



Internationale Gesellschaft  
für Menschenrechte (IGFM)

## EASTERN PARTNERSHIP & RUSSIA



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### Does Corona interfere with Putin's New Coup d' État?

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Autocrats enjoy legitimacy in modern day



You don't have to be a constitutional lawyer to understand that a pandemic creates a good breeding ground for the consolidation of authoritarian state regimes. When a hurricane is imminent, it needs a strong hand to defend itself. Frightened and insecure people want clear announcements, and they look for leadership in a dangerous situation. Hungarian President Viktor Orbán, for example, has taken advantage of this situation. His parliament adopted an "enabling act" on 30 March, which provides the prime minister extensive powers in "dangerous situations". While Orbán seems to have caught the right moment before the hurricane, it could be that Russian President Vladimir Putin missed the timing for his second "Enabling Act" within the already raging hurricane. Many autocratic state rulers are trying to legitimize their regency as democratically elected and in line with the constitution. Today, this is a more stable domestic solution in the long run and sells better to the outside world.

This was the first prank...



According to the Russian Constitution, which was adopted in 1993 after the collapse of the Soviet Union, a Russian president could not hold more than two four-year terms in succession. Vladimir Putin was first elected President of the Russian Federation in 2000. In this respect, his maximum constitutional term of office should have ended in 2008. We know that this did not happen, because it is 2020 now, and we know no other Russian President than Vladimir Putin. In Germany, by the way, there is no such “adverse” constitutional problem. The Federal Chancellor can govern without any time limit. Chancellor Kohl did this for 16 years. But back to Putin, what happened in 2008? Coup d’état number 1 to extend his reign. He lent his imperial robe to his Vice-Prime Minister Dimitrij Medwedjew, who at the end of his term of office returned the clean robe to him together with the loan fee. Shortly before the end of his “term of office” as legitimate President of the Russian Federation, he passed a change in the law to allow a Russian President to serve two six-year terms instead of four-year. That is to say, Putin will be able to serve until 2024, i.e. basically still four years to worry about the further regency, especially since he is firmly seated on his self-created golden throne.

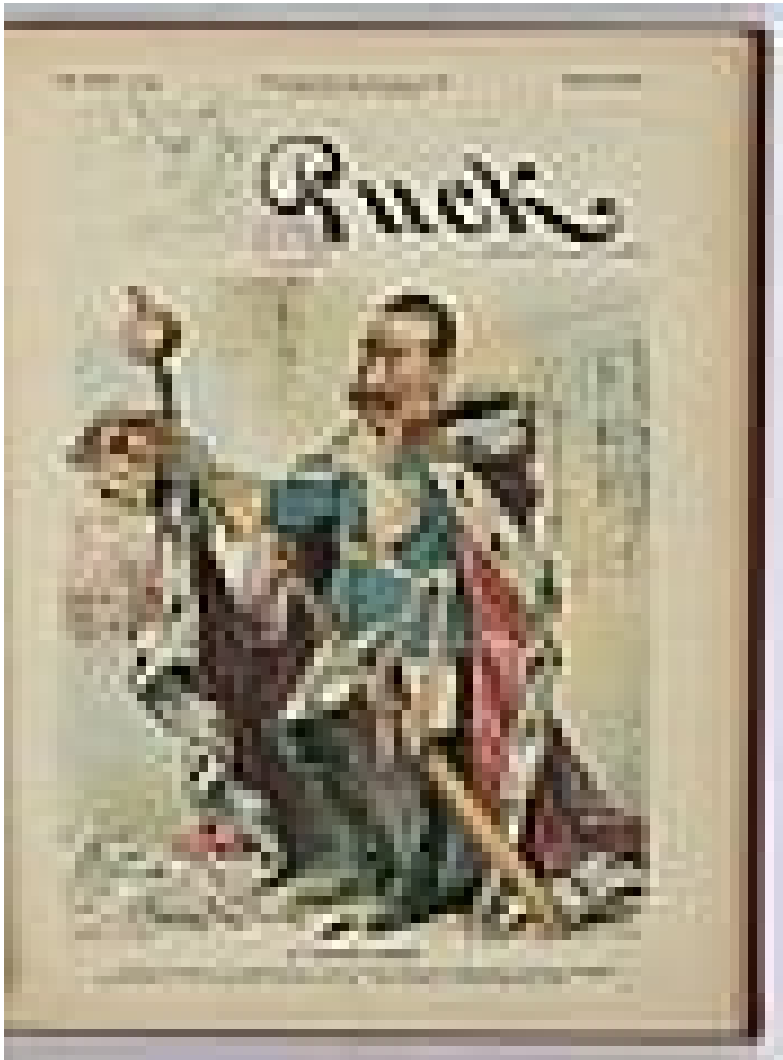
...and the second will follow in the New Year 2020

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in Russia? Why now a constitutional change? Why now the hot discussion about the presidency? Well, one can certainly deny a lot about the Russian president, but not his clever hand to turn the right screws to make the biggest state machinery in the world purr in the direction he wants, using his cleverness, fine motor skills, and statesmanship that his American counterpart completely lacks. In this respect, there will certainly be many reasons for this, including the fact that the closer the attempt to extend the regency gets to the actual time of the problem, the more obvious the “secret operation” may have been.

