

UNITED STATES COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
(HELSINKI COMMISSION) HOLDS HEARING:  
HUMAN RIGHTS IN PUTIN'S RUSSIA

MAY 20, 2004

COMMISSIONERS:

U.S. REPRESENTATIVE CHRISTOPHER H. SMITH (R-NJ)  
CHAIRMAN  
U.S. REPRESENTATIVE FRANK R. WOLF (R-VA)  
U.S. REPRESENTATIVE JOSEPH R. PITTS (R-PA)  
U.S. REPRESENTATIVE ROBERT B. ADERHOLT (R-AL)  
U.S. REPRESENTATIVE ANNE M. NORTHUP (R-KY)  
U.S. REPRESENTATIVE BENJAMIN L. CARDIN (D-MD)  
U.S. REPRESENTATIVE LOUISE MCINTOSH SLAUGHTER (D-NY)  
U.S. REPRESENTATIVE ALCEE L. HASTINGS (D-FL)  
U.S. REPRESENTATIVE MIKE MCINTYRE (D-NC)

U.S. SENATOR BEN NIGHTHORSE CAMPBELL (R-CO)  
CO-CHAIRMAN  
U.S. SENATOR SAM BROWBACK (R-KS)  
U.S. SENATOR GORDON H. SMITH (R-OR)  
U.S. SENATOR KAY BAILEY HUTCHISON (R-TX)  
U.S. SENATOR SAXBY CHAMBLISS (R-GA)  
U.S. SENATOR CHRISTOPHER J. DODD (D-CT)  
U.S. SENATOR BOB GRAHAM (D-FL)  
U.S. SENATOR RUSSELL D. FEINGOLD (D-WI)  
U.S. SENATOR HILLARY RODHAM CLINTON (D-NY)

ADDITIONAL SPEAKERS:

U.S. REPRESENTATIVE CURT WELDON (R-PA)

WITNESSES:

AMBASSADOR STEVEN PIFER  
DEPUTY ASSISTANT SECRETARY OF STATE  
BUREAU OF EUROPEAN AND EURASIAN AFFAIRS

GARRY KASPAROV  
FORMER WORLD CHESS CHAMPION AND CHAIRMAN  
COMMITTEE 2008: FREE CHOICE

EDWARD LOZANSKY  
PRESIDENT  
AMERICAN UNIVERSITY IN MOSCOW AND RUSSIA HOUSE

REVEREND IGOR NIKITIN  
CHAIRMAN  
ASSOCIATION OF CHRISTIAN CHURCHES IN RUSSIA

NICHOLAI BUTKEVICH  
RESEARCH AND ADVOCACY DIRECTOR  
UNION OF COUNCILS FOR JEWS IN THE FORMER SOVIET UNION

[\*]

SMITH: Welcome to this Helsinki Commission hearing on "Human Rights in Putin's Russia," the latest in a series of hearings and

briefings on developments in the Russian Federation. We have timed today's hearing in anticipation of President Putin's upcoming visit to the United States for the G-8 Summit hosted by President Bush in Georgia.

Russia has made huge strides in democratic progress, human rights, civil liberties and press freedoms since the collapse of the Soviet Union. Yet, President Putin's ascent to power, influential elements in his government appear determined to reverse Russia's direction and institute authoritarian policy.

Some close to Putin have euphemistically described the situation as "managed democracy." As former head of Russian domestic security service, the FSB, Mr. Putin is increasingly relying on the security intelligence complex to run Russia. One academic specialist has determined that the proportion of former intelligence, military police or prosecutorial personnel in the Kremlin's power structure has increased from about 5 percent under Mr. Gorbachev to nearly 60 percent under Putin.

One of the results has been what human rights activists are calling "spy mania," whereby academics and environmentalists have been accused of collaborating with Russian intelligence agencies on the basis of questionable evidence and procedures.

This week I received a letter from several prominent Russian human rights activists, including Elena Bonner, Kovalev and others in which they state that the fabrication by the FSB of treason cases has become a routine occurrence.

The text of the letter will be included in the record.

I would like to ask that my full statement be made a part of the record. And I would like to yield to my friend and colleague, Mr. Cardin for any opening comments he might have.

CARDIN: Well, let me thank Chairman Smith for conducting this hearing. We very much appreciate the opportunity to talk about Russia.

Ambassador Pifer, it's a pleasure to have you before our committee. And the work that you've done over a long period of time for our country, and we very much appreciate your public service.

Mr. Chairman, I very much appreciate this hearing, because I think it is our responsibility to look at specific countries. You and I have talked about this, that the Helsinki Commission, the Helsinki process, is a very valuable process, but it only works if we are willing to be very specific about problems in specific countries.

CARDIN: And we have a good relationship with Russia. Russia has made a lot of progress. Mr. Ivanchenko, a parliamentarian that I worked with very closely in the parliamentary assembly from Russia on the second committee that I have the honor of chairing on the economic and environmental front, we've worked together and have talked together about ways in which we can improve relationships towards the Helsinki commitments in both of our countries.

But one of the key points in the committee that I serve on in the OSCE parliamentary assembly deals with the problems of economic progress. And we recognize that transparency and fighting corruption

is absolutely essential if we're going to be able to make the type of progress that we need to in developing economies.

And I am very troubled by reports in Russia about the governmental corruption. And that although Mr. Putin is working hard to try to deal with that, we are concerned about the fact that there is still government-sponsored corruption. It appears that the best way to get arrested for corruption in Russia today is to be a political threat to the powers to be. That's clearly unacceptable.

In this connection, I would note that I have sponsored a bipartisan bill that would extend the normal trade relations with Russia without changing the bar, without requiring Russia to comply with different standards than we had in the Jackson-Vanik law. But we do put in that legislation an expectation that Russia will comply with its OSCE commitments. And I think we have a right to expect that we would see greater compliance with those issues.

And finally, Mr. Chairman, let me mention Chechnya. I have sponsored two resolutions before the parliamentary assembly on behalf of the United States delegation expressing real concern by the way in which the Russian Federation has handled the problems within Chechnya.

We understand that there are terrorists in Chechnya.

CARDIN: We understand it's a dangerous situation for both the locals and for the Russians. But we expect the Russian Federation to exercise respect for human rights and to exercise restraint in trying to deal with that circumstance.

And, to date, we have not really seen the type of progress that we would like to have seen in regards to resolving the problems in Chechnya.

So, Mr. Chairman, I look forward to hearing the testimony of our witnesses today and to working with our friends in the Russian Federation so that we all can improve our commitments toward the Helsinki principles. And I would ask that my entire statement be put into the record.

SMITH: Without objection, your statement will be made a part of the record.

We're joined today by Mr. Curt Weldon. And I'd like to yield to my good friend and colleague for any comments he might have.

WELDON: Thank you, Mr. Chairman. Let me thank you and Ben for outstanding leadership as it relates to the Helsinki Commission. I have worked with you over the years, along with Steny Hoyer, who preceded Ben. And you've done simply fantastic work.

I'm proud to be a part of the human rights caucus in this Congress. And I stand with you on this issue today in looking at the human rights concerns that all of us have in Russia.

