of the importance of human rights and the contribution of human rights NGOs to their defense.

Briefly, the team suggests that USAID/Russia initiate a series of requests for grant proposals for, and devote the bulk of its human rights budget to, programs and activities designed to build human rights NGOs’ capacities in the three above-described areas in the following ways:

## A. Use of the Courts

USAID should support an array of human rights legal education efforts for the key participants in the adjudicatory process. Through its current Constitution and membership in international conventions, Russia has acquired an impressive array of formal human rights guarantees, but still lacks an adequate legal machinery to enforce these guarantees and remedy their violations, in large measure because the number of participants in the process who are familiar with human rights law and litigation is highly insufficient.

To address the acute need for more lawyers with the necessary expertise and personal commitment to represent victims of human rights violations, the team recommends a pilot program to establish a network of specialized human rights legal clinics operated by human rights NGOs, ideally in partnership with law schools. Clinical education for law students is beginning to take hold in Russia, but very few legal clinics currently specialize in human rights law. Exposing students to the substantive domestic and international human rights legal principles and remedies, and their enforcement in concrete cases, under the supervision of committed law professors and human rights lawyers, will help increase the ranks of law graduates undertaking to practice human rights law, as well as the ranks of government officials aware and respectful of human rights legal standards.

Non-lawyers who staff human rights NGOs and government ombudsman offices should also be provided human rights law training, to enhance the critical role that these para-professionals play in the intake, investigation, preparation, and even client counseling and representation, in human rights cases.

Programs of continuing legal education (CLE), an activity already supported by USAID, should be expanded and redirected to provide education in human rights law targeted not only to interested practitioners but, even more importantly, to professors who want to offer human rights courses in law schools and to prosecutors and judges.

## **B. Influencing Legislation and Policy**

The assessment team recommends that USAID support training human rights NGOs in coalition-building and advocacy campaigning, and provide funding for actual public campaign projects on issues of importance in the human rights arena. The advantages of mobilizing shared resources and speaking to the government with a more united and stronger voice have already been demonstrated by Russian human rights NGOs. Enhancing their ability to engage in such concerted action with each other will directly improve their ability to engage the government in a policy dialogue and bring about changes in policies and laws at all levels of government, from Federal to local.

## **C. Public Awareness and Constituency-Building**

The team recommends that USAID support the expansion of the public and media relations resources available to Russian human rights NGOs, including their development of in-house professional press services and media departments and training of staff members in public campaign and media relations. Due to the novelty of human rights principles and institutions in the Russian society, and the persisting, negative attitude of government officials towards human rights groups, they tend to occupy a marginal, if any, place in public perception. As Russian human rights NGOs strive to overcome their marginality and win greater and more favorable public recognition for their goals and efforts, they need to make more active and forceful use of public relations and media outreach. Those NGOs that have such resources and expertise have had notable successes in mining their work for concrete and compelling stories of helping real individuals, families and communities and in getting these stories out to the public through the media and their own campaigns. The capacity to replicate these successes should be developed throughout the human rights NGO community.

## **D. Learning Through Sharing of Experience**

The Russian human rights NGOs' agenda of promoting and protecting human rights through litigation, legislative and administrative advocacy, and public education is one with which their older and more established counterparts in mature democracies, such as the American Civil

Liberties Union in the United States, have had a great deal of experience. Opportunities to share experience would be of great benefit to Russian human rights activists and the assessment team recommends that USAID help create such opportunities by supporting cross-national conferences, study teams, and internships.

In addition to direct support for human rights activities, we recommend that USAID/Russia raise and highlight the importance of human rights in the array of needs served by its general rule of law program in Russia, such as its support of legal clinics, continuing legal education, and the enhancement of the independence and professionalism of the judiciary, by systematically incorporating into each such program a component of education and training in human rights law.

Finally, we recommend that USAID initiate an intensive effort to identify other donors supporting human rights in Russia who share some or all of its strategic objectives and initiate a joint planning process to pool or coordinate resources so as to achieve greater and better overall results.

## II. PURPOSE OF THE ASSESSMENT

The USAID Scope of Work for the present assessment states that its purpose is to “recommend the main strategic focus for a new USAID/Russia Human Rights Strategy, and to prioritize potential activities.” USAID was prompted to initiate this assessment by concern over “recent negative developments in the human rights environment” in Russia. These troubling manifestations of growing disregard of, and outright hostility toward, human rights on the part of Russia’s new governing leadership need not be detailed here because they have been widely reported and are cogently summed up in the Concept Paper which accompanies, and provides the context for, the Scope of Work. The Concept Paper specifies that the new Mission Strategy on Human Rights should have, as its objective, enabling the Mission “to better address the current situation and better collaborate with other donors.”

Our research and discussions with Russian human rights activists and other donors confirm that USAID’s concerns are widely shared and its decision to develop a new strategy to address the situation in concert with other donors is welcomed in human rights and donor circles. However, as will be detailed below, our findings also show that the Mission’s understanding of the current situation and, therefore, the objective of its new strategy, should be expanded to include not only the negative challenges presented by the authorities but also the positive challenges embraced by the human rights movement’s own agenda. This agenda is to intensify and solidify the movement’s already ongoing, but still tentative, efforts to shift its emphasis from monitoring and exposing human rights violations, accompanied by limited assistance to the victims, to concerted constructive advocacy in the key contexts in which the implementation and enforcement of human rights are determined: the legislative, executive and adjudicatory bodies at all levels and the public opinion.

As previously noted, the human rights leader Aleksey Simonov captured the essence of this moment in the evolution of the Russian human rights community as moving from “glasnost” to “slyshnost” – from voicing to being actually heard. The objective of the strategy we recommend is to help the Russian human rights organizations acquire the capabilities they need to make themselves heard.

### III. SUMMARY OF RESEARCH

The Assessment Team consisted of three members:

Team Leader, Kathleen D. Hansen, Esq., a retired USAID lawyer with extensive experience in USAID programs throughout the world.

Natasha C. Lisman, Esq., a Russian-born and Russian-speaking American attorney in private practice who devotes a substantial part of her practice to serving on governing bodies of civil liberties and civil rights organizations in the United States, as well as handling cases for them.

Yuri Dzhibladze, a Russian human rights expert and leader with extensive knowledge of human rights NGO activity throughout Russia and of foreign and domestic donor support for such activity.

The team was assisted by a Russian research assistant, Natalia Taubina, a leader in the Russian human rights movement and head of a re-granting organization.

Prior to their departure for field research in Russia, Ms. Hansen and Ms. Lisman reviewed relevant background materials<sup>2</sup> on the Russian human rights law, including the international human rights law applicable in Russia; studied recent reports and assessments of the status of human rights in Russia, including the Moscow Helsinki Group's monitoring reports and the resolutions of the January, 2001 All-Russia Emergency Congress for Human Rights; attended a Congressional hearing organized by the Helsinki Commission on "Troubling Trends: Human Rights in Russia"; and received briefings and suggestions from a number of representatives of USAID, State Department, and private organizations with experience and knowledge in the field of human rights in Russia.

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<sup>2</sup> The list of these materials is included in the Bibliography, attached as Appendix 5 to this Report.

At the same time, Mr. Dzhibladze and Ms. Taubina lay the groundwork for our fieldwork by compiling a master list of nongovernmental organizations (NGOs) and leaders in Moscow and three other sites whose ongoing activities either focus on human rights issues or encompass them.<sup>3</sup> Once the team gathered in Moscow, in further preparation for field research, we obtained a briefing by U.S. Embassy staff; held a meeting with members from each of the Mission offices responsible for the Mission's human rights and related activities, and met with the Mission Director. We also reviewed unsolicited grant proposals pending before the Mission.

We then selected from the master list of NGOs a subset representing as comprehensive a mix of different types of organizations, missions, and modes of operation as possible, with special emphasis on those who have received USAID funding. Over the ensuing two weeks, we visited the selected groups in their offices, interviewed their representatives, observed their operations, and collected their materials.<sup>4</sup> The NGOs we visited greatly vary in the substantive and geographic scope of activity and structure. Some are substantive generalists, concerning themselves with the full spectrum of human rights, while others have chosen to focus on particular rights, either those arising in specific contexts (such as the media, the military, the criminal justice system, and the penal system) or the rights of specific groups (such as religious minorities, ethnic minorities, refugees and displaced persons, and victims and descendants of victims of political repression). Some NGOs are national or multi-regional in their scope, while others operate within single cities or regions. Some groups engage in multiple activities (such as various combinations of monitoring, publicity, lobbying, provision of legal advice and representation, creation of museums, exhibits, curricula and other types of public education), while others confine themselves to one type of activity. Some groups operate solo, while others participate in various arrangements with other human rights or other types of NGOs or organizations, such as networks, coalitions, and collaborative projects of varying degrees of permanence, formality, and scope, as well as assisting other NGOs through technical support, training and re-granting.

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<sup>3</sup> Master List of Russian Human Rights NGOs and Experts is attached as Appendix 2 to this Report.

<sup>4</sup> The NGOs we visited are included in List of Persons Interviewed during Human Rights Assessment, attached as Appendix 3 to this Report.

In addition to visiting human rights NGOs, we met with four government officials whose responsibilities include human rights: the Federal Human Rights Ombudsman; his counterpart for the Novosibirsk region; a deputy head of a Federal District public and media relations department, and the head of a city public and NGO relations department.<sup>5</sup> We also spoke with Moscow-based representatives of several other donors who play a major role in funding human rights activities in Russia: the Ford Foundation, the Soros Foundation's Open Society Institute, and the MacArthur Foundation.<sup>6</sup> Finally, we collected written materials about, and had the benefit of Mr. Dzhibladze's and Ms. Taubina's extensive personal familiarity with, other relevant NGOs and donors. The latter include, most notably, the American Bar Association/Central and Eastern European Legal Initiative (ABA/CEELI), the National Endowment For Democracy, the Swiss Government Program of Support to Russian Human Rights NGOs, the C.S.Mott Foundation, the Henry M. Jackson Foundation and, Boris Berezovsky's Foundation for Civil Liberties.

In each meeting, after obtaining some background on the organization's and/or person's history and current involvement with human rights, we focused on eliciting from them information, perceptions and opinions about the most pressing issues and needs on Russia's current human rights agenda; best ways to address those issues and needs; and the most constructive contribution that donors might make in addressing them. Based on their responses, as well as our review of written materials, we have identified three key categories of needs of the Russian human rights community that should inform the formulation of an effective donor human rights strategy aiming to help the community become an influential force for transforming human rights in Russia from an abstract legal principle into a reality.

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<sup>5</sup> These officials are identified in Appendix 2.

<sup>6</sup> These donor representatives are identified in Appendix 2. A comprehensive overview of other donors and their programs in the human rights area is contained in Appendix 3 to this Report.

#### **IV. THE IDENTIFIED NEEDS IN THE HUMAN RIGHTS AREA: Exerting Influence on the Development and Enforcement of Laws and Public Policy**

Reflecting its origins in the dissident movement that preceded and contributed to the dissolution of the Soviet regime, the post-Soviet human rights movement has tended to focus on “glasnost” – exploring, publicizing and memorializing the human rights abuses of the Soviet era as well as monitoring and exposing continuing violations of human rights. USAID/Russia’s human rights program has responded to this agenda with significant funding and technical support for the Andrei Sakharov Museum and Center and the Moscow Helsinki Group’s monitoring and publication of reports.

In the course of these “glasnost” activities, the human rights groups inevitably encountered individuals who needed help: neglected elderly survivors of Soviet exile, gulags, or forced displacement, and their children; refugees from Central Asia and the new strife in the Caucasus; draftees wrongfully deprived of conscientious objector status or health-based exemptions; victims of persisting religious, racial and ethnic discrimination; journalists facing direct and indirect intimidation; environmental activists facing trumped up charges of treason and espionage; arrestees subjected to brutality and excessive pre-trial detention; prisoners held in grossly overcrowded and unsanitary conditions; as well as ordinary citizens wrongfully deprived of basic entitlements such as pensions and salaries. To the extent possible, the existing and newly emerging human rights organizations began to devote resources for assisting such individuals: providing social services and legal advice, interceding with authorities and bringing cases in the courts. In addition, Russia’s fledgling democratic institutions and processes presented human rights NGOs with opportunities for broader, issue-based interventions at all levels of the government and they began to experiment with formulating and lobbying for changes in laws and policies implicating human rights.

These forays into affirmative advocacy in the judicial, executive, and legislative arenas have been reinforced by the growing realization on the part of the human rights community that the tendency of those in authority toward excessive accumulation and exercise of power over

individuals and civil society cannot be checked through mere adoption of formal human rights guarantees and protesting their infringement. Rather, effective “pravozashchita” – the defense of human rights – requires concerted and multifaceted affirmative action to implement the guarantees through specific and concrete laws and policies and to enforce them by enabling victims of violations to obtain relief. The human rights NGOs and activists we interviewed in Moscow and the regions were unanimous in their belief that they must and can mount such action and become not only the voice, but the instrument, of “pravozashchita” in Russia. However, they also recognize the reality that in order to achieve this objective, they need capabilities that they can acquire only with financial and technical support.

