

THE CHALLENGES FOR CIVIL SOCIETY ORGANIZATIONS IN THE
RUSSIAN FEDERATION

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ABSTRACT

THE CHALLENGES FOR CIVIL SOCIETY ORGANIZATIONS IN THE RUSSIAN FEDERATION

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Since the Soviet era, civil society has faced many challenges in Russia. Civil society organizations have particularly been more visible and active since the last years of the Soviet Union. In this thesis, I aim to examine the development of civil society organizations, particularly those with a focus on human rights, in the Russian Federation and the challenges they face. First, I will discuss the historical background of civil society formation during the Soviet Union and in the initial years of the Russian Federation. Then, by analyzing specifically the legislative arrangements concerning civil society under Putin and Medvedev's presidencies, I aim to identify the current civil society framework and problems they encounter. Through my examination, the broader question will be to explain if and why the Western context of the civil society does not fit into the Russian context. This research also highlights the critical pieces of national legislative mechanisms and national Russian legal remedies, which play a crucial role in the development of civil society in Russia. The method used in the thesis is predominantly the critical textual analysis of the legislative framework, together with the analysis of the Western and Russian media.

Keywords: Civil society, NGOs, Russia, challenges, legislative arrangements

ÖZ

SİVİL TOPLUMUN RUSYA FEDERASYONU'NDA KARŞILAŞTIĞI ZORLUKLAR

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Rusya'da sivil toplum Sovyetler Birliği döneminden beri pek çok zorlukla karşı karşıya kalmıştır. Sivil toplum, Sovyetler Birliği döneminde komünist rejim ve onu takiben 1991 yılı itibariyle Rusya Federasyonu döneminde kapitalist rejim olmak üzere iki farklı rejim içerisinde faaliyet göstermiştir. Bu tez, Rusya'da sivil toplumun Sovyetler Birliği ve Rusya Federasyonu dönemlerindeki tarihsel gelişimini incelemeyi amaçlamaktadır. 2000'li yıllardan itibaren Rusya Federasyonu devlet başkanları Putin ve Medvedev tarafından yürürlüğe konan sivil topluma yönelik yasal düzenlemeler sonucunda sivil toplumun geçirdiği dönüşümler de ayrıca incelenecektir. Ayrıca bu tez mevcut sivil toplum çerçevesini belirlemeyi ve Batı kapsamlı sivil toplumun neden Rusya örneğine uymadığını, güncel durumun temel taşları ile bağlantılar kurarak açıklamayı amaçlamaktadır. Bu nedenle bu araştırma; sivil toplumda kritik bir rol oynayan ulusal yasama mekanizmalarının ve ulusal Rus yasal çözüm yollarının kritik noktalarını da vurgulamaktadır. Tez yöntem olarak belge araştırma kapsamında yasal çerçeveyi incelemeyi ve medya analizini de (Batı ve Rus medyası) içermektedir.

Anahtar Kelimeler: Sivil toplum, STK'lar, Rusya, zorluklar, yasal düzenlemeler

To my dearest mother and father



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LIST OF ABBREVIATIONS

AU	The African Union
CoE	Council of Europe
CSO	Civil society organization
ECHO	The European Commission Humanitarian Office
EU	The European Union
FRS	Federal Registration Services
GLAAD	Gay and Lesbian Alliance Against Defamation
GONGO	Government-organized non-governmental organization
ICCPR	International Convention on Civil and Political Rights
ICESCR	International Convention on Social, Economic and Cultural Rights
IDP	Internally displaced person
INGO	International non-governmental organization
MHG	Moscow Helsinki Group
NCO	Non-commercial organization
NGO	Non-governmental organization
OAS	The Organization of American States
OSCE	The Organization for Security and Cooperation in Europe
UDHR	Universal Declaration of Human Rights
UNHCR	United Nations High Commissioner for Refugees
USGOA	US Government Accountability Office

CHAPTER 1

INTRODUCTION

1.1. Scope and Objective

The main objective of this thesis is to analyze why the Western context of civil society does not fit into the Russian context of civil society. This objective will be achieved by explaining decreasing legal existence of non-governmental organizations (NGOs) and their activities within the Russian Federation in relation to the government's direct support for increasing government-organized non-governmental organizations (GONGOs) through a critical textual analysis of the legislative framework along with Western and Russian media analysis within the framework of a documentary research. The research for this thesis first requires analyzing the civil society during the Soviet Union, followed by the challenging political and legislative environment for NGOs through the attribution of political leaders' attitudes after the dissolution of the Soviet Union. Next, legislative arrangements and the procedures that challenge NGOs' legal existence and their activities in the Russian Federation will be explored in this thesis. Finally, governments' support for GONGOs in the absence of civil service providers – independent NGOs – which are defined as necessary establishments within the context of liberal countries will be focused in this thesis.

While explaining the legislative obstacles faced by the NGOs, the aim of this thesis is to briefly analyze the geopolitical and security concerns of the Russian Federation behind introducing a series of legislative arrangements starting with the “Russian NGO Law” in 2006, which forced NGOs to register for legal presence and conduct activities in Russia. Those legislative arrangements could be explained due to security concerns related to the foreign states' involvement in internal affairs through their funding implementations. Next, this thesis will analyze NGOs' dependency on foreign donors, why NGOs rely on foreign funds to be able to continue their activities. Lack of

sufficient financial support from the local funds will be explained. Also, areas of NGOs in Russia including human rights NGOs will be explained. In the last chapter of this thesis, the argument will focus on the government strategy, motivation, and the main reasons for a positive attitude towards the increasing number of GONGOs and their activities.

Currently, there are significant number of NGOs in Russia working in various areas. The majority of these NGO areas are, including but not limited to: human rights, women's rights, children's rights, labor rights, educational rights, independent media and journalism rights, political, economic and social policies, history and environmental groups (Henderson, 2002). In addition, it is possible to witness important NGO fields of focus such as: grass-root organizations, veteran groups, animal rights and ecological groups (Crotty, 2009). As mentioned above, human rights NGOs have a wide area of focus, with various issues to be covered in Russia. Therefore, human rights NGOs will be focused within the framework of this thesis.

1.2. Literature Review

To analyze the political environment for NGOs in Russia, it is essential to consider all elements that shape this environment. Geopolitical factors, traditional security concerns, and the Soviet legacy to Russian society should be regarded as cumulative for understanding the backstage of the policy implementations. In addition, analyzing all of those according to a specific timeframe starting from the late Soviet Union is essential.

Looking at the Soviet background from the perspective of civil society establishments, civil society establishments were mainly institutionalized with direct control of the communist state, and individuals' participation in these civil institutions was relatively voluntary (Zaslavsky & Brym, 1978). This structure obviously opposed the Western understanding of civil society establishments. According to Mishler & Rose (1997), who have conducted specialized research on this area of the topic, the definition of civil society establishments in Western standards should focus on specific characteristics, including but not limited to: obtaining democratic values and having the responsibility to spread democratic values among the society; standing by the civil

society on protecting human rights; acting as a counter-power to state to prevent state's complete authority especially with the aim to avoid such interferences which may lead to humanitarian issues and; provide capacity building support to improve and ensure state's delivery of public services to individuals. There are many criticisms within the literature, such as Gamson (1968), Linz (1975), Roeder (1993) & Sartori (1993), on the effects of the communist state's force on individuals to engage with the Soviet political and civil institutions. This still effects Russian society's perspective towards all civil society institutions – including NGOs. During the Soviet Union, citizens could not stay neutral towards the political institutions because they were linked to the Communist Party – the leading authority. Expression of opposition was not tolerated. Therefore, according to Zaslavsky & Brym (1978), citizens' participation in the state's political and civil institutions was not voluntary, contrary to the nature of civil society. In this thesis, citizens' participation in such institutions during pre-perestroika period will be considered as a social norm, which does not meet the terminology meaning “voluntary participation”.

According to the literature, the arguments gather around the institutionalized structure of civil society establishments and the so-called forced participation of citizens resulting in the Soviet legacy of the mentality of Russians toward post-communist civil societies (Mishler & Rose 1997). This could be attributed to why civil society organizations remained weak after the dissolution of the Soviet Union. Russian culture had bad experiences in the sphere of forming civil society organizations without the state's involvement during the Soviet Union. Individuals were aware of the Communist state's attitude towards such independent establishments and thus avoided being involved. While the dynamics mentioned earlier affected the development of civil society in the Russian Federation, underground organizations during the 1960s and 1970s and improvements during the Perestroika period created their roots. Underground organizations of the 1960s – 1970s later appeared as the most robust civil society actors of the 2000s. Like other examples from other regions worldwide, the tendency to approach individual networks rather than public and civil society actors directly resulting from society's distrust of institutions appeared to be a challenge to post-communist civil society organizations in Russia. Within an environment where individuals seek solutions to their problems through their

networks, due to the unwillingness of political involvement that arises within the society, especially after the dissolution of the Soviet Union, civil society engagements continued to remain weak and later attempts to build strong independent civil society organizations were identified as “already too late” (Crotty, 2009).

The states' geopolitics, historical background, and political ideology are the main elements that shape their actions and perspectives towards internal and external affairs. Dynamics relevant to the mentioned elements continued to challenge the newly established Russian Federation after the dissolution of the Soviet Union. These dynamics could be highlighted as; the identity of Russia as the heart of Eurasia mainly resulting with security concerns and challenges to comply only with European norms and values on identity besides Eurasian norms and values, common prejudices towards democracy due to communist propagandas conducted against democracy – democracy as an untrusted regime – during the Soviet Union and public disappointment due to bad economic and social conditions which have resulted with unemployment, challenges accessing public services and increasing crime related issues (Crotty, 2009). The Perestroika period and Gorbachev's reforms could be entitled as the best timeframe for civil society organizations in the Soviet Union. After analyzing and understanding the political and social circumstances for civil society institutions during the Soviet Union, according to the timeframe, the immediate environment after the dissolution in 1991 until Putin's presidency in 2000 should be mentioned. This timeframe could be seen as a new beginning for civil society organizations after the Perestroika period; even though legal procedures were not very well defined, civil society organizations earned the right to have legal status in Russia with the Constitution of 1993 (Weigle, 2002). According to Cook, after 1993, there were many establishments after NGOs were able to gain legal status in Russia. Many NGOs focused on providing support for social welfare (Cook & Vinogradova, 2006).

Earlier, individuals' participation to civil society as a proof of political activism rather than voluntary means during the Soviet Union was mentioned as one of the main reasons why civil society establishments remained weak. In line with society's lack of interest in the voluntary involvement of NGOs – this could be attributed to unwillingness; according to the literature, some arguments show that another reason is

related to foreign funds for NGOs. After the communist state's fall, many international actors showed interest in providing funds for the newly established Russian NGOs to support their activities within the Russian Federation. Despite receiving foreign funds from other international actors – foreign donors usually appear with the varieties of different states, INGOs, etc. – which is quite common for NGOs within underdeveloped or developing countries, Cook & Vinogradova argue that in the context of Russia after the 2000s, this has weakened both their reliability and relations with other NGOs. However, such organizations, especially the weakest ones focusing on democracy and human rights, relied on foreign funds due to the lack of domestic funds. According to an analysis of the INDEM Foundation in 2006, local donors had hesitations towards providing funds to such organizations due to their work in promoting democracy and human rights since this could be attributed to confronting the government. Despite their focus on public advocacy, in some scenarios in which the local donors fund these NGOs, it still might appear as another dilemma that their independent and neutral mission would be endangered through strict measures such as which activities to be supported (Machleder, 2006).

Putin, the second president of the Russian Federation, reformed the political system to avoid negative consequences for the state as a result of Yeltsin's rapid and controversial implementations such as privatization, corruption, etc. which weakened the state. Although Putin's reforms caused many discussions in the Western countries, Putin's reforms and decisions were intended to shake the weak Russian state after the Soviet Union's collapse and Yeltsin's inefficient presidency. Reforms were focused on domestic issues such as the economy and state structure itself. However, why civil society remained weak requires additional research for the period that starts from the transition to today's Russia. Independent NGOs were vulnerable in Soviet History before the Perestroika period. Therefore, this provided the ground for leaders Yeltsin, Putin, and Medvedev to interfere with them.

Putin's interference with independent NGOs receiving foreign funds was mainly due to security concerns. The geopolitical circumstances of Russia have concentrated on security concerns for centuries. Primarily, security concerns towards the Western powers continued after the Cold War. The struggle within and reciprocal fear of one

interfering with others' internal politics mainly concentrated on foreign involvement in internal affairs through civil society actors. According to Chaulia, US involvement in foreign countries' political affairs commonly appears by funding active NGOs. This applied to the Russian case since INGOs and NGOs funded by the United States linked to the Color Revolutions in Georgia, Ukraine, and Kyrgyzstan (Chaulia, 2006). It is essential to understand that Russia accepts ex-Soviet Republics as Russia's vital interest due to their Soviet background and Russia's geopolitical dynamics. Geopolitically any political situation appearing in former Soviet Republics due to Western influence may pose a threat to Russia itself. Therefore, any foreign involvement in these countries which could result in political instability and decreased ties to Russia is a security threat. After experiencing the NGOs' active role and power in such civil movements, another reason could be linked to the government's hesitation towards the possibility of such political instability within the Russian Federation before the presidential elections held in 2008.

Here, the thesis will attribute the legislative arrangements starting with the "Russian NGO Law" of 2006, which gave the government a significant amount of power regarding the registration of NGOs. Since registration plays a crucial role for an NGO to be able to stay active, exist, and continue its activities within the Russian Federation, this created many challenges. According to Macleder, there are three main reasons for the government to enter the Law on the force, which are; firstly, point out NGOs receiving funds from foreign countries as gathering and sharing information regarding human rights records and thus contributing to a bad image of Russia in the international platforms, secondly, perceive the Color Revolutions which took place in ex-Soviet countries as a threat and sourced by Western countries thus fear of such movements to occur within Russia with the new election is around the corner and thirdly – in line with the first reason as well – Russian authorities understanding of NGOs as spies to foreign states and focusing on the threat they may cause from outside rather than believing in their contributions for the civil society (Macleder, 2006). With this part of the thesis, the reasons for the state's perspective towards NGOs as a threat to security will be explained in detail in line with the recent political uprisings leading to instability around Russia, in the 2000s.

Briefly, all the above dynamics created a highly challenging environment for NGOs within Russia (Crotty, 2009). In conclusion to the thesis, the state's support for GONGOs will be explained in detail with the main reasons, motivation, and political purposes. It is essential to understand the nature of GONGOs, their main objectives, and their activities. Later, the thesis will discuss their contribution to civil society in the Russian Federation.

1.3. Methodology

The thesis concentrates on the historical background, legislative arrangements, and reflections on the Western and Russian media regarding civil society actors in the Russian Federation. Therefore, the references of this thesis heavily depend on various articles and books from the literature available through online platforms and official documents.

For the introduction and other sections that mainly focus on historical background in the light of NGO literature (the previous practices during the Soviet Union and the newly established Russian Federation in the 1990s) the references heavily consist of articles and books within the literature as they are the primary sources to conduct research for such a historical timeframe.

For the sections which explain the reasons for the Russian government's attitude towards NGOs and the pathway to legislative arrangements, the references mainly consist of articles, books within the literature and official documents. Within the framework of official documents, references mainly consist of legislative arrangements towards NGOs, situation reports of INGOs, news from Western media agencies such as BBC, Radio Free Europe/Radio Liberty and news from Russian media agencies such as TASS, Novaya Gazeta. Lastly, since the discourse of political authorities are very helpful in reading between the lines, and political leaders have a significant role in creating public opinion, the references include speeches of political authorities within the framework of official documents.

For other sections which focus on the legislative arrangements, current situation and challenges towards NGOs in Russian legislative arrangements since the beginning of

2000s were reviewed. As a result of the legislative arrangements' review since the beginning of the 2000s, the references primarily consist of the 2006 Russian NGO Law, 2009 Amendments, 2012 NGO Law on "Foreign Agents" as well as 2015 Amendments since they are the primary sources to highlight all legislative arrangements in detail which had a significant effect on NGOs' legal presence within Russia.

For the section of media analysis on the legislative arrangements against NGOs, Putin's speeches and figures related to the human rights in the country and human rights organizations' statements were analyzed. While covering Putin's speeches, media analysis was conducted by using keywords from the period of post-Color Revolutions till today. While covering Sergei Nikitin – the Former Director of Amnesty International Russia, Amnesty International and Human Rights Watch's statements, media analysis was conducted by filtering the Amnesty International and Human Rights Watch's statements in response to the NGO framework in Russia within the same time frame.

Following the analysis of political authorities and human rights figures and organizations' statements, the references consist of news from the Western media agencies such as BBC, Radio Free Europe/Radio Liberty and news from Russian media agencies such as TASS, Novaya Gazeta. All media agencies included in this thesis were analyzed by using keywords such as "NGOs in Russia, legislative arrangements towards NGOs in Russia etc." from early 2000s till today. In addition to the above-mentioned methods, references consist of articles and books.

Lastly, the last part which explains the relationship between the decrease in the number and influence of NGOs, the increase in the number and influence of GONGOs, covers the literature on the government's primary motivation, and the policy for supporting GONGOs.

In the literature, there are various terms to define NGOs. In this thesis, the term "NGO" is used with its common meaning, the one included in the UN Charter in 1945 (UN Charter, 1945). For the rest of the sections more focused on specific areas, other

specific terms (GONGOs, CSOs, etc.) will be used to provide accurate definitions to those contexts.

This thesis uses the terms civil society, civil society organization, and nongovernmental organization interchangeably.

1.4. Organization of the Thesis

To understand the current situation in Russia regarding NGOs' legal existence and environment for them to be able to conduct activities toward democracy and human rights, it is essential to review the historical background of such civil society actors during the Soviet Union as well as the newly established Russian Federation in the 1990s. By finding answers to questions including but not limited to civil society engagements during the Soviet Union and the early Russian Federation, participation of Russian citizens, and good and bad practices, the thesis will explain the nature of NGOs in Russia. Therefore, the second chapter of the thesis will briefly provide background information and the context in which the civil society organizations developed during the Soviet Union. The third section will explain the civil society framework during Yeltsin's presidency in the newly established Russian Federation in the 1990s.

