

Human Rights and How They are Applied in Post-Soviet Societies

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Abstract

The paper describes importance and necessity of human rights institutions for any democratic society, particularly for countries with young democratic traditions like Post-Soviet states. After collapse of USSR leaders focused efforts on development of liberal values in former Soviet Republics but unfortunately even today sixteen years later the result is still far away from desirable. In Post-Soviet states Human Rights are applied in a very weak manner and this fact pushes the states back and calls existence of democracy there into doubt. What kind of violations happen and how they are connected with Soviet Propaganda and regime that existed from 1922 to 1991?

Keywords: Post-soviet states; Human rights; Violations; Democracy; Equality

Introduction

Due to his educational and life experience author has frequently compared European societies with the environment in which he was born and brought up. His first experience of living in a European society was in 2013, when he studied part of a pre-master's degree foundation program in England. This experience demonstrated many differences in social consciousness and stark contrasts between the reality in his home country and European ones. He started out in the UK having obtained a bachelor's degree in journalism, and clearly understood that his attention should be focused on the advantages European citizens possess in this area and the political environment governments provide to maintain them. Hence he decided to investigate the problems of development in Post-Soviet states. He first wrote some articles about the level of Human Rights Protection in Georgia and gave an interview to one of the most popular Kazakh newspapers, "Uralskaya Nedelya" where he touched on very important questions concerning Human Rights and Democracy in Kazakhstan - his motherland, where he spent the first 17 years of his life. Knowing the internal problems of two former Soviet republics, make the comparison of one to the other very clear. He is also able to formulate some possible solutions to their problems, albeit that, unfortunately, it is very difficult to bring ideas to fruition in these two countries due to the influence of a more powerful neighbouring country and the pressure it applies. He is confident that Human Rights are very relevant topic for modern and new democracies. The countries which became independent after the USSR's breakup decided to create societies where the term "democracy" is not even clearly understood. It is very often manipulated by politicians trying to protect their personal interests. Democracy cannot co-exist with human rights violations. That is why he thinks the road to democracy in Post-Soviet Societies can be found by respecting human rights and rule of law. Being a citizen of a Post-Soviet state he wants to explore the factors which are hindering the right, liberal, democratic development of his country, which today appears to be the victim of Soviet "propaganda". He

strongly believes that investigating, determining and analyzing the problems of our past will enable us to build a bright future [1].

He hopes that his research work will aid the better understanding of the importance of problems such as the lack of rights and absence of any level of human rights protection in the Communist period and the impact this is having on societies in The Russian Federation, Central Asia and the Caucasus today. Studying actual examples of human rights violations is the only way to open people up to recognizing that in the contemporary reality the protection of our rights is the bridge to an independent and democratic future.

Why Human Rights?

Human rights are a very important part of the relations which exist between individuals and the government which rules them. A government exercises power over its people, but because the people have human rights that power is limited. States are obliged to care about people's basic needs and protect their freedoms.

The most important features of human rights are the following:

- They are for everyone, without distinction.
- They are internationally guaranteed.
- They are protected by law.
- They focus on the dignity of the human being.
- They protect individuals and groups.
- They cannot be taken away.

Equality is Very Important

There are a lot of things which make all people similar, but we also create our own identities by noticing the differences between ourselves and others. Gender, age, race/ethnicity, skin colour, religion, sexuality, family, nationality, wealth and accent/the town or area where someone is from, are very often the most important factors of differentiation. Some people do not accept the idea that differentiating between people, or formally categorizing them, is wrong. This is because some people are prejudiced against others due to one of the above factors, i.e. because they are poor or rich, black or white. People are sometimes both prejudiced and racist, which means they take an aggressive

attitude towards people due to their race. This situation often occurs because people do not understand others' differences and similarities [2,3].

Racism is a particularly dangerous force in society. Differences can cause arguments and violence, yet they can also benefit people. Equality is one of the most topical questions in today's world. Young people need to understand equality and know their rights, to understand both how they should be treated and how to treat others. Huge progress is now being made towards creating a more equal society, as the vast majority of us are now happy working, studying and making friends with people from other ethnicities. Some outmoded stereotypes about women have begun to fade. Members of minority ethnic groups who used to lag far behind in educational performance have begun to catch up. And there have been huge changes in attitudes towards lesbian, gay and bisexual people.

Problems of Human Rights

When discussing human rights protection we cannot ignore the fact that the level of this differs from country to country. For example, in European states the rights of individuals are much more protected than in Russia, where human rights violations do not really surprise the public. Declining state capacity, fiscal austerity and growing social inequality, characteristic features of many of the new democracies of the Post-Soviet Space, translate into gross violations of the rights of socially vulnerable groups [4].

