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“We make precedents, pushing the whole system and giving hope to society” – E-mail interview with Pavel Chikov, Agora Association, 7 July 2008

Introducing Agora

1 **PIPSS.ORG** - Could you please introduce yourself and describe your career (including what circumstances brought you to lead Agora) and the history of the Agora Association?

2 **Pavel Chikov:** My name is Pavel Chikov; I am the chairperson of the Agora Association (Russia)

3 Since 1999, I have been a chief human rights lawyer and a leader of a number of Russian human rights organizations in Moscow and Kazan (Russia). From 2001 to 2004, I was an initiator and first chairperson of the Kazan Human Rights Centre. I then moved to the Open Russia NGO in Moscow. In 2005, I initiated the creation of the Agora Association – a union of (currently) seven local groups of human rights lawyers in Russia. I worked out a model for a local human rights group, effectively using advocacy and litigation in topics of police abuse, military arbitrariness, medical negligence and brutality against prisoners. I have published 15 books and more than 30 articles on various aspects of human rights in Russia, pressure on human rights activists, police brutality and corruption, compensations for victims of human rights abuse, and the Russian law enforcement system. Within the Agora Association from 2005-2007, I initiated punishment of more than 200 government officials for human rights abuses, including more than 50 policepersons convicted of torture, illegal arrests and corruption. More than 8,000 publications on human rights activity in Russian media were initiated in the same period by the Association and its local partners.

4 **PIPSS.ORG** - How many people work for Agora? Are they employed on a permanent or part-time basis? What are their professional profiles?

5 **Pavel Chikov:** At Agora headquarters, there are 10 specialists working: the director, the deputy director, two lawyers, two attorneys at law, two PR-specialists and two accountants. In the offices of our regional partners there are 2 to 8 people working, also lawyers and PR-specialists, so as a whole there are about 40 staff working for Agora. Two well-known regional journalists are working in the community, and two of our attorneys are among the 15 most publicized attorneys in Russia. Most staffwork full-time, though dozens of attorneys throughout Russia work with Agora on an ad hoc basis as well.

Empirical analysis of Agora’s work

6 **PIPSS.ORG** - What are Agora’s areas of interest in the spheres related to power ministries?

7 **Pavel Chikov:** The lawyers of the Association work on prominent human rights trials in Russia, combating the arbitrariness of the government. They defend human rights activists, report military and police abuse, medical negligence, and report on human rights abuses on minors in closed children’s institutions.

8 **PIPSS.ORG** - Please describe briefly your programmes or actions in these fields (power ministries) and when they were implemented.

9 **Pavel Chikov:** We register about 500 messages on human rights violations per year. A report of a human right violation has to include all particular facts, which, if proven, constitute a violation of the European Convention on Human Rights. About 200 of them concern abuses

against human rights activists. The other 300 are messages registered by our regional partners. They include primarily deaths in detention (medical institutions, jails, police custody, etc.), tortures and illegal arrests. After a fact-finding procedure on each of the registered message, around 130-170 cases are brought to the attention of the lawyers yearly. Each year courts convict 60 to 80 government officials, 15 of 20 of them are criminally prosecuted and sentenced to criminal punishment. Victims of such violations between 2004 and 2007 received 5 million roubles (USD 200,000) in compensation.

10 **PIPSS.ORG** - What assessments led to the necessity of such programmes?

11 **Pavel Chikov:** All cases assessed by Agora proved to be real. Lawyers' work in these cases is highly important for victims.

12 **PIPSS.ORG** - Who defines the axes of your work or actions?

13 **Pavel Chikov:** The Chairperson, the Council of the Association, and the internal staff team.

14 **PIPSS.ORG** - Are you part of a network of NGOs that defines the framework for all or some of your actions – some others being defined independently?

15 **Pavel Chikov:** Partners of the Association include seven regional human rights organizations in: Siberia – Khakasia, Tyva and Zabaikalye, and the Volga River District – Tatarstan, Chuvashiya and Mariy El.

16 Partner organizations are autonomous in their decision-making except for decisions of the Council or obligations in mutual agreements. Agora staff can make recommendations.

17 **PIPSS.ORG** - Do you work for your own agenda, or do you work for clients? If yes, who are these clients?

18 **Pavel Chikov:** It is not possible to give a simple answer to this question. On the one hand, we try to build an agenda. For example, we try to promote awareness of the human rights activists or LGBT-rights group¹. Society does not consider these problems to be important. On the other hand, we certainly orient on initially socially important issues, such as military abuse or medical negligence.