The thesis provides an overview analysis of the environment for civil society. It continues by highlighting examples of good practices and the Russian state's attitude towards such establishments in the post-Soviet Era after 1991 in the following two chapters. Analyzing the Russian Federation's three Presidents' –Yeltsin, Medvedev, and Putin- attitudes and approaches toward civil society organizations by providing examples from their legislative arrangements exposes the general framework for civil society organizations in Russia to continue their activities which is considerably challenging. However, before these findings are discussed, an overview of Russian civil society development and the experiences of other social movements across the Russian Federation will be examined.

Later, to analyze the political environment, it is necessary to look at the legislative arrangements of the three political leaders – Yeltsin, Medvedev, and Putin – towards

which registration procedures that the NGOs must follow to maintain their legal existence and continue their social work within the Russian Federation. The fourth chapter of the thesis will analyze the legislative arrangements during Putin and Medvedev's presidencies to explain the decrease of NGOs due to challenging and rather frustrating legal procedures to be completed to continue their activities within Russia. Finally, the nature of GONGOs and the reasons for their increase in Russia will be analyzed. Primarily focusing on Putin's presidency, that would not be incorrect to be attributed to the father of an environment more open and suitable for the GONGOs in the absence of civil service providers, independent NGOs.



CHAPTER 2

HISTORICAL BACKGROUND DURING THE SOVIET UNION IN THE LIGHT OF NON-GOVERNMENTAL ORGANIZATIONS' LITERATURE

The introduction chapter briefly explained what the thesis covers in the following chapters by supporting the discussion of the thesis with a short literature review, methodology, and organization of the thesis. This chapter will provide a concrete definition of NGOs in the first section. The second section of the chapter will explore the historical background of civil society during the pre-Perestroika period of the Soviet Union. This will be followed by examining the historical background of civil society during the Perestroika period of the Soviet Union. Lastly, after describing a complete Soviet background through these sections, the fourth and concluding section will provide a summary of the chapter.

2.1. Definition of Civil Society Organizations

While reviewing the literature, it is possible to read various descriptions stated by many scholars on defining civil society. Some scholars attribute their descriptions to the forms of civil society, while others to the source, fields of work, or how it is widespread with the Western influence. According to Hegel, civil society took place within the state despite an independent legal framework and actions by questioning the independence of civil society. Marx pointed out that any civil society organization established by the bourgeois would naturally only act upon their interests and fail to respond to the interest of the working class. On the other hand, Gramsci defended civil society as a tool of the working class for opposition and achieving working-class interests (Weigle & Butterfield, 1992).

Despite many criticisms and discussions regarding civil society in the literature, it is possible to see some similarities in line with each other, which will be focused on in

this section. These similarities are civil society's representation of individuals' interests by creating an autonomous space from the state, focusing on the humanitarian field of work, and delivering public services that the states fail to provide. To provide a clear description, it is essential to mention Tocquevillian's definition of civil society as "freedom of association" which frames civil society between the state, market, and individuals (Ljubownikow, Crotty & Rodgers, 2013). This topic tends to be debated because non-governmental organizations occur in different forms and dynamics. Their shape, operational standards, aim, purpose, and ideology may vary, and they may cooperate with various stakeholders.

According to the literature, the historical background of NGOs goes further in the past centuries and does not have only one single milestone initiated for their establishment. On the other hand, their development has a connection with the rise of neoliberalism in the 1980s. Decreasing state control with neoliberalism created some space for the NGOs to be aid & service providers in the humanitarian field and boosted as an alternative sector due to their contribution to state economies since they welcomed foreign investments (Lewis & Schuller, 2017). Lewis defined NGOs as below (Lewis, 2020):

... an NGO is normally described as an independent citizen organization that is neither controlled by the government nor motivated by the profit motive that drives most business organizations...

Later, he focused on the diversity and inclusiveness of NGOs and strengthened his NGO argument by providing a linkage between NGOs and English philosopher John Locke's theory of "Tabula Rasa". John Locke's tabula rasa refers to a blank state and cognitive formlessness (Duschinsky, 2012). Mentioned statement of Lewis is related to the primary structural characteristics of NGOs where it is widely possible to encounter diverse groups with various organizational standards related to staffing and funding modalities as well as areas of work, opinions towards development, and roles in the policy development/making (Lewis, 2020).

Within current international dynamics, it is possible to encounter many different interpretations of NGOs depending on their area, motivation, and specialty of work besides their operational structure, political aim, gap, current challenges, and/or advantages of the region they work in. While the term “NGO” is dynamic and continues to evolve, develop, and respond to various needs depending on their locations, they may be shaped by different rules, traditions, and standards of the state they support. These differences often result in different norms, values, and standards for the NGOs that work in different states, leading to criticisms of one another. Thus, mentioned differences may have different effects on NGOs work in different regions.

In line with the discussion of the thesis, it is vital to point out differences between Western and Russian interpretations of NGOs, which commonly lead to criticisms. While Western NGOs’ norms, values, and standards indicated by the United Nations stand for building/strengthening democracy, ensuring individuals’ access to rights and services within the framework of international human rights standards, NGOs with the same norms, values, and standards face a lot of challenges in terms of legitimacy, legal registration process and conducting operations in Russia. As a result, such NGOs tend to seesaw between relying on foreign funding from Western donors and revising their political stand to become politically neutral or propagate the state’s policies and ideology (Tsetsura, 2013). Western standards naturally push NGOs to challenge governments to ensure the best provision of rights and services. Thus, this nature is seen as a threat to the legitimacy of the ruling government by authoritarian states. As a result, the Russian understanding of NGOs adopted both by the pre-Perestroika Communist State and the period of Putin’s presidency stands for the provision of assistance to the state on public services without questioning the state’s policies and ideology (Weigle & Butterfield, 1992).

2.2. Civil Society during the pre-Perestroika Period of the Soviet Union

The status of civil society in the Russian Federation was briefly described in the introduction section. As mentioned earlier in the introduction section, the Soviet background of the country, which was extremely strict and closed to independent civil society until the Perestroika period before the dissolution of the Soviet Union, is one of the most fundamental reasons NGOs remained weak in our current time. Even

though this helps us understand that the establishment of independent NGOs in the country was relatively late compared to other states, it would be wrong to consider the Soviet background as a root cause of this weakness. There are many reasons behind this issue which we will focus on later in this thesis. To be discovered in further chapters, these reasons are as follows; challenging regulations, exhausting procedures towards obtaining legal permissions to their establishments within the country, combined with the lack of financial sources to cover the absence of foreign funds which the Russian government does not welcome are the main reasons that prepared a tough road ahead for all NGOs.

This section will focus on the most fundamental root cause mentioned above, civil society in the Soviet Union during the pre-Perestroika period. It is vital to analyze the background that leads to the current circumstances before other causes regarding the timeline. This will support the foundations of the research with a solid cause-effect relationship.

During the Soviet Union, the communist state had control over civil society like other social, political, and economic aspects. According to Kurilla, Communist Party's main aim was to prevent rival civil society, avoid mass movement/protests against the regime, and maintain stability by having power and control over all civic activities. This control did not prevent civil movements: instead, it led to both underground social organizations and a different interpretation of civil society with a communist state-oriented, not autonomous framework by linking all civic activism with relevant state-controlled organizations (Kurilla, 2002). Based on the discussion raised by Kurilla, Livshin & Weitz which took the argument further by describing the civil society framework before the Soviet Union and providing a linkage between the civil society and Russian traditions for charity as a tradition based on the aristocracy. With the rise of industrialism and occurring class differences among individuals, the tradition of charity gained another understanding of aiding the lower and middle class. This understanding of charity opposed communist principles trying to remove social class differences among individuals and thus was prohibited by the Soviet Union (Livshin & Weitz, 2005). Hence, the Soviet civil society framework differed from the typical Western examples. In line with the nature of communism, civil society existed through

the understanding of collectivism right from the beginning of the Soviet Union. It is vital to read between the lines of dependent civil society in the Soviet Union and the communist state's perspective. According to Kharkhordin, members of collectives restrained from using violence among each other collectives' method was mentioned as "admonitory-education type". Spread of the collectives were very rapid and common, with a goal to include almost all Soviet citizen to a collective. Also, being included to a collective had some positive aspects from citizens' side as well such as becoming a part of a network group defensive of its members in line with the labor rights. Like many network groups, collectives created various opportunities for Soviet citizens such as acting as a counterbalance between the communist state and individuals, defending individuals' rights and shaping networking possibilities through different areas. However, on the other side, this structure eventually fed each other as strengthening the communist state's control over individuals and tools to prevent autonomous civil activities may threaten the ruling system. Individuals participation in controlled collectives which members becoming familiar and tracking activities made it easier for the communist state to control dissident activisms. Although the nature of the collectives was to defend their members, they lacked the capability to defend their members against KGB (Kharkhordin, 1998).

The spread of collectives over the Soviet Union is a different course of discussion mostly relevant to individuals' behavior. Participation in civil society in the Soviet Union, also stated as so-called voluntary participation, was different from usual Western practices with actual voluntary involvement. Participation in civil society during this time (except participation to underground civil societies) could be attributed to two sources of behavior. First, individuals would participate in state-dependent civil society to benefit from certain services. Intending to spread collective, such organizations tend to consider individuals' participation in providing services that were not common to benefit if individuals did not participate. Secondly, individuals were aware of civil society's dependence on the state. Thus, the primary motivation was to access political advantages and political elites through these channels. Participation in civil society in the Soviet Union, thus becoming a part of the collective, could be seen as a way of individuals providing their support for the communist regime, especially those who lacked access to networks in the Communist

Party. According to Ljubownikow, Crotty & Rodgers, majority of collectives' members intended to access to political elites through their participation to the collectives. As a result of that, collective context was depended on the communist state contrary to the nature of civil society in Western countries. Soviet citizen's participation and contribution to the collectives were accepted as a "patriotic duty" both on the eyes of the communist state and individuals. This structure among the communist state and collectives was far away from the autonomous civil society since they were feeding each other. While the communist state enjoyed control of dissidents through spreading collectives, individuals enlarged their networks and ensured access to political elites with certain advantages. Individuals' participation to collectives as a "patriotic duty" restrained their voluntary engagement and it is possible to witness impacts on individuals' voluntary participation to civil society organizations in current Russia. In addition, the dependent structure of collectives to the communist state still shapes the majority of the public opinion in current Russia that civil society organizations are tools of the state to maintain control over dissident movements. Many Russian citizens hesitate to be involved in civil society organizations since they lack the trust to the independent structure of organizations and abilities to protect societies' interests against the state (Ljubownikow, Crotty & Rodgers, 2013).

According to Weigle & Butterfield, civic activism grew when the Communist State no longer responded to the interests of the individuals through various actors such as the church, underground civil society organizations, and workers' groups. Especially with the failed attempts of Sovietization in all Soviet Republics during the 1960s and 1970s, the Communist State was not able to respond to interests of individuals within the framework of Soviet national interest. Thus, various societies in Soviet Republics established various underground civil society organizations defending their interest against the Communist State's ignorance. These civil society organizations were understood as a threat by the Communist State since they had gathered individuals in various regions to defend their own interests, which overlapped with the Soviet interest. Also, such organizations acted as an awakening of the society where individuals started to question Soviet autonomy. Thus, such organizations survived underground, which was described as independent and within the concept of "parallel police" opposing the regimes' norms and values, continuously defending individuals'

rights and interests. The Committee for the Defense of Workers (KOR), the Movement for the Defense of Human and Civil Rights (ROPCiO), the Committee for the Defense of the Unjustly Persecuted (VONs), Charter 77, Democratic Movement dissident group formed by a small group of the intelligentsia, Initiating Group for Defense of Civil Rights in the USSR, Helsinki Watch Group, Committee for Human Rights, the Russian Social Fund for Aid to Political Prisoners and Their Families and the Working Group for the Defense of Labor and of Social and Economic Rights are examples of above mentioned civil society organizations formed with the aim of provision of support to workers as well as defending human rights. Some of the mentioned civil society organizations functioned only with a defense mechanism and provision of aids. They did not challenge the State's authority and they were permitted with a limited amount of memberships. The majority had to stay underground since their goal was to frequently challenge the State's rule by struggling with the State's actions opposing public interests (Weigle & Butterfield, 1992). Helsinki Watch Group is one of the most influential civil society organizations – also known as the oldest human rights organization currently existing in Russia – actively combat against human rights abuses in the Soviet Union during the 1970s (Daucé, 2014). In line with the articles of the Helsinki Final Act signed by the Soviet Union in 1975, Helsinki Watch Groups' main aim was to monitor the State's progress towards its obligation to protect human rights and freedoms – especially freedom of opinion and expression within the framework of principles of the Charter of the United Nations and with the Universal Declaration of Human Rights (Paust, 1982). Montgomery describes the formation of the Moscow Helsinki Watch Group which was founded in 1976 by a dissident physicist – Yuri Orlov, supported by Andrei Sakharov and others as below (Montgomery, 2002);

The Moscow Group called on citizens of the signatory nations to the Accords to form watch groups to monitor the Helsinki agreement's fulfillment by their own governments. When independent Helsinki groups soon formed in other parts of the Soviet Union and throughout Eastern Europe, the Soviets quickly moved to crush the dissident movement through arrests, imprisonment, internal exile, and forced deportation. By the end of 1978, the Soviet

authorities had wiped out most of the watch groups.

Since the main aim of the Moscow Helsinki Group (MHG) was to uncover human rights violations of the Soviet Union, they suddenly became a target of the Communist State. Many members were arrested or forced to flee; thus, they had to stop their activities soon after being funded (Daucé, 2014).

2.3. Civil Society during the Perestroika Period

After analyzing the framework for the civil society in the Soviet Union before the 1980s, in this section, the chapter will focus on changing dynamics with Gorbachev in power and the introduction of “Perestroika” in 1985. It is quite common to witness many scholars providing a link between civil society and Western political dynamics and culture. Hann, for example, described civil society as a “romanticized Western model” (Ljubownikow, Crotty & Rodgers, 2013). Hann refers to NGOs which actively work in the humanitarian field, naturally interpreted as promoters of democracy while describing such as above. Similar to the Perestroika period with the steps to democratize and liberalize the Communist system, NGOs’ Western model has a comparable aim in authoritarian states. It would not be accurate to evaluate this debate as invalid, considering the enlargement of the civil society in the Perestroika period directly relates to the spread of neo-liberal ideas after the 1980s. After Gorbachev came to power and with the introduction of the Perestroika reforms, the Communist Party’s control over civil society was lifted, which provided a platform for the enlargement of civil society while opening the front of establishment of new organizations as well as the legal existence of underground civil society organizations during the pre-Perestroika period – such as MHG (Evans, 2002). During Perestroika, MHG re-started its activities by uncovering human rights abuses of the Communist State and providing support to Yeltsin against Gorbachev (Daucé, 2014). The number of civil society organizations started to increase rapidly after the 1980s. As stated by Evans, “The Soviet press reported that about thirty thousand informal groups had come into existence by 1988, and Geoffrey Hosking estimated that about sixty thousand such groups were present in the Soviet Union by 1990.” (Evans, 2002).

Gorbachev's introduction of the term civil society during the Perestroika period led to a new chapter in the historical framework of NGOs during the Soviet Union, where underground NGOs gained legal rights in line with the democratization attempts of the Communist State (Hemment, 2004). Gorbachev welcomed independent civil society organizations to provide possible solutions to the economic and social issues faced by the Communist State. Supporting Evans, Weigle & Butterfield stated the rapid increase of the civil society organizations working in various areas touching upon issues with the environment, culture, history, politics, and social context (Weigle & Butterfield, 1992). The Memorial – funded in Moscow and Leningrad in 1987 and spread all over the Soviet Union with approximately 20,000 active members – is one of the most influential informal organizations operated during the Perestroika period to uncover human rights abuses conducted during Stalin's era. While its activities were in line with Gorbachev's de-Stalinization process, the Memorial still faced many challenges in obtaining legal status. According to White, even though Gorbachev had tolerant policies towards informal organizations, the government tended to be picky in supporting/issuing legal status to such organizations by looking at whether their operations contribute to the State's interest or not. While As stated by White below (White, 1995);

In the case of Memorial, they could approve certain of Memorial's policies-such as the monument, which Gorbachev had clearly endorsed-while fearing and attempting to destroy Memorial merely for being an independent organization.

Evans deepened his discussion based on the increase of civil society organizations and focused more on the society-based approach rather than the previous communist state-based approach, which resulted in the rise of individualism (Evans, 2002). Like Evans, many scholars expected significant growth in the humanitarian sector until the 1990s. However, another debate regarding the situation of civil society in the 1980s appears as despite the state's control over civil society was lifted which provided a ground for them to establish and develop, the state did not give any authority, which became a barrier in front of their institutionalization (Fish, 1991). In addition, economic challenges during the 1990s and individuals' struggle survive their daily lives resulted

in not meeting the literature's expectations and undermined flourishing civil society organizations in the 1990s. Later, scholars discovered that the increase of NGOs did not continue to move accordingly with the ratio of the 1980s. Despite more NGOs continued to establish, widen and develop with dedicated activists, they could not stick to a long-term existence – their situation was mainly described as a survival mode facing many struggles (Evans, 2002).

2.4. Conclusion

Firstly, the chapter introduced various descriptions of the definition of civil society within the literature by highlighting Hegel, Marx, Gramsci, Tocquevillian, and Locke's studies on the civil society framework and provided a historical background on the establishment of NGOs. Later, the chapter raised discussion on different interpretations of civil society depending on the regions they operate in Western and Russian contexts.