On Sunday, I'll be making my 37th trip to Russia where I'll be interacting with the leadership, both of the government and with the leaders of the Duma.

I'll be taking, again, a bipartisan delegation to that country.

And I'll be, again, raising issues, as I have, since I first went to the Soviet Union back in the mid-'80s with the National Council On Soviet Jewry to raise the issue of the plight of Jews throughout the Soviet Union, my first involvement with that nation.

I come today to support the efforts of the commission. And you have friends of mine testifying: Garry Kasparov is a long-time friend, and so is Ed Lozansky. They do outstanding work in this country in trying to help us understand what's happening in Russia.

But I come, Mr. Chairman, today, with some, unfortunately very negative, statements, about our State Department.

And I know that that's not what you were expecting, but I think for us to be able to hold accountable Russia for its human rights violations, we have to hold also ourselves accountable.

Since 1998 there's been a case in Russia that now has appeared on over 35 major Russian media outlets.

WELDON: I would ask for the record, Mr. Chairman, that you include 21 specific instances in the Russian media. This is TV; this is radio; this is newspapers.

The case involves an incident on October 27th of 1998 where the highest ranking American diplomat in Vladivostok, while allegedly driving under the influence of alcohol, rammed a vehicle containing a young 20-year-old Russian by the name of Alexander Kashin. Kashin was made a quadriplegic as a result of that accident.

The response by our State Department was to give diplomatic immunity to the individual involved from State, his name was Douglas Kent, remove him out of Russia on the grounds of diplomatic immunity. When he came back to America, he was again provided support by the State Department, even though he had changed names on a number of occasions and refused to be served papers to be held accountable for the actions against this young Russian individual.

In the course of this, a relative of Alexander Kashin's lives in Philadelphia, right near our districts, Mr. Chairman. And this individual went to a very prominent Russian lawyer in Philadelphia by the name of John Gallagher who represents a lot of interests in Russia and who is probably the largest lawyer, certainly in the East, on Russian immigration cases.

John agreed to represent Alexander Kashin pro bono. John Gallagher I know very well. Steny knew John, on many occasions we met. And he came to me and gave me descriptions of this case and asked the question, "Why wasn't America willing to live up to its responsibility and acknowledge that an American representative had caused the young Russian to become a quadriplegic who was confined to a wheel chair?"

I took up the case, got involved. And over the past several years have asked our State Department continuously about the response. We have been lied to, and we have been deceived.

And so I come today in a human rights hearing about the violations in Russia, and I ask the commission to also consider the response of our State Department officially on the case of Alexander

Kashin.

WELDON: Now, furthermore, I will submit for the record material that will be in the court proceedings in the fall of this year, where two current State Department employees on the record in official documents have testified, that when they worked with Douglas Kent in the State Department, he was a known drinker. No one would drive with him. And he had narcolepsy.

These two sworn affidavits are a part of the Kashin file.

When I raised these issues with the State Department in Moscow and over here, I would get no response. And so finally, Mr. Chairman, I had the deputy secretary of state in my office, about a year and a half ago; you know Rich Armitage, he's a fine and decent leader. We were talking about Russia, we were talking about the Middle East, North Korea.

And at the end of the conversation, I said, "You know, Mr. Secretary, please, resolve this issue with Alexander Kashin. This is a young Russian citizen who's become a symbol of America throughout Russia. And the fact that we haven't responded in a way that would allow this young man to be able to live out a normal life -- all he asks for is rehabilitation.

I've met Kashin twice.

The response by our deputy secretary of state was: Well, Congressman Weldon, I probably shouldn't talk to you about this, because I've been briefed by our State Department employees in Moscow that John Gallagher is a relative of yours. And since he represents Kashin, we shouldn't discuss it.

Mr. Chairman, I have no relation to John Gallagher, familial or otherwise. It just so happens my wife's maiden name is Gallagher. And someone in the Moscow office of our State Department briefed the deputy secretary of state that the only interest Congressman Weldon had must be that his wife is related to John Gallagher.

I raised this issue in front of Secretary Powell just one month ago, when I got back from Libya on a bipartisan trip that I led with Rich Armitage in the room. And Rich Armitage acknowledged, in front of Secretary Powell, that that was exactly the case.

WELDON: Furthermore on one of our CODELS in Moscow, the protocol officer at the embassy told my staff director on the Armed Services Committee, who was a retired Air Force officer, Roche, in a meeting held at the evening in the control room: "Well, you know, Congressman Weldon has this conflict because John Gallagher is his relative."

So a protocol officer in our embassy in Moscow said the same thing that was briefed to the deputy secretary of state. And my assistant, Roche, went down his throat and said, "You're absolutely outrageous as a protocol officer in stating that."

When I asked our ambassador the next day, Ambassador Vershbow, about this, his response was, "Well, you know, Congressman, I can't control all of my employees."

So I come, Mr. Chairman, today, Mr. Ranking Member, asking to have it put on the record the incident involving Douglas Kent, an incident that embarrasses the country.

I included a letter sent to me on March 28, 2001, by Ambassador Ushakov. And I say to my friends on the Helsinki Commission, "I'm with you."

As a member of the Human Rights Caucus, I want to know what's happening with Khodorkovsky. As a member of the Human Rights Caucus, I want to continue to press the issue of religions prosecution. I want to get at the heart of the problems and concerns that are being raised by ethnic minorities throughout Russia.

But I want to know what our State Department's doing. Because if we have a double standard, which we have, then how can we stand up, Mr. Ambassador, and hold Russia accountable for human rights problems?

Now, I talked to the ambassador before this hearing began. And the ambassador said he really wasn't versed on the case.

To me, Mr. Chairman, that's an outrage.

If we violate human rights of a young Russian and we hide a State Department employee and lie about the status of that employee, and this will all come out if this case is not resolved, in fact, I'll spur it on the record for you commission, then how can we expect Russia and Putin to be sincere and to be honest with us about human rights?

WELDON: It reminds me of a hearing that I co-chaired with my friend Solomon Ortiz 10 years ago. A Navy official -- when Solomon was chairman -- was criticizing the Russians because they weren't giving us access to a sunken Russian nuclear submarine called the Komsomolsk. The Navy official was criticizing the Russians and saying, they're not giving us access; we don't know if it's contaminating the environment. And therefore we need to criticize the Soviet Union.

I agreed with him when he finished, and so did Solomon.

And then I asked the question of the Navy official: Would you talk to me about the Thresher and the Scorpion? The Navy official said, "Congressman, I can't talk about those two cases. They're both classified."

And, by the way, if you're not on the Defense Committee of the Congress, as I am, there are two nuclear ships that went down with our crews on board, both involving nuclear capability.

So here was the American official, testifying as to Russia's lack of transparency and accountability on the Komsomolsk, yet denying the ability at a public hearing to tell the American people about the Thresher and the Scorpion.

Mr. Chairman, Mr. Ranking Member, my friends and colleagues, this issue is about transparency and it's about consistency. If we're going to support the efforts of people like Garry Kasparov and Ed Lozansky and others, then we better be prepared to be transparent and honest ourselves. And, in this case, we have not been.

