

Reforming the Guardianship System in Russia

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Guardianship in Russia: Why reform is needed?

- Always plenary guardianship: all rights are taken away
- No periodic reviews
- No right to regain legal capacity
- Institutions are often guardians
- Human rights abuses and No right to challenge them

Why reforming guardianship now?

- 2008 – European Court of Human Rights: Russian guardianship system is not compatible with ECHR
- 2009 – Russian Constitutional Court: no fair trial guarantees

Guardianship reform: participation of civil society

- Human rights – unpopular theme
- Guardianship and legal incapacity – complex legal issues
- Mental health charities in Russia: a very weak lobby
- Low priority for the Government

Action plan: What is needed to achieve reforms?

- Roundtables: mental health charities and legal human rights NGOs will discuss and formulate their vision of the guardianship reform
- Coalition is built
- Policy paper – basis for future legal advocacy
- Media outreach

The project goal

- Long-term: guardianship is replaced by less restrictive and flexible measures of protection – improved participation of people with mental disabilities in the society
- Short-term: increased capacity of mental health and human rights NGOs in Russia to advocate for the guardianship reform

What is next?

- The policy paper is a basis for future advocacy activities and lobbying the Government
- Views of the civil society are taken into account by the Government when reforming the guardianship system