In the following sections, the chapter analyzed the Soviet background regarding civil society by examining the state and individuals' attitudes by analyzing dynamics in the periods before and during Perestroika. Despite both having significant dynamics in terms of political involvement and regulations on civil society, it is possible to point out their impacts while analyzing Russia's current civil society framework.

Before Perestroika, civil society adopted a different variation to survive in the Soviet communist state as in a communist collective framework where individuals gathered and participated with the motivation of proof of political activeness in line with the communist propaganda and access to certain public services rather than voluntary activism. The aforementioned way of establishing civil society only strengthened the state's power rather than improving the conditions of the individuals to ensure access to services and rights. In addition, civil society was strictly prohibited from accessing foreign funds, resulting in limited economic resources. It is possible to witness similar characteristics and challenges in the civil society framework in current Russia. Rapidly establishing GONGOs in the absence of independent NGOs could be linked to the Soviet structure of civil society since they support the current Russian government's advocacy instead of the international human rights regime to receive financial support

from the government through various funds. Lastly, there are critical similarities between the Soviet Union and the current Russian Federation's political attitude toward foreign funds, with strict restrictions and sanctions on such institutions approaching to receive foreign funds. The second section of the chapter provided examples of the underground civil society organizations established during this timeframe with the defensive mechanism on human rights against the Communist State.

In line with Gorbachev's reforms during Perestroika, civil society organizations defending international human rights standards increased rapidly. A significant number of underground organizations gained legal status and continued operations in public by using various media tools. The section explained the contradiction between the Perestroika period as a flourishing period for increasing civil society organizations working on various areas and the continuation of the challenges faced by movements such as Memorial, which stood up against the regime and gathered the government's resistance against formalizing such institutions within the legislative framework.

After providing various perspectives of civil society and historical backgrounds for the periods before and during Perestroika within the framework of the Soviet Union, the next chapter will focus on the civil society framework during the 1990s.

CHAPTER 3

POLITICAL ATTITUDE TOWARDS NON-GOVERNMENTAL ORGANIZATIONS AND LEGISLATIVE ARRANGEMENTS DURING THE 1990S (YELTSIN'S APPROACH)

The previous chapter explored the historical framework of civil society during the Soviet Union. This chapter will discover Yeltsin's attitude toward NGOs during the early Russian Federation in the 1990s, right after the dissolution of the Soviet Union in the first section. Later, in the second section of the chapter, the international and national framework and their reflections on the State's policies against NGOs will be discussed. This will be followed by presenting the legislative arrangements against NGOs during Yeltsin's presidency in the third section by creating linkages between advantages in response. Lastly, the fourth section will provide a summary of the chapter as the conclusion section.

3.1. International and National Framework and their Impact on NGOs during Yeltsin's Presidency

After the dissolution of the Soviet Union in 1991, the newly established Russian state faced a lot of economic hardships. The newly established Russian state started to implement completely different economic policies than the communist state to overcome these hardships and the transition to a liberal market economy. In this section, first, the thesis will try to explain the economic challenges faced after 1991. Later, the impact of those economic reforms on civil society will be analyzed in return.

With the dissolution of the Soviet Union in 1991, the communist system ended, and the transition to a liberal market economy started. The newly established Russia faced severe economic challenges firstly due to the dissolution of the Soviet Union, followed by economic policies implemented during the Cold War, and lastly, the transition to a

liberal market economy. In 1991, Yeltsin introduced new economic reforms in line with the standards of a liberal market economy, such as decreasing the state's control over the economy. This included removing the state's control over the prices of goods, including basic needs, which led to an enormous increase in the prices of nearly most of the basic needs items resulting in decreasing purchase power of individuals.

The Soviet industry was very broad and powerful, it was mainly dependent on natural resources and the manufacturing industry. Thus, the industrial sector started to collapse by 50 percent less production between 1990 – 1995, resulting in rising inflation and unemployment (Wells & Williams, 1998). The collapse of the industry did not only mean an increase in the unemployment rate – which was unusual for the society since they were used to having job security during the Soviet Union – but a decrease in delivered social services by the state as well. During the Soviet Union, industry zones/factories were not only an employment opportunity. They also appeared as platforms of the state to deliver public services, including but not limited to providing accommodation for the workers and childcare services for their children. Thus, with the economic challenges, individuals started to face many problems in addition to unemployment and challenges with access to social and public services.

Lastly, privatization was one of the vital economic reforms introduced. Privatization was seen as a way to cope with the financial challenges mentioned above, mainly to prevent the industry's collapse. From another point of view, privatization was interpreted as a solution to the economic recovery and a mandatory reform during the transition to the liberal market economy, which will break the ties with the possibilities of bringing back communism. Controversial with the purpose of privatization in the first place, this resulted in the increasing power of the Oligarchs, which will appear as another significant problem to be dealt with in Putin's era.

After underlining the social and economic context that appeared following the dissolution of the Soviet Union, the section will focus on their impact on civil society. Here, the discussion could be developed towards three separate areas: the individuals' attitudes towards civil society, the context of civil society, and lastly, other international actors' aspects towards improving civil society in a post-Soviet country.

Decreasing state control over the economy and collapsing industries caused many vulnerabilities of individuals, such as unemployment, the decrease in their household income towards increasing prices of goods, and mass poverty. Suddenly, they started to face strong concerns while pursuing their day-to-day lives. This was combined with economic reforms that did not properly respond to the financial crisis since Gorbachev's era and decreased their trust in the newly established state. In addition, Yeltsin decided to withdraw from the state's social responsibilities and provide only some social and public services – this is named “over-withdrawal” by Sil and Chan (Sil and Chan, 2004). Lastly, unlike the Communist Party, Yeltsin withdrew the state's financial support to civil society, thus leaving individuals with no other alternatives to access certain services they could access through participation in civil society during the Soviet Union. All the mentioned changing dynamics and reforms on “over-withdrawal” resulted in individuals' tendency toward relying on their networks (Ljubownikow, Crotty & Rodgers, 2013).

From the context of civil society, on the other hand, “over-withdrawal” created a field for various and new civil organizations to establish and enlarge to fill the gaps in delivering social and public services the state lacks to deliver (Ljubownikow, Crotty & Rodgers, 2013). Instead, these establishments focused on ensuring the delivery of services to individuals in need without having the opportunity to be involved at the advocacy level. This was partially due to taking over the state's burden of providing access to social and public services and partially to the lack of terminology and capacity (social and financial capacity, trained staff, SOPs, etc.) to be involved in public advocacy. Therefore, it is possible to note the differences in the nature of NGOs while comparing Western models with NGOs in Russia in the 1990s. According to Henderson, the number of registered civil society organizations increased by over 450,000 within a decade. However, such an increase should not be considered a significant development toward human rights since most organizations mainly focused on providing social services rather than working toward international human rights standards (Henderson, 2011).

Some scholars highlighted Yeltsin's favorable policy towards independent NGOs contrary to strict control over civil society during the pre-Perestroika period of the Soviet Union. Despite that, Yeltsin did not respond to any financial support requests received from NGOs when civil society turned towards the state to seek financial support as a similar behavior practice they were used to in Soviet times.

The results of "over-withdrawal" presented a controversy. In a ground of expanding independent NGOs since the Perestroika period, in contrast, individuals were struggling with severe economic hardships, with no extra time, willingness, or resources to be involved in voluntary civic activism or any activism which did not result in the achievement of financial income (Henderson, 2011). It is possible to see how the economic crisis put a huge barrier in front of voluntary participation in NGOs and decreased the impact of independent NGOs in the first place. Individuals' distrust of the newly established state expanded as distrust towards other individuals outside of their network - mainly shaped among family members and close friends - as well, which occurred as one of the fundamental reasons why participation in NGOs remained low. Evans explained individuals' distrust towards NGOs further below in his own words (Evans Jr, 2002);

Olga Alekseeva has noted that, as a whole, Russian society regards the noncommercial sector with distrust, and most citizens consider charitable organizations to be a form of 'organized theft'...

The behavior of distrust was not only limited to distrust towards the state, individuals outside of one's network, and NGOs, but also NGOs spread doubt among each other. It was common to witness many tiny NGOs working in similar fields with no cooperation with each other at all. This appeared to be another massive barrier in front of NGOs' enlargement, which could be achieved through several aspects, including cooperation. Thus, they lacked the capacity for long-term plans and programs on service delivery in a result-based framework. Based on Evans, Sperling, and Henry's statements, the distrust mentioned above appeared among Moscow-based women's organizations as well. Due to this distrust and lack of cooperation, many NGOs were defined as NGIs – non-governmental individuals' organizations – since their members

were only limited to a small number of close network groups, and the leaders had to deal with all aspects of work that needed to be accomplished within the organization (Evans Jr, 2002).

After analyzing social, economic, and political factors that shaped many challenges for both individuals and NGOs, the same dynamics are evaluated as opportunities for international actors. The lengthy and consuming competition between communist and liberalist leader states – the Soviet Union and the USA – through the Cold War was finally over. The dissolution of the Soviet Union was interpreted as a victory for liberalism. Western liberal states' gathered their attention on discovering possible strategies and actions to promote liberalism and democracy in the post-Soviet countries. Since the civil society organizations are compelling in promoting democracy and human rights, they were seen as a tool to spread liberalism in the post-Soviet countries and raised Western liberal states' hopes of developing a solid and efficient humanitarian sector through increasing civil society organizations in Russia. As mentioned in the above paragraph, NGOs which emerged after the dissolution of the Soviet Union faced significant economic hardships, and the newly established Russian state no longer provided financial support for their survival. Therefore, according to Henderson, many international actors showed interest in providing funds for local independent NGOs in Russia. This eased NGOs' survival and eased the pressure on the state since NGOs filled the gaps by providing social and public services that the state was unable to deliver due to "over-withdrawal". International donors, including but not limited to western government funds by USAID, EU, Britain, Canada, and Scandinavian countries; international organization funds by the UN, the World Bank as well as other foundation funds by the Ford Foundation, the MacArthur Foundation supported significant amount of NGOs in Russia in the 1990s. (Henderson, 2011).

Such international donors were suspicious of funding the already existing civil society organizations due to their Soviet background. Thus, they provided funds mainly to the newly established NGOs after 1991. Besides providing funds to the NGOs, international donors conducted capacity-building activities and various pieces of training, including but not limited to terminology, budgeting, design, implementation,

advocacy, cooperation, partnership, women's rights, human rights, and more. The capacity-building activities and pieces of training mainly included every topic relevant to the nature of NGOs, which appeared as new and unusual terms and concepts for the Russian society. Similar to common cases in other countries and in line with the nature of foreign funding, the international donors became more exacting on the projects they would like to fund, considering their priorities rather than actual needs and demands in the field (Henderson, 2011).

3.2. Civil Society Organizations during the 1990s (based on Yeltsin's approach)

In this section of the chapter, the thesis will provide the groundwork for the civil society organizations during the 1990s within the framework of Yeltsin's approach. As mentioned in the introduction of the thesis, while analyzing the ground for civil society, the thesis will explain the Russian Federation's three Presidents' – Yeltsin, Medvedev, and Putin – attitudes and approaches toward civil society organizations. Since this section focuses on civil society organizations during the early Russian Federation right after the dissolution of the Soviet Union, as the president at that time – the Yeltsin era will be analyzed.

After the term civil society was introduced during the Perestroika period, the term started to develop to fill the gap between the state and society. Especially after the dissolution of the Soviet Union, civil society gained a responsibility to provide responses toward social services and security gaps which the state failed to deliver. From another perspective, Putnam (1995) points out significant relation between the social capital and civil society where he identifies social capital as “features of organization such as networks, norms and social trust that facilitate coordination and co- operation for mutual benefit” – attributing to civil society – and one of the most vital material on the newly established state's transition towards democracy. Thus, the newly established Russian state's policy towards NGOs shaped open and welcoming. NGOs' role became vital in ensuring transition towards democracy, especially with the Western donors becoming the actors as foreign fund providers (Hemment, 2004).

In the 1990s, it is possible to note many environmental NGOs received foreign funds mainly from the EU, the World Bank, the International Union for the Conservation of Nature (IUCN), Global Greengrants Fund to international groups such as Greenpeace, and the World Wide Fund for Nature (WWF). Although the environment appeared as a priority of Yeltsin during the first years of his term as the president, this priority has shifted due to the economic crisis, which provided the ground for foreign donors to interfere with environmental issues (Henry, 2010).

In addition to the above, it is possible to witness the enlargement of many NGOs working on various areas of human rights, such as women, children, and soldiers' rights which were actively operating and contributing to their specific areas with the support of foreign funds of Western donors during Yeltsin's presidency. The Union of Committees of Soldiers' Mothers of Russia (UCSMR), Antimilitarist Radical Association (ARA), Memorial Human Rights Center, Ekaterinburg Movement Against Violence, Consortium of Women's Nongovernmental Organizations, the Moscow Center for Gender Studies (MCGS), the Information Center of the Independent Women's Forum (ICIWF), Moscow based ANNA and Syostri Associations and Women of Russia are examples of above mentioned NGOs which are very well recognized by the Russian society, took significant places in the media as well as had impacts and failures on various issues on political agenda. Due to economic hardships, many of them relied on foreign funds such as USAID and other Western government funds while receiving very little support from the local Russian government (Sundstrom, 2005). Similar to previously mentioned organizations, MHG received foreign funds from international donors such as the European Commission, the MacArthur Foundation, the National Endowment for Democracy, and the United States Agency for International Development during the 1990s (Daucé, 2014).

3.3. Legislative Arrangements towards NGOs during Yeltsin's Presidency

In addition to the lack of financial capital during the 1990s for survival and delivery of services of NGOs, which was mentioned in the previous sections of the chapter, legislative arrangements had a lot of gaps in defining regulations and procedures for NGOs' legal existence. Between 1991 – 1993, the Law on Associations of 1990 continued to be the primary source of the legislative framework towards NGOs, even

though it was insufficient to include laws on the definition of NGOs and bordering their area of work. This lack of legislative framework highly limited the impact of existing and newly-established civil society organizations until the Constitution of 1993, which granted rights to independent NGOs. Later, in 1995, Yeltsin passed the following laws that had significant impacts on independent NGOs: the Law on Political Associations, the Law on Philanthropic Activities and Organization, the Law on Noncommercial Organizations, and the Law on Local Self-Government. Those mentioned four laws established some clarity for independent NGOs regarding the rules, regulations, rights, channels to claim their rights, registration procedures at the federal level, and interaction with governmental authorities (Weigle, 2002).

In line with Weigle's discussion, Henderson also explained the path of legislative arrangements for NGOs in the 1990s. According to Henderson, right after the dissolution of the Soviet Union, although Yeltsin posed a positive and encouraging attitude towards NGOs, a specific legislative framework for NGOs did not appear in the constitution. Russian state approached to develop some legislation towards NGOs for the first time with the 1993 Constitution, which provided only some fundamental rights regarding NGOs' freedom of speech and release. Compared with the Western model, those rights already appeared as the rights NGOs are entitled to have. In 1995 and 1996, the state continued to pass more laws regarding new legislative arrangements to ease the environment for NGOs. Despite providing some clarity, Henderson criticizes those arrangements for once more uncertainty in defining standard procedures towards approvals for NGOs' legal existence, required paperwork, registration fees, taxes, and other requirements from NGOs. All of the mentioned unclear issues were barriers in front of NGOs legal registrations, provision of services, and partnerships with other stakeholders. By the end of the 1990s, the state lacked identify the number of NGOs actively working at the country level due to unclear registration procedures mentioned above (Henderson, 2011).

3.4. Conclusion

Firstly, the chapter analyzed the international and national framework during Yeltsin's presidency by highlighting linkages towards how they affected NGOs. Within the international and national frameworks, the first section pointed out the economic

challenges faced by the newly established state during the 1990s. The consequences of the Soviet Union's economic policies during the Cold War and the transition to the liberal market economy caused severe economic challenges faced by the newly established state and individuals after the dissolution of the Soviet Union. Individuals are also affected by the worsening economic situation by being victims of unemployment, declined social services, and increasing concerns regarding access to basic needs. The deterioration in the financial situation provided certain advantages and disadvantages for NGOs. While individuals' voluntary participation significantly decreased, NGOs' work areas expanded to providing services in return for the state's reduced public services due to economic challenges. The lack of state's financial support for NGOs created the ground for international actors such as governments, international organizations, and other funders, including but not limited to USAID, EU, the UN, the World Bank, Ford Foundation, the MacArthur Foundation, to be involved in civil society in Russia by providing foreign funds.

Later, the second section of the chapter analyzed the civil society framework in 1991 by providing concrete examples of significant NGOs working in environmental and human rights fields. In addition, linkages are created between their relations with international donors.

Lastly, the third section of the chapter provided information regarding the legislative arrangements towards NGOs in the 1990s with a timeframe. Law of Associations of 1990 until 1993, the 1993 Constitution, the Laws on Political Associations, Philanthropic Activities and Organization, Noncommercial Organizations and Local Self-Government of 1995 were the primary sources within the NGOs' legislative framework. Despite all mentioned legislative arrangements, many disputes regarding NGOs' rights and responsibilities remained unclear.

During the period of the early-Russian Federation under Yeltsin's presidency, some improvements took place, establishing a ground for the independent civil society. As explained in detail in the chapter, those improvements took place in the transition to a market economy and in line with adjustment to liberal values. In the current framework, it is possible to witness a similar dilemma faced by Russia, to perform

Western/liberal duties as an authoritarian state on the other hand. Contrary to the hostile political attitude towards independent NGOs, the Russian government struggles to provide a good image on the international platforms on promoting civil society against preventing possible sanctions that the European Union and the United States could address. Henderson defines Yeltsin's attitude as "benign neglect", which refers to the contradiction between Yeltsin's overall tolerable attitude towards NGOs on the ground with many advantages due to the international and national framework and lack of adequate legislative arrangements and policy that leaves NGOs in a struggle of survival. Despite the support of international donors, NGOs impact remained limited due to the lack of legislative structures and procedures (Henderson, 2011).



