

Business & Human Rights Resource Centre's Q&A with Russian environmental advocate Evgeniya Chirikova - leader of the Movement to Defend Khimki Forest and the group "Ecological Defense of the Moscow Region" (Russia)

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Evgeniya Chirikova is a Russian environmental activist fighting for healthy living conditions as well as the ecological rights of Russian citizens. One issue that Evgeniya has worked on for several years is the construction of a high speed road that is devastating the Khimki forest. Logging of the forest, which constitutes a part of the "Green belt" around Moscow, could worsen the environment of Moscow and Khimki, harming the health their residents. For more information on Evgenia Chirikova and the Khimki forest case, please click [here](#).

What challenges do you face in seeking to hold companies accountable for harmful operations in Russia? Do you think any progress has been made in this area?

Drawing from my own experience, I can say that big business in Russia operates in collusion with Russian oligarchs and top-ranking politicians whose aim is personal enrichment by all means, even at the cost of human lives. For this purpose, very complex, non-transparent financial schemes have been developing. In the case of the highway road construction in the Khimki forest, for example, a French company, Vinci, and its Russian partners have developed an offshore structure that has been used to withdraw money from the Russian budget. The money flows through the concessionaire – Vinci – to offshore companies in Cyprus, Virgin Islands and other jurisdictions. One of these offshore companies in Cyprus belongs to the oligarch Arkady Rotenberg. So, the money from the Russian budget is going via Vinci to the Russian oligarch. Vinci does not officially finance the construction project; the company is neither an investor, nor a developer, and it does not participate in the construction in any other way. Yet this company has already made a profit from the road, even though it is unfinished. As for the environmental aspect of the construction project, Vinci's executives fully realised its harmfulness years ago, but they continue to participate in it. With the help of the international NGO Bankwatch, our environmental movement was able to trace this offshore scheme, and we have been protesting against the construction of the Moscow-St. Petersburg motorway for years and documenting its harmful impact on the environment, and on the health and livelihoods of people living close to the forest. Unfortunately, Vinci does not want to step out of this project that is corrupt and harmful to nature. [editor's note: Vinci denies allegations of corruption [here](#).] However, our example of resistance to this devastating project inspired many activist groups across all of Russia to defend their own environmental rights. The Russian economy is unstable at the moment, and democratic principles are not working here. There are no public institutions and remedies that effectively defend the interests of the country. That is why the only hope is the solidarity of citizens who can oppose destructive projects.

What impact do judicial remedies have in Russia and is it possible to obtain a fair trial?

We have filed several lawsuits in the Russian courts but never won a single one. Even though the law clearly supports our arguments, the judges make their decisions based on instructions from powerful people rather than on the law. Moreover, there is another problem which we face when we bring a case to court: lawmakers alter the laws supporting our position. (There is no effective separation of powers in Russia; the executive has a huge influence on the legislative branch.) When this happens, we cannot rely on those laws anymore. [editor's note: Russian law is typically

applied using a legalistic and formal approach, so legal arguments and decisions are more often based on the letter of the law than its spirit.] However, I believe that it is very important to use judicial remedies. When filing a lawsuit, we can announce it in the media, and this is an additional opportunity to draw attention to a problem. Moreover, it is easier to file a lawsuit than to organise a meeting or a demonstration. The consequences of legal actions are not that dangerous as compared with organising or even participating in a protest (one of the dramatic examples of the latter is criminal prosecution of the participants in the protest on the Bolotnaya square in Moscow, which has received wide publicity worldwide).

What consequences have you and your colleagues experienced as a result of your human rights (and social justice) activities?

Repression against environmentalists in Russia is worse than ever before. There are persecutions of different types, including killings, beatings and imprisonment. For example, Mikhail Beketov [*editor's note: founder and editor of the Khimki newspaper that campaigned against the construction of the highway*] died recently after a brutal beating by killers hired by the Khimki town authorities. Constantin Fetisov was beaten at the entrance of his house for fighting corruption in Khimki and for active participation in environmental protection projects, such as saving the Khimki forest, and closing down the landfill in Khimki. The attack on Constantin Fetisov was also organised by the Khimki town authorities, and several officers from the administration have been prosecuted. An environmentalist in the North Caucasus, Evgeniy Vitishko, was jailed for his ecological advocacy: he actively opposed building of a dacha for Tkachev, the governor of Krasnodar Territory, in a protected environmental zone. He had also publicly denounced disastrous environmental consequences of the construction of Olympic Games buildings. For purposes of this construction project, Russian authorities amended the law and allowed construction in a conservation area. More details about the case of Evgeniy Vitishko are on this website: <http://freevitishko.org/>.

As for me, the authorities tried to deprive me of parental rights. We are working as a movement; our initiative for protection of the Khimki forest does not take the form of a registered organization (NGO). We do not have an office, a bank account or a fund. We work as an informal network, and our activists themselves are situated in different buildings. We even have volunteers in different countries, e.g. in France and Germany. In Russia, we cooperate with different NGOs, in particular with human rights activists from the organization "Principle" who actively help us with legal issues. Having a registered NGO is an additional level of vulnerability for social activists: it is easy to burst into the office with an inspection and to make you unable to work, by taking away computers and other equipment, or even to force you to shut down the organization (as the authorities did to the NGO Baikal Wave, for example).

Do international organizations help you? If so, how do they do it?

International organizations do support Russian NGOs and activists in their work. For example, Bankwatch and Sherpa help us to fight against corruption involving oligarchs: by taking legal actions (at the international level), conducting investigations (tracking corrupt activities through offshore companies), and organising meetings with banks and investors. Thanks to Sherpa, we were able to make a claim and ask the public prosecutor's office in France to investigate the operations of the French company Vinci. [*editor's note: More information [here](#)*] At the moment, Vinci may face penal sanctions in France. Bankwatch helped us to investigate offshore schemes in order to track Russian money outflows via transnational corporations.

What else can the international community do?

First of all, we need informational support and international solidarity. We have learned from our own experience that informational support is more important than financial assistance. In Russia, there is no opportunity to disseminate objective information covering the whole country. TV and federal media transmit pure propaganda set by the Russian Government. In 2013, we prepared a report, “Ecoprisoners” (*Ecouzники*), that describes repression against environmentalists for their activism to protect nature throughout the country. It is very important to spread such information as widely as possible – as many people as possible have to know what is going on and to form their own opinion.

What message would you give to businesses in relation to corporate legal accountability?

A company must not participate in business projects which involve human rights abuses and destroying the environment. You have to end partnerships with people and companies who do not care about ordinary people and their humanity, and the environment. Do not ruin your own reputation and do not accept dirty money. If you do so, then admit publicly that you spit on human rights, people's health and lives, that you do not care about Russian citizens, and that you would engage in nasty business for your own financial profit.