

Justice Ministry accuses Memorial human rights centre of undermining the foundations of Russia's constitutional order

Statement by the chairman of the Board of Memorial HRC Alexander Vladimirovich Cherkasov

On November 9 the Memorial human rights centre received in the post the results of the “Act of Planned Inspection” of our organisation. The inspection from October 5 was conducted by the Main Directorate of the Ministry of Justice of the Russian Federation for the city of Moscow. In this “Act” the Justice Ministry, among other things, puts forward a political accusation addressed to our organisation: “By their actions the members of the Inter-Regional Non-Governmental Organisation the Memorial human rights centre have undermined the foundations of the constitutional order of the Russian Federation, by calling for the overthrow of the current government and a change of the political regime in the country.”

What kind of “actions” are these? What do you have to do to incur such serious accusations?

It turns out that Memorial “undermines the foundations” by forming a negative public opinion “about the state policy that is being conducted by the higher bodies of state government, expresses disagreement with the decisions and actions of the mentioned institutions of government, the results of preliminary investigations and court verdicts that have been given in high-profile criminal cases”.

We work. In the course of our human rights work we gather facts. On their basis, in the course of discussions within the organisation and in a wider circle we develop opinions and evaluations. We publish these materials – evaluations, opinions, factual materials and so on.

Thus we implement freedom of thought and speech and freedom of association, which are guaranteed to us by articles 28 and 30 of the Constitution of Russia. And we do not consider it appropriate to be silent if we see that representatives of the government – including the highest Russian authorities – are violating human rights and the norms of international law.

This, from the point of view of the Justice Ministry, is “forming a negative opinion” and “undermining the foundations”.

Since as examples of “undermining activity” the “Act” gives, firstly, our evaluation of Russia's actions towards Ukraine. We indeed think that these actions come under the definition of aggression – in full accordance with the UN definition.

Secondly, we are accused of publishing “the opinion of leaders of organisations” about the fact that Russian troops have participated in combat actions in eastern Ukraine. But this “opinion” is also based on a multitude of irrefutable facts.

Thirdly, the Justice Ministry is upset by our disagreement with the unjust verdict given in the Bolotnaya case. Indeed, in our materials and in the materials of other human rights organisations, and in media reports, there is a multitude of proof that the charge in this case was fabricated and falsified.

That is it. But where are the calls to “overthrow the current government” here, which the creators of the “Act” immediately accuse us of? Obviously the Justice Ministry equates criticism of the government with attempts to overthrow it.

The Justice Ministry's “Act of Inspection” which accuses us of “undermining” reports about political prisoners is dated October 30, the Day of Political Prisoners in the USSR.

The prosecutors' “understanding”, which incriminates the Memorial human rights centre for maintaining a list of political prisoners and a register of people detained at demonstrations, on the basis of which we were included on the “register of foreign agents”,

was given to us on April 30, 2013. On the 45th birthday of the dissident “Chronicle of Current Events”, which wrote about judicial and extra-judicial political repressions.

Symbolic coincidences.

Since the Justice Ministry’s “Act” itself directly returns us to the times of the Soviet government’s battle against dissidents.

It is probably worth recalling the Constitution of Russia, the section “Foundations of Constitutional Order”, article 2: “The person and his rights and freedoms are the highest value. Recognising, observing and defending the rights and freedoms of the person and citizen are a duty of the state.” And then everything falls into place. It becomes obvious: it is not we, Memorial, but the Justice Ministry that is undermining the foundations of the constitutional order of the Russian Federation by its actions.