CHAPTER 4

POLITICAL ATTITUDE TOWARDS NON-GOVERNMENTAL ORGANIZATIONS AND LEGISLATIVE ARRANGEMENTS DURING PUTIN AND MEDVEDEV'S PRESIDENCIES

The previous chapter explored the framework of civil society in the early Russian Federation during Yeltsin's presidency. This chapter discusses the international and national framework and reflections on the State's policies against NGOs in the first section. Later, the second section of the chapter will discover Putin's attitude against NGOs. The period of Medvedev's presidency will be analyzed separately in the third section. This will be followed by presenting the legislative arrangements against NGOs during Putin's presidency by creating linkages between challenges caused in response in the fourth section. The fifth section will analyze how Western and Russian media channels reflect those legislative arrangements. The sixth section will highlight the rise of GONGOs in the absence of independent NGOs. Lastly, the seventh section will provide a summary of the chapter as the conclusion section.

4.1. International and National Framework and their Impact on the State's Policies against NGOs

In line with the growth of NGOs in Russia and other countries, there was a direct relation of growing measures against NGOs in authoritarian states. Authoritarian states' political attitudes towards NGOs are criticized as discouraging rather than providing a supportive ground for their contributions to the states. These criticisms are mainly based on the states' policies and actions against NGOs, which target their independent nature while introducing strict control over NGOs' affairs. Putin has been addressed to similar criticisms by the literature, Western states, international media, and oppositions in Russia. To analyze the context of these criticisms, it is vital to understand the dynamics of the international and national political framework and

reflections on the state's policies against NGOs during Putin and Medvedev's presidencies since 2000. Similarly, with many authoritarian regimes, the main reason behind Russia's attitude and policies against NGOs is related to security concerns. Besides the international and national framework during the year 2000, when Putin started his term as the president, the role of NGOs as the advocators of Western-style human rights and democracy was interpreted as a threat to national security and authority.

Several factors prepared the ground for the changes in the Russian state's political attitudes towards NGOs during Putin's presidency. Some of those factors' effects presented challenges internationally, while others pose regionally. A relevant factor with the international framework appears as the 9/11 terrorist attack, which led to doubts from many international actors towards NGOs. Besides the 9/11 terrorist attack, regional factors include secessionist movements in Chechnya posing solid challenges to the state's authority in the Caucasia and Color Revolutions in post-Soviet countries such as Georgia, Ukraine, and Kyrgyzstan. The following part of the chapter will explain the roles of the factors mentioned above for further developments against Russia's human rights civil society organizations.

The world watched the terrorist attacks on September 11th, 2001, in the United States with horror. The aftermath of the attacks followed the introduction of many security-related policies by states to combat terrorist activities within the "war on terror" framework. The approaches taken by the states within the framework of the "war on terror" have been criticized in the literature as damaging the international human rights regime, which had effects in Russia's context as well. To explain the damages, the section will attribute to Goodhart & Mihr's definition of the international human rights regime. The international human rights regime is shaped within the frameworks of the Universal Declaration of Human Rights (UDHR) of 1948, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Social, Economic and Cultural Rights (ICSECR) of 1966, and other many declarations, conventions, and treaties as well as legal and institutional mechanisms to defend human rights across the world. Currently, the majority of the international actors, including but not limited

to the UN member states, international organizations, and NGOs, work to defend human rights. According to Goodhart & Mihr (Goodhart & Mihr, 2011);

Today, the International human rights regime comprises more than 190 states which, as members of the United Nations, have agreed to respect the UDHR – even though it is not legally binding... In addition to these global arrangements, a variety of regional institutions, such as the Council of Europe (CoE), the Organization of American States (OAS), the African Union (AU), the European Union (EU), and the Organization for Security and Cooperation in Europe (OSCE), also shape human rights norms and standards, as do nongovernmental human rights organizations (NGOs) and other activists and scholars working in the area of human rights... Europe's highly elaborated and diverse regional human rights arrangements with the European Court of Human Rights and the European Court of Justice stand out in this respect.

NGOs are significant actors in improving the regional practices on implementation of international human rights regimes by following up on states' progress towards achievements and advocacy. However, since states' security-oriented policies towards combatting terrorism included some violations of human rights principles, that created a contradiction with NGOs' role, decreased the influence of their advocacy, and was neglected by the states. Since the 20th Century, Russia has always been a security-driven country with tendencies toward introducing security-oriented policies. 9/11 terrorist attacks, like in other countries, led to some changes against international human rights regimes in Russia as well. Distinctive from other countries, there was a high similarity between the US "war on terror" and Russia's attitude towards secessionist movements in Chechnya, according to Russia. Based on Russian political leaders' assessments, there was a similarity behind the 9/11 attacks and secessionist movements in Chechnya, which is the threat of Islamic terrorism (Barrett, 2011). Considering the international framework in the aftermath of the 9/11 attacks, most of the states, including democratic ones, had the opportunity to find a justification for their unjustified actions towards repressing opposition in their countries by hiding

behind security-concerned reasons. This has become a widespread approach of governments with similar experiences that are practiced even on the current international agenda.

Within the framework of the regional context, secessionist movements in Chechnya had a significant effect on state policies against NGOs. After the dissolution of the Soviet Union, similar to other post-Soviet states, Chechnya declared independence as well. However, the geographic location of Chechnya appears as a very strategic location for Russia, especially in the security context, and appears as a first-line natural border with the Middle East as a result of its mountainous nature. Therefore, Russia ignored its declaration of independence and showed all efforts toward reintegrating Chechnya within Russia's borders since 1994. The first ceasefire ended in 1996 and later, the second ceasefire took place in 1999 when Putin became president. As one of his first works, Putin focused on ending rebellious movements in Chechnya, which posed strong challenges to Russia's authority in the region through the second ceasefire, which ended with Russia's victory in 2000. Later, state policy towards Chechnya mainly consisted of creating cooperation and partnerships with Chechen political leaders to spread their influence on reintegration with the Russian Federation, also called "Chechenization" in the literature (Matveeva, 2007). The terrorist attacks took place in Moscow 'Dubrovka' theatre in 2002, Nazran, as well as Beslan school in North Ossetia in 2004, gave the opportunity to the state to legitimize their use of power, operations, and civil hostility under the framework of combatting terrorism towards Chechnya as well as other oppositions including human rights NGOs who continuously identified various violations of human rights (Nichol, 2009; Dannreuther & March, 2008). Participation in NGOs is quite common in Chechnya, aiming to provide aid and support to the community, which is highly vulnerable considering high poverty, unemployment, and internal displacement (IDPs) rates. In addition, many local human rights NGOs are trying to end human rights violations in Russia under the framework of their so-called battle to "end the threat of Islamic terrorism". Lastly, international civil society organizations were very active in Chechnya. These international civil society organizations were including but not limited to the Danish Refugee Council and CARE. It is possible to witness many foreign donors providing funds to protection operations in Chechnya such as; ECHO with 12 million dollars in

2005, OCHA requesting 79.6 million dollars in 2007 and the United States with 5.6 million dollars. In 2007, ECHO's financial support to Chechnya covered its 29.5 percent of foreign funds provided all over the world and the United States financial support to Chechnya covered its 13.9 percent. In addition to their direct implementations, UNHCR provided support to the Russian Federal Migration Service on providing assistance to the return of IDPs and their families. Also, many UN Agencies built implementing partnerships with NGOs such as Memorial, Nisam, Vesta and the Caucasus Refugee Council and provided them foreign funds while supporting their operations. Despite international organizations such as the Danish Refugee Council covered the huge majority of the humanitarian assistance in Chechnya, NGOs' assistance was in a larger scale by responding a huge variety of needs through different operations from provision of counselling services, protection assistances to capacity building operations (Matveeva, 2007).

In the aftermath of 9/11, international actors' criticisms were softened. At the same time, Putin gained justification regarding human rights violations in Chechnya, declaring that all efforts, including policies toward civil society actors, were based on protecting citizens from similar terrorist attacks that may pose a threat to Russia's national security. Later, due to increasing restrictions and control over NGOs and the 2006 counter-terrorism law, criticisms increased in line with the increase of unjustifiable human rights violations (Nichol, 2009).

Lastly, this part of the chapter will analyze the effects of the Color Revolutions in Georgia, Ukraine, and Kyrgyzstan on NGO policies during Putin's presidency. The dissolution of the Soviet Union was followed by the post-Soviet states' declarations of independence. According to the literature, post-Soviet states' independence from the Soviet Union was accepted as the start of their transition to becoming democratic states. However, even though they gained independence from the motherland, they could not achieve their political independence. Russia's influence over the post-Soviet countries was visible in various contexts, from political and economic to social. From the political context, post-Soviet states could not counter Russia's influence and rebuilt themselves within the standards of democracy – also called “hybrid regimes”. As a dynamic reaction to Russia's influence over these countries appearing as a barrier to

political development in line with the Western standards, Color Revolutions took place in Georgia in 2003, Ukraine in 2004, and Kyrgyzstan in 2005. Color Revolutions presented significant challenges for Russia to maintain authority over those countries and hold them under authoritarian rule and influence. The role of internationally funded NGOs in Color Revolutions affected them in return. Internationally funded NGOs' roles created a framework for Putin to increase restrictions/measures/regulations against such NGOs – created the ground for Putin to justify those new restrictions/measures/regulations in public discourse and blame internationally funded NGOs for creating a bad reputation of Russia against human rights and democracy in the international media (Crotty, Hall & Ljubownikow, 2014). Since the Color Revolutions, Putin's speeches consist of many accusations against foreign-funded NGOs for funding opposition in those countries and highlight the situation as national security.

Indeed, foreign funded NGOs had a role in the opposition movements for democratic regimes against the existing authoritarian rules in Georgia, Ukraine, and Kyrgyzstan during the Color Revolutions. However, the unsuccessful outcomes of the Color Revolutions later became a root reason for instability in the region due to the revolutionary protests and Putin's pointing out the foreign (especially Western) funded NGOs as the enemies of Russia's security.

It is possible to understand the international and regional framework behind Russia's policies towards NGOs after analyzing the root causes mentioned above. 9/11 terrorist attacks following with unending instability and rebellious nature of Chechnya as well as Color Revolutions took place in Georgia, Ukraine and Kyrgyzstan, created a framework for Russia and Putin as the president introduce security-driven restrictive policies towards especially foreign-funded and international human rights-based NGOs with the aims of maintaining authoritarian rule and authoritarian stability in the region.

4.2. Non-Governmental Organizations during Putin's Presidency

Unlike the examples provided in the historical background chapter, by the beginning of the twenty-first century, it will not be wrong to state that many states were

familiarized with the independent civil society organizations working within their countries, including authoritarian states. It was easier for the NGOs to obtain legal approvals for their offices and implement activities independent from the state (Lewis, 2013). Contrary to the lack of the state's financial support, NGOs' financial resources increased variously. Gerber described NGOs' economic resources and high dependence on foreign funds as international actors pouring funds into NGOs working on human rights since the beginning of the 1990s. According to US Government Accountability Office (USGOA) reports in 2009, Russia appeared as the sixth state which received a large number of US funds by receiving around 100 million dollars provided to the NGOs in Russia only between the years of 2006 – 2008 within the framework of supporting democratic values (Gerber, 2017).

According to Klitsounova, the number of registered NGOs in Russia increased to be around 19,500 by 2001, and the huge majority consisted of human rights NGOs. The increase of human rights NGOs was in line with concerning pool results that took place all over Russia to discover data on human rights violations (Klitsounova, 2008). By the year of 2006, including inactive organizations, there were more than 600,000 NGOs in Russia. According to Livshin & Weitz NGOs in Russia fell under the following categories; “Elite” NGOs, “intermediary institutions”, social welfare organizations and “grass-roots organizations”. The wealthiest category appeared to be the elite NGOs since their budget extended to million dollars. Museums are an example of intermediary institutions. Social welfare organizations differed among each other depending on their existing and unexisting ties with the government. Lastly, the most common NGO category appeared as the grass-roots organizations which their work touched upon many issues on local and national levels. Thus, this category was relatively closer to be understood as a threat by the government since their operations could involve political criticisms and promote political and social advocacy (Livshin & Weitz, 2005).

The first category of NGOs is usually established among family members and other close networks to provide occupations for family members, especially for “women and children”. While the second category of NGOs is described as getting the support of the “Elites”. Lastly, the third category of NGOs is the focus of this thesis since their

motivation and actions fit into the humanitarian field. By the 2000s, donations to charities became extremely popular in Russia. Despite legislative arrangements in 2001 on lifting tax breaks to put a barrier in front of donations of charities, it was possible to note an increasing rate of the regular contributions of individuals and businesses merged in their business/financial plans (Livshin & Weitz, 2006). Livshin & Weitz support their discussion with the rates below (Livshin & Weitz, 2006);

Although a 2001 law ended virtually all tax breaks for charitable giving, approximately 60% of people making charitable donations have increased their contributions since 2001. At present, more than 80% of all Russian companies make charitable donations, amounting to an estimated 11 to 17% of their total profits...Many of them have established a special “social budget” to fund charitable giving. In contrast, the typical Western company allocates only 1 to 2% of its profits for philanthropic purposes.

Putin’s attitude towards NGOs, other civil society organizations, and any other actor with the tendency toward human rights and democracy was distinctive compared to the previous president Yeltsin’s positive ignorance - “benign neglect” as described by Henderson (Henderson, 2011). Since the start of his term as the president, his actions have contradicted human rights and democracy. His actions against human rights and democracy started with new measures to gather presidential power against protests. Followed by other measures against freedom of speech, the Internet, and control over the media. Thus, Gerber explains Putin’s pressure on the opposition as below (Gerber, 2017);

A succession of prosecutions targeting opposition activists, including oil tycoon turned democracy promoter Mikhail Khodorkovsky, the punk band “Pussy Riot,” blogger and eventual Moscow mayoral candidate Aleksei Navalny, civil rights activist Mark Galperin, head of the liberal opposition party “Yabloko” Sergei Mitrokhin, dozens of peaceful protestors against electoral fraud, and numerous less-celebrated cases revealed Russia’s criminal courts to be tools for oppression of those who step out of line

with the Kremlin (see Provost 2015). The European Court of Human Rights was flooded in the 2000s by Russians seeking redress for human rights violations that Russian courts could not or would not provide (Trochev 2009).

After 2000, in line with its mandate, MHG continued to demonstrate protecting human rights in Russia, thus becoming a victim of the authoritarian state. Putin's administration's first move to weaken the MHG was through accusations of spying by the international actors providing foreign funds. With the support of Nashi youth movements' propaganda, those accusations gathered attention through society, created an image as a spy organization for MHG, and led to many prejudices among individuals and international donors. Another move that challenged MHG was the "Russian NGO Law" in 2006 which introduced many restrictions on protests. As a result of mass protests in Russia during 2011 – 2012 due to dissatisfaction with the election results, Putin introduced more regulations by the 2012 NGO Law on "Foreign Agents" in his 3rd term as the president, leaving many international NGOs, including MHG under suspicions of espionage. Memorial, Golos, Citizens' Watch, Citizens' Assistance, 'For Human Rights' movement, Committee against Torture, Mashr, Eko-Zashchita!, and Obshchestvennii Verdikt were other significant NGOs who strived together against the 2012 NGO Law on "Foreign Agents" by seeking support from the European Court of Human Rights (Daucé, 2014).

4.3. Non-Governmental Organizations during Medvedev's Presidency

Continuity of Putin's restrictions and policies against NGOs during Medvedev's presidency between 2008 – 2012 disappointed many activists, scholars and experts expecting positive improvements regarding NGOs' situation, which defend human rights and democracy (Schaaf, Lokshina & Petrov, 2009).

In 2009, Medvedev introduced less restrictive regulations towards NGOs to relieve the media tension on criticisms against human rights violations. The 2009 Amendments, without responding to significant gaps and challenges faced by NGOs in Russia, eased their registration processes by binding authorities to provide detailed explanations regarding registration refusals and clarifying other gaps left unclear by previous legal

arrangements (Schaaf, Lokshina & Petrov, 2009). Later, Medvedev introduced a bill to support socially-oriented NGOs in 2010, which caused many controversies on the objectivity of this competitive grant among NGOs (Javeline & Lindemann-Komarova, 2010).

Despite tolerant attempts towards NGOs with the 2009 Amendments, the regime was still intolerant towards mass movement/protests against the government. “Strategy 31” movement of MHG appeared as one of the most significant civic actions that the state did not hesitate to stay tolerant of (Wilson, 2015). In 2009, MHG started the “Strategy 31” movement by holding protests on the 31st of each month against demonstration restrictions of the 2006 NGO Law. The police force and arrests during the “Strategy 31” movements covered by international media raised many concerns about human rights violations in Russia. In addition to “Strategy 31”, LGBTI+ parades were not permitted. Many opposition leaders such as Alexei Navalny, Boris Nemtsov, Garry Kasparov, Eduard Limonov, Sergei Udaltsov, and members of the punk-rock group “Pussy-Riot” were arrested. Lastly, hostility toward human rights activists harshly continued through threats, attacks, and killings. Stanislav Markelov – a human rights lawyer who uncovered many human rights violations in Chechnya; Anastasia Baburova – a journalist of Novaya Gazeta; and Natalya Estemirova – a human rights activist and a board member of Memorial, are one of the most significant human rights activist figures who were brutally assassinated (Hahn, 2010).