“Our goal: making changes to Russian law enforcement and judicial practices”

19 **PIPSS.ORG** - How would you define Agora's practical aim?

20 **Pavel Chikov:** We define our goal as making changes to Russian law enforcement and judicial practices to favour individual and civil rights over State's rights.

21 **PIPSS.ORG** - What general values does Agora defend?

22 **Pavel Chikov:** General values that Agora promotes and defends are human rights and civil liberties, as stated in the European Convention on Human Rights. Specifically, we do this at the national level and work internationally only in relatively low number of cases. We believe victims can and must restore their rights at the national level. We make precedents, pushing the whole system and giving hope to society.

23 **PIPSS.ORG** - Do you have any conflict between NGOs? On what grounds? Are they due to ideological differences, differences of approach, or interpersonal rivalries?

24 **Pavel Chikov:** In general, there are no direct conflicts. There is sometimes misunderstanding. Often this is a result of interpersonal competition between NGO leaders; although, this is a taboo theme. I do not see a consolidation of the Russian human rights movement.

Agora's founding fathers : “Lawyers who weren't afraid to defend human rights in the Soviet Union”

25 **PIPSS.ORG** - Are there any historical legacies you would identify with?

26 **Pavel Chikov:** We consider ourselves as a third generation of Russian human rights defenders (HRDs), a generation that is characterized by our professionalism. We value the contributions of previous generations, including dissidents, in the creation of today's

professional community of human right defenders. However, there are negative aspects of this contribution grounded in the myths and stereotypes of Russian society.

27 **PIPSS.ORG** - Who would you consider to be the founding fathers of your "movement"?

28 **Pavel Chikov:** This is a difficult question. I would say that it is lawyers, who weren't afraid to defend human rights in the Soviet Union and those who have exhibited and encouraged moral standards for years. These include prominent figures such as attorneys at law Yury Shmidt and Boris Zolotukhin, former Constitutional Court judge Tamara Morschakova.... There might be several other people.

NGOs and power ministries: a marriage of convenience?

29 **PIPSS.ORG** - How do you conciliate the tension between "criticism of the state" (a NGOs' prerogative) and relations with the power ministries? How do these relations evolve?

30 **Pavel Chikov:** If I understand your question correctly, we are indeed open to building relations with authorities. Contrary to many human rights defenders, we do not make high unreasonable demands for such relations. Certainly, putting an end to criticism cannot be a condition for any agreement. We make training sessions on human rights and seminars with law enforcement officers. Sometimes, especially in regions where we are new, we face misunderstanding: «We allowed you to conduct training on human rights for our policemen, and a couple of days later, you accuse one of our policemen of torture », we are told. Of course, we try to make clear that there are no - and cannot be - any correlations between the two. Sometimes, one profound conversation is enough. In other cases, it takes several years and sometimes it remains unresolved.

31 **PIPSS.ORG** - Are these relations positive for NGOs, or on the contrary, are they an unavoidable step?

32 **Pavel Chikov:** We are sure that good relations with government agencies can benefit NGOs. For example, we can promote our ideas and values to the staff of certain agencies that work with people (for instance police, bailiffs, and correction officers). And they, on the other hand, get essential information and skills.

33 **PIPSS.ORG** - Would you say these relations correspond to a step of maturity or to a compromise?

34 **Pavel Chikov:** Interaction with authorities, in the spirit of diplomacy and flexibility, - while at the same time uncompromising of its fundamental values - is a sign of maturity for an NGO, its potential, and a source of influence. In our work, this is more about our regional partners working at a grassroots level and who interact with authorities on a daily basis. Agora plays here the role of mediator that sometimes reminds partners of the fundamental values of human rights. And vice versa, sometimes we have to appeal to our partners' common sense and turn on "diplomacy". We, ourselves, do not often strategically cooperate with authorities at the federal level.

Agora's access to power ministries

35 **PIPSS.ORG** - What are actually, in concrete terms, your relations with power ministries?

36 **Pavel Chikov:** We've made about 30 training sessions for about 600 police officers, court bailiffs, prosecutors, and staff of correction facilities and closed institutions for children in six Russian regions throughout 2006-2008. Our partners in three regions cooperate with the Altus International Program of visiting police departments. Agora's lawyers in 2005-2008 gave around 30 seminars for 600 NGO leaders on freedom of association and security issues. Three of the seminars were conducted together with officers of the Ministry of Justice. In two regions, we made posters on human rights for the police, which were published and hung in each police division.