A secondary and related need frequently articulated in our interviews was for support to small grass roots organizations in the regions. Such groups often receive little or no donor funding, in part because it is difficult for donors to become familiar and keep in touch with them, and in part because they lack the manpower and sophistication for writing grant proposals and the high cost of travel to and from their locations impairs their ability to even take advantage of training and seminars that would be useful to them. Yet these organizations are doing work that is extremely important. They are in the best position to respond to local situations and needs, albeit on a small scale and, as one NGO pointed out, can be particularly effective because change is often easier to introduce at the grass roots level. In addition, the larger the project, the slower its progress, whereas grass roots NGOs with smaller programs can both implement and adjust them to changing situations with greater nimbleness and speed. The NGOs that we spoke with, whether in Moscow or other major urban centers, made a special plea for consideration of funding to their colleagues in more remote locales, citing the fact that some of the worst or most widespread human rights violations occur in those areas.

Recognizing that it is difficult for USAID to directly administer grants to many small grantees, we conclude our strategy with a suggestion that, if increased funding is obtained in the future, USAID consider a grant to a larger reputable Russian NGO with re-granting experience and procedures in place that could make re-grants to such organizations. A number of NGOs currently successfully administer such re-granting programs<sup>7</sup>, but the need for these grants is

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<sup>7</sup> The Fulcrum Foundation, the Foundation for Civil Society, and others.

great and largely unmet. However, the primary thrust of our interviewees' suggestions and, therefore, of our recommended strategy, concerns the first area of need, namely to help human rights groups expand their capacities for affirmative advocacy on behalf of human rights.

Based on the context in which such advocacy can be undertaken, this overall need comprises three sets of needs:

- A. Needs Related to the Enforcement of Human Rights in the Courts;
- B. Needs Related to Influencing the Development of Public Policy and Legislation;  
and
- C. Needs Related to Promoting Public Awareness and Support of Human Rights

Each of these sets is discussed in further detail below.

#### **A. Needs Related to the Enforcement of Human Rights in the Courts**

The deficiencies of the Russian judiciary have been widely acknowledged: antiquated structures predating the new governmental system by several decades, inadequate independence and resources, lack of integrity and professionalism on the part of many judges, and, most relevant for cases involving human rights claims and defenses, lack of familiarity with the domestic and international human rights law applicable in Russia. Nonetheless, most of the human rights activists with whom we spoke expressed confidence in the efficacy of using the courts to vindicate human rights and optimism that the ranks of judges willing and capable to remedy human rights violations are likely to grow as more and more judges are confronted with such cases, new generations of judges enter the system, and anticipated judicial reforms are put in place.

Almost all the groups we visited have resorted to litigation and base their optimism on actual experience. Many veteran leaders, including such prominent figures as Aleksey Simonov and Valeriy Abramkin (a former prosecutor turned advocate for prison reform) report that over the recent years they have observed a measurable opening of the mind among many judges to human rights arguments, as well as a growing consciousness that they cannot ignore or disregard

binding domestic and international human rights law without damage to their professional reputation and embarrassment to the country in the event of contrary rulings on the same claims in international human rights forums.

Confirming this trend, activists we interviewed at all four sites had stories of success in the courts, winning such remedies as compensation for victims of police brutality and excessive pre-trial detention; declarations of conscientious objector status and exemption from military service for draftees; declarations of victim-of-repression status for such victims and their heirs, thereby entitling them to compensation for confiscated property; declarations of refugee and displacement status for individuals and families, thereby entitling them to residency permits, housing, education, health and other benefits; and admission into evidence of opinions of independent medical experts to support compensatory damage awards for victims of medical malpractice.

Like their counterparts in civil rights and civil liberties litigation in mature democratic judicial systems, the Russian activists behind the human rights courtroom success stories have learned, and strongly emphasize, that the essential (though not always sufficient) prerequisites for prevailing on human rights claims or defenses are selection of strong cases and careful marshaling and presentation of the factual record and legal argument. To cite but one of a number of examples we heard in the course of our field work, in a case brought by the Perm chapter of Memorial on behalf of a draftee seeking alternative service, the organization's legal team, led by a young part-time staff attorney, laid out the evidence and governing domestic and international law so thoroughly that the presiding judge, who did little to disguise his utter lack of sympathy for the plaintiff, was left no choice but to rule in plaintiff's favor.

Obviously, the ingredients of success in litigation require the availability of dedicated lawyers armed with substantive legal knowledge and practical courtroom skills, as well as non-lawyers with sufficient working substantive and procedural knowledge to support the lawyers through proper case intake, factual investigation and other preparation of evidence, and maintaining client communication and relations. Not surprisingly, the most constant refrain we encountered in our site visits and in documents addressing strategic planning issues for the human rights

movement is the need for more lawyers qualified to handle human rights cases and interested in doing so as either full- or part-time NGO staff counsel or as outside counsel, as well as to advise and supervise law school interns, junior lawyers, and non-lawyer staff members and volunteers.

The supply and production of lawyers to fill this need are very limited in Russia. Among practicing attorneys, few are financially in the position to offer their services free of charge and, in any event, the notion of a duty to engage in *pro bono* work is largely unknown in the legal culture. For example, at a meeting of Moscow lawyers attended by one of our team members, a prominent lawyer who purported to be a “pravozaschitnik” (human rights defender) attacked as violative of human rights the provisions of proposed legislation that would require members of “advocatura” (roughly, members of the trial bar) to represent certain classes of clients in certain categories of cases free of charge! Moreover, because human rights law has not been taught in Russian law schools and few offer it even today, neither practicing alumni nor new graduates have the substantive knowledge to handle human rights cases. The modest current ranks of human rights lawyers in Russia are largely dedicated, altruistic and self-taught human rights activists.

An additional and closely related need that was frequently mentioned to us is to raise the level of the non-lawyer human rights activists’ working knowledge of human rights law and remedies because it is they who provide the lion’s share of intake, case-screening and initial counseling services at the “priyomy”, as well as assist lawyers in handling cases that NGOs take on. Furthermore, staff members of the federal and regional human rights ombudsman offices who process complaints from citizens, also need adequate understanding of human rights law and remedies so that they can correctly identify those with human rights problems and make appropriate referrals for legal advice and representation.

Finally, to fairly adjudicate human rights cases, judges need at least some general exposure to basic domestic and international human rights legal principles, including, above all, the principle that protection of human rights is a special institutional obligation of the courts.

## **B. Needs Related to Exerting Influence on the Development of Public Policy and Legislation**

The human rights NGO community has been engaging in a broad variety of activities to engage the government in policy dialogue. There certainly have been some successes, particularly in the legislative area and at the local level. In Tomsk the Mayor's Office has established an NGO Chamber with representatives of all interested organizations. Through that forum, the NGOs have been able to have meaningful input into administration policies and have initiated a number of favorable legislative proposals. The Perm Regional Human Rights Center was successful in three out of five legislative packages that they drafted and advocated. In Tomsk, several of the human rights NGOs<sup>8</sup> convened a meeting between Chechen elders, FSB, and other local authorities concerning a number of incidents of harassment of Chechen refugees. The meeting resulted in an end to the harassment. Despite some successes in some regions, the NGOs themselves believe that they need substantial strengthening in this area. This includes increasing the professionalism of their staff and assistance in networking and coalition building, as explained below.

Some of the human rights NGOs have established standing networks with NGOs of similar interests in other regions of the country. These include organizations such as Moscow Helsinki Group, Memorial, Soldiers Mothers, All Russian Movement for Human Rights, Glasnost Defense Foundation, a network of NGOs combating racial discrimination, a network promoting use of international instruments to protect social and economic rights, as well as others. Other human rights NGOs have organized coalitions around particular issues which have a certain target or goal, and are usually of a shorter term nature, e.g. obtaining a fair law on taxation of NGOs; carrying out a public awareness campaign for AIDS; or an environmental coalition for stopping the import of nuclear waste. These may be organized by an NGO with a special interest area or one that deals more broadly with issues that span the entire NGO sector. Human rights NGOs have also started to engage other groups from the NGO sector such as environmental groups, women's NGOs, etc. The "Voice" coalition and the "Popular Assembly" are two examples of such cross-sectoral initiatives. The NGOs see these networks and coalitions as the most effective way to influence the government, as they represent a larger number of people than

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<sup>8</sup> Tomsk Memorial and the Regional Public Human Rights Commission (an NGO)

in any single organization and they are able to make more efficient use of scarce resources for seminars and training on the issues, mass media, newsletters and flyers, etc. They are able to consolidate the efforts of many groups to pursue the jointly held goal.

There are numerous examples of the success of such network/coalition activities. The Coalition for Fair Taxation of NGOs, for example, has had some notable success in getting approximately half of their legislative suggestions passed by the Duma and raised the interest of members of parliament on the issues so that they now seek drafting and other input from the Coalition. Similarly, the Coalition Against the Import of Nuclear Waste in Russia succeeded in raising the issue to public attention and debate with front page headlines, and was able to obtain 2.5 million signatures on a petition seeking a public referendum. The Moscow Helsinki Group has been able to accomplish nationwide monitoring of human rights violations through their network, where concerted action on such a large geographic scale was not feasible in the past. Memorial chapters throughout the country have acted in a concerted effort to keep the memory of the Stalin-era repression alive and to assist the victims of repression.

### **C. Needs Related to Promoting Public Awareness and Support of Human Rights**

Much as been written in the past year about what is generally seen as the increased centralization of power in Russia. There are concerns about restrictions on media freedoms, especially television, as well as concerns about human rights abuses in Chechnya and violations of human rights based on ethnicity, refugee status, religion, conscientious objector status, and others. This complicity in human rights violations is seen in the authorities at all levels of government, even down to the most local level. And yet President Putin has an unprecedentedly high approval rating in all public polls. Experts explain this by pointing to successful government propaganda portraying Putin as a “protector of the nation” in the struggle against the terrorists in the Caucasus, and building up his image as a young, dynamic leader who effectively resists pressure from the West, quite different from the ineffective and erratic Boris Yeltsin. Many still question, though, whether his high approval ratings signify the apathy among the public in regard to their civil and human rights.

However, a recent survey sponsored by the Carnegie Endowment and conducted during the 1999-2000 electoral cycle, casts doubt on these pessimistic theories.<sup>9</sup> The researchers posed several questions that bear on this point.<sup>10</sup> They found that more than 85% of those polled responded that the freedom of one's convictions, free expression, and freedom to elect their leaders were important to them; 70%, 75%, and 81%, respectively, stated that religious freedom, free choice of place of residence, and freedom of mass media were important. From these and other findings, the researchers conclude that Russians' willingness to forego concrete rights and protections in order to have more order in their lives is lower than many had believed. The idea that there is general and widespread apathy about such fundamental rights was not supported.

Thus, as the USAID Concept Paper suggests, President Putin's high ratings and the inactivity of the public in regard to protecting their rights may well be due to the lack of democratic traditions in Russia and citizens not yet understanding how their rights and civic participation can help to control the government's actions in ways that will make their lives better. Most members of the public lack basic knowledge of the extent of their rights and are unaware that there are means and forums for asserting their rights or to seek redress of their violations. Nor do they see the human rights NGOs as sources of assistance or protection.

The media has generally portrayed human rights NGOs in an unfavorable light, when mentioning them at all. In addition, actions recently taken by the current administration further marginalize human rights NGOs. For example, on June 12, 2001, President Putin held a meeting with representatives of 29 NGOs to demonstrate his concern for civil society. Not a single human rights NGO was invited; attendees were social service providers or non-controversial groups carefully selected by the Presidential administration. In response to complaints from the human rights community, on June 22, 2001, Vladimir Kartashkin, Chair of the President's Human Rights Commission, made a public statement at a press conference that the President will meet in the Fall with representatives of human rights NGOs, but not including some who are engaged in "destructive" activities and who call for a "struggle against the State and authorities". He named Memorial, one of the oldest and most respected of the human rights organizations, as a group of

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<sup>9</sup> "Are Russians Undemocratic?", a Carnegie Working Paper, Timothy J. Colton and Michael McFaul, June 2001.

<sup>10</sup> News line of [www.polit.ru](http://www.polit.ru) Internet server, June 23, 2001.

this type and also impugned its independence by charging that its leaders are also leaders of political organizations.<sup>11</sup> Statements of this type further the public's negative image of human rights NGOs as simply political troublemakers. In addition, government officials and the media have repeatedly hinted that by receiving support from Western donors, human rights NGOs serve foreign rather than national interests. For example, President Putin stated at his meeting with selected NGOs on June 12 that, "Most of our NGOs receive funding from the West. This is not a credit to our country's image."<sup>12</sup>

In sum, for a number of reasons, the general public is not aware of its rights and has an inaccurate picture of the activities and concerns of the human rights NGOs. Human rights NGOs would be able to more effectively influence the government if they had a large number of citizens behind them who were concerned about the issues at stake and who saw human rights NGOs as protecting their interests and speaking on their behalf. The NGOs are trying to address this problem by educating the public and using the media to better advantage, with varying degrees of success. The Rule of Law Society in Novosibirsk and the Regional Human Rights Center in Perm have professional press secretaries on their staff and seem to have greater success than some others in finding effective and innovative ways of working with the media. The Perm Center took a group of journalists with it on a trip to a prison, for example, when it wanted to get public attention to the work it was doing in prisoners' rights. The Rule of Law Society has a weekly TV program that focuses on various legal issues of public interest, which can include human rights, and it involves the entire staff in a constant assessment of possibilities for media coverage in all its activities. In Tomsk, the Legal Clinic at the Tomsk University Law School was seeking advertisement of its services in order to obtain clients; one method it used was to write an article for the paper answering readers' legal questions. Similarly, the Sib-Info Center (Novosibirsk) places a monthly column in a local newspaper, although so far they have had to pay for it.