4.4. Legislative arrangements against Non-Governmental Organizations in the 2000s

Since Putin became the president, various changes towards NGOs followed one another. New forum platforms were introduced to strengthen the coordination between civil society and the state, named “Public Council and Chamber Boom” in 2003, “The Council for Fostering the Development of Civil Society” in 2004, “The Public Chamber of the Russian Federation” in 2005 (Klitsounova, 2008). Depending on which side you look at, the impact of these platforms on NGOs may be interpreted differently. On the one hand, human rights NGOs could access opportunities through these platforms on the condition of acting in line with state approaches. This means compromising their independent nature, on the other hand. Another method Putin used

against NGOs was introducing the “foreign agent” term (*Иностранный агент*) towards NGOs receiving foreign funds. While the term agent (*агент*) primarily means agency, representative in Russian language, does reflect the English meaning of an agent/spy as well. This term led to foreign funded NGOs’ hesitations towards their appearance in front of the society. Various media sources, mainly but not limited to Western, covered hesitations of the foreign funded NGOs to be misunderstood by the society focusing the agent/spy meaning of the term and labelled as traitors. In many cases, foreign funded NGOs preferred to withdraw their registrations rather than to be labelled as traitors (Anishchuk, 2013). This creates a contradiction for such foreign funded human rights NGOs between not being able to survive or trying to survive by taking ownership of the traitor label, considering the majority of the NGOs working in the field of human rights do not have any other primary financial resources in replacement of foreign funds. They do not receive any financial support from the state, or donations/grants which may be gathered from the community are not in high amounts. As a follow-up to the platforms mentioned above introduced by the state at the beginning of the 2000s, it is vital to analyze other legislative measures against NGOs in their respective timeframe. Therefore, the thesis will further explain all underlined regulations as milestones against NGOs in most research. Below, the thesis will first discover legislative arrangements introduced with the 2006 NGO Law, which will follow: 2009 Amendments, 2012 NGO Law, and 2015 Amendments.

4.4.1. The 2006 Non-Governmental Organizations Law on “Introducing Amendments into Certain Legislative Acts of the Russian Federation”

As a result of the background factors explained in the previous parts of the chapter, Putin’s concerns regarding the state’s authority increased. Reasons for introducing new legislative arrangements for NGOs were mainly based on security and political concerns. Putin’s statements specifically targeted NGOs receiving foreign funds by blaming their role on the “Color Revolutions”. He supported his discussion on the need for state intervention in NGOs’ financial affairs.

Despite many protests and international attention, in April 2006, new legislative arrangements were introduced with the law “On Introducing

Amendments to Certain Legislation Acts of the Russian Federation”, commonly known as the 2006 NGO Law. Through this, four Russian laws were amended: the Civil Code, the Law on Public Associations, the Law on Non-Profit Organisations, and the Law on Closed Administrative Territorial Formations (Kramer & Corke, 2012). 2006 NGO Law is a significant milestone towards the start of dramatic changes in NGOs operations in Russia, which could be underlined as a first step intervention. As a first step, the 2006 NGO Law has increased the state’s control over NGOs while providing a legislative framework for the state’s intervention in NGOs’ internal affairs (Klitsounova, 2008).

According to the 2006 NGO Law, new requirements were introduced related to NGO registrations and internal affairs. Firstly, procedures for NGO registrations were hardened by introducing a new condition for NGOs to register twice, both through tax authorities and Federal Registration Services (FRS). Secondly, the regulations provided power for the registration authorities to reject NGOs’ registrations by fitting them in a broad definition of posing a threat to Russia and without giving further information regarding their assessment, Below, stated by Kramer & Corke (Kramer & Corke, 2012);

The amendments gave authorities the right to: Deny registration to any organization whose “goals and objectives...create a threat to the sovereignty, political independence, territorial integrity, national unity, unique character, cultural heritage, and national interests of the Russian Federation.”

Thirdly, procedures for NGOs registrations were tightened by introducing new requirements for NGOs to provide additional detailed information regarding their operations, work plans, activities, funds, and budgets, noticing the NGOs that all documents should always be available upon possible further requests for submission. Fourthly, another requirement assigned NGOs to deliver annual reports to the government (Klitsounova, 2008). Lastly, NGOs were required to provide many details regarding human resources (including their members) (Kamhi, 2006). There are many criticisms in the literature that many

rejection/cancellation/bans of the authorities towards NGOs' registrations justified with not adequately, timely submitted annual reports without providing more details on what was not proper. In addition, the 2006 NGO Law had more requirements for NGOs, such as; requesting proof of residency for the founder, banning providing foreign funds to local branches, etc. (Kramer & Corke, 2012). All requirements mentioned above are criticized in the literature for being unclear, not providing helpful guidelines and not being cost-effective due to charging higher expenses for registrations considering the limited financial resources. Klitsounova discovers the results of the 2006 NGO Law in her research as follows (Klitsounova, 2008);

In 2006, 17% of NGOs applying for registration failed to acquire it. According to official data, as of 1 July 2007 less than 24% of registered Russian NGOs submitted their annual reports. Thus, according to the law, the FRS has the right to demand the disbandment of 76% of NGOs. Moreover, many of those Russian NGOs that submitted reports have already been deleted from the Unified State Register of Legal Entities, which actually resulted in the nearly complete termination of their activities.

The requirements mentioned above created a significant increase in NGOs' workload for their registrations since they needed to obtain a large amount of paperwork. Lastly, the government's jurisdiction over the registrations increased with the 2006 NGO Law, which gave NGOs a heavier burden. They had to make sure all paperwork was concrete since any mistakes or missing information in the paperwork may lead to the government refusing NGOs' registrations (Kamhi, 2006). Kamhi defines the burdens of the 2006 NGO Law on NGOs below (Kamhi, 2006);

Between 500 and 2,200 foreign NGOs work in Russia, and all had to obtain registration by October 18, 2006. As of October 19, Human Rights Watch, Amnesty International, the Danish Refugee Council, two branches of Doctors without Borders, and other prominent international NGOs were forced to stop working temporarily for allegedly failing to comply with registration requirements. Even if other NGOs have

more success with the process, this law has already succeeded in disrupting human rights work within Russia... For example, approximately twenty organizations in Murmansk that were denied registration under the new NGO Law have decided to join forces, rather than each organization having to resubmit all 96 pages of registration forms... an aid worker in Chechnya described the NGO Law, the excessive and impossibly difficult documentation forms have turned NGO registration into “Kafka’s wet dream”.

4.4.2. The 2009 Amendments to the Law on “Noncommercial Organizations”

Medvedev acted as the president between 2008 – 2012 and raised the Western countries’ hopes for positive changes toward democracy and human rights when he first started his assignment. In 2009, as the president of Russia, Medvedev introduced less restrictive changes in response to international criticisms of the 2006 NGO Law as human rights violations and in line with his presidential campaign, where he assured cooperation with NGOs. In addition, the literature states that the 2009 Amendments could be evaluated as a positive impact of Obama’s visit to Russia in 2009 to reset US – Russian relations in the aftermath of the 2008 Russo-Georgian War (Kramer & Corke, 2012). While the 2009 Amendments eased the process of NGO registrations in Russia, hardships in front of their independent nature continued. International media criticized the amendments as symbolic while stating hopeful improvement towards further changes in the advantage of democracy and international human rights standards in Russia. Before the Amendments, NGO registration affairs were transferred directly to the Ministry of Justice rather than the Federal Registration Service. Even though this seems to ease the registration procedures for NGOs, there are many criticisms in the literature that not much has changed afterward. Even the Ministry of Justice Staff working at the NGO departments were from Federal Registration Service Offices since it was dissolved (Schaaf, Lokshina & Petrov, 2009). Firstly, the Amendments hardened the NGOs’ registration refusals. Approvals/refusals of the registrations were shifted to the Ministry of Justice. However, some clarifications were introduced for the refusal regulations. According to the

2009 Amendments, it was not possible to refuse NGOs registrations only with the clarification, which was perceived as a threat to national security. In addition, controversy than 2006 NGO Law, NGOs were supposed to be warned if there were any missing documents in their registration submissions to complete in a specific timeframe rather than refusing their registries in the first place. Secondly, since the required paperwork was not well defined in the 2006 NGO Law, the 2009 Amendments clarified the documents the Ministry of Justice may require upon registration submissions. There was a lot less paperwork for NGOs. Thirdly, NGOs with fewer financial resources were saved from the annual financial reporting trouble, which led to a tremendous amount of workload and financial burden for NGOs. Lastly, yearly audits which may be conducted by the government sudden and unexpected were reduced to be conducted every three years (Kramer & Corke, 2012).

All revisions mentioned above of the 2006 NGO Law with the 2009 Amendments were introduced to fill the gaps of the bureaucratic holes for NGOs' registration procedures. Thus, it did not meet the expectations for improvements in Russia's democracy and international human rights standards. The strict regulations introduced with the 2006 NGO Law were slightly eased. However, the 2009 Amendments did not present any improvements neither in the advantage of NGOs, which are tied up to foreign funds for their survival, nor humanitarian NGOs' field of work to enlarge their operations in Russia. No significant changes appeared in media language in the aftermath of the 2009 Amendments. The Russian media language continued to criticize NGOs and point them out as a threat to national security (Schaaf, Lokshina & Petrov, 2009).

4.4.3. The 2012 Non-Governmental Organizations Law on “Foreign Agents”

After Medvedev's presidency between 2008 – 2012, Putin became the president for his third round in 2012. Also interpreted as a retaliation against the mass protests after his return to office as the president, Putin introduced new laws against NGOs in 2012. Similar to the 2006 NGO Law, the 2012 NGO

Law presented itself as amendments to the Non-Commercial Organisations (NCOs) section of the Federal Law of the Russian Federation (Victor, 2013). According to the literature, the 2012 NGO Law could be traced back as the new era of authoritarianism in Russia named as “new authoritarian regime” with different types of interventions towards opposition such as changes in the legislation, control over media and information flow as well as solid media language while addressing opposition rather than direct usage of violence towards opposition (Van der Vet, 2018). While the 2006 NGO Law introduced basic restrictions on NGOs’ financial resources and regulations towards financial reports to be submitted to the government, the 2012 NGO Law evolved the course of Russian authorities more specific by directly targeting NGOs receiving foreign funds and requiring those to register themselves as “foreign agents” while submitting their registrations to the Ministry of Justice. The 2012 NGO Law developed a new definition for the term “foreign agent” defining it as NGOs receiving foreign funds from any foreign individual, entity, state, or organization rather than Russia (Victor, 2013). According to Van der Vet (Van der Vet, 2018), the 2012 NGO Law is explained as below;

In 2012, the Russian Duma passed Federal Law No. 121-FZ, or the “law on foreign agents”. This law enables the Ministry of Justice to register any Russian NGO that receives foreign funding and engages in political activities as a “foreign agent” (inostrannyi agent) without its consent. The law first defined political activity as “organizing and implementing political actions aimed at influencing the decision-making by state bodies intended for the change of state policy pursued by them, as well as in the shaping of public opinion for the abovementioned purposes”... Any registered foreign agent has to report on income received through foreign funding and has to mark all publications and online posts with the label “foreign agent” (inostrannyi agent). The term “foreign agents” has strong connotations in Russian society: the law effectively stigmatizes NGOs as spies or traitors in the eyes of the public.

The framework of the 2012 NGO Law required NGOs to submit annual reports, including quarterly and semiannually, based on detailed information regarding

the funding received, management, activities, and expenditures, which appeared to be a lot of workloads. NGOs with the label of “foreign agents” are required to be available for sudden/unexpected unlimited visits from the government, inform all planned political activities to the government beforehand to obtain necessary approvals, and report received funds of more than 6,700 USD. According to the law, they were obligated to state the “foreign agent” label in their publications and media platforms. In addition, the Ministry of Justice had the jurisdiction to label NGOs as “foreign agents” and were subject to fines. This was based on blaming NGOs for not reporting accurately, which resulted in many NGOs addressing legal trials to uphold the “foreign agent” label. Lastly, any NGOs labeled as “foreign agents” may be charged with “monitoring money laundering and the financing of terrorism” in the case of any violations of law (Kramer & Corke, 2012). In the aftermath of the 2012 NGO Law, a significant decrease was noted in Russia’s number of foreign-funded NGOs. They stopped their operations and/or closed their offices due to lack of financial resources instead of foreign funding (Van der Vet, 2018).

2012 NGO Law introduced new measures within the framework of public protests, treason, and espionage laws. Thus, it provided more jurisdiction over the Federal Security Service for conducting more investigations, which presented a significant increase after the annexation of Crimea by Russia in 2014 (Van der Vet, 2018). According to Van der Vet, the 2012 NGO Law is a concrete example of the political effect on individuals by creating an atmosphere of fear by introducing sudden authoritarian restrictive laws (Van der Vet, 2018). Authoritarian states’ atmosphere of fear appears as a solid barrier to NGOs’ advocacy on democracy and/or human rights due to realistic concerns addressing their security.

Lastly, in 2015, the state introduced a new label named “undesirable organizations” with the 2015 amendment. Within the framework of the 2015 amendment, the government had the jurisdiction to revise the label of NGOs registered as “foreign agents” to “undesirable organizations” based on the state’s security concerns. Similar to previous legislative arrangements, the

label of “undesirable organizations” was not clearly defined. At the same time, it was highlighted as very important to overcome tensions with Ukraine due to Russia’s annexation of Crimea. “Undesirable organizations” label resulted in a ban on such NGOs’ operations in Russia, which usually appeared as US-funded organizations (Van der Vet, 2018). NGOs may receive fines or be sentenced to prison for up to 6 years.

4.5. Media Analysis on the Legislative Arrangements against Non-Governmental Organizations

The legislative arrangements took place against NGOs in Russia in 2006, 2009, 2012, and 2015 and their aftermath took significant attention from the media as well. The following section of the chapter will provide a media analysis from Western and Russian channels to explain how restrictive legislative arrangements towards NGOs were reflected in the media.

As mentioned in the previous chapters, political authorities’ speeches are significant in analyzing the international and national frameworks since they have a considerable role in shaping public opinion. Within this framework, firstly, Putin’s speeches, as well as human rights figures and organizations’ statements, will be discussed below before the media analysis.

International media did not neglect to cover Putin’s speeches towards NGOs and Western statements about Putin’s policies after the Color Revolutions. Putin’s speeches include many criticisms regarding independent NGOs as identifying them as “...non-governmental organizations that the nationalist and neo-Nazi groups and militants, who became the shock troops in the anti-constitutional coup d’état...” and their involvement in the Color Revolutions highlighting as “We will not accept a situation like what happened in Ukraine when in many cases it was through non-governmental organizations...”, identified their operations which was supportive of the Color Revolutions as a threat to national security (Heritage, 2014). In addition, Putin’s criticisms specifically towards independent NGOs receiving foreign funds should not be overlooked. He criticized the amount of the foreign funds received by independent NGOs as “...Within four months after the relevant law has been enacted

in Russia, there has been – and I want to draw your attention – 28.3 billion rubles transferred into the accounts of NGOs from abroad. This is almost \$1 billion... Our people are entitled to know where this money comes from and what for" (Radio Free Europe/Radio Liberty, 2013).

Later, the section will continue to analyze speeches from some human rights figures and organizations such as Sergei Nikitin – Former Director of Amnesty International Russia (before the organization shut down), Amnesty International, and Human Rights Watch – INGOs with a focus on human rights. Above mentioned figure and organizations' speeches and statements share similarities among criticisms of the Russian government's lack of cooperation with the civil society and restrictive legislative arrangements. Sergei Nikitin highlighted the importance of collaboration between authorities and civil society by calling the government to withdraw the 2012 NGO Law as "The Russian authorities should be robust enough to accept constructive criticism from civil society groups and learn to work with them – not against them. The first step on this way is to repeal the 'foreign agents' law and lift other arbitrary restrictions on NGOs' work" (Amnesty International, 2016). While Amnesty International accused the Russian government of getting off track from its purpose by introducing restrictive legislative arrangements, "These recent legal initiatives have the declared aim of ensuring public order and the protection of the rights of citizens... Their effect has been the opposite: prominent government critics, opposition voices, watchdogs and ordinary individual protesters (on a wide range of issues) have all seen their rights restricted over the course of the last year", Human Rights Watch discussed Putin's attitude towards independent NGOs by blaming Putin on causing negative outcomes as follows; "In the year since Vladimir Putin's return to the presidency in May 2012, the Russian government has unleashed a crackdown on civil society unprecedented in the country's post-Soviet history" (Smith-Spark, 2013).

Even while reviewing Putin's speeches and human rights figure/organizations' statements mentioned above, it is possible to witness the differences among civil society interpretations in Western and Russian contexts.

“TASS – Russian News Agency” owned by the Russian state, consolidated Putin’s speeches at annual conferences, including some sections related to civil society organizations. According to an article published in 2017, Putin’s yearly speech referred government’s policy towards introducing GONGOs by highlighting the necessity to develop civil society to battle corruption (Nikolsky, 2017). Later, after Putin became the president again in 2012, his words about changing the electoral system were interpreted as responding to the demands of the civil society by a different article published in 2012, while demands of the civil society were towards fair elections (TASS, 2012). Lastly, the U.S. reaction towards labeling the “US-Russia Foundation for Economic Advancement and the Rule of Law (USRF)” organization as an undesirable organization took place in the article published in 2015. Reporting agency covered the organization as a threat to national security due to providing U.S. funds to NGOs in Russia (TASS, 2015). Another Russian media channel, “RIA Novosti” owned by the Russian state, published an article about the liquidation of Memorial by accusing Memorial of distorting the memory of “the Great Patriotic War”, creating a false image of the Soviet Union as a terrorist state and engaging with terrorist & extremist activities. In contrast, the Memorial’s activities mainly concentrated on revealing the human rights violations and repressions during the Soviet Union, providing assistance to victims and their families both in the international and regional agendas (PIA Новости, 2021).

An article published by Western media channel “BBC” in 2006 covered criticisms towards 2006 NGO Law with the heading “Dozens of NGOs in Russia have been required to suspend operations after missing a deadline to register” (BBC, 2006). Later, BBC covered the 2012 NGO Law introducing the “foreign agent” label for the NGOs receiving foreign funding and criticized it as a law to “crash dissident” in Russia (BBC, 2012). Lastly, the 2015 Amendment introducing the label of “undesirable organizations” received many criticisms from the BBC through former British Minister of State for Europe – David Lidington, and Human Rights Watch Europe and Central Asia Director – Hugh Williamson’s statements. While David Lidington criticized the 2015 Amendment as harassment of NGOs as “...yet another example of the Russian authorities’ harassment of NGOs and those who work with them in Russia...”, Hugh Williamson focused further on the negative aspect of the

Amendment towards the Russian human rights organizations by stating “...We are often asked – is this draft law aimed against international rights groups like yours?... But, in fact, there is little doubt that its primary targets are Russian activists and Russian independent organizations” (BBC, 2015).