Putin the Martyr



So the announcement of the Russian President in his New Year's speech to the Russian nation about the urgency of the amendment of the "old post-Soviet constitution" was all of a sudden and far away to the discussion of his presidency. Who immediately saw this urgent necessity? Yes, correctly guessed. The prime minister, Dmitry Medvedev, who immediately announced the resignation with his government, because the Russian President needed a "free hand" in such an urgent and existential matter. "Notorious Putin critics" were additionally confused, as Putin himself



proposed a limitation of the presidential term to 2×4 years again. Even more so, a third term of office was to be generally excluded and thus even hinted that he himself was ready to step down from his golden throne in the glow of the polished and refreshed constitution – ready to sacrifice himself altruistically for the good of the Russian people.

And the whole process was topped off with the fact that although legally irrelevant, the people should be asked to vote yes on April 22 for moral reasons. Also, many social groups and well-known personalities were suddenly involved in the “creative” process of changing the old constitution. So to speak, they were allowed to make their own flourishes around the key points of the amendment. There seemed to be a broad discussion in the media, and it seemed it seemed like scales fell from the eyes of everyone who dealt with the subject how important such a constitution was and how urgently it needed to be adapted “to the present time”: “Of course, we need innovations in the constitution. The West does not sanction us or understand that Crimea belongs to us and that we hold on to God-given values like marriage between man and woman. Without a doubt, it was also clear that a minimum wage or the adjustment of pensions should be included in the constitution.”

## The rescue of the martyr literally from space



Within this so energetic, creative process of social participation for innovations of the own state constitution, it was no less than the first female astronaut Valentina Tereshkova, who, due to her extraterrestrial experience, found a way that that the Russian President Vladimir Putin would not become a martyr of his own people's salvation. At the last second, so to speak, she became the James Bond of the Russian constitutional thriller. On March 10th, the scales fell from her eyes. With the renewed constitution a new era would begin, so to speak "the



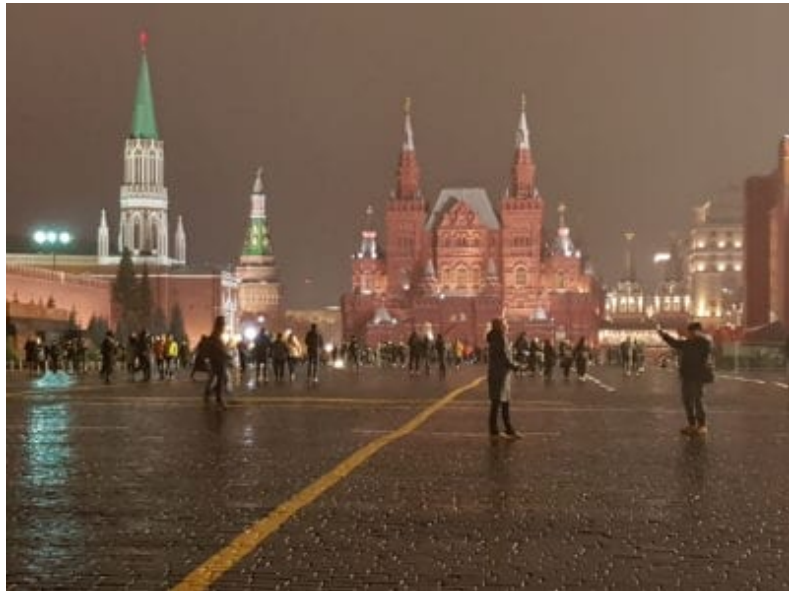
zero hour”, and consequently the previous terms of office of the Russian president would have to be set to “zero”. Yeah, sure, logical, what else?

From zero to one hundred – against human rights in record time

So the State Duma approved the “now complete” constitutional amendment law the very next day, the Council of the Federation the same day, and the 85 regional parliaments. Three days later, the Constitutional Court “by chance without its critical constitutional judge Konstantin Aranovsky, excused by illness” declared the legality of the complete package, and only two days later “by chance on the sixth anniversary of the repatriation of Crimea”, the Russian president put his signature on the glorious document. What fundamental change has the constitutional amendment now brought about after almost a thousand proposed amendments and around 100 overhauls of old laws? The problem is that it does not bring any visible changes, but rather that it has tightened the screws in the state apparatus that Putin skilfully turned over the many years of his reign. Apart from codifying the above-mentioned trigger points of Russian society – fear of God, marriage between man and woman, minimum wage, and pension adjustment – the constitutional amendment serves above all to legitimately strengthen the position of the president, who, with the amendments, can appoint and dismiss pretty much all important holders of a state office. It also strengthens Russian statehood, both territorially and legally. The Crimea will then remain officially and constitutionally part of the Russian Federation and national law will in future take precedence over international law. What the USA reserves for itself as a world power, Russia may do the same as well. What



does a world power care about the verdicts of a  
European Court about Human Rights?



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ew coup d'état putting a spoke in the wheel?

So is Putin's autocratic rule now finally constitutionally dry? No, not yet. It was Putin himself who planned the applause of the audience in this scenario: the "Yes" from the population in a referendum on 22 April. But here, he had made the calculation without the host Covid-19 virus. In other words, the vote had to be postponed to an unknown time. That time could become a significant factor. After the time of ambush, empathy through interactive theater, towards time for questions, time for doubts, time for counter-arguments, time for consolidation of democratic forces. Time to say „no“ to curtailing your fundamental rights and freedoms.

- PhD Carmen Krusch-Grün, ISHR-Germany -



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