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<sup>11</sup> News line of [www.polit.ru](http://www.polit.ru) Internet server, June 23, 2001.

<sup>12</sup> Report from the meeting of President Vladimir Putin with representatives of Russian NGOs, news line of [www.strana.ru](http://www.strana.ru) Internet server, June 12, 2001.

## **V. RECOMMENDED STRATEGY**

### **A. Structural Recommendations**

The strategy that the Team recommends is premised on responding to the needs identified in Section IV above. Broadly, we believe that the Mission's human rights programs should support the need of human rights organizations to be more effective advocates, both in regard to laws and policies of executive and legislative branches of government at all levels, and in enforcing human rights laws in the courts.

Certainly the team heard a great deal about many substantive areas of concern for human rights, where abuses are serious and ongoing, such as massive humanitarian abuses in Chechnya, the rights of women, children, arrestees, prisoners, draftees, refugees and internally displaced persons, trafficking in women, retaliation against journalists and the media, and discrimination against religious, racial and ethnic minorities. Rather than try to identify any of these as most worthy of USAID's support, however, our strategy focuses on support for capacity-building of NGOs that work in human rights, because this was the need that was most clearly and often identified by the human rights community itself. The programs that result from this strategy will potentially be available to any of the groups working in areas of special focus, as well as those who work in more broadly defined areas. In assessing NGO proposals submitted in response to Mission Requests for Grant Proposals (RFGPs), as recommended below, the Mission should consider proposals from NGOs engaged in any of the specific human rights violations areas, as well as more broadly focused organizations. All would be eligible for the recommended capacity building assistance.

In order for USAID's assistance to have the most impact, we recommend that the Mission implement its strategy by issuance of RFGPs in the targeted areas of capacity building, rather than acceptance of unsolicited proposals. This is particularly important if the level of funding for these activities remains the same, because the amount is not large and less impact can be expected if use of the funds is unfocused or spread across too many areas or activities.

We recognize, however, that the Mission may want to reserve some portion of the yearly allocated funds outside the RFGPs to allow it flexibility to respond to unexpected and emergency needs that may arise, but suggest that such an amount should be small, e.g. perhaps 15% of the total funds available. We do not recommend that the Mission allocate it specifically for particular themes such as Chechnya, ethnic or religious tolerance or freedom of the media, but rather keep the use of these funds flexible to allow it to respond to whatever emergency needs may arise in the field of human rights. As discussed above, the human rights situation in Russia is quite volatile, and NGO groups face many challenges and uphill battles. Examples of emergency needs would include supporting a high profile human rights “impact” case in court such as the one of military journalist Grigory Pasko currently pending in Vladivostok court, or responding to a new legislative initiative by the government that may jeopardize human rights, such as, for example, the 1997 law on freedom of conscience and religious organizations, or mobilizing the public and the media to protect NGOs from attacks by public officials like in the case of denials of re-registrations to many human rights NGOs in 1999. While we recommend that most of the funds be distributed through open competitions with RFGPs and deadlines for submissions, leaving 15% for emergency needs will allow a necessary flexibility for the Mission.

## **B. Programmatic Priorities for Funding**

Our specific recommendations on each of the above-mentioned areas of need are set out below, including suggestions as to how some other Mission activities could better support this strategy.

### **1. Supporting Development of Capacity for Enforcing Human Rights in the Courts**

All of the needs related to strengthening the efficacy of the courts as a human rights enforcement mechanism are in effect facets of one fundamental need, namely raising the level of knowledge of human rights law and remedies among the participants in the adjudicatory process: lawyers, so as to increase the ranks of those interested in and capable of pressing human rights claims or asserting human rights defenses; non-lawyer case intake and other support assistants; in criminal cases – the prosecutors; and, finally, of course, the judges. Therefore, our recommended Mission strategy in this area focuses on support for human rights education for these participants.

a. **Specialized Human Rights Legal Clinics**

In recent years, Russian advocates of the rule of law, legal educators, and donors have recognized the multifaceted and lasting value of affording law students a properly structured opportunity to acquire practical skills by participating in the advising and representation of clients in actual cases. Various forms of legal clinics have cropped up around the country – as of this writing, the [www.lawclinic.ru](http://www.lawclinic.ru) web site lists some 80 clinics in a number of major cities and many regions. Many of them have been initiated, developed and operated with funding from donors with a major commitment to helping Russia build the rule of law, including most prominently the Ford and Soros Foundations and USAID, through its cooperative partnership with ABA/CEELI.

Given the general rule-of-law orientation of the donor support and the dominant role of the US model of clinical legal education, the Russian legal clinics overwhelmingly define the scope of their services as legal advising and representation of indigent clients with a broad range of problems in the areas of housing, work, economic and social services and benefits, and domestic relations. Although questions have been raised about the legal clinics' prospects for independent financial sustainability and the slow pace of their acceptance by the legal education establishment,<sup>13</sup> we believe these questions stem from unrealistic measures and expectations that fail to make due allowance for the trial-and-error problems to be expected in any new undertaking and the challenges of introducing any innovation into a system as rigid, hierarchical and tradition-bound as Russia's legal education structure.

Our site visits to three legal clinics and discussions with Russian NGOs and donors' field representatives, convince us that legal clinics have gained impressive support among younger law faculty members, popularity among students, and, perhaps most importantly, utilization by the intended client population. In the Russian context, these clinics do far more than give students practical experience and provide clients with legal services they otherwise could not

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<sup>13</sup> See GAO Report, "Former Soviet Union: U.S. Rule of Law Assistance Has Had Limited Impact", April 2001 (GAO-01-354).

afford. In a very concrete and, therefore, powerful manner, they teach the students, the clients and the administrative officials and judges to whom the clinics turn to solve the clients' problems the most important lesson about the rule of law - that government officials' duties and citizens' rights under the laws exist; that relief from their non-observance can be obtained; and that entities helping citizens obtain such relief are a resource to be used and valued rather than a foreign element to be feared or mistrusted.

However, from the viewpoint of our assessment, the legal clinics' general orientation is a serious shortcoming: they deal with human rights cases only on those random and sporadic occasions when clients with such issues happen to turn them, or when they are referred by human rights NGOs. Similarly, donors' support for the involvement of law students in the handling of human rights cases tends to be indirect and limited, only as part of support for those human rights organizations that include legal services in their programs and take in law school interns to help them provide such services. Of the approximately 80 legal clinics listed on the [www.lawclinic.ru](http://www.lawclinic.ru) web site, the overwhelming majority describe their scope of services as "general," "civil law," or in terms of various consumer or labor rights, and only three as specializing in three specific human rights areas: an Irkutsk clinic offering legal assistance to women and children suffering from domestic violence, a Perm center for the defense of the rights of refugees and involuntarily displaced persons, and a Moscow center for submission of domestic human rights cases to international legal bodies. Thus, to date, few organizers of legal clinics and no donors appear to have targeted human rights for special attention in legal clinics.

We are convinced that such targeting is indicated, both as a special response to the general need to prioritize human rights as an issue in Russia's current political environment, and as a strategic extension of the usefulness of an already existing and tested tool for enhancing legal education and providing legal services to meet the need of the human rights movement for a larger and better supply of legal talent. In addition to learning human rights law and contributing to the defense of human rights while studying, at least some of the alumni of legal clinics may become inspired, as many law students who have interned with human rights NGOs already have, to devote their careers in whole or significant part to human rights matters. NGO leaders note that involving law students in the NGO work has been far more successful at attracting them to

human rights work after graduation than efforts to involve mid-career lawyers practicing in other fields. Moreover, even those student alumni of human rights clinics who elect to follow the more traditional and remunerative career paths upon graduating from law school (such as judging, law enforcement, administrative government service, or commercial law practice) tend to bring with them and propagate among their colleagues greater sensitivity to human rights values and knowledge of human rights law. Human rights activists report that handling human rights issues with law school graduates who become “chinovniki” (government servants) after having interned with human rights groups is far easier and effective than with those who had never had exposure to human rights work.

Therefore, we recommend that USAID solicit proposals for a systematic program of development and establishment of a network of legal clinics handling human rights cases as their exclusive practice or at least as substantial special practice area. Since USAID is not in a position to evaluate and administer a multiplicity of proposals for single clinics, the solicitation should seek competitive proposals for groups of clinics to be established and managed by human rights NGOs with a record of including legal services in their programs.

The number of clinics to be created under the proposals and their location should be a function of available funding and applicants’ capacities. However, at least during the initial phase of the program, the number of clinics and mix of locations should be suitable for a pilot project that would effectively test the feasibility of the concept of specialized human rights legal clinics and provide a basis for comparative evaluation of alternative organizational models and settings. In addition, to assure an adequate supply of interested and qualified students, the clinics should be located in centers that have high quality state or private law schools.

With respect to models, we learned about clinics that are based entirely in law schools, entirely within NGOs, are stand-alone NGOs themselves, or are operated by law schools and NGOs in formal or informal partnerships with each other, and even a unique clinic operated by a lone law school professor in partnership with a local judge on the premises of the courthouse. Whatever the model, the most experienced and committed law professors and human rights lawyers we spoke with agree that a well run legal clinic should provide sufficient substantive and procedural

instruction to be of educational value to the students and sufficient supervision in actual client service to assure both the pedagogical quality of this practical experience and, most importantly, the quality of the advice and representation given to the clients.

Our sense is that the ideal arrangement to meet these criteria is a partnership between a law school with a committed administration (such as, reportedly, the Saratov MVD Law Institute) and one or more human rights NGOs with experience in utilizing law students for legal services, availability of seasoned in-house or outside lawyers to join faculty members in supervising and educating the students, and a varied inventory of human rights cases. The additional advantage of this ideal model is that it mainstreams both clinical education and human rights law into the established framework of legal education, thus maximizing at least some exposure on the part of all faculty and students, not just those who chose to participate directly and in-depth. Connecting human rights legal clinics to law schools may also increase the pressure on the latter to incorporate human rights law into their curricula.

However, this law school – NGO partnership model is unlikely to be feasible in all places or may be feasible only in part. There are enough examples of successful general or labor law legal clinics unaffiliated with law schools that such alternative models should not be excluded from the human rights legal clinics pilot program. What is essential is that such clinics assure the participation of experienced lawyers to supervise the students and teach them practical skills, and, for students who have not had prior education in human rights law, professors or practitioners who can supplement the clinical experience with at least a modicum of substantive education.

The pilot program should include a mix of newly created human rights legal clinics and existing legal clinics that previously may have included, but did not specialize in, human rights cases. This would enable a comparison of the relative effectiveness of two approaches: clinics that are dedicated exclusively to human rights cases and those that incorporate human rights departments among other practice areas. It would be useful to compare these approaches with respect to such factors as acceptance by the surrounding communities, government authorities, law school faculty and administrations, and appeal to students and clients.

In selecting among existing legal clinics, a record of effectiveness in providing clinical education and serving clients, strength of commitment to incorporating human rights as a significant area of concentration, and willingness to enter into formal partnerships with human rights NGOs should be the principal criteria, while the identity of a clinic's sponsors or sources of financial, training, or technical support should not be relevant.

In addition, participating existing clinics would need to make a significant adjustment in their case intake criteria. Most, if not all, existing legal clinics serve only indigent clients. In human rights cases, however, financial need should not be a determinative criterion. As is not infrequently done by veteran human rights NGOs in the United States, such as the American Civil Liberties Union or the National Association for the Advancement of Colored People, a human rights case may be worth taking on even on behalf of a client of means because of its potential for setting an important precedent by virtue of such factors as the significance of the legal issues involved, particularly favorable facts, or the availability of a sympathetic forum.<sup>14</sup>

**b. Training for Non-Lawyer Staff Members of Human Rights NGOs and Human Rights Ombudsman Offices**

Our observation is that the non-lawyer staff members working in human rights NGO and Ombudsman offices (for the latter, especially at the regional level) perform many functions that are quite similar to those performed by paralegals in a modern law firm – obtaining the facts and documents from clients, other factual investigation, organization and maintenance of files, client contact, and assisting lawyers in preparation for court proceedings. In addition, in simple cases, especially those susceptible of informal resolution without going to court, such staff members even act as advocates for clients. This description of the non-lawyer human rights workers' role is in no way intended to denigrate the achievement of remarkable legal expertise, exceeding that of most law school graduates, by many human rights veterans who have learned human rights

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<sup>14</sup> The difference between common law systems and civil code systems such as Russia's in relation to precedent is exaggerated. While the concepts of *stare decisis* and binding authority may not exist in Russia, the concept of persuasive authority is recognized. Consequently, victory in one case can enhance the prospect of winning in subsequent cases. At least one NGO we visited is formulating a program to provide legal representation in human rights cases with precedent-making potential.

law on their own and practical courtroom advocacy on the job. However, most of the non-lawyers toiling in the human rights field would greatly benefit from in-depth training designed to give them working knowledge of relevant substantive and procedural law, modeled on the type of training that litigation paralegals receive in the United States either in paralegal institutes or on the job.