Lastly, according to an article published by one of the most significant dissident Russian media channels, “Novaya Gazeta”, independent civil society and journalists are identified as the victims of various attacks of the state since the 2000s by pointing out the effects of the “foreign agent” label not only on the organizations but to individuals receiving scholarships, grants, compensations abroad or working, volunteering, contributing for such organizations as well (Novaya Gazeta, 2021). According to another article published, the State’s increasing intolerance towards any dissident activities as well as invasion of individuals’ rights to protest criticized, while presenting Memorial and Pravaya Initsiativa – both foreign agents labeled human rights organizations with operations against human rights violations, especially LGBTI+ rights violations in Chechnya (Novaya Gazeta, 2021). In addition, the government’s attempts to destroy the Memorial – identified in the article as the “oldest and most respected human rights defender” in Russia, “one of Russia’s best-known human rights groups” gathered attention in a different article published. Such attempts were condemned as below (Novaya Gazeta, 2021);

The collective memory of society is the best guarantee against repeating the worst pages of history. The attack on the International Memorial is an attack on memory. The question arises: who benefits from burying the past?

Lastly, the government’s decision to liquidate the Memorial on December 28, 2021, is covered by another article highlighting the Memorial’s contributions to the Russian nation and linking the government’s decision with patriotism (Novaya Gazeta, 2022). The liquidation of the Memorial gathered the attention of the Western media channels such as Reuters as well by providing U.S. condemnation by calling the Russian government to “end harassment of human rights defenders” (Gripas, 2021).

4.6. Government Organized Non-Governmental Organizations in the Absence of Independent Non-Governmental Organizations

The previous sections explored the international and national framework for civil society by the 2000s, which provided the state with background jurisdiction for policies specifically towards NGOs. In addition, Putin's – as the most significant leader in Russia since the 2000s who is still acting as the president – policies towards NGOs, Medvedev's policies towards NGOs between 2008 – 2012, and lastly, the legislative arrangements against NGOs since the 2000s were analyzed. This section discovers the decrease of independent NGOs advocating democracy and international human rights standards in response to the restrictive legislative arrangements introduced by the state. Later, the national political framework toward GONGOs will be highlighted. The state policies against NGOs will be discussed as well. This will be followed by the rise of GONGOs with the government's support in response to decreasing independent NGOs.

The increase in civil society organizations started with the Perestroika period, peaked in the 1990s, and began to decline after the 2000s. After the dissolution of the Soviet Union, as explained in the previous chapters, the sphere of NGOs with advocacy of democracy and human rights regime enlarged in the newly established Russian state. However, since the 2000s, NGOs' existence in Russia decreased vitally due to explained international and national frameworks and restrictive legislative arrangements.

Dufalla related this decrease with some findings in the literature regarding the state and society's perspectives on NGOs. From the state's standpoint, NGOs should only be involved in service provision for society. This aligns with the state's previously mentioned political attitude and legislative arrangements towards NGOs. The state's service provision-based approach for NGOs does not necessarily provide them the ground for involvement with advocacy, especially for democracy and international human rights standards (Dufalla, 2014). Therefore, introducing legislative arrangements and a general political framework after the 2000s led to such circumstances, which became tough to survive for independent NGOs working in democracy and human rights. The challenges independent NGOs face increased in a

specific timeframe starting from the 2000s. The 2006 NGO Law shaped the first set of barriers in front of NGOs by hardening their registrations, while the 2012 NGO Law & the 2015 Amendments provided more concrete restrictions by labeling foreign-funded NGOs as “foreign agents” and “undesirable organizations” as well as banning those from their operations in Russia. Duffala provided examples of the NGOs’ financial hardships due to legislative arrangements, such as rapid increases in the fines towards unregistered NGOs as “foreign agents” and receiving foreign funding up to three hundred times higher. Such an increase in the fines happened to be a massive burden on small-scale NGOs, even higher than their actual budget for some cases. Golos was one of the independent NGOs that was fined due to receiving foreign funds from the Norwegian Helsinki Committee and had to stop their operations for a while since the amount of the fine was enormous. The background reason why the government fined Golos appeared as the NGOs’ activities to ensure a fair election process. Kostroma Center for Public Initiatives Support, the Memorial, and the Side by Side LGBT film festival are examples of other NGOs subjected to the same fine. They all had networked with international donors such as the United States and other Western States (Duffala, 2014).

According to Duffala, the shared view of society appears contrary to the state’s version from another perspective. This may be attributed to the Soviet legacy as well; society expects the government to provide services. Thus, within a ground with NGOs’ more involvement in service provision and lack of involvement in public advocacy, society neither necessarily understands the role of NGOs in Russia nor provides donations to support their operations. Donations are vital for independent NGOs to survive in such an environment considering the state’s harsh financial policies toward foreign-funded NGOs. While providing a proper amount of donations to the independent NGOs may support their operations and balance the lack of foreign funds, first, the society’s perspective mentioned above was highlighted by Duffala. Later, the state's atmosphere of fear of involving civil society appears to be a huge barrier (Duffala, 2014). Especially after the 2012 “foreign agent” law and 2015 “undesirable organization” amendment, which had very harsh statements going further till terrorism, individuals’ hesitations increased towards involvement with any activity led by independent NGOs, including donations (defined as may be subject of fines or sentence to prison

according to both legislative arrangements). Besides hardened procedures for individuals to provide donations to NGOs, Livshin & Weitz describes the atmosphere of fear created by the state as below (Livshin & Weitz, 2005);

The authorities fear, however, that Russian philanthropists might back other projects, including activities not supported by the current government. In March 2006, the bank accounts of the Open Russia Foundation, led by imprisoned Russian businessman Mikhail B. Khodorkovsky, were frozen. The foundation had been active in the controversial area of promoting civil liberties... Although arrested for tax fraud associated with his Yukos corporation, Khodorkovsky was independently funding opposition political parties at the time of his arrest and had been cited in the media as a potential presidential candidate in 2008.

Lastly, in line with the state-shaped borders for NGOs as service providers and to fill the gaps in services provided in return for decreasing NGOs due to current regulations, the state-supported GONGOs in Russia. While the Constitution underlines the government's responsibilities for the provision of public services, the state assigned NGOs to the provision of some of those services by the outcomes of "Civil Dignity" (Гражданское достоинство) movement where civil society actors may contribute with ideas on best practices and receive government funding (Duffala, 2014). The above practice of government's support to NGOs through grants in return for their projects on service provision shaped the framework for establishing GONGOs to fill the gaps of decreasing independent NGOs.

In the absence of independent NGOs, the Russian state started to focus on a structure that supports realizing the state's social responsibilities to individuals and the spread of the government's policies and practices. In addition, the structure is designed to pose as Russia's "soft power" policy to handle many criticisms of violations of human rights, which are raised through international media (Kleinschmit & Edwards, 2017). Kleinschmit & Edwards expand the discussion as (Kleinschmit & Edwards, 2017);

Political dissidents in Russia note that the use this type of GONGO has often been part of a soft power strategy to imitate, delegitimize, disrupt, or replace the traditional nonprofits that constitute civil society.

Unlike the independent NGOs working in human rights advocacy, which pose many challenges to the authoritarian Russian state, GONGOs would be reliable to the government in reflecting a good reputation of Russia in the international framework. While supporting the provision of public services to individuals – which appears as the most common perspective towards the purpose of NGOs in the Russian context throughout the history – GONGOs are very helpful in creating a better reputation for Russia in the international media in response to human rights criticisms addressed by Western institutions. In line with all these, it is also vital to highlight that financial support provided by the state ensures the loyalty of the GONGOs to the government with a very active role in the advocacy of state policies and promotion of authoritarian ideologies. The Russian state's strategy toward GONGOs contains a pattern to highlight Russian norms and values in response to international criticisms (Klitsounova, 2008).

Government-organized non-governmental organizations – GONGOs started to spread in the 1980s as a different variation of quasi-autonomous non-governmental organizations – QUANGOs (Kleinschmit & Edwards, 2017). The term of GONGO leads to a contradiction in its own meaning on how a non-governmental organization could be organized by the government. While such organizations increase worldwide, including in Western states, civil society literature does not accept GONGOs as appropriate actors within the civil society structure. What differentiates GONGOs from independent NGOs is that they are organized and funded by the government. The government assigns their operations; thus, they rely on providing services to individuals under the government's command. The main reason why the governments usually prefer GONGOs is that they are much more pragmatic than directing effort and force to transform already existing independent NGOs under governments rule. In addition, individuals' participation in GONGOs and their nature of work could not be accepted as voluntary since they depend on the government. Hasmath, Hildebrandt &

Hsu explain the framework behind the increase of GONGOs below (Hasmath, Hildebrandt & Hsu, 2019);

This is notably the case where the government lacks specialization and capacity to do the work themselves, where it is hesitant to allow for the flourishing of a truly independent NGO sector, but also where these organizations themselves have limited options other than the government for financial support and general patron.

The government often assigns GONGOs operations towards providing logistical support to deliver food and non-food items (NFIs). They may cooperate with OSCE and the UN within the framework of humanitarian response.

Since think tanks are essential to reach out to international audiences through their research, it is possible to note think tank GONGOs promote state ideology and organizations. Russian International Affairs Council (GGTTI) and the Gorchakov Fund were both established by Medvedev during his term of presidency, the Russian Institute for Strategic Studies (RISS) established by Putin, Valdai Club, Council for Foreign and Defence Policy (CFDP), Rethinking Russia, Dialogue of Civilizations, Institute of Democracy and Cooperation (IDC) and Information Security Institute are examples of such think tank GONGOs. Rossotrudnichestvo with Russian Science and Culture Centres in 80 countries and Russkiy Mir Foundation are essential examples of Russian GONGOs promoting the Russian language and culture, related to the relevant ministries and funded under the federal budget (Pallin & Oxenstierna, 2017).

4.7. Conclusion

Geographically, Russia is a security-driven state as an authoritarian state between Europe and Asia and circled by the NATO States. Due to the mentioned dynamics, Russia's security-driven policies started to increase significantly during the 2000s. The chapter analyzed the root of such security-driven policies starting from the 9/11 terrorist attacks, secessionist movements in Chechnya, and Color Revolutions in post-Soviet countries, Georgia, Ukraine, and Kyrgyzstan. Russian political attitude towards independent NGOs evolved with many suspicions regarding their role in all the

mentioned occasions while witnessing the strong effects on the current agenda. In addition, due to the authoritarian nature of the state, seeing the power of NGOs in gathering protests was more than enough to introduce restrictive legislative arrangements for NGOs.

Firstly, the 2006 NGO Law introduced new measures that posed many challenges to NGOs' registrations. Secondly, the 2009 Amendments were interpreted as an improvement by the Western states while they did not meet the expectations. Thirdly, the 2012 NGO Law introduced harsh sanctions towards NGOs receiving foreign – mainly Western – funds besides labeling them as “foreign agents” resulting in distrust of the individuals. Lastly, with the 2015 Amendments introduced the label of “undesirable organizations”, independent NGOs receiving foreign funds were accused of posing a threat to the state's security, including terrorism.

All of the legislative arrangements explained in the chapter challenged independent NGOs' survival in the Russian Federation by cutting their access to their many vital economic and social resources, thus naturally losing their power. Since the registration procedures were strictly hardened and became a financial and time-consuming burden for NGOs in the aftermath of explained legislative arrangements, a decrease in active independent NGOs continuing their operations in Russia was inevitable. In addition, the chapter supported its discussion by providing a media analysis both from Western and Russian media channels and reflections on restrictive legislative arrangements towards NGOs in Russia in the 2000s.

Within the framework of analyzing the increase of the GONGOs, the chapter explained the major reasons for NGOs' decrease in Russia. It is not possible to see many active independent NGOs in current Russia compared to previous decades. There are many reasons why the increase of NGOs since the Perestroika period reversed to decline after the 2000s. One of the most crucial reasons behind the decrease of NGOs is the state's perspective and authority over the region, which is not flexible, limiting NGOs' area of work on service provision and interpreting advocacy level intervention as a threat to national security. Another important reason is related to legislative arrangements against NGOs in the 2000s, introducing many challenges to registration

procedures as well as against foreign funding. Lastly, the lack of donations in return to cover from restrictive legislative framework towards foreign funding is highlighted as another important reason for the decrease of NGOs in terms of numbers and influence.

This decrease provided an advantage to the increasing number and impact of GONGOs. Later, political framework for GONGOs was explained. Although the provision of public services is indicated as the state's responsibility under the constitution, NGOs appeared to be efficient in responding to service provisions where the state cannot respond. Due to decreasing influence and number of independent NGOs, GONGOs became the instruments to fill the gaps and support the government in providing services. In addition, the increase of GONGOs is also interpreted as Russia's "soft power" against the criticisms on its human rights violations. GONGOs appear to serve the State not challenge it. Lastly, the rise of GONGOs since the 1980s was explained by their relationship with the government, international actors, areas of work, and provision of examples.

CHAPTER 5

CONCLUSION

The thesis analyzed the civil society struggle within the framework of the Russian Federation to explain why the Western context of the civil society does not fit into the Russian context by highlighting critical pieces of national legislative mechanisms and national Russian legal remedies along with Western and Russian media analysis within the framework of documentary research.

Within the framework of the objective of the thesis, the first chapter introduced the scope and objective, a brief literature review, methodology, and organization of the thesis as an introductory chapter. While the main focus of the thesis was to explain why the Western context of civil society does not fit into the Russian context and the challenges/gaps faced by NGOs, attribution to the increase of GONGOs took place in the following chapters.

Later, the second chapter provided a historical background of the civil society pre and during the Perestroika periods of the Soviet Union while breaking down the terminology on civil society into details both for Western and Russian understandings. During the Soviet Union before Perestroika, civil society, except underground organizations, avoided human rights advocacy and challenging the Communist State. They only served as a platform for individuals to benefit from certain public services and political privileges. Different than the Western context of civil society, collectives were platforms for individuals to prove their political activeness, support to the Communist State, access to certain networks and services. This intention of involvement was opposite to the voluntary participation nature of the Western civil society organizations. On the other hand, such structure of collectives was advantageous for the Communist State to control dissident activities among the

society. Since the Communist State strictly prohibited foreign funds, civil society could not exist independent from the Communist State. Soviet Union. While analyzing the pre-Perestroika period, it is vital to highlight that NGO framework during this period has a direct relation with the totalitarian Soviet regime. In totalitarian regimes, the governments gather total control over all aspects of life such as institutions, individuals and especially, dissidents. There is no toleration towards any dissident movement, activity and opinion. Since Western context of civil society organizations are meant to be a counterbalance between the states and individuals by defending individuals' interest over the states' interests, lack of independent active civil society during pre-Perestroika period is not unexpected. Due to repression of the totalitarian Soviet regime, it was inevitable for underground organizations to stay hidden and "underground" during this timeframe.

Further, the second chapter discovered civil society framework during Perestroika period. In contrast with the pre-Perestroika period, civil society organizations working on human rights rapidly increased, and some underground organizations gained legal status with Gorbachev's perestroika and glasnost reforms. Even though the Communist State showed some signs towards reformation, continued to resist towards civil society organizations challenged the communist regime.

After exploring the historical background of civil society during the Soviet Union, the third chapter analyzed the civil society framework after the dissolution of the Soviet Union, during Yeltsin's presidency in the 1990s by providing information regarding international and national factors during the timeframe, their reflections towards government's civil society policies as well as legislative arrangements towards NGOs. Contrary to the civil society framework during the Soviet Union, the 1990s appeared as the flourishing era during Yeltsin's presidency despite economic challenges faced by the newly established Russian Federation – international donors took advantage of NGOs' dependency on the foreign funds – and lack of adequate legislative arrangements towards NGOs. While transition to liberalism and market economy provided the ground for NGOs spread in the newly established Russia, economic challenges had both good and bad impacts over the NGOs. Individuals' participation to civil society significantly decreased due to their struggle with severe economic

challenges. Yeltsin's approach towards NGOs was identified as "benign neglect" since he had an open policy towards NGOs with limited financial support. On the other hand, economic challenges resulted with increasing financial support of the foreign donors. Since the state was not able to provide financial support to the NGOs in Russia due to economic challenges, contrary to the previous decades, Yeltsin had a welcoming approach towards foreign funds. Many foreign donors from Western governments and international organizations invested high amounts of funds to the newly established NGOs in Russia during 1990s. These donors were including but not limited to USAID, EU, the UN, the World Bank, Ford Foundation, the MacArthur Foundation. Despite Yeltsin's positive approach and recent advantages of the decade on the spread of NGOs, legislative framework continued to stay poor on responding the gaps of the NGO framework in Russia which was a major obstacle among NGOs development. The lack of legislative structures for NGOs in the 1990s had negative consequences on their operations, which was criticized as a negative aspect of the flourishing era.

As the most comprehensive chapter, the fourth chapter, analyzed the civil society framework during Putin and Medvedev's presidencies after the 2000s by providing information regarding international and national factors during the timeframe, their reflections on the government's civil society policies as well as restrictive legislative arrangements took place on 2006, 2009, 2012, and 2015 against NGOs. In addition, the chapter provided a media analysis of both Western and Russian media channels on above mentioned legislative arrangements. Lastly, following the analysis of the Russian Federation's three leaders' policies towards civil society, the last section focused on increasing GONGOs through the government's direct support as a soft power policy in return for decreasing independent NGOs.

