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ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

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HUMAN RIGHTS IN RUSSIA TODAY

TUESDAY, SEPTEMBER 19, 2000

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The briefing was held at 10:00 a.m., in Room 2255, Rayburn House Office Building, Washington, DC, Dorothy Douglas Taft, Chief of Staff of the Commission on Security and Cooperation in Europe, moderating.

Ms. TAFT. I want to welcome you all here.

My name is Dorothy Taft. I'm the Chief of Staff for the Commission on Security and Cooperation in Europe, and on behalf of the Chairman and Co-Chairman of the Commission, Representative Christopher Smith and Senator Ben Nighthorse Campbell, I want to welcome all of you here to this briefing on human rights in Russia.

The legislative mandate of the Commission is to monitor and encourage compliance by participating States of the Organization for Security and Cooperation in Europe, with their commitments under the Helsinki Final Act, the Vienna Concluding Document of 1989, and other documents that have emerged from the OSCE.

Among its other activities, the Commission holds briefings and hearings to inform the public and interested Members of Congress and staff on issues that fall within the purview of the OSCE.

I would also note that next week there will be a congressional resolution recognizing the 25th anniversary of the Helsinki Final Act which passed the Senate back in July. It will be scheduled on the House floor for consideration next week.

Last year at this time, our friends from the Moscow Helsinki Group and the Union of Councils for Soviet Jews presented their first report on human rights in Russia's regions.* That impressive effort focused on 30 of Russia's 89 regions. This year, the more exhaustive report, which has been produced with the assistance of US AID, has been expanded to cover twice as many regions.

Speaking today on behalf of the Moscow Helsinki Group's UCSJ report are two knowledgeable and respected experts in their field, Ludmilla Alexeyeva, Chairperson of the Moscow Helsinki Group and the International Helsinki Federation, and Micah Naftalin, the National Director of the Union of Councils for Soviet Jews.

Also, we have a gentleman from one of Russia's regions, Mr. Victor Lozinsky, Chairman of the Initiative Group for the Implementation of the Helsinki Agreements in Ryazan, Russia. Mr. Lozinsky will provide some commentary from his own experience as a human rights advocate in the regions of Russia.

We are also pleased to see again Mr. Daniel Mescheryakov, Manager of Operations of the Moscow Helsinki Group, and Mr. Leonid Stonov, Director of Human Rights Bureaus

*Electronic versions of reports cited can be accessed at http://www.fsumonitor.com.

for the Union of Councils. Mr. Stonov's written statement will be included in the printed record of the proceedings.

Since last year, Russia has elected a new president. Whether that election was entirely on the up and up is certainly something that has been in question lately, but suffice it to say there is a new boss in the Kremlin.

Some people say it's just like the old boss, some say he's worse, at least in terms of human rights. I certainly haven't heard anyone say the situation has gotten better. Some say that what Mr. Putin does in Moscow doesn't make much difference in the region, because the power is in the hands of the local political bosses, the bureaucrats and criminal elements anyway.

In any event, I'm sure that today's briefing on human rights in Russia will be interesting and informative, and I certainly look forward to presentations being made by our presenters.

I will first turn it over to Ms. Alexeyeva.

Ms. ALEXEYEVA. Thank you.

As Ms. Taft said, this collection of reports marks the second year of the project 'Monitoring of Human Rights in Russia,' jointly run by the Moscow Helsinki Group and regional human rights organizations. Our previous report for 1998 was based on the monitoring carried out by the Moscow Helsinki Group and 30 organizations from different regions of the Russian Federation.

In 1999, the number of regional participants has doubled—from 30 to 60. Accordingly, our next report, the one for the year 2000, shall be prepared with participation of human rights organizations from all of the 89 regions of the Russian Federation.

The monitoring surveys by the regional organizations provide us with objective and complete information on the situation with human rights in Russia. The All-Russia report and regional reports indicate some glaring discrepancies between Russian constitutional guarantees and international obligations, on the one hand, and daily realities of life, on the other.

Several events that took place in 1999 exerted an especially strong influence over the current political situation and the human rights situation in Russia. They were, first, the invasion in Dagestan by units of Chechen fighters in August 1999.

Secondly, a series of bomb attacks on apartment buildings in Moscow and other Russian cities, which resulted in a vast loss of life.

Thirdly, the spread of hostilities, which started in Dagestan and moved on to Chechnya, officially called an 'anti-terrorist operation.'

Fourthly, the election to the State Duma of the Russian Federation.

Finally, President Yeltsin's notorious speech on December 31, 1999, in which he named Vladimir Putin as Acting President and his most desirable successor.

The invasion of Dagestan by Chechen units inspired a train of thought rather typical of Russian mentality. An unexpected unprovoked attack took place. Therefore, the attackers must be rebuffed and the war must end in complete victory attained by all possible means.

Accordingly, during the Dagestan campaign, the federal troops had mass support from the population. The retreat of Chechen fighters caused quite a soar of nationalist sentiments and was generally perceived as long-awaited compensation for Russian defeats in the first Chechen war.

The Russian media and public opinion interpreted the bomb explosions in the Rus-

sian cities as the Chechens' revenge for Dagestan and the federal troops' invasion of Chechnya. In this tense atmosphere, the operation, of which the official aim was to clear Chechen fighters from the territory of Dagestan, developed into a new full-fledged war against Chechnya.

In the public opinion it was 'a just war' and, with the situation being so favorable for the Russian military, the hostilities turned into mass terror against the entire population of Chechnya. The actions of the Russian authorities and federal troops command in blocking access to independent information on the developments in Chechnya were, in fact, conducive to that mass terror.

Military censorship would prevent not only publications on the sufferings of civilian population, but even on the real figures concerning losses of federal troops. It also helped to support nationalist sentiments in Russian society.

I have to admit that the Russian media did not make any sufficient protest against military censorship and did not fight against deprivation of access to information about the situation in Chechnya and relevant developments elsewhere. Moreover, numerous Russian mass media bodies clearly introduced self-censorship.

The same thing happened with different political parties in the country. The State Duma election was coming up, and so they chose to play up to the mass public opinion. Even the Union of the Right Forces (SPS) expressed their approval of the federal troops' actions (even if with certain restrictions) and their support of Vladimir Putin, who became a symbol of Russian revenge. Anti-democratic trends were seen not only in Chechnya but also in many Russian regions.

This process became particularly obvious during the State Duma election of December 1999. Regional leaders gave administrative support to their favorites in the election race and blocked the opponents' campaigns. They persuaded election commissions to deny registration to some candidates and to de-register some of those already registered. They also ignored flagrant breaches of the election law by the candidates under their patronage.

Mass media bodies controlled by the authorities became less free in expressing their opinions. Many independent mass media bodies were put under the control of or destroyed by administrative and financial means. Significant pressure was also exerted over NGOs. It was particularly evident during mandatory re-registration, which Russian NGOs had to undergo in 1999.

The situation of ecological, human rights and religious organizations was especially unfortunate in that respect. In light of the fact that these policies were pervasive across the entire territory of the Russian Federation, we can actually talk of a systematic governmental campaign, as a result of which many NGOs failed to qualify for registration or re-registration. Their charters were examined extremely carefully and even petty mistakes or deviations from bureaucratic rules were used to deny registration or re-registration.

It is also notable that human rights NGOs were advised to exclude the very words 'human rights' from their names and the words 'protection of human rights' from their charters. Evidently, the authorities' aim was to reduce the number of NGOs, make themselves free from public control, and impede the formation of civil society, that crucially important process which is now taking place across the entire territory of the country.

The year of 1999 also saw intensified encroachments by law-enforcement organs, especially those of the Procuracy and Federal Security Service, on the freedom of conscience and on the right to spread information. The cases of espionage were particularly illustra-

tive in this respect. After such cases against Alexander Nikitin, Grigory Pasko and Vladimir Soifer had been dismissed, the Federal Security Service tried to initiate similar accusations against persons in other spheres.

In October 1999, Igor Sutyagin, a specialist in the field of armament control, was arrested for 'divulgence of state secrets.' He has been incarcerated to this very day, although he had no access to secret information and the accusations against him were built from his own analytical publications evaluating the Russian armament, which he had compiled by means of studying open data on this subject.

In 1999, Russian courts were very severe to those citizens that insisted on the realization of their constitutional right to alternative civil service as a replacement for military service. Such cases were numerous, the most notorious one being that of a pacifist from the Kaluga Region, Dmitry Neverovsky, who spent almost 6 months in custody.