There are several short-term seminar-type training programs in international human rights law and monitoring currently available for Russian NGO non-legal staff, provided by the Moscow Helsinki Group, the Polish Helsinki Foundation, and the Moscow School of Human Rights. While they are important and relevant, they are insufficient in that they provide just an overview of the international legal instruments and basics of Russian domestic law, while not providing in-depth training in working with the Russian legal system in general and courts in particular in protecting human rights. A different, longer and more in-depth educational training program for NGO and ombudsman's offices staff is required which will give them working knowledge of relevant Russian substantive and procedural law. Such a program probably could be designed and conducted jointly by an NGO with successful experience in protecting human rights in courts and a law school, with practicing lawyers and progressive judges and prosecutors acting as guest speakers and advisers.

Therefore, we recommend that the Mission solicit proposals for a new program to provide paralegal human rights training for both human rights NGOs and Ombudsman offices. An additional advantage of offering this program to employees of both sets of institutions is promoting interconnections and communication among them.

**c. Incorporation of Human Rights Elements Into Other USAID Rule of Law Programs**

With sufficient funding, it would be ideal for USAID to initiate and support new programs to provide substantive human rights education to the other participants in the adjudicatory process: prosecutors in criminal cases, and judges. In the likely event that resources will not be available at sufficient levels, we recommend that USAID incorporate such education as an element of existing programs that are not directly targeted to human rights issues

As the Concept Paper noted, adding education of judges on domestic and international human rights law could be a next step in USAID's continuing commitment to promote Russian-American judicial partnerships and work with the Russian Academy of Justice (the educational aspects of which, we are informed by program staff, have to date been limited to the institutional challenges facing the Russian judiciary). We strongly endorse this suggestion and urge that it be implemented as soon and as extensively as possible. To give but one example, a panel of US state and federal judges who have presided over civil liberties and civil rights cases could give a seminars to Russian judges, with particular emphasis on how the special responsibility of the courts to protect human rights translates into the actual handling of such cases.

From ABA/CEELI's own reports and evaluations of the ABA/CEELI program by consultants and Mission staff, we understand that ABA/CEELI has developed significant experience in putting on, and training Russian organizers and trainers to put on, effective continuing legal education seminars on commercial law, which have drawn substantial and appreciative audiences. We recommend that this experience be replicated for human rights law. Although the interest among private practitioners in human rights law is unlikely to match the interest in commercial law, human rights CLE programs should target additional and, perhaps more important, audiences: lawyers in government service, particularly criminal justice and law enforcement agencies, judges, prosecutors, and law professors.

## **2. Supporting Development of Capacity for Exerting Influence on Public Policy and Legislation**

As described in Section IV, a need to develop human rights NGOs' capacity to more effectively influence executive and legislative branches of government at all levels was identified almost unanimously by all people and groups we interviewed.

While NGOs have had some success in engaging the government in policy dialogue in order to affect public policy and legislation, this crucial work clearly needs much more support from donors. It is the second area, equally as important as strengthening the legal capacity of NGOs to

enforce laws, which we recommend for USAID funding within the framework of the new strategy.

These types of projects usually take place in the form of advocacy campaigns, including policy pressure campaigns and lobbying campaigns. To more effectively exert influence on public policy and legislation, NGOs organize themselves in issue-based coalitions and networks. Some of these networks include a broader selection of NGOs beyond the immediate circle of human rights groups. The coalition-based approach allows NGOs to speak to the government with a stronger voice and tap shared resources.

While some groups expressed their reservation about coalitions because of the danger of authoritarian tendencies, leadership struggles and the need to protect autonomy, most of the NGOs strongly spoke about the need for donor support for larger coalition-based public policy projects as opposed to “spreading the seeds,” as Alexei Simonov of the Glasnost Defense Foundation put it. Possible negative side effects of joining in coalitions can be overcome by supporting more training and consulting by groups specializing in coalition building and campaigning. While some Russian and foreign groups have been providing training and consulting in advocacy campaigning and coalition building for NGOs, the demand is much higher than they can currently satisfy with funding available for these activities.<sup>15</sup>

By definition, this kind of project requires substantial funding for coalition building, communication, coordination, production of printed materials, etc. We envision that at the current level of funding available to USAID only one or two coalition-based public policy/legislative projects on the national level could be supported. This is an area where joining forces with other donors would be highly desirable with co-funding from different sources allocated for different type of activities in a given project (such as coalition building, advocacy training, outreach activities, expert assessment of laws, education of legislators, etc.). In the

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<sup>15</sup> Training programs in advocacy campaigning have been provided by such groups as the Center for the Development of Democracy and Human Rights (Moscow), the Strategy Foundation (Kaluga), the Interlegal Foundation (Moscow), the Polish Helsinki Foundation for Human Rights (Warsaw), The National Democratic Institution for International Relations (Washington, DC), and the Youth Human Rights Movement (Voronezh).

alternative, USAID could fund several smaller efforts on the regional scale as opposed to one or two more expensive nation-wide projects.

Another pre-requisite of successful NGO policy and legislative work is a high professional level of expertise. Most NGOs lack such expertise and therefore often opt for mere criticism of government policies and laws. This approach has proved to be counterproductive both from the point of view of results of NGO efforts and their public image. Human rights NGOs involved in campaigning and dialogue with the government would strongly benefit from involving more experts outside of the NGO community from academic institutes, think tanks, the professional legal community, etc.

The types of projects that USAID could fund under this area could include NGO policy research and review accompanied by public hearings or other means to raise the level of public debate; public campaigns to influence government policy or legislation; negotiations with government officials on various levels; development of broad based coalitions on particular policy or legislative issues; and training of NGOs in advocacy campaigning and coalition building, etc.

The following criteria should be applied for selection of such projects:

- ◆ a project responds to a clearly articulated public interest need, shared by a broad range of NGOs and their constituencies; this shared public need should be proved by sociological or other means, policy statements, etc.;
- ◆ a coalition/network should be already in place, and substantial coalition development work should have been done, such as elaboration of the decision making and communications procedures, development of the coalition mission statement or memorandum; etc.
- ◆ preference should be given to coalitions involving both Moscow-based and regional groups and/or human rights and other NGOs;
- ◆ the project should involve policy and/or legislation experts outside the immediate circle of NGOs, such as from academic institutions, policy think-tanks, practicing lawyers, etc.
- ◆ the project should be aimed at achieving concrete results in developing and communicating their policy and/or legislative recommendations to the government; draft texts of policy recommendations or legislative proposals should be included in the grant application;
- ◆ it should include such activities as involvement of the government into a dialogue and raising the level of public debate about the problem at stake.

### **3. Supporting Development of Capacity for Promoting Public Awareness of Human Rights and Building a Public Constituency for Human Rights Organizations**

This component of the recommended strategy is of a somewhat lower priority than the previous two, but is important nonetheless. As previously mentioned, the Russian public is relatively unaware of ways in which individuals can assert or protect their rights or how members of the public can join together to influence the government to respect their rights. Educating the public in this regard is important and will help them better understand the activities and issues that the human rights NGOs are pursuing.

As discussed in Section IV above, the human rights organizations will be better able to influence public law and policies if the government sees them as representatives of significant segments of the general public. If the human rights NGOs are to garner the public support they need to defeat the image of them generally held by many members of the government and the public as marginalized people or groups who can easily be dismissed. This will require better public relations and use of the media by the human rights community.

It is also necessary, of course, that NGOs root their work in the community and are, in fact, responsive to the needs and concerns of the public. Focusing on how to best relate to the public will help the groups find out if there really is a public constituency for what they do. We note that enhancement of the public image of the human rights movement should result if the capabilities of NGOs to build coalitions is strengthened, because their coalition activities will often involve public awareness campaigns in regard to specific causes.

We recommend that USAID issue an RFGP for media and public relations support to human rights NGOs. The activities proposed should be aimed at educating the public about their rights, the activities of the NGOs, and the availability of the NGOs as a resource to assist citizens (for those organizations that perform such a role). The following are illustrative components for such an RFGP:

- ◆ Providing public relations and media relations services to NGOs, including development of press services or media departments in NGOs

- ◆ Providing training to NGO staff members on better use of media and public relations; and
- ◆ Support to individual public awareness campaigns, public service announcements, etc. These could be on a vast array of topics, depending on the particular NGO.

Some of the criteria that should be applied when assessing proposals are:

- ◆ Has the organization demonstrated successful use of public relations and media in its past activities;
- ◆ Has the organization used a variety of methods or techniques to “get its message out” and, conversely, does it also demonstrate an understanding of the importance of “damage control” in response to negative and misleading public information against NGOs;
- ◆ How well does the organization involve the public in setting its agenda;
- ◆ Does the applicant have media and public relations professionals on its staff or demonstrate a plan for how they will be obtained;
- ◆ If training activities are included in the proposal, does the applicant have successful experience in training activities;
- ◆ Does the proposal demonstrate a plan to involve the younger generation in its activities, both as implementing professionals and as target audiences for training; and
- ◆ Proposed media and public relations efforts should keep young people in mind as a particularly important target audience for public messages.

Another important target for education about human rights would be secondary and high school children. Given the limited amount of funding available to USAID, however, and the massive resources that would be required for an educational program throughout Russian schools, we do not recommend here a component targeted at school students. One possibility is worth mentioning, nevertheless, that might be considered if USAID funding is increased in the future. Dozens of NGOs have developed programs and materials for human rights education for both teachers and students in the schools<sup>16</sup>. Thus, there are existing textbooks, readers, manuals, and other curriculum materials that could prove useful to schools interested in such training. Currently, there is no place that an NGO or a school can find out about these materials, however.

A preliminary step in this area of teacher and student education could be development of a Directory that would catalog all the existing relevant resources. Such a Directory could be distributed to the Departments of Education in all 89 regions, all human rights NGOs (probably numbering approximately 2000), and interested schools upon request.

#### **4. Supporting Exchange of Experience with US Human Rights NGOs that Engage in Litigation, Lobbying and Public Education**

Development of closer cooperation with US human rights groups could be another instrument of strengthening legal and more generally, professional, capacity of Russian human rights NGOs. There is some ongoing cooperation between Russian and US-based groups that work on the international level<sup>17</sup> rather than protect human rights at home. However, it could be enormously helpful for Russian NGOs to exchange experiences with a domestic human rights group such as the American Civil Liberties Union, which has a long- and extensive history of advocacy through litigation, legislative and administrative lobbying, and public education, and operates through a network of state and city affiliates in a large country characterized by great socio-economic, racial, ethnic and religious diversity. Often US organizations of interest might include the Lawyers Committee for Civil Rights under Law and civil rights groups representing various minorities, such as the NAACP and La Rasa.

Short-term study tours of US human rights groups by joint teams of Russian human rights NGO workers and staff of ombudsman's offices and/or judges and prosecutors will allow them to receive first hand knowledge of how US organizations work with courts and will also promote communication among them. As evidenced by a number of our interviewees, participation of public officials and judges in NGO exchanges is the most effective way to influence their mindset in the direction of human rights protection. Therefore, we recommend that the Mission solicit proposals for a new program to organize short-term exchanges with and study tours at US human rights NGOs for mixed groups of human rights NGO staff and Ombudsman offices staff and/or judges and prosecutors. Such a program should be jointly organized by a Russian and a

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<sup>16</sup> *E.g.* The Youth Center for Human Rights and Legal Education in Moscow, the Prince Oldenburgsky Institute of Law in St. Petersburg, the Perm Memorial Chapter, and the Ryazan Memorial Chapter, to name just a few.

<sup>17</sup> Examples of such cooperation include Human Rights Watch, the International League for Human Rights, and the Committee to Protect Journalists.

US NGO. Alternatively, the Mission could organize such a program itself, setting up a consultative council made up of representatives of Russian NGOs assisting the Mission in designing the program and selecting the candidates for the visits. To our knowledge, while there have been a number of US government-supported exchange programs for Russian NGOs in other areas such as general NGO management and environmental work, there have been no such programs for human rights.

Another exchange program benefiting capacity building of human rights groups could be a longer-term internship of young members of Russian human rights NGOs at US human rights organizations. Similar programs of internship for young Russian human rights activists in German NGOs with stays of up to six months in the host country are being organized now by a leading German NGO, the German-Russian Exchange, in cooperation with the Center for the Development of Democracy and Human Rights in Moscow and several regional NGO partners. They are of great popularity among Russian activists; the demand is so high that the Center and its partners are considering development of such programs to include English-speaking countries, especially given that English is much more widely spoken by young Russians than German. Such longer-term exchanges are more costly but they could help develop a new generation of professional human rights workers in Russia (and, thus help address the problem that many Russian human rights groups are centered around older dissident leaders and are endangered once these leaders retire.) The first similar program of longer-term training of young Russian human rights activists in the US has been organized by the Public Interest Law Program at the Law School at Columbia University headed by Edwin Rekosh. While it is very successful and combines academic training in the law school and internships in NGOs, its limitation is that only NGO members with legal degree are accepted to the program. Inclusion of a broader section of young activists with a less academic and more hands-on practical perspective in internships with US NGOs is necessary.