So Mr. Chairman, I ask you to use your good influence to have your staff investigate. I will make anyone available, including the two current State Department employees who have issued sworn affidavits about the status of Douglas Kent and about the problems he's had during his career as a State Department employee.

And I thank you.

SMITH: Mr. Weldon, thank you very much for your testimony or your statement.

Ambassador Pifer, if you wanted to responded to that during your testimony, I would invite that. We certainly would like a written response. I think Mr. Weldon raises a number of very, very important issues here, and I'd like to follow up on it personally, myself.

So I do thank you, Mr. Weldon.

I'd like to now recognize Mr. Aderholt for an opening -- Aderholt, but he left. OK.

Mr. McIntyre, please?

CARDIN: Mr. Chairman, if I may, I just would like to welcome Mr. McIntyre to our commission. He was recently appointed as a new commissioner on the Helsinki Commission and it's wonderful to have you on the commission.

MCINTYRE: Thank you so much, Mr. Cardin.

And thank you, Mr. Chairman, for the opportunity. And thank Mr. Weldon, with whom I serve on the Armed Services Committee, for joining us.

I will be brief, because I know we want to hear the testimony. But I'm happy to be on this commission. I am very grateful for the opportunity and the support of both parties in my being able to obtain this appointment through the speaker.

Also, I had a brief visit to Russia en route to Afghanistan a little over a year ago, so I've always been intrigued by the events going on in Russia.

Both of my boys are in college, but one of them spent a month in Russian last summer and studied there at MGIMO, the Moscow State University for International Relations, former diplomats' school for the Soviet Union. And he had quite an interesting experience. So we kind of lived Russia there for the bulk of last summer.

So I'm very happy to be here today, particularly with those of you that will be testifying. And I'm very happy in a broader sense to have this chance to serve on the Helsinki Commission.

Thank you, Mr. Chairman.

SMITH: Thank you, Mr. McIntyre. We do welcome you to the commission. I know that you have a great wealth of talent and look forward to your joining us when we go to Scotland for the parliamentary assembly. And I'm so glad you're on the commission.

MCINTYRE: I'm very excited about that. Thank you very much.

SMITH: I'd like to yield to Mr. Aderholt and any opening comments he might have.

ADERHOLT: Let me just say, thank you, Mr. Chairman. I had my first opportunity to travel to Russia this past summer. I was there during this past August, spent a couple days in Moscow and St. Petersburg and then a quick trip up to Murmansk for just a few hours.

But anyway, it was a great trip. I learned a lot about the country, even though I think most Americans know a lot about Russia, just because we've had such a close relationship with Russia over the years, one way or the other.

But it is certainly a beautiful country, and there are certain issues that -- the human rights issues are something that's been a concern of mine for many, many years. And, of course, I know that's a lot different now than it used to be under the Communist regime.

But anyway, I may have some questions as we go on, but just thank you, Mr. Chairman, for having this hearing, and glad to be here.

SMITH: Mr. Aderholt, thank you very much. And I'd now like to welcome Ambassador Steven Pifer, a career senior foreign service officer, has served as deputy assistant secretary of state in the Bureau of European and Eurasian Affairs since July of 2001.

SMITH: He served from January of 1998 to October of 2000 as U.S. ambassador to Ukraine.

In addition to Ukraine, Ambassador Pifer has served in American embassies in Warsaw, Moscow and London. His assignments in the State Department include the Office of European Political and Security Affairs, the Arms Control and Disarmament Agency and the Office of the Coordinator for the New Independent States.

He was also detailed to the National Security Council as director and then special assistant to the president and senior director for Russia, Ukraine and Eurasia.

Ambassador Pifer, thank you for being here. And please proceed as you would like.

PIFER: Well, Mr. Chairman, members of the commission, thank you for the opportunity to appear today and talk about the human rights situation in Russia and U.S. policy. I'd also like to thank the commission more broadly for its efforts in general to promote democracy and human rights throughout the OSCE region.

With your permission, I'd like to submit a written statement and then just offer some informal opening remarks.

SMITH: Without objection, your full statement will be made a part of the record.

PIFER: Thank you, sir.

Mr. Chairman, Russia's political system and civil society have come a long way since the Soviet era. But the democratic transformation in Russia is neither an easy nor a straightforward process.



In the last several years we have seen some setbacks and we have seen some backsliding as President Putin has focused his attention on introducing a greater degree of stability into Russian society and to strengthening the state. Against this backdrop, the U.S. government is seeking to build a broad relationship with Russia, a relationship characterized by greater cooperation, transparency and partnership.

We have had some success in the last several years. With the Strategic Offensive Reduction Treaties, we are dramatically reducing nuclear arsenals on both sides. We find that we have converging interests with Russia in countering the war on terrorism and countering proliferation trends. And we see increasing cooperation on geopolitical questions such as promoting peace in the Middle East and on Iraq. Although it does not yet reflect the economic potential of the two countries, our trade and business ties are growing.

This does not mean that there are no problems on the agenda. Indeed, important differences remain. For example, we have not yet come to closure with Russia on how to cope with the problem of Iran's nuclear program, although the differences between the two sides, between Washington and Moscow, are less than they were two years ago.

Likewise, although we have pursued complementary policies with regards to Georgia over the past six months, we have not yet achieved the cooperation we desire in resolving other problems such as the Transnistria conflict.

Democracy and human rights are an important part of the U.S.-Russia agenda. And our stake here is that we believe there needs to be a certain convergence in core values if we are going to build the robust, enduring partnership that both Presidents Bush and Putin have defined as their goal.

Absent a convergence on these human rights questions, we believe that there will be serious limitations as to how far the relationship can develop.

I'd like to go through a very brief survey of democratic and human rights issues in Russia. It's a very complex picture, and I would just like to touch on some main points.

First, on elections: The good news is that Russian citizens now accept that voting is a normal part of political life. But the recent elections, while allowing Russian citizens to vote freely, have not been fair in the sense that the playing field has not been level for all parties or all candidates. And international observers and domestic observers have noted particular problems with regards to the use of administrative resources and questions of media access.

That said, while there were flaws in the election campaign leading up to the March 14 presidential election, there is no question that the election of President Putin reflected the will of Russian voters.

Second, on judicial reform. This is an area that has been a priority for President Putin. In 2002, he pushed through new legislation that promotes jury trials and increased judicial oversight of the procurator general. But the Sutyagin, Khodorkovsky and Trepashkin cases do show that there are still concerns about the security services and the Kremlin rendering undue influence on the

judicial system.

Third, on media freedom: This is a mixed picture. When one looks at newspapers and magazines in Russia, one sees a vibrant, robust media that reflects the full range of editorial opinion and reflects considerable criticism of government policies. However, the main broadcast media, particularly the national television networks, which is where most Russians receive their news, are either controlled by the state or under the Kremlin's influence.

PIFER: Four, civil society: Nongovernmental organizations are more established than they were in the past. And this includes a network of NGOs that are focused on human rights issues.