The year 1999 also brought with it complete suspension of efforts to carry out the proposed judicial reform, which is vital to the establishment of the rule of law in Russia. Moreover, several judges known for their strict adherence to the constitution and the rule of law in general were banished from the judicial corps.

In 1999, manifestations of xenophobia, including nationalism, which I mentioned above in connection with the Chechen conflict, were pervasive in the country and were directed not only against the people of Chechen descent, but against all nationals of the Caucasus in general, against Jews, Gypsies and even against all nations of the former Soviet Union. The authorities showed unfortunate passivity in this regard.

It should be noted, though, that despite the extremely adverse situation in the country, Russian NGOs, and particularly human rights organizations, continued to develop fast in 1999. All over the country, new human rights organizations sprung up, while the already existing ones grew in membership and achieved greater professionalism in their work.

Human rights NGOs have been the most independent and most objective sources of information about the mass scale violations of human rights in Chechnya and about the situation of refugees from that region. In December of 1999, local human rights organizations from 70 regions of the Russian Federation monitored the process of elections to the State Duma, and their reports represent the most complete source of information on violations committed during the election race on the voting day.

This collection of reports based on the findings of the human rights monitoring surveys in the Russian regions, which we are happy to present today, shows that in Russia there are many efficient provincial NGOs capable of successfully joining their efforts to safeguard the rights and freedoms of our citizens. This apt network of NGOs is a new phenomenon for Russia. I think the creation of this network helped the project to reach fulfillment with the Moscow Helsinki Group, the Union of Councils for Soviet Jews, and Russian regional organizations. This project has international support by the USAID. It testifies to the fact that the process of civil society formation is indeed taking place in contemporary Russia, and it is our only hope.

Thank you.

Ms. TAFT. Thank you.

We now will turn to Micah Naftalin, the National Director for the Union of Councils for Soviet Jews.

Mr. NAFTALIN. Thank you, Madam Chairman.

In the interest of staying within my 5 minutes I'm going to skip all of my thank-yous

to this wonderful Commission, which is, in our judgment, the principal Washington venue for discussing human rights in all, and our thanks to AID for supporting this remarkable project, which I think you can tell from Ludmilla's comments has resulted in the creation, under the Moscow Helsinki Group, for the first time a truly integrated human rights movement across Russia.

I'm also going to skip a detailed discussion about the Nikitin and Gusinsky cases, because Ludmilla has referred to them anyway, but I hope my full testimony will be included in the record.

Ms. TAFT. Sure.

Mr. NAFTALIN. I think finally I would say that the work of the local NGOs, as we've reported, has also made a profound improvement in the scope of UCSJ's ability to monitor anti-Semitism and chauvinism in the FSU, a subject that we take to be a bellwether of the status of human rights and civil society generally.

Anti-Semitism, although a constant problem in Russia, tends to be cyclical in nature. Currently, Russia is coming off what was arguably the worst such cycle since the collapse of the Soviet Union. Our seven-page report that we issued in August updates anti-Semitism in the region, and it is available for you out at the table.

The Yeltsin government's inability to impose constitutional order over Russia's 89 regions, reform the highly corrupt and brutal justice system, and arrest and prosecute violent anti-Semitic groups and individuals led to a climate of impunity which facilitated these dangerous threats to civil society, including Jewish safety.

Outside Moscow, anti-Semitism has become institutionalized in some regions, with alliances being forged between local authorities (many of which are members of openly anti-Semitic Communist Party groups), neo-Nazi and/or Cossack paramilitary groups, and anti-Semitic elements of the Russian Orthodox Church, the *de facto* state religion.

The rapid decentralization of power in Russia over the past decade has resulted in a system of near feudal despotism, in which provincial officials routinely violate their citizens' human rights with near impunity. The situation in Krasnodar Kray is the most blatant example of this, and if you want to read a really chilling discussion of what goes on through torture and pressures to convict people, the MHG report gives very dramatic documentation.

It's difficult to get traction in identifying the serious threats to either Jews, human rights or civil society generally at a time when President Putin is enjoying general popularity at home and thus an apparent lack of concern for Western opinion.

While now stagnating, the Russian economy seemed to rally from the August, '98 crash in late '99, due largely to the rising world oil prices. His commitment to recentralize political power is popular, with all but the affected governors, perhaps. He is seen as cracking down on the widely-hated oligarches, although he has so far seemed to concentrate primarily on independent media controlled by Jews. His authoritarian instincts are broadly seen as a tonic, not a threat, by a public that's demoralized by Yeltsin's failures in the name of reform and democracy.

The virtues—indeed necessity—of reforming a corrupt and law-averse society, making it hospitable to Jews, human rights, environmental safety and religious freedom, are neither high in the Russian public's agenda nor, I dare say, that of many in the West who primarily seek assurances that they can 'do business' with Putin.

As we learned throughout the Soviet period, a repressive government, or an authoritarian government, can repress minorities and suppress anti-minority hate crimes at the

same time. The present turn in the cycle may offer some hope for reprieve, but the storm clouds continue to be observable.

Under Russian conditions currently, characterized by corruption and the near absence of rule of law, Putin's determination to 'get tough' on regional bosses could lead to a new series of problems. Putin has made strong rhetorical commitments to fight anti-Semitism, not least his most generous remarks yesterday at the opening of the Moscow Jewish Community Center, but it remains to be seen how much priority he will give to promoting democracy and protecting vulnerable minority groups. How he goes about this task in Krasnodar and other problematic regions will be a major test.

Let me sum up by saying, one can be sympathetic to the Russians' inherited problems and acknowledge that President Putin is developing, at least rhetorically, an accurate list of threats to his society that they must address. However, his reliance on the security apparatus, and his evident contempt for many aspects of democracy and civil society, including environmental and human rights NGOs and a free press, may lead to new threats.

I urge the Congress and the Administration to accept the findings and warnings of these reports as a wake-up call for foreign policy and assistance strategists. An authoritarian Russia poses a threat to its own citizens and to its international neighbors and partners as much for the failure of the Yeltsin era to build democracy and a civil environmentally safe society as for its role in the management of weapons of mass destruction or in international diplomacy, the issues that invariably receive primary attention.

Clearly, Putin understands the problems, e.g., nuclear safety, corruption, breakdown of rule of law to support commerce and investment as well as human rights. While Russia bears the brunt of responsibility for the past decade's failures, the economic and foreign policy interventions by the West have also been complicit.

What we have documented today is the challenge of a government and a citizenry that has limited experience, understanding or faith in the power of democratic institutions to improve Russia's economy, national security or quality of civil life. These are the issues that must become more dominant in U.S. foreign and assistance policy and programs. In this respect, both the Russian and American Governments must take steps, in our judgment, to better incorporate the expertise of the NGO community in developing their programs and plans.

Thank you.

Ms. TAFT. Thank you, Micah.

Our last presenter this morning is Mr. Lozinsky, who is Chairman of the NGO Initiative Group for the Implementation of the Helsinki Accords, from Ryazan, Russia.

Mr. LOZINSKY. (Through interpreter.) Good morning. I represent the Ryazan Helsinki Group. Ryazan is a town about 200 kilometers from Moscow, with a half-million population.

I am looking at a list of problems that Ludmilla Alexeyeva laid out facing Russia. Also, people have understood that there's a huge difference between the capital situation and the regions. Sometimes this is two different worlds.

For instance, in the regions when Mr. Putin came to power, first as Prime Minister and then as President, you saw a real increase in the powers and the activities of the so-called special services. That is the former KGB. Maybe I'm just speaking emotionally because facts have already come out. It looks like over the cities of Russia someone has started to play a magic flute, and the old veterans of the movement, the KGB, the military, their eyes sort of light up. It's not that they look so threatening. It's that they look so

happy. It's like we've come, we're back, and there's not going to be any more problems.

Now, they come out on the streets. They meet one another on the streets. "No problem right now. Maybe in about a year we'll destroy the human rights movement."

Just speaking in terms of Ryazan, I'm not sure that the majority of the technical intelligentsia support Putin. By profession, I'm a restorer in a museum, and I know many people involved in museum work, libraries, archivists and people like this, and they are very unhappy with the activities of Mr. Putin.

As far as the man on the street is concerned, yes, at the beginning they were supportive of his initiatives, but I think that maybe they are having some second thoughts, starting to wonder why he's relying on these people, the former special services.

This turned up, if you remember about a year ago, with the situation where they found some explosives in apartment basements in Ryazan. I was involved in this situation with these bombs that were discovered in these homes from the very beginning, and I'm still involved in this, and if anybody wants to ask me some concrete questions about this I'll be glad to pass along the information that I have.

