



P R E S S R E L E A S E

EBCO deeply concerned over forced labour in the Russian army

Brussels, 27 March 2012

The European Bureau for Conscientious Objection (EBCO) expresses its deep concern over forced labour in the Russian army and urges the Russian authorities to take immediate action to stop this inhuman practice and bring those responsible to justice, following the independent analytical NGOs report *'The Redundant Soldier. Forced labour in the Russian Army'* (in Russian: <http://www.demokratia.ru/news/?content=news&id=25>, and in English: <http://hro.rightsinrussia.info/hro-org/redundantsoldier>) which was presented to journalists and experts in Moscow on 22 February 2012. The report is a publication of the Centre for the Development of Democracy and Human Rights (<http://www.demokratia.ru>), EBCO's member organisation in Russia. The author of the report is Lyudmila Vakhnina ("Memorial" Moscow), Member of the Expert Council of the Russian Ombudsman. The report is based on material, case descriptions, conclusions and recommendations of more than 20 NGOs in different Russian regions, and provides case studies covering around a hundred episodes from 2006 to early 2012, analysis of the legislation and its enforcement.

The coercion of soldiers of the Russian army to illegal labour and activities unrelated to the duties of the military service remains a serious concern for human rights NGOs. The tradition of such "extracurricular" labour is deeply rooted. In the Soviet era the society was aware of the notorious problem of "general's dachas" being built by soldiers. At present, the public finds out about the scale of this phenomenon due to the activities of human rights NGOs and publications in the mass media.

Facts show that soldiers' forced labour is still in demand and is widely used. Case analysis reveals the following types of forced labour:

- 1) First of all, there are – so called 'quasi legal' – cases of conscript soldiers working on civilian objects. In such cases, they do their service in units belonging to the Federal Agency of Special Construction (Spetsstroy), Military Railway Service, and Military Engineering Troops. This work has no relation to the purposes of military service, and the servicemen do not get salaries equal to those of civilian workers. Their officers have full power over them, and the soldiers cannot refuse to take part in such work. According to the Russian Constitution, the Labour Code and Convention 105 of the International Labour Organization, such work bears the signs of forced or compulsory labour.

Among the positive changes related to this issue, is the reduction of a number of military construction units – so called Stroybat (2006). However, conscripted servicemen are still doing their military service in road construction units belonging to the Spetsstroy which is under the authority of the Ministry of Defence of the Russian Federation, while they are still involved in work on civilian construction sites.

EBCO was founded in Brussels in 1979 as an umbrella structure for national associations of conscientious objectors in the European countries to promote the right to conscientious objection to preparations for, and participation in, war and any other type of military activity as a fundamental human right. It enjoys participatory status with the Council of Europe since 1998 and is a member of its Conference of International Non-Governmental Organisations since 2005. It provides expertise and legal opinions on behalf of the Directorate General of Human Rights and Legal Affairs of the Council of Europe. It is involved in drawing up the annual report of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament on the application by the Member States of its resolutions on conscientious objection and civilian service, as determined in the "Bandrés Molet & Bindi Resolution" of 1994. It is a full member of the European Youth Forum since 1995.

- 2) Unskilled labour on construction sites, for factories and businesses as labourers, loaders, caretakers, etc. Quite often this turns into real slavery: soldiers are actually rented out to work for businesses or on construction sites. The payment for the soldiers' labour often goes directly into the pockets of the officers. Sometimes military units can make a formal agreement with the local authorities, factories or businesses on the use of soldiers' labour. Until recently this was considered to be a legalizing factor.
- 3) Coercion to perform services for officers – labourers constructing houses or dachas, as servants or unskilled workers in the officers' private households, etc.
- 4) An especially cruel criminal form of the abuse of the Russian soldiers' rightless situation: coercion to illegal actions under the threat of battering or victimisation: thieving, begging, and even prostitution. All profits obtained this way go to the officers or senior conscripts. Along with that, soldiers (and, indirectly, their parents) are continuously subjected to extortion on the part of officers and senior conscripts.

There are cases registered where soldiers were never engaged in combat training or participated in manoeuvres throughout their term of service because they were involved in work unrelated to military service from the very start.

Before being dispatched to illegal work, soldiers often have all their documents including passports taken away. As a result, they are deprived of any civil rights. In particular, they cannot leave the place of their forced labour (the practice of taking away people's documents is widely spread in other forms of contemporary slavery, for example, in human trafficking).

As a rule, no safety measures are observed, hence the high injury rate during such illegal work. Unfortunately, the illegal work is brought into the focus of police attention mostly when it leads to injuries or deaths.

The bias of military justice, which is explained by its corporate dependence, contributes to maintaining this practice. There are cases known where soldiers found at slave work are declared to have unauthorized absence from their military unit (Article 337 of the Criminal Code of the Russian Federation) and are prosecuted for criminal offence.

The use of soldiers' labour is continuing to be a great source of enrichment for military commanders and civilians alike, and, as any other phenomenon of corruption, it cannot be eradicated simply by prohibitive measures. It is necessary for both the public and the state to combat this phenomenon. However, this is impeded by the closed nature of the Armed Forces and the inaccessibility of military units for public control.

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