But there is concern among NGOs that they may come under state pressure. And there is concern about whether they can sustain funding from private sector sources.

Five, on travel: The Russian government generally respects the freedom of travel and immigration. The good immigration record in Russia over the past decade has been a reason that the administration supports Russia's graduation from the Jackson-Vanik amendment of the 1974 Trade Act.

On religion questions, Russia generally contributes to free practice of religion. Though there has been some effort to exert control over religious affairs, there are concerns about the ability of a minority faiths to practice their faiths. And there have been problems with visas for religious workers coming into Russia.

In this regard, there are some concerns about the role that the security service has played.

Also, I would note, anti-Semitism continues to be a problem in Russia, though Russian government acknowledged the problem and acknowledges the need to do more to counter it.

Finally, on Chechnya, this represents the greatest threat to human rights in Russia to date. We continue to see human rights abuses committed by all sides: by Russian federal forces in Chechnya, by Chechnyan security forces and by Chechnyan separatists. These make achievement of a political settlement to that conflict much harder to attain.

Ten days ago, we saw the assassination of Chechnyan President Kadyrov. The administration condemned that in unequivocal terms.

Terrorist acts do not contribute to the search to a settlement. And we remain convinced that there needs to be application of political means to resolve the conflict.

It is in the American interest to support democracy and respect for human rights in Russia. We do this primarily by two ways: First, assistance programs, which are designed to increase capacity of individuals and groups to promote bottom-up reform; and, second, diplomatic advocacy efforts, both private and public.

In terms of assistance, this has always been a large portion of our Freedom Support Act program with Russia.

In fiscal year 2004, we will devote \$33 million to democracy

programs, not including exchanges. That's about 34 percent of the overall Freedom Support Act budget for Russia.

These programs go to political party development with a view to the next round of federal elections in 2007 and 2008. The programs go to support independent TV, radio and press outlets in Russia's regions.

And they go to support and strengthen nongovernmental organizations, as many as 2,000 in Russia today.

Above and beyond that \$33 million, we also devote considerable resources to exchange programs. And this year, looking back over the last decade, we will have brought almost 60,000 Russian citizens to the United States.

In terms of diplomatic advocacy, we regularly raise democracy and human rights issues with the Russians. This starts with President Bush. It includes Secretary Powell, National Security Adviser Rice, Ambassador Vershbow and his team in Moscow.

And we raise these issues on the importance for Russia and for U.S.-Russian relations.

I would note that when Secretary Powell was in Moscow in January when he met with President Putin, he raised Chechnya, media freedom issues and respect for rule of law.

And he addressed these, not only in private conversations, but in an Op-ed piece that appeared in Izvestiya, and was very well-read within Russia.

Mr. Chairman, I would just close by noting that ultimately it's going to be up to the Russians themselves to determine what kind of political system in which they live.

On May 7, in his inauguration speech, President Putin said that only free people in a free country can be genuinely successful. We fully agree with that sentiment. We hope Russia will move down the path to strengthening democracy and strengthening respect for human rights. And we will continue to work to fully support that.

Thank you, Mr. Chairman. I would be happy to address questions. And if you would like, I could start by addressing Congressman Weldon's question.

I very much, Congressman Weldon, I have heard your concerns. I was aware of the case, but I am not aware of the a particular in a way that I would feel comfortable just addressing the specifics at this point.

But I do agree that we owe you an answer. I will take this back. And we will get you an answer shortly.

WELDON: Mr. Secretary, you don't owe me an answer, Mr. Ambassador. You owe Alexander Kashin and the Russian people an answer -- one of our employees, a young 20-year-old, who is confined to a wheelchair today.

We raise individual issues with Russians.

WELDON: You raise Khodorkovsky, who I have met many times. This is an individual case, and as I've given the committee, has been highlighted on 35 major news outlets in Russia. This is not something we walk away from. It drives Russian opinion.

Now, when we talk about human rights, the Russians say, "Oh, yeah, what about poor Alexander Kashin."

All I'm saying, Mr. Secretary is, it needs to be responded to, and it needs to be responded to now.

Thank you.

PIFER: Yes, sir, I understand that. There are varying perspectives on this case, but we'll get back with a full answer to you.

SMITH: Thank you very much, Mr. Ambassador. Let me ask you a couples of questions. With the approaching G-8 Summit, will individual cases like Sutyagin, will it be brought up with Putin? Because, you know, it seems to me he is one of those that got a 15-year sentence. Amnesty International calls him a political prisoner. And they have, as you know, very rigid criteria for giving that designation. And from what we can see, he deserves it.

And let me ask you two other questions and then yield to an answer. On anti-Semitism, as you know, we've in this commission have led the way for a number of years on trying to get to OSCE, both the parliamentarians and at the ministerial level, to take seriously our obligations under every covenant, including the OSCE accords and some of the follow-up documents that anti-Semitism is absolutely unconscionable, cannot be tolerated and that there are strategies at work to mitigate and hopefully end this egregious form of racism.

What is your view on Russia's performance with regard to anti-Semitism?

I held a hearing way back in the mid-1990s, and one of our witnesses talked about how anti-Semitic acts had become more privatized in Russia, that there was a sense of indifference on the part of some, looking the other way.

And now we're talking about several years later, the Berlin conference, the Vienna conference and all of the other efforts that have been made. And I would appreciate your thoughts to that.

And finally, in the area of human trafficking, as you know, I literally wrote, with a great deal of support from a number of people, the human trafficking legislation for the U.S., which has a key component of prosecuting the traffickers, but equally important is that we treat the women, mostly women that are trafficked, as victims.

That part of the legislation that the Duma had under consideration, to the best of my knowledge, remains elusive.

What's your sense on when they will put that part of their new law in trafficking into effect?

PIFER: Well, thank you very much, Mr. Chairman. Let me begin with the Sutyagin case, which we have followed very closely in Russia. And you know, we have raised concerns about what this means for rule

of law. Our understanding being similar to yours, that in his work he did not have access at any time to classified information.

It's hard for me to predict exactly what will come up when the presidents meet at Sea Island. We do anticipate that there will be a bilateral between President Bush and President Putin. My own suspicion is because of the press of the schedule, that there will be a fairly limited amount of time.

Certainly, we will provide materials and the NSC will provide materials that will address democracy and human rights questions. But I'm a little bit hesitant to predict whether this particular case would come up.

I will certainly, though, convey your specific concern to my colleagues at the National Security Council staff.

On the question of anti-Semitism in Russia, we believe that President Putin and the Russian government to understand this problem. And particularly during his first term, President Putin made very strong statements condemning anti-Semitism. There was one particular case about a year to a year and a half ago where a young Russian woman was injured removing an anti-Semitic sign. And this was a rather horrific case where these signs had been placed in Moscow that had small booby traps placed. And when she was moving the take down this anti-Semitic sign, she was injured in a small explosion.

President Putin personally presented her with an award for this to mark what she had done. And I think signals like this are important in showing that the Russian government does not accept and condemns anti-Semitic actions.