Of course, we still have the inertness that exists, and the disappointment that took place given what was begun in the early 1990s. I think that right now probably the most important thing here is this idea, within the average person, of disappointment in what happened with Yeltsin and people moving toward Putin, just out of disappointment with Yeltsin's alleged reforms.

For instance, when the former mayor and the governor of our region raised taxes on the professionals—raised taxes by ten times—right, people who used to be teachers, who used to be professionals, who are now selling things on the street, on the market, and they raised the taxes on them, what, 1000 percent?

Ms. ALEXEYEVA. Yes.

Mr. LOZINSKY. You saw the unity of both the buyers and the sellers, because this raise in taxes raises the prices for the people who have the lowest social economic class. We managed, with just a few of us, we managed with a few colleagues to raise a huge demonstration of 3,000 people all within the framework of the law, and we managed to bring the taxes, because of this pressure, back to what it had been, the tax under the law.

Let me just finish by just mentioning just one more issue, and that's the internet within the human rights movement. We have, for instance, the greatest, most significant server for the internet between Ryazan and Moscow called Human Rights Online. It includes about 50 cities of Russia.

But, you know, remember again, we are talking about Russia and the provinces, where very few people, like the teachers and the doctors, can even afford to buy a computer. You have to remember that the rate of connection in the provinces are much lower than the rate in Moscow. You have to remember too, that all it takes is one press on the button from somebody in the special services and they can close down contact with the rest of the world on the internet, particularly since we've had in the last 2 weeks a system called "SORM" which is the control of the internet. Yes, this cannot only control it, but also can change what you are saying on the internet.

That's why in the provinces remember that despite how important the internet is in general, the so-called 'paper carriers' of information, the newspapers, the little leaflets and things like this, are so important for the rural regions.

Thank you, and thank you for your patience.

Ms. TAFT. Thank you very much.

This morning's proceedings are being transcribed, and in a public briefing like this we offer the opportunity for those of you that are in the audience to raise questions of our presenters. I would just ask that you come and use the floor microphone here, identify yourself, and present your question.

To start us off, I want to go back to one point that Ms. Alexeyeva raised in her presentation, and that is that the significance of judicial reform in establishing rule of law, and I think you made a rather profound statement in saying that in last year—

Ms. ALEXEYEVA. Banished judges.

Ms. TAFT. —yes, and that it also brought the complete suspension of efforts to carry out the proposed reform of the judicial system.

I'd like for you to expound on that point some more. Why do you think the motivation is there to do that—

Ms. ALEXEYEVA. Several judges, as we know, were expelled. Judge Pashin, from Moscow Court, was expelled because he decided to make—I'm not a lawyer, I don't know these terms in English, excuse my poor English.

[Through translator]. Judge Pashin basically, acquitted the accused in a case that the Moscow government had a particular interest in. Prior to the hearing, the public prosecutor actually demanded that Pashin refrain from acquitting the defendant, and Judge Pashin said that he's going to consider the case in accordance with the law.

That's how his plight began, and many attempts were made to revoke his membership in the judicial corps. Fortunately, these attempts did not succeed.

In Russia and abroad, Judge Pashin is very much known as one of the authors of our judicial reform, which is still not realized. Apparently, his attempted banishment from the judicial corps has been very much protested by the public. The President of the Supreme Court rejected the decision of the judicial board to banish Judge Pashin from the judicial corps.

But, this is, indeed, the only successful case, so to say, at the same time Judge Strelnik, from Krasnodarsky Territory, was banished from the judicial corps for the very same reason—she refused to convict a defendant whose conviction was demanded by the local administration.

Judge Raskevich from Noginsk was banished from the judicial corps because of an acquittal that she made in a case that had to do with the rights of alternative civil service.

Judge Mironov was banished from the Moscow Court after he actually acted as a witness of defense in the frame of Judge Pashin's case. These events actually coincided, not only in time—the authorities that wanted the banishment of those judges, were quite open about their reasons for wanting that banishment.

Of course, the official accusations were very different. On the other hand it was always said directly why exactly this or that judge is being banished. These official accusations that I'm referring to were completely unfounded, and therefore the only reason for the banishment of those judges is what stands behind the official accusations.

Ms. TAFT. Thank you very much.

Are there questions from the audience? Yes, ma'am, could you use the microphone?

Ms. MULLEN. I wanted to ask, I was just reading in your book here—

Ms. TAFT. Could you identify yourself, please?

Ms. MULLEN. Yes, my name is Mary Mullen, and actually I work on the Bosnia-Kosova Support Committee, but I was just reading in this book, I don't know—

Mr. FINERTY. That's the report.

Ms. MULLEN. That's the report, right, the situation of psychiatric patients and psychiatric drugs. Is incarceration used—are psychiatric drugs and incarceration used for political purposes, and if people do not live up to certain standards of the police are—or I guess the court's—I'm not so sure. If you could explain how this has continued.

I had read that it had stopped after the Soviet Union became Russia, and became a so-called 'democratic' country. Could you, or someone, speak to this, please?

Ms. ALEXEYEVA [through interpreter]. The evidence that you can find in this report here is basically founded on the findings of the surveys conducted by regional monitoring groups in the provinces. Of course, in this English version of our report, or I should say collection of reports, we omitted many specific examples, many specific facts, because you have to understand that the Russian collection of reports actually comprises four volumes and not just one.

Unfortunately, I could not recall all the facts comprised within the four volumes, my memory is simply not good enough, but I can actually make one example from the Moscow practice that I remember very clearly. It is the trial of Platon Obukhov, a staff member of the Foreign Ministry. Mr. Obukhov was accused of espionage for English intelligence. After his arrest, the medical experts concluded that he was mentally ill.

The Federal Security Service, of course, was much against this medical conclusion, simply because this conclusion deprived them of the honor of resolving such a strange and complicated case, and we have to admit that Mr. Obukhuv being insane did behave in a truly strange way.

Now, the Federal Security Service insisted that another medical examination, a second one, must be held, and this second medical examination also concluded that Mr. Obukhov was, indeed, mentally ill.

Then the Federal Security Service demanded yet another medical examination, which also took place, with new medical doctors involved. Finally, the third examination concluded that Mr. Obukhov was not mentally ill, and as a result he was convicted to 11 years of imprisonment.

Mr. Savenko, the Chairman of the Independent Psychiatric Association, telephoned me and said, "We have to work on this case because a gravely ill person was convicted and put to prison."

In the actual text of the regional reports, which are available only in Russian, and in this volume here, there are many examples of other crimes where healthy people were considered mentally ill and forced to stay in mental hospitals for long periods.

Unfortunately, I do not remember the names of those numerous victims, and that's why I cannot tell you about them in as much detail as I just told about Mr. Obukhov's unfortunate case.

Basically, if you'd like me to define what the difference is between the persecution in Soviet psychiatry and the contemporary persecution in Russian psychiatry, I would say that in the Soviet times the psychiatric practices basically persecuted dissenters and refuseniks and people like that, while presently the psychiatry actually punishes the officials whose behavior or decisions, or ideas, or general policies are not pleasing to the even higher officials.

Ms. MULLEN. I don't like to interrupt, but I wanted to ask, is there an international psychiatric organization that you can appeal to? I was wondering about that, because I tried to do that myself, because here in the United States twice, I tried to move to New York and the police came to my motel room and said, "You are not moving to New York,

people think you are crazy." They took me to a psychiatric hospital.

I tried to file a court proceeding by myself because I couldn't get a lawyer. Someone came and called these women from some psychiatric hospital and said, "You cannot file this case in this court." They took me to a psychiatric hospital. So, I was looking for an international organization of psychiatrists that I could report to, to check into why they were holding me for reasons that—and I couldn't find an international psychiatric organization that could overlook or question what the American psychiatrists did to me. Is there one?

Ms. ALEXEYEVA. We have ties with international organizations working in the field of psychiatry since the Soviet times. But, in the Russian human rights movement, as in every developed human rights movement, there is a certain division of labor, so to say. We, the Moscow Helsinki Group, do not work in the field of psychiatry and have no such specialists. We leave this job to our more qualified colleagues that I already referred to, the Independent Psychiatric Association.

Ms. MULLEN. And, that's not international.

Ms. ALEXEYEVA. No.

Ms. TAFT. Yes?

Ms. VORONINA. Lydia Voronina, State Department. You mentioned that now the former KGB officers are very happy that they've been encouraged by the fact that Putin is now in the highest office. Can you give us concrete examples of their behavior in more formal capacity, not just like happy individuals, but official KGB or FSB officers.