37 On the basis of our analysis of several torture investigations, the regional chief prosecutor issued an order, strengthening control over victims' torture complaints. Leaders of our regional

partner NGOs work as members of several civil councils with local police departments, penitentiary systems, and anti-corruption and anti-narcotics agencies. Some of them (in Kazan, Yoshkar-Ola, Abakan, Cheboksary and Chita) do huge work in closed children's institutions with up to 200 social events for underage inmates since 2006.

38 **PIPSS.ORG** - How have these relations evolved since your foundation in 2001 and since the April 2006 law went into effect?

39 **Pavel Chikov:** We have used that law to increase our capacity - and the capacity of other NGOs - to built ties with authorities. However, it takes much more attention, resources and energy to prove that we are still the right people to work with.

40 **PIPSS.ORG** - Have you suffered from this law since then, or do your relations with the civil servants you frequent protecting you from any harassment?

41 **Pavel Chikov:** Agora and its four regional partners suffered from 20 different inspections (from Rosregistratsiia, police, FSB, the Financial intelligence etc.) in 2007 alone. In total, our small community of human rights groups has faced more than 60 different threats to their security since such monitoring started in July 2006. Our relations with authorities almost never help. There are only two things that help: (1) a good reputation and maximum publicity for our work and (2) a highly qualified legal defence team.

42 Defending civil activists and NGOs has been our business for the last three years. Thus, we know how to defend others and how to defend ourselves. We had about 40 cases involving NGOs vs The Ministry of Justice, in the last two and a half years. In 32 of them, we managed to restore NGOs' rights in courts, including Agora's and one of our partner's – the Kazan Human Rights Centre.

“Personal relations are primordial in Russia”

43 **PIPSS.ORG** - At what levels of administration do you have ties with the power ministries?

44 **Pavel Chikov:** We have ties with the heads of Public Relations – departments, deputy ministers and ministers at the regional level.

45 **PIPSS.ORG** - Are there any levels you would prefer not to access or rather avoid or circumvent and why? On the other hand, are there any levels you favour and why?

46 **Pavel Chikov:** At the federal level, top positions are closed to the public. At the regional level, there are no levels that cannot be reached, except for some particular people.

47 **PIPSS.ORG** - To what would you attribute the success of your work with the power ministries? (your personal relations)

48 **Pavel Chikov:** Personal relations are primordial in Russia. First you need to make those guys pay attention to you, via professional PR representative or personal contacts. Otherwise it is hard to cut through a number of stereotypes and myths about human rights defenders. The second important condition is professionalism, including professional ethics. Authorities, the mass media and NGOs all prefer to work with professionals.

Agora's relations to institutions of power

49 **PIPSS.ORG** - What are your relations, if any, to the following institutional actors: the Tatarstan ombudsman; the Public Chamber (OP *Obshchestvennaia Palata*); Ella Pamfilova, the Chairman of the Civil Society Institutions and Human Rights Council under the President of the Russian Federation?

50 **Pavel Chikov:** We do not interact with these bodies much. We sent nine grant applications to the Public Chamber but did not get any funds. Presidential Council members and ombudsmen in Russia are not effective in our judgment. It is not worth the time to try to build ties with them.

51 **PIPSS.ORG** - How would you assess attempts of the state to put in place institutionalized forms of cooperation with power ministries, with the creation of social platforms, the Public Chamber (OP) or the reactivation of pro-governmental associations (GONGOs) such as the council of Soldier's parents?

52 **Pavel Chikov:**We are sure that it is impossible to build civil society from the topdown. Any attempt is a fiction and bound to fail.

53 **PIPSS.ORG -** What are your relations with these organizations in the field?

54 **Pavel Chikov:**None. In the regions where we work (Tatarstan, Mariy El, Saratov, Chuvashia, Chita, Khakasia, Tyva), our partners work as centres of civil activity.GONGOs cannot compete with them.

55 **PIPSS.ORG -** Would you evaluate their revival as an attempt to confuse NGOs' work in the public eyes, or on the contrary, as a modernizing factor of former Soviet inherited institutional practices?

56 **Pavel Chikov:**The first conclusion is true.

Assessing Agora's work

57 **PIPSS.ORG -** Finally, how would you assess Agora's impact on political change?

58 **Pavel Chikov:**We believe that the President's decision to exclude registration and control of NGOs from the Russian Register Service and its abolition on October 1, 2008 was a result of the active work of a number of Russian human rights groups, including Agora, in 2006-2008. We also think that we had a similar impact on the dismissal of the Defence Minister Sergey Ivanov in 2007.

Notes

1 Lesbian, Gay, Bisexual, Transgender rights groups [E.S.K.'s note].

* Pipss.org is grateful to Dave Westerberg who edited this interview.

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