The official Russian 2014 Human Rights Report declares: "The Russian Federation has a highly centralized, increasingly authoritarian political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and an appointed upper house (Federation Council), but these bodies lacked independence from the executive. The State Duma elections in 2011 and the presidential election in 2012 were marked by accusations of government interference and manipulation of the electoral process. Security forces generally reported to civilian authorities, although in some areas of the North Caucasus, especially Dagestan and Kabardino-Balkaria, civilian authorities did not exercise full control over security forces [5].

Government Discrimination against Racial, Ethnic, Religious, and Sexual Minorities: The government continued to discriminate against and politically prosecute lesbian, gay, bisexual, and transgender (LGBT) persons; some religious and ethnic minorities; and migrant workers. Officials again denied due process to defendants in politically motivated cases, including the prosecutions of several defendants arrested after the 2012 anti-Putin demonstration on Bolotnaya Square in Moscow, the arrest and imprisonment of environmental activist Yevgeny Vitishko for anticorruption activism during the Sochi Olympics, the December convictions of Aleksey Navalnyy and his brother for fraud, and criminal cases opened against several other political activists and human rights advocates."

This is an awful picture for a modern society. Of course it is impossible to say that European countries do not have problems in sphere of Human Rights but the gap between the situation in those countries and that in the Post-Soviet states is unfortunately too great. So why does such a gap still exist, and how can we resolve this problem? Is it possible for Former Soviet states to achieve good results in human rights protection and be at the same level as European Union states in terms of rights and democracy?

Human Rights in the Soviet Union the Soviet Union was a one-party state, where all key positions in the government were held by Communist Party nomenclature. The whole population was mobilized in support of the state's ideology and policies but their civil and political rights were limited. There was no tolerance of any independent political activity, involvement with free labour unions, non-sanctioned churches, private companies or opposition political parties. The USSR's Marxist-Leninist principles prohibited the ownership of private property. The Soviet legal system considered the law to be an arm of state policy and the courts as agencies of the government. Soviet secret police agencies had extensive judiciary powers. The regime eliminated Western rule of law, legal protection, civil liberties and property rights, which were regarded as "bourgeois morality" by Soviet legal theorists. According to Vladimir Lenin the idea of socialist courts was "not to eliminate terror but to substantiate it and legitimize its principle." Under the Soviet regime it was an action which could threaten the Soviet state and society, not a violation of law, which was considered a crime. The idea of public trials was not to prove whether or not a crime had been committed but to create another forum for political agitation and propaganda for the instruction of the citizenry. Political repressions were very often practiced by the Soviet secret police between 1930s and 1940s. The secret police services had names such as the Cheka, the OGPU and the NKVD. The terms "terror" and "repression" were often used officially. Due to the lack of freedom of speech the most active, educated and advanced strata of Soviet Republic societies were punished, and sometimes murdered, simply because they disagreed with the policies of The Central Committee. As the result hundreds of prominent people - writers, scientists, and politicians - were deprived of opportunities to improve the lot of their people. Author argues that this fact (among many others) has created the present day Post-Soviet region's low level of economic, social and political development. Violations found throughout the USSR in the 1970s included the political abuse of psychiatry, the imprisonment of dissenters and restrictions on religion and travel. These abuses may have been worse in the republics than in Moscow or Leningrad because outside these cities the local authorities did not have to contend with Western journalists, who could be counted on to pass information abroad. Thus, even though more human rights violations may have occurred in the republics, little information about them was available in the West [6,7].

Human Rights in Post-soviet Countries

Governments always tend to limit the rights and freedoms of people. This has always been, and probably always will be, because it is easier to rule people this way. Human rights regulate the legal status of a citizen, determine the way he or she can take a part in the political process and guarantees the protection of individuals. In the Post-Soviet countries the history of their peoples' struggle for freedom and rights is both unique and full of tragedy at the same time. This history is exemplified by the activity of various dissident groups, whose main purpose was to prevent violations of the USSR constitution and international human rights treaties by the Soviet authorities. Courts of justice were simply rubber stamping government decisions, and this led to protests from the most active citizens of the USSR. Despite high risk dissidents created "groups" and "committees" for the protection of human rights. They published and distributed papers and booklets containing information about repressions. Soviet dissidents tried to make the government fulfill its promises to its citizens: that they would have guarantees of free choice and thought, the right to follow any religion, the right to receive and spread information, personal privacy

and so on. Sometimes these activities brought results, but very often dissidents ended up in prisons, exiles or mental hospitals. Human rights abuse is now a very serious problem in Post-Soviet countries. A society which had adopted communism for more than seventy years decided divide itself into many different independent countries and begin a new capitalistic epoch. But removing the national characteristics, economic traditions and political and social foundations of Soviet society capitalism threw these countries back a hundred years to the days of “wild” capitalism based on the despoliation of citizens and violation of their rights. This region has had almost no experience of liberal democratic norms at any time in its history, and this situation is worsening in many countries across the Eurasian landmass.