## **5. Development of Grassroots Human Rights NGOs in the Russian Provinces**

A need for support to small grass roots human rights organizations in the Russian provinces was strongly articulated by all people we interviewed. Such groups often receive little or no donor funding, in part because it is difficult for donors to become familiar and keep in touch with them, and in part because they lack expertise and sophistication for writing grant proposals. Yet these organizations are doing work that is extremely important. They are often in the best position to respond to local situations and needs, albeit on a small scale and can be particularly effective because change is often easier to introduce at the grass roots level. In addition, the larger the project, the slower its progress, whereas grass roots NGOs with smaller programs can both implement and adjust them to changing situations with greater nimbleness and speed. The NGOs that we spoke with, whether in Moscow or other major urban centers, made a special plea for consideration of funding to their colleagues in more remote locales, citing the fact that some of the worst or most widespread human rights violations occur in the Russian provinces.

Recognizing that it is difficult for USAID to directly administer grants to many small grantees, we suggest that, if increased funding is obtained in the future, USAID consider a grant to a larger reputable Russian NGO with re-granting experience and procedures in place that could make re-grants to such organizations. While two or three Russian NGOs currently successfully administer such re-granting programs, the need for these grants is great and largely unmet.

### **C. Other Donor Considerations**

#### **1. Coordination with Other Donors and Within the Mission**

As our Overview of Other Donors and Their Programs in the Human Rights Area (Appendix 5) shows, there are many other donors which support activities and programs that directly or indirectly involve human rights. Our interviews with key donors (both in Washington and in Moscow) reveal that their current and planned strategic plans are very compatible with the

strategy we recommend to USAID in this report. All donors agree that the achievement of their respective objectives in Russia would be greatly enhanced by greater coordination among them and, indeed, have already formed a donor round table in Moscow. We recommend that USAID, either through this round table or another format, spearhead an intensive effort at donor coordination focused specifically on human rights. To that end, USAID should identify donors who share its human rights strategic objectives and seek to persuade them to establish a joint planning process that would enable them to pool or coordinate resources for specific projects. For example, through parallel grants, two donors might provide funding for a larger network of human rights legal clinics than either would be able to on its own; or, while one supports human rights law education for NGO staff members, another would fund training them in public and media relations.

Meetings between USAID offices to further discuss how ongoing human rights-related programs might better support the Mission's human rights strategy would also be beneficial. A very helpful start in this regard was the input that other offices gave to the Concept Paper for this human rights assessment. The group meetings between those offices and the Assessment Team at the beginning and end of their work (exit briefing) continued the dialogue and cross-sector thinking of the staff. In our view, the staff seemed very interested in discussing the possibilities for support of this strategy in their own programs and there should be follow-up in the near future within the Mission.

## **2. Assistance for Independent Media**

Many of the NGOs and at least one major donor pointed out that there is no truly independent media in Russia, because all owe their financial existence to either government or private business sources. The private ownership is perceived as problematic because it is in the hands of the oligarchs, who are seen as either extremely closely allied with, or actually indebted to, the government, to whom they may owe their wealth and power. Although there is no outright government censorship, the media engage in self-censorship, keeping in mind the viewpoint and interests of their financial backers, whoever they may be. For this reason, although there is great shared concern over increased government control over the independence of the media, many

expressed great skepticism at donor efforts to develop “independent media”. They agreed that donors can more fruitfully put their support towards more effective use of the media by NGOs, as we recommend. They also emphasized the importance of donors providing funding for the legal defense of journalists and media organizations who are arrested on “trumped up” charges.

### **3. Donor “Mistakes” as Seen by NGOs**

More than a few NGOs pointed out that donors sometimes fund organizations that are “empty”, i.e. do not implement many or worthwhile activities. They indicated that these groups are very skilled only at writing grant proposals and, thus, compete rather successfully for scarce donor resources, but do not carry out projects that are really need-based in the community. The NGOs suggest that an approach for donors such as USAID that would be most effective in avoiding this pitfall is for the donor to make repeat visits to an NGO and really develop a relationship with them and get to know their programs. They would welcome this kind of attention and involvement.



## **Appendix 1:**

### **MASTER LIST OF HUMAN RIGHTS NGOs AND DONORS**

#### **Donors**

##### Foundations who support human rights and have offices in Moscow:

1. Ford Foundation
2. McArthur Foundation
3. Open Society Institute
4. Eurasia Foundation
5. TACIS Democracy Program
6. IREX
7. Charities Aid Foundation
8. ARO (Assistance to Russian Orphans) (administrated by Charities Aid Foundation + Holt International Children's Services)
9. PNPS/CAF (Partnership in the Non-Profit Sector – Britain-Russia Development Partnership, funded by DFID of the UK Government)
10. DISPS/British Council (Democratic Institutions Small Projects Scheme – Britain-Russia Development Partnership, funded by DFID of the UK Government)
11. Royal Netherlands Embassy
12. Canadian Embassy
13. British Embassy
14. Swiss Program of Technical Support

#### **I. Foundations who support HR but do not have offices in Moscow**

15. National Endowment for Democracy (Washington, DC)
16. C.S. Mott Foundation (Flint, USA & Prague, Czech Republic)
17. Henry M. Jackson Foundation (Seattle, Washington)

##### Russian Re-Granting Programs:

1. Fulcrum Foundation
2. Foundation for Civil Society
3. Penal Reform International

#### **II. Leading Human Rights NGOs in Moscow**

##### Universal Human Rights NGOs (work in various fields of human rights)

1. Moscow Helsinki Group
2. the Andrei Sakharov Museum and Public Center
3. Memorial Society
4. Institute of Human Rights
5. Russian Research Center for Human Rights
6. All-Russian Movement for Human Rights

### Legal Clinics

7. American Bar Association/Central and Eastern European Legal Initiative (ABA/CEELI).

### Human Rights and the Media

8. Internews.
9. Union of Journalists
10. Glasnost Defense Foundation
11. Centre for Journalism in Extreme Situations
12. Glasnost Foundation

### Human Rights and Political Processes

13. International Foundation for Election Systems (IFES).
14. Institute for Election Systems Development (IESD).
15. International Republican Institute (IRI).
16. Democratic Institute for International Affairs (NDI).
17. Moscow School of Political Studies (MSPS).

### Human Rights and the Russian Army

18. Union of Committees of Soldiers' Mothers of Russia
19. "Mothers' Right" Foundation

### Prison Reform, Rights of Prisoners

20. Moscow Center for Prison Reform
21. Independent Council of Legal Expertise
22. Public Center for Legal and Judicial Reform
23. The Public Organization "Right to Live and Human Dignity"

### Rights of Refugees and Forced Migrants

24. Forum of Migrant organizations
25. Civic Assistance Committee

### Protection of Human Rights in the European Court of Human Rights

26. International Protection Center

### Children's Rights

27. "Right of the Child"

### Protection of Civil Rights

28. Committee for Civic Rights

Freedom of Movement

29. “Movement Without Frontiers” Group

Women’s Rights

30. Information Center for Women Movement

Human Rights and Psychiatry

31. The Independent Psychiatric Association of Russia

Human Rights and the Internet (privacy in the Internet)

32. The Inter-Regional Human Rights Network Group

Conflict Resolution and Peacekeeping Activities

33. The Organization «Nonviolence International»

Labor Rights

34. The Solidarity Center

## **APPENDIX 2:**

### **LIST OF PERSONS INTERVIEWED DURING THE HUMAN RIGHTS ASSESSMENT MISSION**

#### **Washington, DC**

- Ben Anderson, Communications director, Commission on Security and Cooperation in Europe (Helsinki Commission)
- Claudia J. Dumas, Senior Rule of Law Advisor, USIAD Bureau for Europe and Eurasia
- Dennis E. Wendel, Rule of Law Team Leader, Eastern Europe and Eurasia Bureau, USAID
- Corbin Lyday, formerly Rule of Law Team, Eastern Europe and Eurasia Bureau, USAID
- John E. Squier, Program officer for Russia and Ukraine, National Endowment for Democracy
- Maureen T. Walsh, general counsel, Commission on Security and Cooperation in Europe
- Nadia M. Diuk, Senior program officer, Europe and the new Independent States, National Endowment for Democracy
- Dr. Elena Bonner, President, the Andrei Sakharov Foundation

#### **Moscow**

- Alexander Sungurov, president, Saint Petersburg Center of Humanities and Political Studies “Strategy”
- Alexey Simonov, president, Glasnost Defense Foundation
- Anatoly Pchelintsev, prwsident, Institute for Law and Religion, co-chairman, Slavic Center for Law and Justice
- Ludmila Alexeeva, President of International Helsinki Federation for Human Rights, chairperson of the Moscow Helsinki Group
- Daniil Mesheryakov, executive director, Moscow Helsinki Group
- Elena Kovalevskaya, director, Civil Society Program, Open Society Institute/Soros Foundation,
- Ida Kuklina, member of the coordination council, Union of Committees of Soldiers’ Mothers of Russia
- Irina Iurna, Program officer, Media Program, Moscow office of Ford Foundation
- John W. Slocum, program officer, MacArthur Foundation
- Lev Ponomarev, director, All-Russian Movement for Human Rights
- Mary McAuley, head, Moscow office of Ford Foundation
- Mikhail Timenchik, director, Fulcrum Foundation
- Oleg Mironov, Russian Federation Ombudsman
- Rustem Maksudov, director of the Restorative Justice Program, Center for Legal and Judicial Reform
- Tatyana Kasatkina, executive director, Memorial Human Rights Center
- Tatyana Zhdanova, director, MacArthur Foundation
- Valentina Melnikova, member of coordination council, Union of Committees of Soldiers’ Mothers of Russia
- Valery Abramkin, director, Moscow Center for Prison Reform
- Vladimir Ryakhovsky, co-chairman, Slavic Center for Law and Justice
- Yuri Samodurov, director, Andrei Sakharov Center and Museum
- Nikolai Gudskov, deputy director, the Glasnost Foundation

- Vladimir Oivin, deputy director, the Glasnost Foundation

**Perm:**

- Alexander Kalikh, director, Memorial Society
- Evgueny Kozminykh, director, Perm Medical Human Rights Center
- Fyodor Sinitsyn, director, Perm Center for Aid to Migrants and Refugees, director of legal programs, Urals NGO Support Center, director, Perm Center Against Violence and Human Trafficking
- Igor Averkiev, director, Perm Regional Human Rights Center
- Roman Maranov, lawyer, Perm Regional Human Rights Center and Memorial Society
- Larisa Schennikova, chairperson of Legal Initiatives Center and Legal Clinic, Perm University Law School, chair of the Civil Law and Procedure Department, Perm State University
- Sergey Matveev, Perm Regional Human Rights Ombudsman
- Vasilij Viuzhanin, director, Ural NGO Support Center

**Novosibirsk:**

- Andrey Kuvshinov, Chair of the Board and Human Rights Program manager, NGO "Rule of Law Society"
- Iosif Rokhlin, Deputy director, Public Relations and Mass Media Department, Administration of Siberian Federal District
- Leonid Trus, chairperson, Novosibirsk Human Rights and Historical-Educational Society "Memorial"
- Maria Viyunnikova, chairperson, Organization for the protection of the Rights of Women and Children "Assol"
- Oleg Puchkov, director, legal clinic at the law school of Novosibirsk University of Consumers' Cooperation
- Rimma Belik, director, Novosibirsk Regional Soldiers' Mothers Committee
- Viktor Yukechev, director, Novosibirsk Affiliate of the Press Development Institute, founder of Sib-Info NGO
- Kira Grebennik, deputy director, Siberian Center for the Support of Civic Initiatives

**Tomsk:**

- Boris Kreyndel, chair, Tomsk Regional Anti-Fascist Committee, chair, Tomsk Regional Public Commission on Human Rights
- Ekaterina Syriamkina, head of public relations and NGO relations department, Tomsk Mayor's Office
- Evgeniy Salnikov, director, Tomsk Regional NGO "Civil Rights"
- Nikolai Kandyba, Chairman, Tomsk Research Center for Human Rights
- Olga Andreeva, director, Legal Clinic at the Law School of Tomsk University
- Boris Trenin, chair, Tomsk Memorial Society

**USAID and Embassy**

- Alla Muravieva, Rule of law specialist, USAID Moscow mission
- Douglas B. Wake, First secretary, Chief, Internal Political Affairs Unit, Embassy of the United States of America

- Elena Kroujalova, Rule of Law Specialist, USAID Moscow mission
- Monica Stein-Olson, USAID Moscow mission
- Patrick Murphy, Senior Rule of Law advisor, USAID Moscow mission
- Heads and staff members of various USAID mission units.