Mr. LOZINSKY [through interpreter]. Let me give you an example. I was gathering people together who lived in that home where they found the bombs in the basement. When we were getting on the bus for the trip to Moscow, to go to a television studio, who gets on the bus? A very well-known former high-ranking KGB officer from Ryazan.

He just said to me openly, "Look, if you show up on that tape that they are going to make on television, it will be very difficult for you and your family."

Ms. ALEXEYEVA [through interpreter]. In other words, when a colonel of the KGB tells you something you know what this means.

Mr. LOZINSKY [through interpreter]. When we were at the Gusinsky studio to make this tape, a major of the FSB, Kukushkin, came up to me and said the same thing.

Perhaps, this is the last fact, so to speak, that I can give you completely.

Mr. NAFTALIN. Could I just add that there's a fair amount of media, bulletins, and pamphlets, and newsletters, aimed at the KGB community and alumni, that document pretty much what people think or are being encouraged on.

Ms. TAFT. Why don't we start with you.

QUESTIONER. My name is Anarova Shifrin, and I am presently working with the Foundation for Constitutional Democracy in Israel, and my former occupation was with the Research Center for Soviet prisons, psychiatric prisons, and for labor concentration camps in the Soviet Union.

In 1979, the Soviet Supreme—the Supreme Soviet of the Communist Party announced amnesty for women with children to the age of 7—50 percent reduction of the term. It was done under pressure a few months after the publication that was made known in Israel and throughout the world concerning camps for women with children, and the Soviets consistently denied any existence of such camps ever.

After a few months of publicity throughout mainly European media and several press releases on the part of the Soviet Embassy denying this, they announced amnesty, which

proved that all their denials were groundless and there did exist such camps.

So, my question is, whether there is any information concerning the situation for women who were arrested with children, and whether there are children kept in the camps.

Ms. ALEXEYEVA [through interpreter]. Such camps do exist. Most are for women with children up to the age of 12.

Ms. SHIFRIN. In the previous time, in 1979, it was up to 7, complete amnesty, up to 50 percent.

Ms. ALEXEYEVA [through interpreter]. Complete amnesty under 12.

Ms. SHIFRIN. The last thing I want to add concerns the question asked about the psychiatric hospitals, because I have personal experience dealing with the international psychiatric organizations, when my late sister in Russia, after 8 years of refusal of an exit permit to Israel, needed psychiatric treatment and was actually taken to a psychiatric hospital, but was only kept there for 2 days, and at the instructions of the KGB was transferred to a regular hospital which she left as soon as she could because she was not attended and she committed suicide immediately after that.

In the course of a few weeks before that, knowing what's going on, my late father and myself addressed both international psychiatric organizations pleading for help because the Soviets insisted, actually, that they were normal because they were not accepting visas, they were not accepting visas because they were mentally ill. And, the Soviets claimed that they were mentally ill when they demanded an exit permit to Israel. Now, that they don't want to go, they are perfectly normal.

So, we pleaded with international organizations to interfere, but we were answered that this would constitute interference in internal affairs of the Soviet Union.

Ms. TAFT. Thank you.

Yes, we will start with you.

QUESTIONER. My name is Mimi Sowas, and I'm working with Representative Benjamin Cardin, and my question is to everyone on the panel. What would you say the role of the U.S. is now, today, in trying to uphold international human rights, if they have any role at all? I mean, do you think that economic sanctions or a decrease in domestic relations would help in any way?

Mr. LOZINSKY [through interpreter]. It's difficult for me to resolve such a global question. I was a member of the city council. It seems to me that the role of the United States is extremely important. I don't want to give you any prescriptions here, because I think that Russians sometimes have a bad habit of coming somewhere like to America and telling you all how to live.

Yes, and let's work together, by all means, but let's not make Russia an outcast. This would be very bad for the entire world.

Ms. TAFT. Micah?

Mr. NAFTALIN. I agree with that point, about not making Russia an outcast, and I think part of the issue is to combine our concerns, our human rights concerns about conditions in Russia with ways to use that agenda to encourage the Russians to the fact that if they would work on this, we could help them to work on these problems, it would be good for their economy and for their investment climate, as well as good for human rights.

The cost to their economy of the human rights abuses, whether it's the terrible jails, or whether it's the environmental safety or pollution issues, all of those things have another side to them, and that is that it would improve their country if they would work on

them for their self-interest, as well as for human rights issues.

But, I'd like to make a different point as well, and that is this, it has to do with diplomacy. I heard on the radio yesterday, but I didn't see it last night because there was a football game on, but I understood that NPR began a two-part series last night that was talking about the positive results of non-violent protest movements, and it talked about Gandhi, and it talked about the dismantling of apartheid in South Africa. I think it talked a little bit about the collapse of the Soviet Union from the point of view of the non-violent work on the part of the prisoners of conscience, the dissidents, the *refuseniks*.

I think it's important to say in the context of the Soviet Union, or of Russia, that tremendous improvement was made in *refusenik* casework because the world community, and particularly the United States because that was requested, there was a consensus, a leadership consensus, that by pressing the human rights issues against the Soviet Union after all, that progress could be made.

That priority, in my judgment, is missing today. What's interesting is that the dissidents, and even the *refuseniks*, were extremely unorganized and extremely weak compared to the power of the Soviet Union and the security forces.

Today, it's the other way around, the security forces, as important as they are in Russia, and Putin as apparently powerful as he looks, is clearly subject to pressure from the West. After all, Russia needs support.

The question of linking human rights improvement to economics and other things to us is obvious, but the fact is that now it's the other way around, largely, I think largely because, at least importantly, because the AID project and the success of the Moscow Helsinki Group in creating the beginnings of an integrated human rights movement there is a capability to respond, and there is no serious, beyond rhetorical, commitment on the part of our Congress through the AID program, or on the part of our diplomats through the State Department, to actually negotiate improvement in human rights and civil society, the way we used to do during the Soviet period, except in the high profile cases like Nikitin and Gusinsky.

So, we have a possibility now, I think, to elevate this issue and to say, the national security of the United States is not only addressed by dealing with weapons of mass destruction and, you know, nuclear proliferation, and all those other issues, it's also dependent on the ability to encourage Russia and the other countries of the former Soviet Union to create an environment of law and human rights, and environmental safety, that will contribute to the strength of their country, the rights of their people, and the economic viability of their country. That is almost absolutely missing from the negotiating priorities of our bilateral relationship today.

I think that has something to do with the question you've got on your mind. These linkages, policy linkages between—and so, this is really important from our point of view, and I think it's important ' it would be important if we could, to make this point, if we could talk about this as a joint effort, a partnership effort with Russia, to improve the quality of life there and the infrastructure for a civil society, which also is an infrastructure for business activity as well, if we could do that then we could maybe make some progress in dealing with these issues without making the Russians so paranoid or defensive.

But, to deal with that, of course, I've left out two major issues, which are just major stumbling blocks, and that's the total corruption of the country and the security paranoia that infects the attitudes of the country, and their total lack of experience and under-

standing of how these democratic processes can help their country.

This program, one more sentence, this program, which is a model program, AID is to be commended, represents 25 percent of the entire rule of law budget for Russia under AID. This one little project.

I mean, that's an example of the limitations of our governmental commitment to improving things, and forget about Belarus, which is even worse in some ways, forget about Ukraine, or forget about the Caucasus, you know, oil drives these issues, these high relations, there's no human rights theories in our major commitment, I think we miss the whole point that human rights is not one of these just 'feel good' issues, it's a matter of vital national security to our country.

Ms. TAFT. Thank you for expounding on that.

Did you want to respond?

Yes, sir?

QUESTIONER. Thank you, Madam Chairman.

I'm Vladimir Abarinov, a correspondent for Radio Free Europe. I have a question for Madam Alexeyeva.

You are an outstanding historian of the Soviet dissident movement, and you certainly know Mr. Gleb Pavlovsky's background. Could you tell us what does it really mean, I mean his current position as a close advisor to President Putin? Probably it's the only example of such kind of collaboration from a dissident with the highest authorities.

Now, I'm not mentioning Mr. Putin's background.

Ms. ALEXEYEVA [through interpreter]. The question is quite amusing. Dissenters are not a political party, human rights activists do not make a political party. When we selected our members, so to say, we do not do it upon references. If it were my choice, really, I would not hire Mr. Pavlovsky to work for me. I would not choose to work with him, neither now nor in the past, but basically he's a tragic character on the one hand, and a wheeler-dealer on the other.