Aftermath of 9/11 terrorist attacks, secessionist movements in Chechnya and Color Revolutions in post-Soviet countries, Georgia, Ukraine, and Kyrgyzstan, provided the background for a bad image of civil society in the eyes of Putin's administration and despite the need for proper legislative arrangements towards NGOs, Putin's legislative arrangements towards NGOs turned out to be very restrictive. They did not meet the NGOs' expectations of better legislative arrangements in 1990s. The 2000s arrangements turned out to be very restrictive and imposed more challenges on NGOs'

registrations, access to foreign funds, advocacy involvement, and operations. Restrictive legislative arrangements of the 2000s gathered a lot of attention from Western and Russian media channels; thus, the Russian government's support for GONGOs became vital to create a better image of Russia on the international platform towards the criticisms of global media. GONGOs as softer civil society actors which support the government in terms of its advocacy and provision of services, fill the gaps of decreasing independent NGOs, do not pose a threat to the Russian government by not having intentions for foreign funding and only benefiting from the governmental funds became the perfect solution for the Russian government to replace decreasing independent NGOs and create a better image of Russia against human rights violations reflected on the international media.

Historical background of civil society during the Soviet Union is a solid example of totalitarian states' behavior towards any civil society movement, activity challenging or questioning state's authority and policies. The nature of NGOs drives from challenging state's authority, strengthening dissident and defending individuals' interest. Through these ways, NGOs intend to support state's capacity building on responding individuals' needs and developing efficient policies. Considering the nature of the Soviet Union as a totalitarian state that even intends to control very basic details of individuals' private lives, repression of opposing civil society organizations could be interpreted as a reflex behavior. Even the main terms in the definition of totalitarian states highly conflicts with the main terms of NGOs such as; centralize state's power, prohibit opposition, repress dissident movements, strict control over the society both in public and private lives. Western context of NGOs condemned to survive only underground in totalitarian states unless they decide to go through major reconstruction of their structure towards defending the states' favor. Despite the reformations attempts between the period of Perestroika until the end of 1990s, the Russian Federation carried out the attitude of an authoritarian state since Putin became the president in the 2000s. This has effected the course of human rights NGOs in Russia which challenge the state's authority. Despite the authoritarian states provides certain freedoms different than the totalitarian states, it is not possible for NGOs to enjoy total sovereignty. The main terms in the definition of authoritarian states still highly conflicts with the main terms of NGOs such as; freedom of speech. While

legislative arrangements of 2006 and 2009 could be interpreted as a tiring out strategy of the authoritarian state towards independent NGOs by limiting their sovereignty and building high barriers in front of their survival, it is possible to witness a more aggressive strategy after the 2012 – Putin’s third term as the president. As a result of major opposition protests against Putin during the election process, a shift between an authoritarian state to a totalitarian state may be noted. Therefore, the state’s strategy towards NGOs continues to shift towards repression through the 2012 and 2015 legislative arrangements. The terms entered to the NGO framework in Russia such as; “foreign agent” with the 2012 Law and “undesired organizations” with the 2015 Amendments are terms that are generated and entitled for NGOs by the Russian state in between an authoritarian and totalitarian rule with the a repressive and destructive strategy. Since these terms would not ideally be entitled to independent NGOs in democratic countries, it is possible to understand how Russian context of NGOs has been developed within the boundaries of the authoritarian rule. Due to the conflict among main terms of authoritarian states and Western context of NGOs, independent NGOs would be perceived as a threat to the authoritarian rule. Thus, this will maintain as the main barrier in front of independent NGOs development in the Russian Federation. According to the all aspects mentioned above regarding the contradiction among authoritarian regimes and independent NGOs establishes the baseline for another comprehensive research.

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APPENDICES

A. TURKISH SUMMARY / TÜRKÇE ÖZET

Bu tezin temel amacı: Batılı sivil toplum bağlamının neden Rus sivil toplum bağlamına uymadığını analiz etmektir. Bu amaca ulaşmak için eleştirel metin analizi yoluyla; sivil toplum kuruluşlarının (STK'lar) gittikçe azalmakta olan yasal varoluşlarının nedenleri açıklanıp, bu STK'ların Rusya Federasyonu'ndaki faaliyetleri belirlenmekte ve Rusya hükümetinin devlet tarafından organize edilen sivil toplum kuruluşlarının (GONGO'lar) arttırılmasına yönelik sağladığı doğrudan desteklere değinilmektedir. Belgesel araştırma çerçevesinde STK'lara yönelik yapılan yasal düzenlemelerin incelenmesiyle birlikte Batı ve Rus medya analizi de gerçekleştirilmektedir. Bu tezin araştırması; önce Sovyetler Birliği dönemindeki sivil toplumu analiz etmeyi, ardından da STK'ların bulunduğu zorlu siyasi ve yasal ortamı Sovyetler Birliği'nin dağılmasından sonra iktidarda olan siyasi liderlerin tutumlarına atıfta bulunarak incelemeyi gerektirmektedir. Ardından, STK'ların Rusya Federasyonu'ndaki yasal varlıklarını ve faaliyetlerini kısıtlayan yasal düzenlemeler ve prosedürler incelenmektedir. Son olarak, liberal ülkeler bağlamında gerekli kuruluşlar olarak tanımlanan ve sosyal hizmet sağlayıcılığı alanında da aktif olarak destek sağlayan bağımsız STK'ların yokluğunda devletin GONGO'lara desteği üzerinde durulmaktadır.

STK'ların karşılaştıkları yasal engelleri açıklamak için Rusya Federasyonu'nun jeopolitik ve güvenlik kaygıları kısaca analiz edilmiştir. Bu kaygılarla bağlantılı olarak 2006 yılında yürütmeye sokulan STK'ların yasal kayıtlarını gerçekleştirmelerini zorunlu hale getiren “Rus STK Yasası” ve bu yasayı takip eden bir dizi mevzuat düzenlemesinin STK'lara yönelik yarattığı zorluklar açıklanmaktadır. Bu yasalar sonucunda STK'ların Rusya'da yasal olarak mevcut olabilmek ve faaliyetlerini

yürütmek için bir takım kayıt işlemleri gerçekleştirmeleri zorunlu tutulmuştur. Ek olarak, bu yasal düzenlemeler yoluyla STK'ların faaliyetlerine finansal destek sağlayan yabancı ülke, uluslararası organizasyon ve özel kurum bağışlarına yönelik de kısıtlamalar getirilmiştir. Yabancı bağışçıların finansman fonlarına yönelik kısıtlamalar uygulanmasının nedeni Rusya Federasyonu'nun bu tür bağışçıların STK'lara yönelik finansal destekleri yoluyla içişlerine karışmalarına ilişkin güvenlik sorunu endişesi yaratması ile açıklanmaktadır. Takiben, STK'ların yabancı bağışçılara bağımlılığını ve özellikle insan hakları alanında çalışan STK'ların faaliyetlerini sürdürebilmek için neden yabancı fonlara muhtaç oldukları analiz edilmiştir. Bu kapsamda, yerel fonların bahsi geçen STK'lara yönelik mali destek sağlanması üzerine isteksizlik ve yetersizliklerine gösterilen nedenler arasında en önemli nedenler olarak yer verilmiştir. İnsan hakları üzerine çalışan STK'lara değinilirken, Rusya'da hangi tür STK'ların yaygın olduğu ve bu tür STK'lar arasında insan hakları STK'larının ne çoklukta yer kapladığı da açıklanmaktadır. Bu tezin son bölümünde, argüman olarak, hükümetin bağımsız STK'ları azaltmaya yönelik ve bağımsız STK'ların azalmasıyla ortaya çıkan bazı boşlukların hükümet tarafından finansal olarak desteklenen ve hükümeti destekleyen GONGO'lar tarafından doldurulmasına yönelik stratejisine odaklanılmaktadır.

Hali hazırda Rusya'da çeşitli alanlarda çalışan önemli sayıda STK'lar bulunmaktadır. STK'ların alanları çoğunlukla, belirtilen alanlarla sınırlı olmamak üzere; insan, kadın, çocuk, işçi hakları, bağımsız medya ve gazetecilik hakları, eğitim hakkı, siyasi, ekonomik ve sosyal politikalar, tarih ve çevre konularını kapsamaktadır. Ayrıca gazi grupları, hayvan hakları ve ekolojik konular üzerine yoğunlaşan önemli STK'lara da tanık olmak mümkündür (Crotty, 2009). Yukarıda bahsedildiği üzere, insan hakları STK'ları Rusya'da geniş bir çalışma alanı olarak karşımıza çıkmaktadır. Bu nedenle bu tez çerçevesinde insan hakları STK'ları üzerinde durulacaktır.

Bu tez kapsamında, Rusya Federasyonu'ndaki sivil toplum aktörlerine ilişkin tarihsel arka plan, yasal düzenlemeler ve Batı ve Rus mediasındaki yansımalar üzerine yoğunlaşmaktadır. Bu nedenle; referanslar, büyük ölçüde çevrimiçi platformlar aracılığıyla ulaşılabilen literatürdeki çeşitli makale ve kitaplara ve resmi belgelere dayanmaktadır.

STK literatürü ışığında ağırlıklı olarak tarihsel arka plana odaklanan bölümler, Sovyetler Birliği dönemindeki ve Sovyetler Birliği'nin dağılması sonrasında yeni kurulmuş olan Rusya Federasyonu'ndaki uygulamaları ve yoğun olarak da literatürdeki makale ve kitapları referans alarak incelemektedir. Böyle bir tarihsel zaman dilimine yönelik yapılan araştırma için en birincil kaynaklar literatürdeki ilgili makale ve kitaplardır.

Rus hükümetinin STK'lara yönelik tutumunun nedenlerini ve yasal düzenlemelere giden yolu açıklayan bölümlerde referanslar ağırlıklı olarak literatürdeki makale, kitaplar ve resmi belgelerden oluşmaktadır. Resmi belgeler çerçevesinde referanslar ağırlıklı olarak STK'lara yönelik yürürlüğe sokulan yasal düzenlemeler, uluslararası STK'ların durum raporları, BBC, Radio Free Europe/Radio Liberty gibi Batılı medya kuruluşları tarafından yayınlanan haberler ve TASS, Novaya Gazeta gibi Rus medya kuruluşlarından tarafından basılmış haberlerden oluşmaktadır. Son olarak, siyasi otoritelerin konuşmalarının satır aralarını okumadaki önemi ve siyasi liderlerin kamuoyu oluşturmada önemli rolü nedeniyle, referanslar resmi belgeler çerçevesinde siyasi otoritelerin konuşmalarını da içermektedir. Bu tür konuşmaların incelenmesi kapsamında siyasi otoritelerin genel itibarıyla STK politikaları, stratejileri ve yatkınlıkları da incelenmektedir. Örnek olarak, Putin'in konuşmalarının incelenmesi sonucunda, 2000'ler sonrasındaki insan hakları STK'larına yönelik kısıtlayıcı ve baskılayıcı tutumun, bu STK'ların otoriteyi tehdit eden faaliyetleri ile ilişkilendirilip ulusal güvenliğe tehdit oluşturması söyleminin savunulduğu; baskı ve kısıtlamaların kamuoyu tarafından tepki çekmemesi stratejisi kullanıldığı keşfedilmiştir.

Mevzuat düzenlemelerine odaklanan bölümler de 2000'li yılların başından itibaren Rusya'daki STK'ların mevcut durumu, karşılaştığı zorluklar ve mevzuat düzenlemeleri gözden geçirilmiştir. 2000'li yılların başından itibaren yapılan yasal düzenlemelerin gözden geçirilmesi sonucunda, referanslar, öncelikli olarak 2006 Rusya STK Kanunu, 2009 Yasa değişiklikleri, 2012 STK “Yabancı Ajanlar” Kanunu ve 2015 Yasa değişikliklerinin oluşturduğu görülmektedir. Bu konuya yönelik resmi belgeler kapsamında öne çıkan başlıca kaynakları yukarıda belirtilen yasal dökümanlar oluşturmaktadır. 2006, 2009, 2012 ve 2015 yasal dökümanları, STK'ların Rusya'daki

yasal varlığı, hak ve sorumlulukları hakkında kritik noktalara değinerek STK'lara yönelik yasal şema açıklanmaktadır.

STK'lara yönelik yasal düzenlemelere ilişkin medya analizi bölümünde Putin'in konuşmaları ile insan hakları figür ve kuruluşlarının açıklamaları incelenmiştir. Putin'in konuşmalarına yer verilirken, Renkli Devrimlerden günümüze kadar geçen zaman dilimi için anahtar kelimeler kullanılarak medya analizi yapılmıştır. Uluslararası Af Örgütü Rusya Eski Direktörü Sergei Nikitin'in, Uluslararası Af Örgütü ve İnsan Hakları İzleme Örgütü'nün açıklamalarına yer verilirken, aynı zaman diliminde Uluslararası Af Örgütü ve İnsan Hakları İzleme Örgütü'nün Rusya'daki STK'lar kapsamındaki açıklamaları filtrelenerek medya analizi yapılmıştır.

Putin, insan hakları figür ve kuruluşlarının açıklamalarının analizinden sonra; referanslar BBC, Radio Free Europe/Radio Liberty gibi Batılı medya ajanslarının ve TASS, Novaya Gazeta gibi Rus medya ajanslarının yayınladığı haberlerden oluşmaktadır. Bu tez kapsamında yer alan tüm medya ajansları, 2000'li yıllardan günümüze kadar olan zaman diliminde "Rusya'daki STK'lar, Rusya'daki STK'lara yönelik yasal düzenlemeler" gibi anahtar kelimeler kullanılarak analiz edilmiştir. Kaynaklar, yukarıda belirtilen yöntemlere ek olarak makale ve kitaplardan oluşmaktadır.

Son olarak; referanslar, STK'ların azalması, GONGO'ların artması ve hükümetin GONGO'ları destekleme politikasındaki birincil motivasyonu arasındaki ilişkiyi açıklayan son bölüm için literatürdeki makalelerden oluşmaktadır.

Literatürde STK'ları tanımlamak için çeşitli terimler bulunmaktadır. Bu tezde "STK" terimi, 1945 yılında BM tarafından tanımlanan haliyle ve genel varsayımlar için kullanılmaktadır. Belirli alanlara daha fazla odaklanan diğer bölümler için, bu bağlamlarda doğru tanımlar sağlanması için diğer belirli terimler (GONGO'lar, sivil toplum vb.) kullanılmaktadır. Bu tezde sivil toplum, STK ve STK'lar terimleri birbirinin yerine kullanılmaktadır.

Rusya'da STK'ların demokrasi ve insan haklarına yönelik faaliyetlerde bulunabilmeleri için, yasal mevcudiyetleri ve buldukları ortam ile ilgili mevcut durumu anlamak için, bu tür sivil toplum aktörlerinin Sovyetler Birliği dönemindeki (Perestroika öncesi ve sonrası) ve 1990lardaki tarihsel arka planlarının gözden geçirilmesi gerekmektedir. Tez; Sovyetler Birliği ve Rusya Federasyonu'nun ilk dönemlerindeki sivil toplum çerçevesi, Rus vatandaşlarının sivil topluma katılım endeksi ve sivil topluma yönelik iyi ve kötü uygulamaları inceleyerek, Rusya'daki STK'ların doğasını açıklamaktadır. Bu amaçla, tezin ikinci bölümünde kısaca tarihsel arka plan ve Sovyetler Birliği döneminde sivil toplum kuruluşlarının geliştiği bağlama yönelik bilgiler sağlanmaktadır. Üçüncü bölüm, 1990'larda yeni kurulan Rusya Federasyonu ve Yeltsin'in başkanlığı sırasındaki sivil toplum çerçevesine yoğunlaşmakta olup açıklık getirmeye çalışmaktadır.

Tez, sivil toplumun Perestroika öncesi, sonrası ve 1990'lar, 2000'ler sonrası kapsamında genel analizini sunmaktadır. 1991'de Sovyetler Birliği'nin dağılmasından sonraki dönemin iyi uygulama örnekleri ve Rus Hükümeti'nin bu tür kuruluşlara yönelik tutumu vurgulanmaktadır. Rusya Federasyonu'nun üç devlet başkanı olan Yeltsin, Medvedev ve Putin'in sivil toplum kuruluşlarına yönelik tutum ve yaklaşımları, ilgili mevzuat düzenlemeleri ile karşılaştırılarak incelenerek, Rusya'daki sivil toplum kuruluşlarının faaliyetlerini sürdürürlerken karşılaştıkları zorlukları genel çerçevesiyle ortaya koymaktadır. Ancak; bu bulguların tartışılmasından önce, Rus sivil toplumunun gelişimine genel bir bakış atılarak Rusya Federasyonu genelindeki diğer toplumsal hareketlerin deneyimleri incelenmektedir.

STK'ların maruz kaldığı siyasi ortamı analiz etmek için üç siyasi liderin – Yeltsin, Medvedev ve Putin – yasal düzenlemelerine bakmak, STK'ların yasal varlıklarını sürdürmek ve kendi bünyesindeki sosyal çalışmalarını sürdürmek için izlemeleri gereken Rusya Federasyonu kayıt prosedürlerinin incelemesini de gerektirmektedir. Tezin dördüncü bölümünde; Putin ve Medvedev'in başkanlıkları döneminde STK'lara yönelik gerçekleştirilen yasal düzenlemeler STK'ların faaliyetlerini sürdürmek yolunda karşılaştıkları zorlu yasal prosedürler nedeniyle STK'ların giderek azalmasının en önemli nedenlerinden biri olarak belirtilmektedir. Son olarak, GONGO'ların doğası ve Rusya'daki artışlarının nedenleri analiz edilmektedir. Putin'in

otoriter ve totaliter tutumlar arasında gidip gelmekte olan politikaları kapsamında kendi otoritesine muhalefet geliştiren bağımsız STK'lara yönelik zayıflatıcı ve kendi otoritesini güçlendirici faaliyetler gösterecek olan GONGO'lara yönelik destekleyici tutumlar izlemesinin nedenleri açıklanmıştır.