## Appendix 3:

### Overview of Other Donors and Their Programs in the Human Rights Area

#### *FOREIGN DONORS*

##### 1. The Ford Foundation

The Foundation's goals worldwide are to strengthen democratic values, reduce poverty, promote international cooperation, and advance human achievement.

The Foundation's activities globally as well as in Russia involve grant-making focused on the following particular issues:

- human rights, legal reform, and legal education;
- civil society, local governance, and community development;
- higher education policy, social sciences and humanities, social policy research;
- cultural institutions, media policy.

The Foundation has been operating in Russia for more than five years. Mary McAuley, the Foundation's representative in Russia, is not only the overall head of the Moscow office of the Foundation but also has responsibility for the Human Rights and Legal Reform program in Russia. Annual amount of grants awarded in Russia in this field stands currently at \$3-3.5 million. There are three main programmatic directions which overlap somewhat with each other. These directions are the following:

- 1) *Strengthening Human Rights Community.* This programmatic direction supports NGOs which benefit the human rights community at large.<sup>18</sup> In addition, it provides support for NGO work in several key human rights areas that deal with problems of violence by state actors, in particular, physical violence.<sup>19</sup> All human rights NGO activities supported by the Foundation involve benefiting a broader human rights community and networking with other groups.
- 2) *Legal Aid Strategies.* Supporting development of legal clinics in the law schools through trainings, conferences, production of manuals, and development of sample curricula is the main focus. The Foundation coordinates its activities in this area with the Soros Foundation and ABA/CEELI.

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<sup>18</sup> These include such NGOs as the Interregional Human Rights Network (Sergei Smirnov and Andrei Blinushov), a group that maintains the Internet portal "Human Rights On-Line," [www.hro.org](http://www.hro.org), with human rights news, media review, database of human rights NGOs, human rights campaigns materials, and web pages of many human rights groups from across Russia; the Independent Council of Legal Expertise (Mara Poliakova), providing review of legislation and draft laws from the human rights perspective; the Fulcrum Foundation (Mikhail Timenchik), a Russian re-granting Foundation providing small grants and management training to provincial Russian human rights groups with the money received from Western donors.

<sup>19</sup> Issue areas and NGOs include prison reform (Moscow Center for Prison Reform /Valery Abramkin), rights of soldiers and soldiers' parents (the Union of Soldiers' Mothers Committees /Valentina Melnikova and Ida Kuklina, the Mother's Right Foundation /Veronika Marchenko, the Foundation for Civil Society /Natalya Taubina, etc.), refugee rights (Memorial Human Rights Center's Program of a network of regional legal centers for refugees /Svetlana Gannushkina), rights of the victims of political repressions (different regional chapters of the Memorial Society and the Moscow headquarters of the Memorial Society), victims of domestic violence (Irkutsk Crisis Center for Women and other crisis centers), etc.

- 3) *Reform of the Justice System and Penal Reform.* There are two main activities supported here: a re-granting program by the Moscow office of the Penal Reform International with small grants awarded to regional NGOs working with prison administrations and staff to humanize the prison system, and several projects aimed at developing better police accountability and reduce the level of violence by law enforcement.

The Foundation has been diversifying the ways it provides support to human rights NGOs. In addition to direct grants, it launched several re-granting programs where indigenous Russian NGOs receive money from the Foundation and re-grant them to smaller regional groups.<sup>20</sup> A third mechanism the Foundation uses is provision of grants to an NGO (or several NGOs) coordinating a network with further distribution of funds among the network members.<sup>21</sup>

*Future plans:* In the five years of its presence in Russia the Ford Foundation has seen more use of the legal system by human rights NGOs and a growing demand for the use of courts for human rights protection. The work of the Lawyers' Committee for Human Rights in St. Petersburg (headed by Yuri Shmidt) is of key importance in this regard. In this respect, the Foundation believes that investing in legal clinics is very important so that young lawyers are trained in new practical issues and skills. In addition, the Foundation is discussing with the Soros Foundation a program to develop "precedent-setting" cases (impact litigation). The Foundation is focusing on programs to produce qualified lawyers, specializing in procedures for turning to the European Court for Human Rights in Strasbourg. This is seen as important because the European Court is more accessible and has more powers than the UN Committee on Human Rights but is in danger of being swamped by cases prepared by inexperienced NGO lawyers.

## **2. The Soros Foundation/Open Society Institute**

Soros Foundation has been operating in the Soviet Union since the late 1980s. Since its establishment in 1995 as the Open Society Institute, the Foundation has offered a wide array of programs to facilitate the country's political, economic, and social development, particularly in the areas of education, culture, public health, law, media development, Internet, women's rights, and economics. With headquarters in New York and Budapest, OSI has several offices in Russia, with the head one in Moscow and branches in Nizhny Novgorod, Novosibirsk, St. Petersburg, and Samara. Total current consolidated budget of the Foundation in Russia is around \$75 million, including funds from the Foundation's global programs.

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<sup>20</sup> The re-granting contractors of the Foundation have been such groups as the Fulcrum Foundation, which awards grants to various groups nation-wide (formerly the Russian-American Human Rights Projects Group, director - Mikhail Timenchik), the Foundation for Civil Society, awarding grants to various human rights NGOs nation-wide in particular subject areas such as anti-discrimination work, use of the Internet, etc. (director - Natalya Taubina), the Perm Regional Human Rights Center, which awards small grants to human rights NGOs in Perm oblast (director - Igor Averkiev), and the Moscow office of the Penal Reform International, which awards grants to regional NGOs working in the field of prison reform (director - Valery Sergeev).

<sup>21</sup> Examples include the Irkutsk Crisis Center for Women for the work on combating domestic violence, the Union of Soldiers' Mothers Committees to advance work of regional Soldiers' Mothers Committees, and the Center for the Development of Democracy and Human Rights to develop anti-racism and anti-discrimination NGO network).

The Russian office of the Foundation currently supports 48 different programs and sub-programs. Several large programs are coordinated within a single program bloc called "Social Contract." Two of these big programs, the Civil Society and the Rule of Law, support human rights activities in different ways. The Civil Society program works more with NGOs while the Rule of Law program supports the projects at law schools and by members of the professional legal community.

In the mid 1990s institutional development of human rights NGOs was one of the Foundation's important goals, with more than 500 small grants awarded to various groups across Russia during 1995-98. This is not the case anymore. When the human rights movement became institutionally sound, the Foundation started supporting areas of human rights activity rather than institutional development. In 1999 a three year strategy of the Civil Society program was adopted and included the following programmatic priorities:

- protection of prisoners' rights;
- support to refugees;
- protection of socially vulnerable groups, primarily children;
- social partnership projects (cooperation between local and regional governments and NGOs, mostly social service providing ones).

In addition, the Civil Society program has important human rights related subprograms. One is called "Hot Spots" aimed at developing NGOs in the North Caucasus and conflict prevention and reconciliation in the areas of ethnic tension there. Its budget was \$2 million in 2000 and is \$1 million in 2001 and 2002. Another one is called "Tolerance" and is aimed at supporting educational and awareness raising programs promoting inter-ethnic tolerance and dialogue. In addition, there is a discretionary fund of approximately 10 per cent of the overall budget of about \$ 2 million of the Civil Society program that is used for outstanding needs and emergency projects. One recent example of such projects supported by the program has been a project of the Moscow Helsinki Group to conduct monitoring of violations of rights of the Roma people in several Russian regions, in cooperation with St. Petersburg Memorial, a Roma NGO and the European Roma Rights Center in Budapest.

A new three-year strategy of the Civil Society program for the years 2002-2004 is being developed now. Its two main priorities are the following:

- support of NGO networks and consolidation of civil society structures (a pilot competition for support of NGO network development has been announced in June from 2001 budget funds; more than 90 applications have been received);
- strengthening of public support for NGO work and developing NGO capacity to influence public policy decisions.

The Rule of Law program supports human rights-related work through various avenues. Its annual budget is about \$2.5 million. The program's strategic objective is to support development of an open society in Russia based on the principles of democracy, rule of law, and observation of constitutional rights and freedoms. The following programmatic areas are supported: reform of legal education, judicial reform, strengthening of enforcement of laws, legal education of various social and public groups, development of a system of free legal aid and ensuring equal access to justice, protection of the rights of minors, and social rehabilitation of teenage offenders. The Legal Clinics sub-program provides direct funding to legal clinics at law schools and is aimed at substantial changes in the concept of legal education by means of developing clinical

methods and providing assistance to the students in their first steps to legal practice. The concept of clinical legal education requires changes in the curriculum, namely, the introduction of such practical and problem-oriented courses as legal reasoning, legal writing, professional legal ethics, communication skills, interviewing and counseling, and forensic eloquence.

The goal of the sub-program is threefold: to provide free legal aid to people in need, to promote the idea of pro bono work among the law students as future lawyers, and to provide students with real legal practice under the supervision of law professors and practicing lawyers.<sup>22</sup>

The Rule of Law program coordinates its work on the development of legal clinics with the Ford Foundation and ABA-CEELI.

### **3. The MacArthur Foundation**

The John D. and Catherine T. MacArthur Foundation is a Chicago, Illinois-based, private grantmaking institution dedicated to helping groups and individuals foster lasting improvement in the human condition. Established in 1978, it operates globally and makes grants totaling more than \$150 million annually. The Foundation began its grantmaking initiative in the independent countries of the former Soviet Union (the FSU Initiative) in 1992. Starting with an annual budget of \$1 million for the FSU countries, the Foundation currently spends up to \$10 million in the region. MacArthur's major goals in the FSU Initiative are to strengthen universities and scholarly infrastructure, to provide support to individual researchers and to support selected special projects designed to apply scholarly expertise to pressing policy issues. Most of MacArthur's funding for universities and other institutions is concentrated in the Russian Federation, while grants to individuals are available to researchers throughout the former Soviet Union.

*Strengthening universities and scholarly infrastructure.* The Foundation provides support to three types of university programs: centers of excellence in the natural and physical sciences in Russian regional state schools, through the Program on Basic Research and Higher Education in Russia; centers of excellence in social sciences, also in Russian regional state schools, through the CASEs program (Centers for Advanced Study and Education); and graduate training in the social sciences in independent, private universities, including the European University at St. Petersburg, the Moscow School of Social and Economic Sciences and the New Economic School in Moscow, and the European Humanities University in Minsk.

*Scholarly infrastructure.* The Foundation supports a number of public policy institutes, which serve as important nodes in the development of the region's capacity for policy-relevant research and analysis. The best of the independent policy institutes provide healthy competition for the

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<sup>22</sup> Activities supported within the sub-program are the following:

- legal counseling and presentation of clients in courts
- additional courses in the curriculum for clinical students
- course development tailored to clinical legal education
- developing of the new teaching aids and textbooks on clinical methods
- conferences, round-tables and summer schools
- dissemination of materials
- creation of an all-Russian association of clinical teachers.

network of state-run research institutes and have generated some of the most innovative policy approaches of the post-Soviet years. Other elements of scholarly infrastructure supported by MacArthur include journals, summer schools, scholarly networks, and electronic journal access.

*Individual grant support.* The Research and Writing Grants for Individuals competition, in existence since 1993, is a peer-reviewed competition open to scholars and practitioners from throughout the former Soviet Union. The competition funds independent policy-relevant analyses on issues of human rights and law and society, environment and society, and regional peace and security.

*Special projects.* The FSU Initiative provides special projects grants to institutions and organizations addressing specific issues in the areas of human rights and environment and society. In the first years of its work in Russia, the Foundation, focused its human rights assistance primarily on providing support to well-established Moscow-based groups serving the larger human rights community, such as the Moscow Helsinki Group, Glasnost Defense Foundation, the Independent Council for Legal Expertise, etc., as well as the most successful regional human rights NGOs such as Sutyazhnik in Ekaterinburg.

The Foundation has been supporting a number of human rights-related projects such as the Saratov Legal Reform Project aimed at training judges about the relation between the federal laws and regional laws and the application of federal laws in regional courts, as well as follow up training for judges about the European Court of Human Rights. Another example of a human rights related activity supported by the Foundation is the work of the Ecojuris Institute to protect the land rights of the indigenous people of the North of Russia.

Lately the Foundation has been supporting a broader variety of human rights projects, including the work of the Strategiya Center in St. Petersburg to promote the development of the institute of the human rights ombudsman and human rights commissions in the Russian regions; review of legislative work in the State Duma from the perspective of women's rights by the US-NIS Women's Consortium, and a study of the representation of women in the Russian mass media, including development of a training course on gender issues for journalism schools by the Association of Women Journalists.

The Foundation is currently developing its new strategy in the field of human rights in Russia, prompted by the new Foundation's president's background in human rights and the new challenges and opportunities for human rights NGOs in Russia under the new Russian leadership. The strategy will concentrate on building the capacity of Russia-wide networks of non-governmental human rights organizations and strengthening both NGOs and governmental human rights institutions in selected regions of Russia. After the review is over, the Foundation expects an increase of its funding in human rights in Russia from the current \$800,000.