PIFER: That said, the problem continues to exist. The thing that we can hope is that the Russian government will be even more vigorous, and that law enforcement authorities will be more vigorous in pursuing individual acts so that the message is out that this is simply not acceptable, particularly in a Russia that is trying to observe full human rights questions.

On the issue of trafficking, we've seen some specific progress in the last six months with regards to Russian trafficking laws.

First of all, in December, they did pass the changes in the criminal code which specifically criminalize human trafficking for the first time. So that gives prosecutors new tools, and it also had measures that would provide fairly stiff penalties for trafficking connected with prostitution.

Now, behind that, there are efforts, discussions in the Duma on the question of protection for witnesses and victims in trafficking cases, although this is part of a broader law that addresses serious crimes in general. My understanding is that has passed the Duma at the first reading. It now continues to be discussed. We don't know exactly when that would be passed in the second or third readings.

And then finally, there is the question of programs to assist victims. We do understand that there are conversations within the Duma on a bill that would provide assistance to victims of trafficking programs, but we don't yet have a good gauge as to what the time table in the Duma for moving forward on this legislation is.

SMITH: Thank you.

Mr. Cardin?

CARDIN: Thank you, Mr. Chairman.

First, let me point out, Mr. Ambassador, that the Russian Federation was very helpful to us at the Berlin conference, in having a successful conclusion on our strategies against anti-Semitism. So I do want to express our appreciation to the Russian Federation. I think they took that conference very seriously. Their intervention was well thought out and very much appreciated in bringing us to a consensus within the OSCE.

I want to concentrate on the issue that you thought was the most difficult, and that's Chechnya, for one moment. At the Maastricht documents, the Maastricht meetings, ministerial meetings, they decided that they would use the U.N. guiding principles on internal displacement as a guide to trying to deal with the problems in the OSCE region.

My question is: Can we use that in Chechnya? Is it applicable to to deal with one of the most significant problems, the displacement of people within the Chechnya region, and whether the Russian Federation might be amenable to some moderation of their policies here?

PIFER: Well, thank you.

On the specific question of displaced persons, we do regularly press the Russian government on its obligation to treat displaced persons in accordance with various commitments that Russia has made. And these include, first and foremost, that displaced persons as in refugees will be returned only on a voluntary basis. We estimate that now in Chechnya, there are still tens of thousands of displaced persons within Chechnya.

In Ingushetia, there are approximately 55,000 to 60,000 displaced persons and refugees. That number has come down by perhaps 20,000 over the last eight or nine months, which reflects, we believe in some cases voluntary decisions to return, because there is a sense that the conditions in Chechnya, there has been some normalization. Life is a little bit better over the last seven or eight months.

But we are also concerned that not all of these returns are voluntary. And we do look for opportunities to remind the Russian government that they do have an obligation to allow people to make the free choice. And in some cases, we believe there is extra pressure to encourage refugees to go back as part of an effort to indicate that the normalization process in Chechnya is succeeding.

CARDIN: Our concern is the depopulation of these refugee camps is not voluntary. And I would hope that we could get some independent information on this and not rely upon third-party accounts, so to the extent that we can find out or we can encourage international organizations.

And one of my concerns is NGOs. You mentioned it very quickly. I know we're running out of time. But there seems to be intimidation by Russian Federation on NGOs. The justice minister it was reported

intimidated one of the NGOs by questioning some of its legalities. The funding issues, the independence issues -- and it seems to me here's a perfect example, the NGOs is who we rely on principally for these types of clarifications. And unless we can get a healthier climate for NGOs to function in the Russian Federation, it's going to make it much more difficult for us to carry out our responsibilities.

PIFER: Congressman, if I could just speak briefly on the Chechnya point. We do try to talk to a wide variety of observers so that we understand what's going on with the refugee and the displaced person situation.

And, again, our assessment at this point is that some of the returns have been voluntary, although we do remain concerned that other returns...

CARDIN: Do you have a percentage?

PIFER: I'd be guessing at this point, sir. I couldn't offer a specific number in that case.

CARDIN: Do you think the majority has been voluntary?

PIFER: I'm sorry, sir. I'd be reluctant to do that because I would just be giving you a number that I would be pulling out of thin air.

On the question of NGOs, we do very much agree with your concerns, is that we see that non-governmental organizations and their ability to mobilize people and press specific political or social or environmental issues, that's a very important part of a modern state. And we do closely monitor what's going on with NGOs in Russia.

And we would be concerned and we do try to follow when there are reports of intimidation of NGOs. Because we think that if Russia is trying to move down the path to a modern democracy, that includes a large place -- or should include a large place for a robust NGO sector. And that means NGOs should be free to operate without fear of government intimidation.

CARDIN: Thank you, Mr. Ambassador.

Thank you, Mr. Chairman.

SMITH: Thank you very much, Mr. Cardin.

And I apologize, Mr. Ambassador, and to all of our witnesses. There are five votes that are on the floor now. One of the messy things about democracy is we have to vote and we have to physically be present on the floor. So I apologize to you that we have additional questions which we will now submit for the record and ask you if you could respond in a timely fashion.

And we will have to be in recess for about 40 minutes. So I would say to our next witnesses, again, I deeply apologize for the delay. But we will come back and, you know, this is a very important hearing. We want to hear what you got to say. So thank you.

And thank you, Mr. Ambassador.

PIFER: Thank you, sir.

(RECESS)

SMITH: We are going to resume this hearing. And I want to offer my profound apologies to our very distinguished witnesses for this long delay.

SMITH: We did have a series of votes that just never seemed to end. And several of my colleagues will be joining us, but I can assure you your full statements and comments will be very widely disseminated. We will get it to the members of the commission, House and Senate. And so I would hope that you would understand. And I do apologize.

Our first panelist today will be Garry Kasparov who was the youngest chess player to represent the Soviet Union in international competition, at the age of 13. And he held the title of world champion from 1985 to 2000. He has since remained an active tournament player, both in his human competition as well as against supercomputers.

Besides his chess portfolio, he's chairman of the 2008 Free Choice Committee, an organization of prominent Russian human rights activists and journalists, who have declared their intention to work for general, direct, free and fair presidential elections in the year 2008.

I welcome him. He is the author of four books and contributing editor to the Wall Street Journal.

Our next speaker will be Dr. Edward Lozansky, who is the founder and president of Russia House, a consulting company which facilitates U.S.-Russian cooperation, as well as co-founder and president of the American University in Moscow.

SMITH: A nuclear physicist by profession, Dr. Lozansky immigrated to the United States from the Soviet Union in 1976 after losing his teaching positions for publicly criticizing Soviet policies. Dr. Lozansky has published eight books in areas of mathematics, physics and social sciences and many articles in American and Russian newspapers and magazines. His book, "For Tatiana", an account of his successful six year struggle to secure permission his wife to leave the Soviet Union, was subsequently made into a Discovery Channel documentary called "The Thawing of the Cold War Warrior."

We will next hear from Reverend Igor Nikitin of St. Petersburg, Russia, who is chairman of the Association of Christian Churches of Russia, an association of over 300 evangelical Christian churches and missions throughout Russia working together in Russia for social work, prison ministry and legal assistance. Member churches of the association are located in the Commonwealth of Independent States, Germany, Israel, Canada and the United States.