Oh, when I'm saying that he's a rather tragic character, I mean that when he worked in the old human rights movement, back then I really perceived him as a tragic figure. He's very well educated, very intelligent, and his ideas are very profound. And, of course, his ideas did not match whatever it was possible to publish or to say in the Soviet time, and that's why he was actually attracted to underground life and work.

Apparently, God gave him intelligence, but God never gave him courage. He is a coward. At the time it was a terrible plight for him, because he simply could not refrain from publishing his works, his ideas, in underground publications.

He just could not resist the temptation, but then when he would get caught, which happened to him twice, he'd get scared. The first time he was caught in the city of Odessa with the book *Gulag Archipelago* in his hands. He started talking to the investigators right away, and he basically sold everybody who was anybody, and everyone, with the exception of Pavlovsky himself, went to prison as a result. Later, he published an article, a brilliant article, I should say, about Brezhnev's constitution in an underground magazine *Poiski*, and he was arrested, and the same thing happened all over again.

Personally, I did not know Pavlovsky, and when I returned to Russia from immigration someone told me that Pavlovsky just does not dare to approach me and meet me because he is afraid that I'm not going to shake his hand.

Still I saw him once in 1997 at an assembly of the Russian informal movement, when all those informal political organizations were celebrating their 10th anniversary, and at

this meeting he was talking to others and he was saying, "Listen, guys, do whatever you want with me, you might as well kill me, but I'm a Yeltsin man, what can I do about it." He was very coquettish, I should say.

I think that his dedication to the high power was assessed and praised, and that is what we have as a result. There are very few people who are willing to serve the authorities with so much dedication.

Now, he pops up on TV screens often, and I can hardly recognize him. He used to be this typical representative of Russian intelligentsia. I mean, his mannerisms. He was always shy. He had tons of complexes, and was rather open about them, and now you can see him lounging in an armchair. He is just so content with himself. The image is so completely different, and he's so happy with his closeness to the power that, really, we doubt from time to time whether he really is intelligent or not.

But, I can tell you one thing,. His present reputation, not only among the intelligentsia, but also in the milieu of politicians, is definitely new and better than his reputation used to be in the dissident circles.

Also, I cannot agree with your statement when you said that Gleb Pavlovsky is the only example of a human rights activist or former human rights activist who started working closely with the President, I cannot agree because Gleb Pavlovsky was never a human rights activist. He is as much of a human rights activist as I am a Chinese empress.

I have to emphasize that we, the human rights activists, or at least the human rights activists of the older Soviet generation, feel no sorrow about being not close to the President, not close to the powers, because we wanted to destroy the old regime, not in order to have the power in our hands, not in order to sit together with the President, we wanted to do it so that our country would live better.

And, thus, we work for non-government organizations and we do what we can do in order for this country to live better, and those of us who are still energetic enough, who still have strength enough to work, we keep working, and we do not want to rise as high as Mr. Pavlovsky has risen. It is not our aim, it is not our aspiration, that's not what we would like to do.

Ms. TAFT. Thank you very much.

Yes?

Mr. FINERTY. Could I ask a question?

Ms. TAFT. Sure.

Mr. FINERTY. I'm John Finerty from the staff of the Commission.

I have a question for Ludmilla, and I say this with some trepidation, having occasionally been an observer at Russian elections. The *Moscow Times* recently issued what seems to be some good investigative reporting on the elections in March for president, and some serious discrepancies in those elections, places like Dagestan and regional areas. Within that context, international observers, including the OSCE, were criticized fairly heavily for giving a positive assessment.

I'd be curious about your assessment of the international observer situation of the elections, your experience, and what you think is their contribution.

Ms. ALEXEYEVA [through interpreter]. It is a complicated question, because basically in such cases, even before one starts observing, monitoring the election itself, one can state and be certain that the upcoming election is not going to be carried out in a truly lawful, legitimate way.

That's why, when thinking about the problem of monitoring the elections, there are

basically two solutions. Either you can show your feelings about the upcoming election being unlawful in principle and not send your monitors there, because this is the way to demonstrate that you do not treat this election seriously.

The second way is to send the monitors, the observers, nevertheless, in order for those observers to be able to make a conclusion that, just as you suspected, the election was not lawful, was not legitimate.

Basically, if you choose to follow the second one you are facing a certain danger, because if you just send your monitors to the elections on the very voting day there is always a chance that your monitors are not going to notice any irregularities, any breaches of the law, because the reason why these elections are usually unlawful is not the voting day itself, or it was not only the voting day, but the whole process of the election race, which precedes the voting day. That's where most violations are committed. We are talking about the composition of the election committees. We are talking about the actual nomination of candidates for the election, everything.

So, when you have to make your decision, you have to be very much aware of this danger, and maybe the best thing to do is to send your monitors to the election not for the voting day only, but some time in advance, and, of course, before actually sending your monitors to the election you have to examine the election law very carefully.

As far as your personal choice is concerned, just like Micah and Mr. Lozinsky, I have to tell you that it's up to you to make your decision.

Ms. TAFT. Yes, please. I think this will be our final question.

QUESTIONER. Okay. Can you both comment on the attempts of Mr. Putin to consolidate central authority in Russia, how successful his attempts are, and are they constitutional? Yes, and the seven regions network.

Ms. ALEXEYEVA [through interpreter]. It's a very difficult question for me, I'm not a politician, and I really do not have a clear opinion of this subject. I can only say that I simply do not trust Mr. Putin. That is, I trust him in the respect that he wants to reinforce the federal power, and there is nothing bad about it, because in our country, you see, mass human rights violations can be in a part explained by the fact that the state is simply not capable of making its own officials observe its own laws.

But, the problem is that my idea of a strong state and Mr. Putin's idea of a strong state are very much different. For me, a strong state is a state which is capable of observing its own laws, and, of course, capable of making its officials observe those laws to the dot.

As for Mr. Putin, he thinks that strong state is strong bureaucracy, and bureaucracy is usually the greatest perpetrator with regards to human rights violations.

Mr. LOZINSKY [through interpreter]. If I could just raise this and say just a few words about the division of Russia, for instance, the initiative by Mr. Putin about dividing Russia into seven districts, which, coincidentally, just happens to coincide with the borders of the military districts in Russia. And, maybe this has been worked out, but I would just like to ask the question, why is this being done in violation of the basic law of Russia, that is, the constitution?

And, it seems to me that having done this we are violating the Constitution. If we wanted to do this, we should have changed the constitution.

You know, I don't know if this is being done on purpose or not on purpose, but there seems to be, that the powers that be are sort of cultivating within the population the idea that the constitution is just sort of a pretty—you know—just a good looking book.

For instance, a directive by the president or by a governor, that's the law, the constitution, well, that's just sort of a nice book.

Ms. TAFT. Micah, do you have some concluding remarks?

Mr. NAFTALIN. Just a quick thought that, as in many respects the Putin rhetoric often talks about serious problems, and then the methodology and the behavior is not quite congruent.

It's certainly true that the power shifted to the provinces from the center during the last 10 years. To some extent, that's probably good for democratization, and for the sense of needing to let people have local authority and local accountability, and all those things sound good.

But, at the same time, what you had was development of kind of a feudal system in which the power and the authority of the constitution itself became meaningless, and so if one were to argue that this, the goal, Putin's goal in regionalizing control through these seven regions is in honor of bringing more legitimate constitutional authority to the country and to get rid of some of these private tariffs, and private taxes, and private foreign policies and all those things, that, you know, there's a lot to be said for that.

On the other hand, to put in charge mostly military and KGB officials, in charge of these groups, and to fail to use appropriate democratic criteria for judging the behavior of the regional and local authorities, as long as they can still behave with impunity in undemocratic and unhuman-rights fashion, then one has to question what's going on.

And, I think the Krasnodar Province is one of the great examples, where you have, you know, a real Nazi governor, and at the same time that he's imposing control over the region so called, he's given awards for being a great Soviet hero, or Russian hero, whatever he is, there's no connection between people's behavior vis-à-vis democratic norms and the supervision so far of those regions.

So, it comes back to the question: is he trying to strike a decent balance, a democratic balance, and constitutional authority over the country, or is this just more authoritarian control, masked by high sounding rhetoric? I don't know.

I think a lot of this has to do with, you know, a very mediocre understanding of democratic norms, and I think maybe we have to give Mr. Putin some, you know, time to be educated about what the law would really be like, I don't think he has much experience in knowing how to do this work.

But, I'm not sure he's open to advice either, so I think it's very disturbing, the kind of KGB-ization of the country, it's very disturbing.