Some anticipated new programmatic directions in human rights will include the following activities:

- develop wide NGO networks similar to Moscow Helsinki Group's monitoring network;
- support efforts to link Moscow and regions;

- support efforts to promote effective interaction between human rights NGOs and the state through various avenues, primarily ombudsman's offices;
- support better dissemination of the data collected through monitoring efforts, to key audiences in Russia and abroad.

The Foundation believes that a closer cooperation among donors in the human rights field will be beneficial. Lack of current donor coordination may be addressed, at least partially, by further development of the Donors' Forum.

#### **4. The National Endowment for Democracy**

The National Endowment for Democracy (NED) is a Washington, DC-based private, nonprofit organization created in 1983 to strengthen democratic institutions around the world through non-governmental efforts. With its annual Congressional appropriation, it makes hundreds of grants each year to support prodemocracy groups in Africa, Asia, Central and Eastern Europe, Latin America, the Middle East, and the former Soviet Union.

The Endowment is guided by the belief that freedom is a universal human aspiration that can be realized through the development of democratic institutions, procedures, and values. Democracy cannot be achieved through a single election and need not be based upon the model of the United States or any other particular country. Rather, it evolves according to the needs and traditions of diverse political cultures.

NED supports projects that promote political and economic freedom, a strong civil society, independent media, human rights and the rule of law. Programs in the areas of labor, business, and political party development are funded through four core institutes: the American Center for International Labor Solidarity (ACILS), the Center for International Private Enterprise (CIPE), the International Republican Institute (IRI), and the National Democratic Institute for International Affairs (NDI).

Other areas of work are supported through hundreds of direct grants to NGOs abroad. NED's grants program strives to assist democratic activists in diverse situations, e.g., in transitional countries where the goal is democratic consolidation, and in authoritarian countries where the goals are liberalization and the protection of human rights.

In Russia, the Endowment devotes a lot of its resources to the development of human rights groups, both nationwide - such as the Moscow Helsinki Group - and in the provinces of the Russian Federation. In the past years, NED has supported human rights groups in Kazan, Perm, Nizhnii Tagil, and Ekaterinburg, and a variety of projects - such as legal aid clinics - whose goals are closely related to the further development of human rights in Russia. The Moscow-based Coordinating Center for Assistance to Refugees and Forced Migrants established four regional offices to monitor and assist Russian refugees and forced migrants, and the Saratov Legal Reform Project continued to offer legal aid on human rights and other issues to disadvantaged residents of the Saratov oblast.

An encouraging trend over the past year has been the publication by several grantees of practical guidebooks on various aspects of NGO work. The American Center for International Labor

Solidarity (ACILS) published the well-received *A Thousand and One Ways to Get Your Salary Paid* in response to the Russian wage arrears crisis; the Center for the Support of Land Reform in Vladimir Oblast published *Certain Questions Relating to Villagers' Realization of Land and Related Rights*, which described strategies for helping farmers gain legal control over their land; and the Ryazan branch of the Memorial society published *A Guide to Human Rights on the Internet*, which provided advice to NGOs on how to use the Internet to defend human rights.

#### **5. Swiss Government Program of Support to Russian Human Rights NGOs**

The Program started its operations in Russia in 1994; the totality of projects financed so far amounts to about eighty, with a total budget exceeding \$1.8 million.

The program's overall goal from the beginning has been to improve the human rights situation in the Russian Federation and to stimulate further development towards a stable pluralistic democracy and rule of law, by supporting well-selected NGOs. The program aims at making a contribution to the NGO community in the Russian Federation to help it become more effective, diversified and active.

The Program's strategic objective is to address a large number of human rights concerns in Russia and to promote a culture of human rights, providing support to programs and activities of the most active and reliable NGOs.

The Program's goals are to:

- increase the level of understanding of human rights standards and of the modus operandi of available means for their protection;
- increase the ability of NGOs to influence the legislative process and administrative practices with a view to protecting the rights of individuals and vulnerable groups;
- increase the ability of NGOs to make the best use of the international machinery to monitor and further improve the human rights situation in the Russian Federation;
- further strengthen the infrastructure of selected NGOs;
- increase the effectiveness of interaction and networking between NGOs.

The Program's overarching aim is to contribute to the consolidation of civil society in Russia and to boost its potential for joint action for the sake of human rights.

The human rights strategy directions are:

- **Capacity Building:** strengthening of the operational capacities of selected NGOs by ongoing training;
- **Networking:** intensification of contacts and enhancement of cooperation between NGOs and international human rights institutions in general;
- **Specific networking in the South:** Strengthening of an NGO network in the Southern region (Rostov and Novocherkassk) where the program for the last three years has been supporting a great number of NGO activities;
- **NGO-Government-Dialogue:** Supporting of ongoing constructive dialogue between human rights NGOs and civil society groups, on one hand, and the authorities at the federal and regional level on the other;

These results will be achieved through support to the following types of projects:

- Projects which assist NGOs to influence more effectively the legislative process and administrative practices by means of lobbying in the parliament, submission of reports and preparation of expert opinions,
- Projects assisting NGOs to increase effectiveness in protecting the rights of individual victims of arbitrariness or those of vulnerable population groups by providing consultations and legal assistance, petitioning and independent monitoring);
- Projects aimed at better understanding of human rights issues by the public in general and by corresponding professional groups by means of publication and coordinated dissemination of corresponding literature, development of appropriate Internet resources;
- Projects aimed at encouraging NGOs to co-ordinate their efforts, exchange information on their experiences;
- Projects allowing to increase the effectiveness of NGOs' interaction with universal and European human rights monitoring mechanisms;
- Projects aimed at strengthening the appreciation of human rights protection activities within the society.

The Program pays special attention to projects of Moscow-based NGOs which benefit development of regional groups. In 1999-2001 the South of Russia has been a target region of the Program; in 2001 applications from Bashkortostan will also be examined. In 2002 the Southern region will be replaced by another key region. Applications from other regions are not accepted. The average size of the grant is \$20,000. The current size of the Program's budget is around \$400,000.

In 2001 the Program will support those projects on the regional or local level which will help increase the visibility and status of human rights activities and help NGOs in securing public support and participation. These projects could deal with racism and ethnic discrimination, law enforcement, freedom of expression, and migration as well as protection of individual rights and rights of members of vulnerable groups.

At the national level (mostly Moscow-based groups) projects aimed at consolidation of civil society and at opposing actual and potential threats to the human rights movement in general will be given priority. These types of projects could bolster dialogue with federal and regional authorities, networking between NGOs and other civil society to establish coalitions, to monitor legislative work in the federal Parliament and to strengthen cooperation with the Federal Human Rights Commissioner (Ombudsman).

## **6. The Department for International Development of the UK Government**

The Department for International Development (DFID) is the UK government department responsible for promoting development and the reduction of poverty. The central focus of the government's policy is a commitment to the internationally agreed target to halve the proportion of people living in extreme poverty by 2015, together with associated targets including basic health care provision and universal access to primary education by the same date. The DFID's program in Russia was called the Know How Fund until the fall of 2000 when it was renamed into Britain-Russia Development Partnership.

The DFID's position is that reforms necessary to reduce poverty in Russia and enable Russia to become a modern functioning state will need to be underpinned by respect for democratic principles, the rule of law, political pluralism and human rights.

Support to NGOs has been provided mainly through two avenues: direct grants of up to half a million British pounds to UK organizations working in partnership with Russian NGOs, and smaller grants of up to 50,000 pounds to Russian-British NGO partnerships, awarded through two schemes - Partnerships in the Not-for-profit Sector (PNPS), administered by the Charities Aid Foundation, and Democratic Institutions Small Projects Scheme (DISPS), administered by the British Council. None of these schemes are directly aimed at support of human rights work as such but a number of human rights-related activities have been funded through them, such as a project of the Rule of Law Society in Novosibirsk in partnership with the London School of Economics to introduce in Siberia a UK-developed model of framework agreement between the NGO sector and the government, and a project of the Center for the Development of Democracy and Human Rights in partnership with London-based National Council for Voluntary Organizations to develop the use of advocacy campaigning by Russian NGOs by training, producing a manual and an Internet resource.

In June 2001 a new DFID strategy in Russia was announced, which includes, as one of five key outputs, "more responsive and transparent political systems, wider access to justice and adherence to human rights."

In the latter, the priority will be to support the justice system to strengthen the rule of law and improve access to justice for ordinary people. DFID believes that Russia's progress on democracy and human rights will continue, helped by its membership in the Council of Europe (CoE). Public awareness of Russia's membership in this organization is increasing, as evidenced by individual petitions being taken to the European Court of Human Rights.

In addition to the above, DFID will continue to respond to emergency humanitarian needs in Russia. The main area of cooperation will be in the North Caucasus where DFID will continue to finance the work of the internationally mandated organizations such as the UN agencies and the Red Cross.<sup>23</sup>

It is not clear yet how exactly Russian NGOs will continue to be supported by DFID within the framework of the new strategy. The PNSPS and DISPS schemes are coming to an end in 2002. No new programs have been announced yet.

## **7. European Union/TACIS program**

The European Union's TACIS (Technical Assistance to the Commonwealth of Independent States) program for Russia commits some 100 million Euro on projects in three areas of concentration:

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<sup>23</sup> DFID recognizes serious risks in the field of human rights. The situation with human rights, including freedom of expression and association, deteriorates. Media freedom and respect for human rights and a wider rule of law are essential if reforms are to deliver real benefits to ordinary people. In this context Chechnya is DFID's greatest area of concern. DFID recognizes the steps that the Russian authorities have taken to respond to international concerns about Chechnya but believes much more must be done to achieve a political solution and safeguard human rights. The UK is pressing these points in political dialogue.

- support to institutional, legal, and administrative reform;
- support to the private sector and assistance for economic development;
- support in addressing the social costs of transition.

Most of the TACIS technical assistance programs are conducted through Russian government institutions and agencies. Limited amounts of funding have been provided in the last five years for support of non-governmental activities through a variety of competitions with awards ranging from 10,000 to 2 million Euro.

The European Union Democracy Program was developed in 1992 to support development of civil society based on the principles of democratic pluralism, multi-party system, respect of human rights and the rule of law in the countries of the former Soviet Union and Mongolia. The program has been financing micro-projects in the amount of up to 10,000 Euro in three fields:

- human Rights;
- democratic Institutions;
- conflict Prevention.

In the field of human rights, the areas of activities are the following: legal advice centers, training for advice centers, projects defending rights of refugees, of women, of children, of disabled children, of mentally ill, of homeless and ecological projects. In the field of democratic institutions, the areas of activities are the following: NGO building, human rights ombudsman, justice system, law enforcement agencies, prison, military, corruption, local government, civic education of children, combating fascist-type political parties, and media. In the field of conflict prevention, the area of activity is protection of ethnic minorities.

This program has been implemented for several years. A new competition for Russian NGOs for smaller grants of up to 50,000 Euros is expected to be announced by the Delegation of the EU to Russia in the framework of the European Initiative for Democracy and Human Rights in the autumn of 2001 in the same three subject areas.

In addition, in 2001 the European Initiative for Democracy and Human Rights with headquarters in Brussels funded by the European Commission issued a call for proposals for larger grants in the amount from Euro 300,000 and up in the same subject areas as above, for projects up to 36 months long. Projects can involve European partners or be implemented solely by Russian NGOs. The results of the competition have not been announced yet.

## **8. The Henry M. Jackson Foundation**

Since its establishment in 1983, the Henry M. Jackson Foundation has committed over \$12 million to non-profit organizations and educational institutions in the United States and abroad. These grants provide essential support and seed funding for new initiatives that address critical issues in four areas in which the late Senator Henry M. "Scoop" Jackson played a key leadership role during his forty-three-year tenure in the United States Congress:

- education and advanced research in international affairs;
- environment and natural resources management;
- public service.

The Jackson Foundation gives priority consideration to programs of national scope or significance or to those which offer promising models for replication.

*Human Rights.* The Foundation restricts its human rights grants program primarily to Russia, seeking to make a lasting contribution by assisting groups that are easing Russia's transition from communism to democracy. Specifically, the Foundation looks for opportunities to support those indigenous forces within Russian society that are struggling against fascism, religious and ethnic intolerance, xenophobia, and nationalist extremism. The Foundation's goals include: creating a better understanding of the Soviet period and its repression; promoting awareness of existing laws and political rights; supporting data collection, analyses, and monitoring of current threats to human rights; and building the capacity of emerging organizations and leaders. Current annual budget for Russia is \$150,000. Examples of the Foundation's grantees are the Panorama Research and Information Center, the Foundation for Civil Society and the Youth Anti-Fascist Movement.

## **9. The C.S.Mott Foundation**

The Flint, Michigan-based Charles Stewart Mott Foundation is a private grantmaking organization. Its grantmaking is organized in four program areas:

- Civil Society;
- Improving Race and Ethnic Relations;
- Flint;
- Pathways Out of Poverty.

In its *Civil Society* program in Central/Eastern Europe and Russia, the mission of the Foundation is to contribute to democratic, pluralistic societies, principally through support of the nonprofit sector, citizen engagement and improved ethnic relations. The objectives there are as follows:

- strengthening the nonprofit sector;
- promoting citizen rights and responsibilities; and
- improving race and ethnic relations.