Reverend Nikitin is a graduate of ministry studies at Remna University in Tulsa, Oklahoma and holds a master of divinity from the Russian Christian Institute of Humanity in St. Petersburg.

And finally, Nicholai Butkevich, who is research and advocacy director at the Union of Councils for Jews in the Former Soviet Union,



he holds an MA from Georgetown University and is author of several published articles on ethnic and religious persecution, anti-Semitism and other human rights abuses in the former Soviet Union.

Mr. Butkevich has lectured on many topics at Columbia University, Stetson University, Radio Free Europe, Radio Liberty, Voice of America, and has been quoted as an expert on these issues in several media outlets.

Mr. Kasparov, please proceed.

KASPAROV: Thank you, Mr. Chairman. I would like to thank the commission for inviting me to testify. But I have to admit that there was a point in Russian history when I thought that Russia and the Russian record of human rights would never be part of such hearings at all.

KASPAROV: In the beautiful days of 1991, when the triumphant Moscovites filled Moscow streets celebrating the end of Communism and the statue of KGB founder Feliz Dzerzhinsky was thrown out of Lubyanka Square one could have hardly imagined that nine years later a KGB colonel, proud of his past, would take over again.

And today, Russia is falling apart. Human rights conditions are deteriorating. And we have to find a way to stop this negative trend.

There are a number of issues that we have to look at, and obviously one of them is the freedom of press. While enjoying all freedom at Yeltsin's time, when Russian press had no restrictions in criticizing state officials, including President Yeltsin himself, today Russian press is totally submissive to and is waiting for Kremlin instructions and, with minor exceptions, provides no information on the key issues of Russian domestic politics.

For instance, the word "Chechnya" that I heard so openly here, is virtually erased from Russian news reports. And due to all of these facts and the problem that we experienced at the latest elections, the Committee 2008 was formed on January of this year and made in the top of its agenda the preservation of the remaining democratic institutions in my country.

When the committee was formed, I was invited to the Russian television to channel four and I soon could exercise my celebrity status. But before I went on the news, the anchorman begged me not to say "Chechnya" or "Khodorkovsy" because he said that would be the precautions of the program.

But those days were good days.

KASPAROV: Five months ago, you could go on television, being asked not to talk on Chechnya or Khodorkovsky. Today, you are not even asked to go on television. And channel one and two, the main channels in Russia, they present no news about any opposition activities for any problems that could irritate Mr. Putin.

As I said, Chechnya has virtually disappeared from Russian news programs. And even private news agencies, Interfax, recently, after the murder of Chechnyan president, Ahmed Kadyrov, refused to carry the statement of Boris Nemtsov, one of the leading political figures in

Russia, an ex-leader of Union of Rightwing Forces, who made a very strong statement regarding Chechnya.

It's the first time -- and I just want to emphasize this -- the private news agency that makes its living out of receiving subscription fees refused to carry the statement, i.e., restricting the access of the independent customers to the information.

A few days ago, three days ago, Committee 2008 ran a press conference in that news agency. In over one hour of questioning, there was no single question about Chechnya asked by journalists. Moreover, there was no word Chechnya spoken by the journalists with any context of any question being asked during this press conference.

I found it really depressing. And Chechnya in fact detonated so many problems in Russian society. And since Mr. Putin was the person who initiated the second Chechen war and he doesn't want to reverse the course of events and doesn't want to recognize any wrongdoings, any mistakes, we are facing all the consequences.

One of them is its inability to force public debate about Chechnya. While here in this country, 9/11 is still being debated and even the president is being interrogated by the independent commission, there was no -- and I would like, Mr. Chairman, to bring up and mention a fact -- there was no single public hearings on any terrorist attacks in Russia, since 1999. We never had public debates on the explosions in Moscow in 1999.

We never had any public debate in 2002 after this terrible hostage crisis at Dubrovka, in the theater, where 129 innocent civilians were killed by poison gas used by KGB. And all the terrorists were shot to death, leaving no one behind to testify and to tell us the truth.

A while after this tragedy, Russian parliament publicly announced that it would not want any investigation because it didn't want to interfere with KGB affairs.

So I think that it just gives you quite a clear picture about the course of events in Russia, where our Russian parliament are denying its utmost responsibility to investigate executive branch and security forces.

There are no investigations about criminal activities of Russian troops in Chechnya. There are still reports in a few remaining media outlets that are talking about Chechnya. There are very, few of them left in Russia and no electronic media at all.

About the brutalities and about the tortures, (inaudible) , it's a concentration camp where hundreds of Chechens, if not thousands, are being interrogated, tortured and killed. It is known in the West, but it is not mentioned in Russia. And I wish that if the committee had any influence just to make sure there are independent observers, there are people who could go over there and ask all the important questions about activities of Russian troops there.

And then you should look also and examine the results of parliamentary elections. European Union observers made it very clear that elections in the December 2003 parliamentary election were unfair. And I think it was an understatement.

In fact now, Committee 2008 is working in close cooperation with Yabloko, Mr. Yavlinsky's party, preparing the case for the Supreme Court in Russia, which we would hope to submit within the next two months, challenging the result of these elections.

Although we have no illusions about the outcome of this case, we would like to shed some light on the corrupt practices of Russian officials, especially on the television that gave no access to the opposition parties and promoted Mr. Putin and his party, United Russia, all over the place.

There is enough evidence which could force the Russian Supreme Court to give us some sort of justice and to put extra pressure on the newly elected Duma where Mr. Putin commands two-thirds majority, i.e. constitutional majority and he is capable of changing and amending the constitution.

KASPAROV: And that is one of the utmost concerns of Committee 2008. We have no doubt that Mr. Putin will use all tricks in the book to keep himself in power after 2008 when his second term in the office comes to an end. And this constitutional majority in the parliament gives him an opportunity at any given moment to change the rules and create an environment where he could stay in office for extra terms or for even for life, as proposed by one of his most devoted supporters.

Just to give you an idea about the activities of this parliament, I want to bring your attention to one of the latest proposals of one of Putin's front supporters in the parliament. Three days ago, there was a new provision for the bill regarding the journalist activities in Russia which was stipulating the total ban on any information about terrorist activities in Russia.

I would like to repeat, the provision was stipulating that all information regarding terrorist activities in Russia will be banned and released only by the state's permission.

Also, the same law is talking about restricting journalist's rights even further. And it should be right for the state officials to open the sources of the information of the journalist without court order.

So it's a negative trend. And we could see that the situation in Russia is deteriorating every month, every week, every day. And while Mr. Putin is giving certain concessions to the free world and to the United States on foreign politics, he takes this as his bargain to do whatever he pleases in the domestic policy.

In my view, the freedom of press is one of the key concerns because having access to no viable information, Russian people are not capable of making choices. And Mr. Putin, although he was technically two times were elected president of Russia, never was a part of public debate. Putin and his party refused to participate in public debate; not wasting time, because according to them, any collision with opposition force could jeopardize their image in the eyes of Russian people.