Authoritarian governments in these countries do not recognize the rights of individuals or organizations to express viewpoints which are out of line with those sanctioned by the state. For example, in Russia (which claims it has all the necessary democratic institutions and that they all conduct themselves in accordance with proper democratic traditions) human rights protection is considered one of the most significant achievements of the country's internal policy. But unfortunately we all understand that this statement is, at best, premature. Huge numbers of people in Russia have no real employment guarantees because delays in paying salaries are a longstanding tradition. It is not unusual to see a kilometer-long line of teachers demanding their delayed salaries from the regional authorities and chanting “a country without teachers is a country of idiots”. Throughout towns and villages in Russia, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan parents have often not been able to financially support their children's studies by buying them clothes, books and exercise books, and this demonstrates the real human rights situation in these countries. Even the right to live is very often put in jeopardy, because the crime rates in Post-Soviet countries are too high and ordinary people just cannot feel safe. How can they feel safe if the authorities are the ones violating the law?

The Problems of Monitoring

One of the most important elements of modern international relations is the increasing role of Non-Governmental Organizations devoted to monitoring the situation concerning Human Rights and preventing their violation all over the world. The international monitoring of their human rights performance has proved an important factor in the evolution of the political systems of former Soviet countries. The process of forming Post-Soviet governments at the turn of the XX-XXI centuries was initially accompanied by attempts by the national elites of Ukraine, Azerbaijan and Georgia to claim adherence to “European values” and thus the European model of human rights protection. Foreign organizations focusing on the monitoring of Human Rights in these countries began working there in the first part of the 1990s. International Organizations (Human Rights Watch, Freedom House, Reporters without Borders) conduct incessant monitoring of different spheres of social and political life in these countries, and we are able to use their analyses to diagnose a wide range of problems in the field of human rights. The role of these organizations is very important for young democracies like Georgia or Ukraine, because their activity supports the development of the independent civil society which was suppressed in the Soviet period. Through these organizations citizens practice freedom of speech and protect inalienable human rights. This is a really significant step towards forming an independent, democratic society. Of course the

activity of international organizations is very often subject to prejudiced opinions and criticism, which maintains that all these NGO are just political levers in the hands of foreign actors who are trying to change the political climates in the former Soviet countries to suit themselves. But the reality has demonstrated that these organizations do protect the interests and rights of citizens, and there are many examples of this. It should also be mentioned that attempts were made to adopt the foreign practice of introducing non-governmental organizations even during the USSR, in the period of Perestroika, but these did not have the necessary support from government. Emphasis was placed on developing institutions which would be responsible for the future democratization of the country, and many politicians saw the advantages of democracy for themselves and agreed with the introduction of external influences which brought changes in the education system, pop culture and even policy. For example, rock music, which was prohibited before Perestroika, became an instrument of protest against the communist regime. However, the political systems of Former Soviet states hinder this process. NGOs cannot use 100% of their capacity for Human Rights monitoring because the political practices of the states they work in are often cagey, and some governmental structures are very muddy. Very often government members do not want to recognize the results of monitoring and are not ready to use them as the basis for improving government policies in the sphere of Human Rights.

Conclusion

Human rights are very important part of democracy and at the same time democracy is the only form of government which takes into consideration people's needs and guarantees protection of their rights. But unfortunately even today, in the era of globalization and information when it seems impossible to hide anything from people, authorities of many states in every way try to substitute facts to illuminate democracy together with the idea of human rights in a bad light. Unfortunately today even a hint on protected rights of citizens is a nightmare for authorities of many Post Soviet countries. So what are the reasons of absence of so much required institutions to give people rights to protect themselves? Naturally there are a lot of them, but this paper argues that the biggest and most negative impact on developing of human rights was done by communist regime of USSR. Examples described above are just the most known and ordinary ones. But even they are enough for a reader to understand fatal impact of that time which even today retards such countries as Georgia, Azerbaijan, Ukraine and many others from democratic development that is desired very much by population of these countries.

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