During 2000, the Foundation has awarded more than \$15 million (U.S. dollars) for about 140 grants to organizations active in Central/Eastern Europe and Russia.

### *Promoting Citizen Rights and Responsibilities*

A key focus is engaging citizens to become active participants in their communities. Within this objective, the Foundation supports several approaches to foster citizen engagement, including:

- Providing support for nonpartisan activities to ensure free and fair elections with maximum citizen participation;
- Supporting access to and use of accurate information, including the use of community-based citizen advice and assistance centers; and
- Promoting processes that support dialogue and community-based initiatives among citizen and NGO interests, local government, and private sector interests.

### *Improving Race and Ethnic Relations*

Within this objective, the Foundation considers support for innovative approaches to bridge building among ethnic groups. Such approaches include:

- Improving interethnic relations through community-based dialogue and development programs;
- Fostering peace-building efforts through citizen-led initiatives, religious communities, and NGO and local government collaborations that have a potentially wide impact;
- Raising awareness and understanding about ethnic diversity, through media, education and other activities; and
- Supporting selected advocacy and policy development efforts targeting race and ethnic issues in the region.

Given limited resources, the Foundation focuses its resources on programs that have relevance and impact on a wide scale. Although with rare exceptions the Foundation is unable to make direct grants to small, grassroots organizations for projects primarily benefiting local communities, it does try to reach such projects and these organizations through grants to intermediary organizations, such as the Fulcrum Foundation.

#### **10. The Westminster Foundation for Democracy**

The London, UK-based Westminster Foundation for Democracy (WFD) was established in March 1992 to provide assistance in building and strengthening pluralist democratic institutions overseas. It receives a grant-in-aid from the UK Government which is currently 4 million British pounds. It also undertakes selected extra-budgetary technical assistance projects, and seeks contributions from the private sector and other funding organizations. WFD is independent of the Government in setting its priorities and its choice of projects.

WFD funds a wide range of organizations and projects that aim to build pluralist democratic institutions abroad, such as:

- Political parties
- Parliaments or other representative institutions
- Legal reform
- Human rights groups
- Independent Media
- Women's organizations and projects
- Other political non-governmental organizations
- Election systems or administration
- Trade Unions

Much of WFD's activity in the former Soviet republics has been to support the growing NGO movement and the independent media. Human rights form an important component of this work. In Nizhny Novgorod the regional Human Rights Society was funded to establish a network of similar organizations in the wider Volga region. The Information Center of the Human Rights Movement in Moscow receives funding to provide daily reviews of the media publications on human rights related issues to hundreds of NGOs. The main UK political parties have established links with like-minded parties. The Conservative Party has run a coalition building and campaign training program in Russia while the Labor Party has conducted an electoral training program

there. Most recently the Foundation has sought to expand its geographical area of work into Russia's regions.

### **11. The Eurasia Foundation**

The Eurasia Foundation is a private non-profit corporation with approximately 95 per cent of funding coming from the US Congress. The Foundation promotes the advancement of democratic institutions and private enterprise in the NIS countries, including Russia, with funding available for both US and local organizations. The Foundation began making grants in June 1993 and, with an initial grant of \$75 million from the US Agency for International Development (USAID), has maintained a core program of roughly \$20 million a year ever since. Maximum size of a grant to a local organization is \$35,000 with an average one around \$18,000. The three main programmatic areas include:

- Private Enterprise Development;
- Public Administration and Policy;
- Civil Society Development.

In addition to regular grantmaking in these fields, the Foundation runs special programs such as an anti-corruption program and the NGO resource centers development program.

The Foundation does not fund human rights activities and projects. Occasionally, individual human rights NGOs receive funding for non-human rights related activities such as training and services to a broad range of local NGOs (examples include Ryazan Memorial and Perm Civic Chamber) and anti-corruption work (for example, Obninsk Human Rights Group).

### **12. Royal Netherlands Embassy in Moscow (MATRA program)**

This program finances projects in the following categories: environment, mass media, human rights, minorities, social welfare, gender issues, good governance and civil participation, education. The program doesn't have a geographic focus.

## ***Russian Donors Supporting Human Rights Work***

### **The Foundation for Civil Liberties (Boris Berezovsky's Foundation)**

The Foundation for Civil Liberties was established in the US in December of 2000 by the controversial Russian tycoon Boris Berezovsky. Berezovsky announced his commitment to give \$25 million to the Foundation in the course of five years. The Foundation's mission is to provide financial, legal, information, and institutional resources for the defense of fundamental rights and freedoms. The priority areas include:

- Support of human rights NGOs in the Russian regions;
- Protection of prisoners' rights;
- Social protection of journalists;
- Protection of minorities' rights.

The Foundation awards grants by invitation only and does not conduct competitions or accept unsolicited proposals.

Within the Foundation's program for support of regional NGOs it has "accredited" 163 regional NGOs which have received funding for 2001/2002 in the amount of \$15,000 (31 organizations), \$10,000 (98 organizations) and \$5,000 (32 organizations). A second cycle of accreditation will take place in early 2002.

In addition, the Foundation has awarded two large grants in this field: \$3 million to the Sakharov Foundation for the support of the Sakharov museum and public center; and \$150,000 to the International Democracy Foundation of Alexander Yakovlev for the production of an electronic archive of the history of the Stalinist repressions.

In its prison reform program, the Foundation has awarded \$100,000 and \$35,000 to the Center for Prison Reform for the advocacy work for prisoners' rights and the action "Christmas behind the Bars" for teenage offenders, respectively. It has also pledged to cover lawyers' expenses of all Russian teenagers under the age of 16 who are in detention. This support will be provided through the 163 accredited regional NGOs.

Under its freedom of press program, the Foundation provides social support funding to the journalists who suffered physical injuries as a result of their professional activity, or their families (in case of a death of a journalist). This program is conducted in cooperation with the Glasnost Defense Foundation. The size of individual support ranges from \$1,000 to 7,000. So far five awards have been made.

### ***Russian Re-Granting Foundations/Programs Supporting Human Rights Activities***

#### **1. The Foundation for Civil Society**

The Foundation for Civil Society was founded in 1994 and became the first Foundation in Russia specialized in providing financial assistance for human rights work. The Foundation's programs are based on a combination of re-granting of funds provided by larger foreign donors with its own operational activities through training, conferences, and publications. The Foundation conducts the following programs:

*1. Program for Small Grants to Regional Human Rights Organizations.* Under this program, direct financial support is rendered to regional human rights NGOs. Regional organizations receive small grants (up to US\$ 3,000) on a competitive basis. As of today, 105 grants have been made under to NGOs in various regions of Russia. This program is financed by the National Endowment for Democracy.

*2. Program for the Support of Initiatives to Combat Extremism and Nationalism and to Promote Tolerance.* This program has been run by the Foundation since 1997. To date, some 30 regional organizations have received grants (up to US\$ 3,000). In addition to providing small grants, the Foundation conducts conferences and seminars in this field and publishes books and brochures. This program is funded by the Henry M. Jackson Foundation.

*3. Program of Small Grants Promoting Use of the Internet by Regional Human Rights NGOs.* This program was launched in 1998 and has been implemented in cooperation with the

Interregional Human Rights Network. The program supports the activities of human rights NGOs developing Internet resources. Under this program, 27 human rights NGOs have received mini-grants (up to US\$ 3,000). This program is funded by the Swiss government program for support of Russian human rights NGOs.

*4. Educational Program.* Under this program the Foundation conducts seminars, round table discussions, meetings, and conferences for human rights NGOs on a wide range of important human rights issues, international human rights instruments, and organizational development of NGOs. To date, the Foundation has conducted more than 20 such events at which more than 400 representatives of human rights organizations from across Russia have participated.

*5. Advancing Social and Economic Rights in Russia.* The Foundation acts as coordinator, jointly with the Center for the Development of Democracy and Human Rights, of the Network of NGOs Promoting and Protecting Social and Economic Rights in the Russia Through the Use of International Instruments. To date the Network has joined together more than 70 NGOs. Various projects have been undertaken within the framework of the Network directed at protection of economic and social rights.

## **2. The Fulcrum Foundation for Support of Civil Society and Human Rights**

The Fulcrum Foundation for Support of Civil Society and Human Rights provides small grants of up to \$9,000 to regional human rights and other civil society NGOs with funding provided by larger Western donors. The Foundation was established in 1999 on the basis of a small grants program conducted by the Russian-American Human Rights Project Group since 1996. The Ford Foundation has been the principal funder of the Fulcrum Foundation's program of small grants to human rights groups. The Soros Foundation provided additional money for Fulcrum's "The First Grant" competition in 2000 which awarded funds to provincial NGOs who had never received grants before. The C.S. Mott Foundation awarded a grant to Fulcrum in 2001 to conduct a competition among NGOs working with young people at the community level, developing community-based initiatives and building "community patriotism," a sense of belonging to one's community and caring about it as opposed to involvement of youth in extremist neo-nazi groups.

## **3. Perm Regional Human Rights Center**

Perm Regional Human Rights Center is one of the leading regional human rights NGOs working in the Russian regions. It runs various programs including legal aid to the victims of abuse, annual monitoring of the situation with human rights in the region, legislative work, training, etc. In 1999 it became the first regional organization to conduct a re-granting program. The Center received funding from the Ford Foundation for two consecutive years, \$60,000 in 1999 and \$90,000 in 2000, to distribute it on a competitive basis among smaller NGOs located in Perm oblast outside of the province capital Perm. The program has proved to be highly successful with grants awarded to more than 30 NGOs. In 2001 the Center temporarily stopped this program in the view of the need to focus its resources on its main operational activities.

## **4. Penal Reform International, Moscow Office**

The Moscow office of the Penal Reform International, an international NGO dedicated to reform of the penitentiary system, received funding from the Ford Foundation in 2000 to provide re-granting support to regional human rights groups working in the field of criminal justice and

prison reform. The 2000 program budget was \$350,000 with maximum grant size of \$20,000. A Total of 16 projects were supported. The 2001 program budget is \$250,000 with maximum grant size of \$20,000. Winners of the 2000 competition could not apply. The applicants should involve administrations of prisons in their projects as partners. Results of the competition have not been announced yet.

## APPENDIX 4

### PERM REGIONAL HUMAN RIGHTS CENTER: AN EXAMPLE OF SUCCESSFUL REGIONAL HUMAN RIGHTS ORGANIZATION

At the USAID Mission request, we include comments about the Perm Regional Human Rights Center as an example of a successful regional human rights organization.

Perm Regional Human Rights Center is one of the most successful regional human rights NGOs in Russia. Its success is based on a combination of subjective factors that are difficult to reproduce and objective ones, which can be replicated in other places. The former includes the leadership qualities of its director, Igor Averkiev, and a beneficial political environment in the Perm region. Mr. Averkiev, a lawyer by training, has been active in human rights work for more than ten years and is considered one of the founders of human rights movement in the region. A highly professional manager and human rights worker, he enjoys high reputation in the region and in the Russian human rights community and is known as both a man with strong principles and moral values and a leader open to cooperation and team efforts. Political situation in the region had been very beneficial for the NGO community at large and human rights groups in particular for many years in the Perm region until half a year ago when a reform-minded governor Mr. Igumnov who had been in power for eight years lost elections to a younger and more pragmatic mayor of the city of Perm Mr. Yuri Troutnev who enjoys a reputation of a “small Mr. Putin” thanks to his tendency to use “strong hand” policies, closed style of decision making and connections with the police and the FSB.

Success of the Perm Center is attributed by many experts to ability of its staff to work constructively with the government of Mr. Igumnov. Time will show whether the Perm Center is able to develop similar relations with the new regional administration. Other, more objective factors of success of the Center may be considered for possible replication in other places. Mr. Averkiev takes pride in their public reception room where his staff, including several professional lawyers, provide legal advice to the public on a daily basis. “It is very important for us to always stay in touch with the public concerns and needs and be rooted in the local community,” said Mr. Averkiev during the meeting with the Human Rights Assessment Mission team. In addition to the legal aid, the Center organizes advocacy campaigns responding to public interests such as a campaign to halt the monopoly of the Perm regional telephone company which continuously raised the cost of its services in violation of the anti-monopoly law. The Center’s campaigns are well covered by the media and are seen by the local public as responding to their needs. The Center is actively engaged in influencing the policies and legislation of the regional authorities. In addition to producing annual reports on the state of human rights in the region, the Center often negotiates with the administration on particular issues such as prison conditions and the situation of migrants, testifies at the meetings of the regional legislature. It has developed and successfully lobbied for adoption of several legislative initiatives. Finally, the Center works for the benefit of the regional NGO sector as a whole. Two of the three adopted regional laws initiated by the Center addressed the needs of the whole sector: the law on charitable activities and the law on social contracting out by the government for social services. All of the Center’s activities are well known to the public due to a highly professional PR work of its staff. Not only they produce and widely distribute its own monthly newspaper “Human

Rights” but have local media publish articles and broadcast news about their work every week as a result of efficient work of a full time press secretary.

## APPENDIX 5

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