I think the key is to watch, you know, means are more important than ends when you are moving in this political spirit. Means really is what it's all about, what do people do, not what do people say. It's very alarming.

Ms. TAFT. Okay, with that final statement, we'll bring this briefing to a close, and we appreciate all of your attending this morning, and look forward to seeing you in another venue.

(Whereupon, the briefing was concluded at 11:46 a.m.)

APPENDICES

PREPARED STATEMENT OF LUDMILLA ALEXEYEVA

This collection of reports marks the second year of the project "Monitoring of Human Rights in Russia," jointly run by the Moscow Helsinki Group and regional human rights organizations. Our previous report, for 1998, was based on the monitoring carried out by the MHG and 30 organizations from different regions of the Russian Federation. In 1999 the number of regional participants has doubled—from 30 to 60. Accordingly, our next report, the one for the year 2000, shall be prepared with participation of human rights organizations from all 89 regions of the Russian Federation.

The monitoring surveys by the regional organizations provide us with objective and complete information on the situation of human rights in Russia. We cannot help but point out that the All-Russia Report and regional reports indicate some glaring discrepancies between Russian constitutional guarantees and international obligations, on the one hand, and daily realities of life, on the other.

Several events that took place in 1999 exhorted an especially strong influence over the current political situation and even more so over the human rights situation in Russia. They were, firstly, the invasion in Dagestan by units of Chechen fighters in August 1999. Secondly, a series of bomb attacks on apartment buildings in Moscow and other Russian cities, which resulted in a vast loss of life. Thirdly, the spread of hostilities, which started in Dagestan and moved on to Chechnya, referred to officially as an "anti-terrorist operation." Fourthly, the State Duma elections of the Russian Federation. And finally, President Yeltsin's notorious resignation speech of December 31, 1999 in which he named Vladimir Putin as Acting President and his most desirable successor.

The invasion of Dagestan by Chechen units inspired a train of thought rather typical of Russian mentality. An unexpected unprovoked attack took place, therefore, the attackers must be rebuffed and the war must end in complete victory attained by any possible means. Accordingly, during the Dagestan campaign, the federal troops had mass support from the population. The retreat of Chechen fighters caused quite a soar of nationalist sentiments and was generally perceived as long-awaited compensation for Russian defeats in the first Chechen war.

The Russian media and public opinion interpreted the bomb explosions in the Russian cities as the Chechens' revenge for Dagestan and the Federal troops' invasion in Chechnya. In this tense atmosphere, the operation, of which the official aim was to clear Chechen fighters from the territory of Dagestan, developed into a new full-fledged war against Chechnya. In the public opinion it was "a just war" and, with the situation being so favorable for the Russian military, the hostilities turned into mass terror against the entire population of Chechnya. The actions of the Russian civilian and military authorities in blocking access to independent information on the developments in Chechnya were, in fact, conducive to that mass terror. Military censorship prevented not only publications on the sufferings of the civilian population, but even on the real figures concerning losses of federal troops. It also helped to support nationalist sentiments in the society.

I have to admit that the Russian media did not make any noticeable protest against military censorship and did not fight against illegitimate deprivation of access to information about the situation in Chechnya and relevant developments elsewhere. Moreover, numerous Russian mass media bodies clearly introduced self-censorship. The same thing happened with different political parties in the country. The State Duma election was

coming up, and so they chose to play up to the mass public opinion. Even the Union of the Right Forces (SPS) expressed their approval of the federal troops' actions (even if with certain restrictions) and their support of Vladimir Putin, who became a symbol of the Russian revenge. Anti-democratic trends were seen not only in Chechnya but also in many Russian regions. That process became particularly obvious during the State Duma election of December 1999. Regional and local authorities openly supported certain candidates (which is forbidden under the law). Regional leaders gave administrative support to their favorites in the election race and blocked the opponents' campaigns. They persuaded election commissions to deny registration to some of the candidates and to de-register some of those registered at an earlier date. They also ignored flagrant breaches of the election law by the candidates under their patronage. The media was subjected to even heavier pressure than before. Mass media bodies controlled by the authorities became less free in expressing their opinions. Quite a few independent mass media bodies were put under the control of or destroyed by administrative and financial means. Significant pressure was also exhorted over NGOs. This was particularly evident in the process of mandatory re-registration, which Russian NGOs had to undergo in 1999. The situation of ecological, human rights and religious organizations was especially unfortunate in that respect. In light of the fact that these pressuring policies were pervasive across the entire territory of the Russian Federation, we can actually talk of a systematic governmental campaign, as a result of which a great many NGOs failed to qualify for registration or were not re-registered. Their charters were examined extremely carefully and the most petty mistakes or deviations from bureaucratic rules were used to deny registration or re-registration. It is also notable that human rights NGOs were advised to exclude the very words "human rights" from their names and the words "protection of human rights" from their charters. Evidently, the authorities' aim was to reduce the number of NGOs, free themselves from public control, and impede the formation of civil society, that crucially important process which is now taking place across the entire territory of the country.

The year 1999 also saw intensified encroachments by law-enforcement organs, especially the Procuracy and Federal Security Service, on the freedom of conscience and on the right to spread information. The cases of espionage were particularly illustrative in this respect. After such cases against Alexander Nikitin, Grigory Pasko and Vladimir Soifer had been dismissed, the Federal Security Service tried to initiate similar accusations against persons in other spheres. In October 1999, Igor Sutyagin, a specialist in the field of armament control, was arrested for "divulgence of state secrets." He has been incarcerated to this very day, in spite of the fact that he had no access to secret information and the accusations against him were built from his own analytical publications evaluating the Russian armament, which he had compiled by studying open data on this subject.

In 1999, Russian courts were very severe to those citizens that insisted on the realization of their constitutional right to alternative civil service as a replacement for military service. Such cases were numerous, the most notorious one being that of a pacifist from the Kaluga Region, Dmitry Neverovsky, who spent almost six months in custody.

The year 1999 also brought with it complete suspension of efforts to carry out the proposed judicial reform, which is vital to the establishment of the rule of law in Russia. Moreover, several judges known for their strict adherence to the Constitution and the rule of law in general were banished from the judicial corps so as to forewarn the others from being too bold.

In 1999, manifestations of xenophobia, including nationalism, which I mentioned above in connection with the Chechen conflict, were pervasive in the country and were directed not only against the people of Chechen descent, but against all nationals of the Caucasus. Manifestations of antisemitism were also numerous. The authorities showed unfortunate passivity in this regard.

It should be noted, though, that despite the extremely adverse situation in the country, Russian NGOs, and particularly human rights organizations, continued to develop fast in 1999. All over the country, new human rights organizations sprang up, while the already existing ones grew in membership and achieved greater professionalism in their work. Human right NGOs have been the most independent and objective sources of information about the mass violations of human rights in Chechnya and about the situation of refugees from that region. In December of 1999, local human rights organizations from 70 regions of the Russian Federation monitored the elections to the State Duma, and their reports represent the most complete source of information on violations committed in course of the election race on the voting day.

This collection of reports based on the findings of the human rights monitoring surveys in the Russian regions, which we are happy to present today, shows that in Russia there are numerous efficient provincial NGOs capable of successfully joining their efforts to safeguard the rights and freedoms of our citizens. This apt network of NGOs is a new phenomenon for Russia. Its emergence testifies to the fact that the formation of civil society is indeed taking place in contemporary Russia.

PREPARED STATEMENT OF MICAH NAFTALIN

Mr. Chairman and members and staff of the Helsinki Commission. It is my great pleasure, as always, to join Ludmilla Alexeyeva in briefing the number one Washington venue for discussion of the status of human rights in Russia and elsewhere in the former Soviet Union.

Dr. Leonid Stonov, director of UCSJ's human rights bureaus in the FSU is with me to help answer questions and I ask that his prepared statement as well as my own be included in the record. Further, if it has not been done on an earlier occasion, I ask that our August 7-page report, "Antisemitism Mid-Year Status Report: Current Threats Facing Russian Jews," also be made a part of the record of these proceedings.

As the Commission knows, Mr. Chairman, this project for monitoring human rights across the regions of the Russian Federation began with a stimulation grant from the National Endowment for Democracy two years ago, and has been continuously funded by a USAID grant to the Moscow Helsinki Group, including a sub-grant to UCSJ. The UCSJ involvement has been two-fold. We were engaged as partners with MHG in the planning of the project, which involves human rights monitoring by local human rights NGOs, and in the training of monitors. We also took significant responsibility for the antisemitism monitoring portion of the effort. In presenting the second annual report of this effort it is important to note that this project has enabled MHG to establish, for the first time ever, an integrated, all-Russia human rights NGO movement, one that makes antisemitism an integral component of the Russian human rights agenda. The work of the local NGOs, as we report today, has made a profound improvement in the scope of UCSJ's ability to monitor antisemitism in the FSU, a subject that we take to be a bellwether of the status of human rights and civil society generally.