Tez; Rusya Federasyonu çerçevesinde sivil toplum mücadelesine yönelik somut örnekler vererek Batı ve Rus medya analizi ile birlikte ulusal yasama mekanizmalarının ve ulusal Rus yasal çözüm yollarının kritik parçalarını vurgulayarak sivil toplumun Batı bağlamının neden Rusya bağlamına uymadığını bir belgesel araştırma çerçevesinde açıklamaktadır. Bu kapsamda, Batı bağlamı STK'ların neden Rus bağlamına uymadığı tarihsel olarak totaliter Sovyetler Birliği çıkarlarıyla çatışmasına bağlanmıştır. Benzer durum kendini 2000'ler sonrası Rusya Federasyonu kapsamında da göstermemektedir. Putin'in totaliterlik ve otoriterlik arasında gidip gelmekte olan politika ve siyasi stratejileri, STK'lara yönelik de kısıtlayıcı ve baskılayıcı olarak kendilerini göstermektedir. Dolayısıyla, Batı bağlamı STK'lar 2000'ler sonrasındaki Rusya Federasyonu'nda da Medvedev ve Putin hükümetleri tarafından tehdit olarak algılanarak kısıtlanma ve baskılanmaya çalışılmıştır.

Birinci bölümde, tezin amacı çerçevesinde, giriş bölümü olarak tezin kapsamı ve amacı açıklanmış, kısa bir literatür taraması gerçekleştirilmiş, metodolojisi ve organizasyonu tanıtılmıştır. Tezin ana odak noktası, sivil toplumun Batı bağlamının neden Rusya bağlamına uymadığını ve STK'ların karşılaştığı zorlukları/boşlukları açıklamak iken, GONGO'ların artışına atıflar sonraki bölümlerde yer almıştır.

Daha sonra, ikinci bölüm; hem Batı, hem de Rus anlayışları için sivil toplum terminolojisini ayrıntılara ayırırken, Sovyetler Birliği'nin Perestroyka dönemleri öncesi ve sırasında sivil toplumun tarihsel bir arka planını ortaya çıkarmıştır. Sovyetler Birliği döneminde, Perestroyka'dan önce sivil toplum, yeraltı örgütleri hariç, insan hakları savunuculuğunu yapmaktan ve Komünist Devlete meydan okumaktan kaçınmıştır. Bu dönemde, sivil toplum sadece bireylerin belirli kamu hizmetlerinden ve siyasi ayrıcalıklardan yararlanmaları için bir platform işlevi görmüştür. Batılı sivil toplum bağlamından farklı olarak kolektifler, bireylerin siyasi aktifliklerini, Komünist Devlete desteklerini, belirli ağlara ve hizmetlere erişimlerini kanıtlamaları için varolan

platformlar olarak faaliyet göstermişlerdir. Bireylerin kolektiflere bu tür katılım niyetleri, Batılı sivil toplum kuruluşlarının gönüllü katılım doğasına zıt olarak belirtilmiştir. Öte yandan, bu tür kolektif yapılar, Komünist Devletin toplumdaki muhalif faaliyetleri kontrol etmesi için de avantaj göstermiştir. Komünist Devlet, yabancı fonları kesinlikle yasakladığı için, sivil toplumun Komünist Devletten bağımsız olarak var olması mümkün değildi. Sovyetler Birliğini, özellikle Perestroyka öncesi dönemi analiz ederken, bu dönemdeki sivil toplum çerçevesinin totaliter Sovyet rejimi ile doğrudan bir ilişkisi olduğunu vurgulamak hayati önem taşımaktadır. Totaliter rejimlerde hükümetler; kurumlar, bireyler ve özellikle muhalifler gibi yaşamın tüm yönleri üzerinde tam kontrol sahibi olurlar. Herhangi bir muhalif hareket, faaliyet ve düşünceye tahammül edilmesi mümkün değildir. Sivil toplum örgütlerinin Batı bağlamı, bireylerin çıkarlarını devletlerin çıkarları üzerinde savunarak devletler ve bireyler arasında bir denge kurmayı amaçladığından, Perestroyka öncesi dönemde bağımsız aktif sivil toplumun eksikliği de beklenmedik bir durum değildir. Totaliter Sovyet rejiminin baskıları nedeniyle bu zaman diliminde yeraltı örgütlerinin gizli kalması ve “yeraltında” kalması kaçınılmazdır.

Perestroyka öncesi dönemden farklı olarak, Perestroyka döneminde sivil toplum çerçevesine daha tahammüllü bir şekilde yaklaşıldı. Perestroyka öncesi dönemin aksine, Perestroyka döneminde Gorbaçov'un Perestroyka ve Glasnost reformları sonucunda insan hakları alanında çalışan sivil toplum örgütleri hızla çoğalmış ve bazı yeraltı sivil toplum örgütleri yasal statü kazanmıştır. Perestroyka döneminde Komünist Devlet, reform yönünde bazı iyiye yönelik işaretler gösterse de, komünist rejime meydan okuyan sivil toplum örgütlerine karşı direnmeye devam etmiştir.

Üçüncü bölüm, Sovyetler Birliği döneminde sivil toplumun tarihsel arka planının incelenmesini takiben, Sovyetler Birliği'nin dağılmasından sonra, 1990'larda Yeltsin'in başkanlığı sırasında sivil toplum çerçevesini, zaman dilimi içindeki uluslararası, ulusal faktörler ve bunların topluma yansımaları hakkında bilgi vererek analiz etmiştir. Yeltsin hükümetinin sivil toplum politikaları ve STK'lara yönelik yasal düzenlemeleri incelenmiştir. Sovyetler Birliği'ndeki sivil toplum çerçevesinin aksine 1990'lar, yeni kurulan Rusya Federasyonu'nun karşılaştığı ekonomik zorluklara - uluslararası bağışçılar STK'ların yabancı fonlara bağımlılığından yararlandı - ve

yeterli yasal mevzuat eksikliğine rağmen Yeltsin'in başkanlığı sırasında gelişen bir dönem olarak gözükmektedir. Liberalizme ve piyasa ekonomisine geçiş, yeni kurulan Rusya'da yayılan STK'ların zeminini sağlarken, ekonomik zorluklar STK'lar üzerinde hem iyi hem de kötü etkiler oluşturmuştur. Bireylerin ciddi ekonomik zorluklarla mücadele etmeleri nedeniyle sivil topluma katılımları önemli ölçüde azaldı. Maddi kaygılarına yenik düşen bireyler, boş zamanlarını maddi gelir elde etmeye adanmış ve sonucunda maddi katkısı olmayan faaliyetlere katılım göstermeye çekimser kalmaya başladılar. Ekonomik sıkıntılar nedeniyle, Yeltsin hükümeti STK'lara yönelik her ne kadar olumlu bir tutum içerisinde olsa da finansal destek sağlamak konusunda oldukça yetersiz kaldı. Yeltsin'in STK'lara yönelik yaklaşımı, finansal desteği sınırlı olan STK'lara yönelik açık bir politikaya sahip olması nedeniyle "iyi niyetli ihmal" olarak tanımlandı. Öte yandan, ekonomik zorluklar, yabancı bağışçıların mali desteğinin artmasıyla sonuçlandı. Devlet, Rusya'daki STK'lara ekonomik zorluklar nedeniyle mali destek sağlayamadığından, önceki yılların aksine Yeltsin'in dış fonlara karşı sıcak bir yaklaşımı olmuştur. Batılı hükümetlerden ve uluslararası kuruluşlardan birçok yabancı bağışçı, 1990'larda Rusya'da yeni kurulan STK'lara yüksek miktarlarda fon yatırdı. Bağışçılar, genellikle eski temelli STK'lara finansal destek sağlamaktansa yeni kurulmakta olan STK'lara destek vermeyi tercih etti. Bu bağışçılar belirtilenler ile sınırlı kalmamak ile birlikte: USAID, Avrupa Birliği, Birleşmiş Milletler, Dünya Bankası, Ford Vakfı, MacArthur Vakfı'nı içermektedir. Yeltsin'in olumlu yaklaşımına ve 1990 yıllarında STK'ların yayılması konusundaki avantajlarına rağmen, yasal çerçeve, STK'ların gelişimi arasında büyük bir engel olan Rusya'daki STK çerçevesinin boşluklarına yanıt vermede yetersiz kalmaya devam etmiştir. 1990'larda STK'lar için yasal yapı ve mevzuatların eksikliği, onların faaliyetleri üzerinde olumsuz sonuçlar doğurmuş ve bu da gelişen dönemin olumsuz bir yönü olarak eleştirilmiştir.

En kapsamlı bölüm olan dördüncü bölüm; zaman dilimi içerisindeki uluslararası ve ulusal faktörler, bunların hükümetin sivil toplum politikalarına yansımaları ve kısıtlayıcı yasal düzenlemeler hakkında bilgi vererek 2000'li yıllardan sonra Putin ve Medvedev'in başkanlıkları dönemindeki sivil toplum çerçevesini analiz etmiştir. 2006, 2009, 2012 ve 2015'te yürürlüğe sokulmuş yasal düzenlemeler STK'lara karşı yer almıştır. Buna ek olarak, bölüm, yukarıda belirtilen yasal düzenlemelere ilişkin hem Batı hem de Rus medya kanallarının yayınladığı haberler doğrultusunda bir medya

analizini de sağlamıştır. 2006, 2009, 2012 ve 2015 yasal düzenlemeleri STK'lara yönelik yeni zorunluluklar getirirken, bu zorunluluklar genellikle Batılı medya kaynakları tarafından olumsuz olarak eleştirilmiş, Rus medya kaynakları tarafından ise bağımsız STK'ların ulusal güvenliğe tehdit olabilecek faaliyetlerde bulunduğu argümanı yoluyla desteklenmiştir. Son olarak, Rusya Federasyonu'nun üç liderinin sivil topluma yönelik politikalarının analizini takiben, son bölümde bağımsız STK'ların azalmaları ve Batılı medya kanallarının Rusya'daki insan hakları ihlalleri hakkında artmakta olan eleştirileri karşılığında yumuşak güç politikası olarak Rus hükümeti tarafından doğrudan finansal desteği alan GONGO'ların arttırılmasına odaklanmıştır.

STK'ların 11 Eylül terör saldırıları, Çeçenistan'daki ayrılıkçı hareketler ve Sovyetlerin dağılmasından sonra bağımsızlıklarını kazanan ülkeler olan Gürcistan, Ukrayna ve Kırgızistan'ndaki Renkli Devrimler sırasındaki aktif rolleri, Putin yönetiminin gözünde sivil toplum hakkında kötü bir imajın arka planını oluşturmuştur. Kamuoyuna yönelik STK'ların bu tür olaylarla bağlantıları üzerine dikkat çekilerek bağımsız STK'ların ulusal güvenliğe tehdit oluşturduğu algısı yaratılmaya çalışılmıştır. Bu söylem, Putin'in 2000'lerde STK'lara yönelik yürürlüğe soktuğu tüm yasal düzenlemeleri savunmasına imkan sağlamıştır. Putin ve Medvedev'in yürürlüğe soktuğu yasal düzenlemeler, STK'lara yönelik hâlihazırda ihtiyaç duyulmakta olan yasal düzenlemelere rağmen çok kısıtlayıcı olarak eleştirilmektedir. 2000'lerin yasal düzenlemeleri, 1990'ların STK'lara yönelik daha iyi yasal düzenlemelere ilişkin beklentilerini karşılamamışlardır. 2000'lerin düzenlemelerinin çok kısıtlayıcı olduğu ortaya çıkmış ve bu düzenlemeler STK'ların kayıtlarından, yabancı fonlara erişimlerine, savunuculuk katılımlarına ve operasyonlarına kadar çok fazla zorluklara neden olmuştur. 2000'li yılların kısıtlayıcı yasal düzenlemeleri Batı ve Rus medya kanallarında da yoğun ilgi görmüş; böylece küresel medya kanallarının da eleştirilerine karşı, Rus hükümetinin GONGO'lara karşı destekleyici tutumu, uluslararası platformda Rusya'nın STK politikalarına yönelik daha iyi bir imaj oluşturmak amacıyla hayati hale gelmiştir. GONGO'lar, Rus hükümetini savunuculuğu ve hizmet sunumu açısından hükümeti destekleyen, azalan bağımsız STK'ların boşluklarını dolduran, dış finansman niyeti taşımayarak ve yalnızca devletten yararlanarak Rus hükümeti için bir tehdit oluşturmayan daha yumuşak sivil

toplum aktörleri olarak, Rus hükümetinin azalan bağımsız STK'ların yerini alması ve uluslararası medyaya yansıyan insan hakları ihlallerine karşı Rusya'nın daha iyi bir imajını oluşturması için kaçınılmaz bir çözüm olmuştur. GONGO'lar aracılığıyla, Rusya Federasyonu kendisine yöneltilen insan hakları ihlalleri eleştirilerine karşı kendini savunma stratejisi geliştirmiş ve göstermelik olması açısından Sovyetler Birliği'nin kolektif yapısına benzer devlete bağlı bir sivil toplum oluşturulmuştur.

Sovyetler Birliği döneminde sivil toplumun tarihsel arka planı, totaliter devletlerin herhangi bir sivil toplum hareketine, devletin otoritesine ve politikalarına meydan okuyan veya sorgulayan faaliyetlere yönelik davranışlarının somut bir örneği olarak karşımıza çıkmaktadır. STK'ların doğası, devletin otoritesine meydan okumaktan, muhalifleri güçlendirmekten ve bireylerin çıkarlarını savunmaktan kaynaklanmaktadır. Bu yollarla STK'lar; devletin, bireylerin ihtiyaçlarına cevap verme ve verimli politikalar geliştirme konusunda kapasite geliştirmesini desteklemeyi amaçlamaktadır. Sovyetler Birliği'nin, bireylerin özel hayatlarının en temel ayrıntılarını bile kontrol etmeyi amaçlayan totaliter bir devlet olduğu düşünüldüğünde, muhalif sivil toplum örgütlerinin baskı altına alınması refleks bir davranış olarak yorumlanabilir. Totaliter devlet tanımındaki ana terimler bile STK'ların ana terimleriyle oldukça çelişmektedir. Devlet gücünü merkezileştirmek, muhalefeti yasaklamak, muhalif hareketleri bastırmak, hem kamusal hem de özel hayatta toplum üzerinde sıkı kontrol sağlamak gibi kavramlara dayanan totaliter devlet tanımları içerisinde bağımsız STK'ların yer alamayacağı oldukça belirgindir. Batılı bağlamdaki STK'ların amaçları, totaliter devlet tanımlarına zıt olarak, bireylerin çıkarlarının devlet çıkarları tarafından ezilmesinin önlenmesi, birey ve devlet arasında bireylerin savunuculuğunun yapılması ve devlet otorite ve baskısının azaltılması şeklinde olduğundan dolayı bu tür STK'ların totaliter devletler tarafından tehdit olarak algılanması oldukça olağandır. Sovyetler Birliği döneminde, Batı bağlamındaki STK'lar, devletlerin lehine tutumlar geliştirmeye yönelik kendi temellerini yeniden yapılandırmaya gayret göstermedikçe, totaliter devlet tarafından yalnızca yeraltında hayatta kalmaya mahkum edilmiştir.

Perestroika döneminden 1990'ların sonuna kadar olan reform girişimlerine rağmen Rusya Federasyonu, 2000'li yıllarda Putin'in başkan olmasından bu yana otoriter bir

devlet tavrı sergilemiştir. Bu durum, Rusya'da devlet otoritesine meydan okuyan insan hakları STK'larının seyrini de etkilemiştir. Otoriter devletler, totaliter devletlerden farklı olarak belirli özgürlükler sağlasa da, STK'ların otoriter devletlerde tam bir egemenliğe sahip olmaları mümkün değildir. Otoriter devlet tanımındaki ana terimler, STK'ların ana terimleriyle halen yüksek oranda çelişmektedir. Çelişen terimlere en büyük örnek olarak konuşma özgürlüğü gösterilebilir. 2006 ve 2009 yasal düzenlemeleri, otoriter devletin bağımsız STK'lara yönelik egemenliklerini sınırlandırarak ve hayatta kalmalarının önüne yüksek engeller koyarak yıpratıcı bir stratejisi olarak yorumlanabilirken, 2012'den sonra – Putin'in başkan olarak üçüncü dönemine başlamasını takiben – daha agresif bir stratejiye tanık olmak mümkündür. Bu dönem, seçim sürecinde Putin'e yönelik muhalefetin büyük protestolarının bir sonucu olarak; otoriter bir devletten totaliter bir devlete geçiş dönemi olarak yorumlanabilmektedir. Bu nedenle, devletin STK'lara yönelik stratejisi, 2012 ve 2015 yasal mevzuat düzenlemeleriyle baskıya doğru kayma yolunda ilerlemiştir. Hatta, bu yasal düzenlemeler sonucunda Rusya'daki STK çerçevesine girmek üzere olumsuz anlamlı yeni terimler üretilmiştir. Bu terimler; 2012 yasası ile “yabancı ajan” ve 2015 değişiklikleri ile “istenmeyen örgütler” şeklindedir ve Rus devletinin baskıcı ve yıkıcı bir strateji ile otoriter ve totaliter bir yönetim arasında STK'lar için ürettiği terimlerdir. Bu terimler ideal olarak demokratik ülkelerde bağımsız STK'lara hak kazandırmayacağından, Rusya'daki STK bağlamının otoriter yönetim sınırları içinde nasıl geliştiğini anlamak mümkündür. Totaliter ve otoriter devletlerin temel kavramları ile STK'ların Batı bağlamındaki kavramlarının çatışması nedeniyle, bağımsız STK'lar totaliter ve otoriter yönetimler için bir tehdit olarak algılanmaktadır. Dolayısıyla bu, Rusya Federasyonu'nda bağımsız STK'ların gelişmesinin önündeki ana engel olmaya devam etmektedir. Yukarıda bahsedilen tüm hususlarla ilgili bir şekilde, Putin'in totaliter ve otoriter rejimlere yatkın bir şekilde değişiklik gösteren politikaları başka bir kapsamlı araştırma için temel oluşturmaktadır.

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