So I am submitting my written testimony. And I would like to pay attention to all these facts. And I would like also the commission to put in the record that in my view, shared by many of my compatriots, United States and the West at large is heavily underestimating its

influence in Russia. And there is much more that can be done if certain pressure is applied to Mr. Putin and his acts being vigilantly analyzed by Western political leaders.

Just let's not forget that the ruling Russian political elite, unlike Soviet elite, keeps its money outside, keeps its money in this country or in Western Europe. And it has ties with the Western world that they cannot break. And that's the leverage that, in my view, the United States and the West using in full.

So I could go on and on and on because it's quite a sad and dark time in Russia, especially after those glorious dates in '90s where we believed that Russia would be joining civilized world and with no restrictions will be allowed into the family of civilized nations.

So the final remarks are about the legal system in Russia.

I heard the name Khodorkovsky spoken here. We heard names of Sutyagin of Trepashkin. There are many, many cases and an endless saga. But there is a few elements, a few episodes that could tell an American, an impartial American witness what's going on in Russia.

KASPAROV: It was probably not properly publicized here the fact that one of the Khodorkovsky's lawyers, a female lawyer, was searched after -- physically searched -- after she left her client and had a long discussion with him.

And she was searched because the video camera that records there their meeting, showed that she was exchanging some papers with Khodorkovsky. So she was recorded, she was physically searched. And then minister of justice interfered. He interfered by asking the Moscow bar association to revoke her license because she was breaking Russian law.

Now, fortunately, Moscow bar association is not another branch of Kremlin and refused to grant this request. But this episode shows the general atmosphere, the atmosphere of fear, distrust and lack of justice that is dominating in the Russian legal system now.

I would be willing to answer the questions because, frankly speaking, I have great difficulty selecting these facts, great difficult of selecting items from our agenda that is being added every day thanks to Mr. Putin's tireless activities in jeopardizing democratic institutions in Russia.

Thank you very much.

SMITH: Mr. Kasparov, thank you very much for that very eloquent testimony. Your full statement will remain a part of the record and the submissions you mentioned earlier.

KASPAROV: Thank you.

SMITH: And the conclusion of all the testimonies, what we'll be proposing some questions.

KASPAROV: Thank you.

SMITH: Dr. Lozansky?

LOZANSKY: Thank you.

I would also like to present my written testimony and four exhibits which I will leave with the staff.

I'd like to present a little bit different view and suggest a more cosmetic view of U.S. policy toward Russia.

Although I don't live in Russia, but I go there quite often, I made about 100 trips for the last 12 years and established, as you mentioned, the American University in Moscow. So I interact with the young people in Russia and many layers of Russian society, so I happen to have a little bit different view.

And first of all, I would like to start, first of all, for thanking you for inviting me. And also I give my personal gratitude to this commission because this commission helped me to reunite my family which were separated for six years. And it was the tireless work of the members of this commission that made successful end of the story.

Nevertheless, what I think that presently the United States and the whole civilized world, we are now facing a new and unprecedented challenge from the Russian Federation. Therefore, we must build, maintain and expand the current coalition of nations to address this challenge and to use our joint efforts to defeat the enemy.

And the same time, America needs to curtail the spread weapons of mass destruction, seek out new sources of energy, solve the ecological problems, expand space exploration. And nowhere is this more important than in the nexus of bilateral relations between the United States and the Russian Federation.

Therefore, I believe that we should develop and communicate messages and strategies that can encourage Russian political leadership -- and I would add this specific emphasis, the Russian people -- to embrace Western values.

We must be mindful, however, that without increased sensitivity to how our messages and policies are interpreted, our best efforts can, and I regret to say, have been somewhat counterproductive.

Let me remind how far Russia has come toward the West in a relatively short period of time.

I present here magazine Kontinent, and this is exhibit one. This is founded by my good friend and Russian writer, Vladimir Maximov. And he is one of the leading voices of Russian underground, of Soviet and East European dissidents and human rights activists.

It was published in Paris and smuggled to the Soviet Union. In addition to literary and philosophical work, we also had meetings in Washington, New York, Paris, London and other national capitals. And those meetings usually produced a list of demands to the Soviet government and to Western nations, an appeal to support these demands.

These are very simple. The items on the short list were as follows: freedom of speech and assembly, freedom of travel and emigration, multi-party system and eventual liberation of enslaved, or in America they are called captive nations.

LOZANSKY: Needless to say, not only did the Communist Party and

KGB considered us to be CIA agents at worst or mentally unstable at best, but even many in the West thought that all these ideas were not realistic.

We all know that all this happened. And with all the shortcomings of the Russian democracy, all the things that I mentioned are now taking place, although not in perfect ways that we would like.

We all know that Russian transition to freedom and democracy has not been smooth and perfect. The Yeltsin administration was fractured and failed on many accounts, sometimes, arguably, with the cooperation of the United States government.

I have exhibit two with me called "Russian Road to Corruption", prepared by a group of American members of Congress, experts. And it shows how the American administration helped to build and how it failed Russian people and how it created so many problems that the Russian state still facing now.

So this document, "Russian Road to Corruption" was prepared by Speakers Advisory Group and portrays many tragic mistakes and failures made by the United States during this time period, if you want to make sure that the lessons are learned and our future policies are more helpful and productive.

President Vladimir Putin's first-term achievements are pretty impressive. And with all due respect and what Garry Kasparov mentions, we have to remember that Russia was recovering from political and economic chaos, large-scale corruption and the financial crisis of August 1998. Now Russia, after four years of Putin, has since posted four years of solid economic growth, one-third drop in poverty, a dramatic reversal in capital flight and huge budget and trade surpluses.

The oligarchs, who are often overcome and endorsed with their feet were called to order. And the country has made great strides toward improving the quality of life for ordinary people. Russia has become more consolidated and respected by all its citizens, strengthened its influence in the world and, as stated many times by highest level U.S. officials, White House and State Department, is seen today as a serious and reliable partner on the international arena.

Despite government control of the main TV networks, numerous cable and international channels, as well as Internet, are filled with totally uncensored and often bitterly anti-government commentaries.

I am especially privileged and delighted to say that our own magazine, Kontinent, which could land you in jail for many years under the Soviet regime, is now published and freely distributed in Russia, along with many other formerly underground publications.

Moreover, even exiled or jailed oligarchs still control a substantial portion of the Russian print media. But what is even more important for United States is the undisputable fact that President Putin enjoys overwhelming support of the Russian people. And this has to be taken into account by American policy-makers.

And you often hear public criticism from Washington about shortcomings of Russian democracy. And they exist, no doubt about it. But only in the last month, the Committee on International Relations

of the House of Representatives, this particular body, voted on and passed Resolution H.R. 336 urging President Bush to expel Russia from G-8 group and look to seek the abolition of the Jackson-Vanik amendment.

I believe that this resolution is wrong. And moreover, it's harmful to the United States interests.

We keep saying that modern Russia is our friend and partner. So isn't it true that Russia should therefore be treated differently than USSR? The public criticism of Soviet Union was a legitimate part of our ideological confrontation with the Soviet Union.