Full documentation of my brief remarks can be found in the MHG and UCSJ reports and in Dr. Stonov's paper.

Antisemitism, although a constant problem in Russia, tends to be cyclical in nature. Currently, Russia is coming off of what was arguably the worst such cycle since the collapse of the Soviet Union.

The Yeltsin government's inability to impose Constitutional order over Russia's 89 regions, reform the highly corrupt and brutal justice system, and arrest and prosecute violent antisemitic groups and individuals led to a climate of impunity which facilitated these dangerous threats to civil society, including Jewish safety. Outside of Moscow, antisemitism has become institutionalized in some regions, with alliances being forged between local authorities (many of whom are members of the openly antisemitic Communist Party), neo-Nazi and/or Cossack paramilitary groups, and antisemitic elements within the Russian Orthodox Church, the de facto state religion. For example, the mayors of two large Russian cities, Stavropol and Balakovo, openly support the RNU, while in the Saratov region, the RNU has been in effect legitimized by being accepted onto public advisory councils to the mayor of Saratov and the Saratov Regional Parliament.

Under the Yeltsin administration, Russia's regions became increasingly independent of the central government. The rapid de-centralization of power in Russia over the past decade has resulted in a system of near feudal despotism, in which provincial officials routinely violate their citizens' human rights with near impunity. The situation in Krasnodar Kray is the most blatant example of the consequences of this dangerous neglect. Unfortunately, as our report documents, Krasnodar is not the only region where Jews are under threat.

It is difficult to get traction in identifying the serious threats to Jews, human rights and civil society generally at a time when President Putin is enjoying general popularity at home and thus an apparent lack of concern for Western opinion. While now stagnating, the Russian economy seemed to rally from the August 1998 crash in late 1999, due largely to the rise in world oil prices. Putin's commitment to re-centralize political power is popular with all but the affected governors. He is seen as cracking down on the widely hated oligarchs, although he has so far seemed to concentrate on independent media controlled by Jews. His authoritarian instincts are broadly seen as a tonic, not a threat, by a public demoralized by Yeltsin's failures in the name of reform and democracy. And the virtues—indeed necessity—of reforming a corrupt and law-averse society, making it hospitable to Jews, human rights, environmental safety and religious freedom, are neither high on the Russian public's agenda nor on that of many in the West, who primarily seek assurances that they can "do business" with Putin.

As we learned throughout the Soviet period, a repressive government can repress minorities and suppress anti-minority hate crimes at the same time. The present turn in the cycle may offer some hope for reprieve, but the storm clouds continue to be observable.

Under current Russian conditions, characterized by corruption and the near absence of rule of law, Putin's determination to "get tough" on regional bosses could lead to a new series of problems. President Putin has made strong rhetorical commitments to fight antisemitism, but it remains to be seen how much priority he will give to promoting democracy and protecting vulnerable minority groups as he works to bring order to Russia's lawless regions. How he goes about this task in Krasnodar and other problematic regions will be a major indication of what can be expected from Russia's new president.

An especially disturbing trend, which would have been unthinkable under Yeltsin, is Putin's flirtation with extremist forces. Much of his popularity stems from his tough stand on the issue of Chechnya, which he often describes using nationalistic, even racist language. In April, Putin awarded Krasnodar governor Nikolai Kondratenko with a medal for "service to the motherland." In August, he granted a meeting to the most influential antisemitic publisher in Russia—Aleksandr Prokhanov, chief editor of the extremist newspaper Zavtra. On September 7, Kremlin official Aleksandr Ignatov, the General Director of the Information Analytical Agency of the Department of Affairs, which is part of the Presidential Administration, wrote an article in the widely read national newspaper Nezavisimaya Gazeta accusing a "Chasidic-paramasonic grouping" of controlling the process of globalization, which will lead to a World Government under its control.

It is especially ominous that Putin is increasingly converting pro-democracy activists into Soviet era dissidents. Two cases are illustrative. Alexander Nikitin simply wrote a report identifying the massive threat of nuclear contamination of the oceans, a report whose dissemination is expressly guaranteed by the Russian constitution. He was arrested and prosecuted for treason over a period of $4^1/_2$ years. Several courts rejected the basis of the case and in December, he was acquitted. In April, a three-judge panel of the Supreme Court approved the acquittal. Meanwhile, Putin used the case to indict environmental NGOs as fronts for foreign intelligence agencies. The Prosecutor General refused to accept the Supreme Court's ruling and filed an unprecedented appeal to the full Supreme Court. Last week, the Court upheld Nikitin's acquittal. The only point of this case, as well as the sustained efforts to de-register environmental and human rights NGOs, is political—to intimidate environmental whistle blowers andother human rights activists.

The case of Vladimir Gusinsky is more nuanced, but of a similar bent. His arrest was

heralded as a move against the oligarchs. But as the most independent media mogul and critic of the Putin regime, especially its war in Chechnya, the message was clearly meant to intimidate dissident journalists. Nor did the Jewish community of Russia miss the point that even its most powerful member was vulnerable. The prosecutor, in defending the arrest, explicitly made this connection by asserting that even a media executive and vice president of the World Jewish Congress is not above the law.

The Gusinsky case makes clear the connection between strictly Jewish and broader human rights threats posed by a government that will brook little activist dissent. The worst case scenario would be that Russia's Jews end up facing a combination of post-Soviet threats (the alliance between neo-Nazi and Cossack paramilitary groups, local authorities, many of whom are members of the Communist party, and elements within the Russian Orthodox Church) and a partial return of the dangers they faced in the Soviet Union (the dominance of the security apparatus, leading to suppression of the free press, environmental and human rights NGOs and other elements of civil society). As this report demonstrates, there are already signs that this nightmare combination of the worst elements of Russia's post-Soviet chaos and the USSR's iron fisted authoritarianism are beginning to emerge. The next year will thus be a crucial time in determining the future of Russian Jewry, and, indeed, democracy.

In sum, one can be sympathetic to the Russians' inherited problems and acknowledge that President Putin is developing, at least rhetorically, an accurate list of threats to his society that must be addressed. However, President Putin's reliance on the security apparatus and his evident contempt for many aspects of democracy, civil society, including environmental and human rights NGOs and a free press, may lead to new threats.

I urge the Congress and the Administration to accept the findings and warnings of the MHG and UCSJ reports as a wake up call for foreign policy and assistance strategists. An authoritarian Russia poses a threat to its own citizens and to its international neighbors and partners as much for the failure of the Yeltsin era to build democracy and a civil and environmentally safe society as for its role in the management of weapons of mass destruction or in international diplomacy—the issues that invariably receive primary attention. Clearly, Mr. Putin understands the problems—e.g., nuclear safety, corruption, total breakdown of rule of law to support commerce and investment as well as human rights. While Russia bears the brunt of responsibility for the past decade's failures, the economic and foreign policy interventions by the West have also been complicit.

What we have documented today is the challenge of a government and a citizenry that has limited experience, understanding or faith in the power of democratic institutions to improve Russia's economy, national security or quality of civil life. These are the issues that must become more dominant in U.S. foreign and assistance policy and programs. In this respect, both the Russian and American governments must take steps to better incorporate the expertise of the NGO community.

PREPARED SUBMISSION OF LEONID STONOV

Under Vladimir Putin, several new tendencies are determining the social and political climate in the country. The Kremlin administration is keenly trying to implement the new but very old ideology of "derzhavnost" (an increased role of the state in all aspects of life) and pan-Slavic patriotism, which is reinforced by several fundamental legislative acts and the monopolistic influence of the Russian Orthodox Church (ROC) on the life of the whole country. The following new official steps strengthen and extend this ideology. I mention here only several such events, but it is quite enough for measuring the society social temperature and understanding the course Russia is heading on:

- Efforts to control the media, including electronic (for example, Andrey Babitsky's case, persecutions of Media-Most and Vladimir Gousinsky, pressure on Boris Berezovsky to make him to transfer his shares in the TV station ORT to the state, the monitoring of the Internet under SORM-2, the recent attack on Sergey Grigoryants' "Glasnost" Foundation);
- Military activity (testing new weapons at the North nuclear firing ground and new torpedoes by the nuclear submarine "Kursk" in the Barents Sea, restoring mandatory military training in the schools and special military short-term summer camps for teenagers), severe persecution of people who insist on their right to alternative military service (Dmitry Neverovsky and some other cases);
- Continuing persecution of the environmental activists and scientists (Aleksandr Nikitin, Grigory Pasko, Vladimir Soifer cases), secrecy paranoia and spy mania (Igor Sutyagin's case and the refusal to accept foreign help to rescue the crew of the "Kursk" at the first moments of the tragedy);
- The centralization of power (Putin's regional envoys, mostly from the KGB, the limitation of governors' influence by re-organizing the Federation Council);
- Signs of acceptance and even approval by Putin of nationalistic and chauvinistic forces (granting a meeting to antisemitic publisher Aleksandr Prokhanov, ties with antisemitic ideologue Aleksandr Dugin, who is Duma Speaker Gennady Seleznev's assistant and recently became a volunteer adviser to the Kremlin administration, the silent and sometimes open encouragement of the infamous antisemitic governor of Krasnodar Kray Nikolai Kondratenko, the antisemitic article written this month by Aleksandr Ignatov, general director of the Information-Analytical Agency of the Department of Affairs in the Presidential administration in the widely respected newspaper *Nezavisimaya Gazeta*).

All these and many other similar events exist against the background of an increased role of the FSB in the penetration of many aspects of society life (for example, the St. Petersburg Prosecutor's office confirmed that student Dmitry Barkovsky's dismissal from the Baltic State Technical University was "legal and correct" because he refused to work with the FSB), economic stagnation, and growing anti-Western sentiment.

I would like to focus mostly on recent RNU activity, because this organization presents the most threat for ethnic and religious minorities. The above mentioned changes in Russian political life create a fertile soil for ultra-chauvinist, antisemitic and extremist groups. The MHG/UCSJ human rights monitoring in 60 Russian regions this year showed high level of RNU activity in the Amur, Belgorod, Bruansk, Chelyabinsk, Chuvashia, Kamchatka, Khabarovsk, Khakassia, Krasnodar, Mari-El, Novgorod, Orel, St. Petersburg,

Voronezh, and Yamalo-Nenets regions. The August 10, 2000 issue of the Russian newspaper Obshchaya Gazeta gave the following statistics: The RNU has up to 30,000 members, between 50 and 70,000 youths have passed through its "schools" in the past ten years. Extremist groups publish about 300 newspapers and magazines. The biggest is the RNU's Russky Poryadok, which the RNU claims has a circulation number

of 500,000. Kolokol in Volgograd, Vremya in Omsk, and Novy Peterburg in St. Petersburg were also signaled out as important radical right newspapers. Here are some typical examples of chauvinistic activity and the absence of a clear state response. The RNU in the Amur region incited xenophobic sentiment stemming from the authorities' employment policy favorable to foreigners and the alarming social and demographic situation in aboriginal villages. RNU publications are available in every city and town of the region and it openly supported E. Savchenko's candidacy for governor. Kolovrat, a youth wing of the RNU, was established and registered in the Bryansk region in 1999. The RNU actively supported Governor Yury Lodkin. As in many other regions, police discriminated against people from the former Soviet southern republics. A court in Chuvashia ruled in favor of the leader of the local unregistered branch of the RNU who sued the newspaper Stolitsa for calling him a "local fascist." RNU activists participated in raiding and smashing the office of the Azeri community center in Irkutsk, several people were killed. It was purely racist action that might have been approved by some local officials trying to squeeze the Caucasus nationals out of the area. The anti-Chechen war has inspired strong xenophobic sentiments all over the country.

In the Ivanovo region, Russian Unity (RU), affiliated with the RNU, was registered and freely distributed the RNU newspapers and leaflets. The leader of RU lectured in the local State University and explained to students the "sin of mixed marriages" and the "importance of blood purity." Growing hostility towards non-Slavic individuals was observed in the region, foreign students were beaten, especially representatives of the other races. The authorities took no steps to improve the situation. Former police officers have set up an RNU branch in the Kaliningrad region. The organization has its squads and disseminates publications. Another neo-Nazi group in Volgograd, the Russian People's Union, is co-headed by the former KGB officer S. Terentyev, who is also editor in chief of Kolokol, one of the most notoriously antisemitic publication in Russia. The situation of the Kamchatka ethnic minorities causes serious concern. Because of xenophobia and poor economic conditions some ethnic groups (Koriaks, Itelmens, Aleuts, and Evenks) are on the brink of extinction. An RNU branch was registered in the Khabarovsk region, it regularly organizes rallies and demonstrations, freely distributes antisemitic and xenophobic fliers and newsletters.

Meanwhile, Krasnodar continuous to be the most xenophobic and antisemitic region in Russia, lead by an openly antisemitic governor, Nikolai Kondratenko. The majority of Meskhetian-Turks, an ethnic group that fled to Krasnodar after suffering pogroms in Uzbekistan, have not been granted Russian citizenship and have been subjected to restrictions with regard to employment, access to health services, education. The director of the Mari-El autonomy registered branch of the RNU works in the Youth Affair Department of the Yoshkar-Ola city administration. The authorities do not oppose RNU activities, including mass rallies in the streets. In Orel the official newspaper Orlovskaya Pravda started a campaign in favor of arrested neo-Nazi leader Igor Semyonov. He had been arrested after the local authorities found a car with explosive materials and arms belonged to him.

Jewish and Moslem cemeteries were desecrated in Novgorod, Tomsk and some other

regions with no reaction from the authorities. Tomsk Monarchists from the organization "Samoderzhavie" ("Autocracy") openly sympathize with Nazism. The RNU is registered in the Voronezh region, it appeals to escalate the conflict in Chechnya and antisemitic allegations received no respond from the judicial authorities. Even in the remote Yamalo-Nenetski Autonomy, RNU openly propagates nationalistic ideas in the region.

On August 14 and 29, 2000, the Russian newspapers Inostranets and Izvestia noticed the new tendency in the RNU activity in Ekaterinburg: RNU tries to enlist the authority structures for cooperation. Here the RNU requested the city prosecutor office to open a criminal case against the local "Memorial" society, which runs a weekly "Vakhta Mira" ("Peace Shift") demonstration against the Chechen war. Local human rights activists reported that the RNU several times asked the FSB to stop "Memorial's" activity. RNU activists in Nazi uniform with swastikas insisted here on patrolling the city streets with police. The new public "patriotic" block "Obereg" was established recently by RNU, local Cossacks and "The Union of Military Solidarity of the Local Wars Veterans" in Saratov. They promised to fight for the "massive moving of Russians to power." RNU activists last spring were included in the Public-Consulting Council under Saratov's Mayor and the local Duma Public Council. Barkashov's people are sure that the founding of "Obereg" will allow them to enter the Public Chamber under the Governor.

In some cases the authorities' response to RNU activity is very strange. The Karelia Autonomy Supreme Court stopped RNU activity for three months in August 2000, not because of inspiring inter-ethnic and inter-religious hatred but because of absence of a legal address and a minor violation of the "Law on the media": printed RNU materials, including antisemitic leaflets calling on people to kill Jews, did not contain the proper information about the numbers of copies, price, or the printing house's address. Local authorities continue to insist that Russia's laws are not adequate to effectively prosecute hate groups. However, it is our opinion that in most cases, the laws are sufficient-- what is missing is political will. For example, in May 2000 the Tyumen prosecutor opened a criminal case against the publisher of the newspaper Pravda Tyomeni V. Efimov for antisemitic articles, but in August 2000, investigator A. Askhabov ordered to halt criminal proceedings and to drop all the charges. The extremely antisemitic newspaper Desnitsa is printed in the Central Printing House #12 of the Ministry of Defense, without any legal consequences.

Communists spread the old Stalinist ideology and try to rewrite Soviet history. Their Vladimir leader M. Komlyov praised Stalin's unprecedented crimes and approved his hatred towards Jews and some other minorities. About Stalin's repression he stated that "there are more lies than truth"(the Vladimir newspaper *Molva*, April 6, 2000).

Russian society today has no real democratic ideology, and the RNU and other neo-Nazis fill a gap of this vacuum. Fascist and Lenin-Stalin ideologies were not officially condemned in the FSU and modern Russia, there was no Nuremberg-2. That's why the state indifference to antisemitism, political extremism and neo-Nazism (and in many cases silent support of them when it comes to the xenophobia connected with the Chechen war) is very dangerous. The unmasking of neo-Nazi and the incitement of ethnic and religious hatred and how the state responds to it should help to change the situation and help establish real civil society in Russia.

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