U.S. government, Congress, Voice of America, Radio Free Europe, numerous human rights organizations did great job on behalf of people who at the time had no voice. As one of the Cold War warriors and strong proponents of interference in the internal affairs of Soviet Union, I think I have the moral right to say that at the present time, the Russian people can freely express their opinions, form political parties, publish newspapers and books, travel abroad and enjoy many other basic freedoms, they do not need such an interference.

I want to assure you that intellectual potential of people and their educational level makes them perfectly capable of sorting things out for themselves. Therefore, I believe that we should concentrate instead on mutually beneficial cooperation with Russia, such as the war on terrorism, energy, the ecology, space, science, educational and cultural exchanges and many other areas which are beneficial to both countries.

LOZANSKY: Congressman Curt Weldon, who spoke here, put together a group of 50 experts -- and I am very proud to be one of them -- to develop comprehensive program for such cooperation in the areas from agriculture to defense to space, science, education and culture. This exhibit 3 -- I have for the commission, exhibit 3.

This document was signed by 142 members of Congress, but unfortunately it didn't go too far. So far the White House has paid very little attention to it.

In the early days following the collapse of Communism, when the first public opinion polls were allowed to be taken, America was the indisputable number one choice as potential ally of Russia.

It is with great regret that we now observe the opposite attitude. Many Russians believe America is now busy taking advantage of Russia and is trying to squeeze Russia out of its sphere of influence, even within CIS.

There ought to be a statement from the White House and State Department that America is interested in strong, prosperous and democratic Russia, an integral part of the Western civilization.

However, I have to admit that such statements are usually met with high skepticism, even by the most pro-Western circles of Russian society. In addition to bad policies, I believe this is also a result of poor public relations work by the U.S. government. You have many good things which are happening between the two countries, but they remain largely unknown to the American or Russian public due to lack of good publicity.

At the same time we are witnessing a strong and well-funded PR campaign which dismisses any positive achievements, but emphasizes and often exaggerates certain aspects of Russia's transitional shortcomings.

Full-page ads attacking Putin are placed in the leading American newspapers, including the New York Times, Washington Post, Wall Street Journal. Members of Congress are lobbied. Millions of dollars are spent to undercut the U.S.-Russian cooperation. And you do not have to be Sherlock Holmes to understand who pays for this.

At the recent annual World Russian Forum in the United States Senate, we heard several dozen speakers from two countries develop many successful joint U.S.-Russian ventures, in business, science, education. Had the American and Russian publics knew about these developments, the results of opinion polls could be quite different.

I would like now in conclusion to present several proposals which I believe will have an immediate and lasting positive impact on bilateral relations between the United States and Russia.

First of all, establish a joint task force of American-Russian experts, to further develop a comprehensive program for U.S.-Russian strategic cooperation, to follow up on Curt Weldon's document.

I am delighted to say the Russian Academy of Sciences has agreed at its meeting to do this work and the American University in Moscow is funding it with a grant of \$100,000 to develop this work.

Second, create a wide network of personal and Internet-based contacts between American and Russian entities, school to school, college to college, hospital to hospital, NGO to NGO. You have to take into account, it's very difficult now for Russian citizens to get visas to the United States. Internet technology should be utilized.

Take into account, this is very important thing, the limited amount of funds available for Russia, as deemed by U.S. Congress, we have to evaluate the quality of previously funded programs, discontinue public funding of bad programs, but continue to support those that prove to be very effective.

For example, among exhibit 4, program BISNIS in the Department of Commerce; it's a tremendously successful program. With an annual budget of \$1.3 million, it created \$3.1 billion in sales and profits for American companies dealing with Russia.

We have to also implement and formulate a public relations campaign to present these success stories and show the mutual benefits resulting from U.S.-Russian cooperation.

Organize public forums regularly in both countries for the open and frank discussions of ideas leading to U.S.-Russian alliance, similar to what the American University and Kontinent USA Media Group have been doing since 1991, but on much larger scale.

We have to take all necessary steps to immediately graduate Russia from Jackson-Vanik amendment provisions, as a country which no longer has any essential of free emigration as stipulated in this amendment.



And finally, you have to look at the ways to upgrade the strategic operation of Russia through G-8. Here we have a case of Russia joining a major institution which holds the nations together from Pacific to Atlantic.

LOZANSKY: It's an opportunity for us. Let's look at ways of using it instead of throwing it away.

In conclusion, I would like to say once again that integration of Russia with the West is of vital interest to both sides. Many people who say that this is an impossible task are probably from the same school who considered those of us who demanded freedom and democracy in Russia 20 years ago to be naive dreamers at best.

No one can dispute that with all of the shortcomings of Russian democracy, we are much better off today than before. The West needs Russia as a strategic security ally and valuable trading partner. And no effort should be spared to achieve this noble goal.

Thank you.

SMITH: Dr. Lozansky, thank you very much for your testimony. We appreciate it.

Reverend Nikitin, if you could proceed.

NIKITIN: Mr. Chairman, members of the commission, ladies and gentlemen, Modern Russia is going now through the difficult process of democracy and civil liberty establishment.

Taking into account the inevitable influence of Russia on all of the world today, we are sharing our common desire to support this process.

As we all know, freedom of consciousness and religion is one of the most important indicators of democratic level in the country. Tolerance is a fundamental concept of the civil society.

And I have to note that there are positive tendencies in this area in Russia today. For instance, Protestant bishop Sergei Ryakhovsky is now member of President's Council of Russia. And I'm glad to report that tolerance is quite stable in St. Petersburg and northwest region of Russia.

The administration of the city is very supportive to endeavors of churches. That was especially evident in 2003 when St. Petersburg celebrated its 300th anniversary.

Today I would like to give a special thanks to the Helsinki Committee and personally to Mr. Christopher Smith and Congress members for their contribution to the process of democratization in Russia.

During the persecution of small church in a little-known Penza city, their letters to government of Russia and governor of Penza, helped the church assert their rights of the believers to enjoy their religious freedom.

Most recently I have been in Penza and met with those who are taking the place instead of persecutors. And one of the persons by the name of Gorbunov, I can affirm that he honestly works for the cause of agreement and peace in his region taking place.

Today, instead of the persecution of Christians, you can see the flag fluttering over the mayor's office building, and it's quite fascinating for me when I saw this flag. And as you see, instead of persecution, the mayor's office with the different flag, they sent it to present to you as a testimony.

So undoubtedly Russia is on its way to build up the civil society that that acknowledges the freedom of conscience as an important component.

However, this journey is full of problems and examples of violations of believers' rights. Below I will give you some illustrations to such cases, but first let me note that most all of them are bureaucratic by nature rather than ideological.

Major problems, first of all, we have of the Protestant churches today is the requirement of authorities that give registrations to the church submit -- the biggest problem is submitting the list of the church members to government officials. It contradicts the constitution and the laws in Russian Federation. And we can see it happen throughout the whole nation.

First the most striking examples. And I have a stack of papers here to prove every word.

NIKITIN: Yaroslavl City, the God's Church; and Sayanogorsk City and Hakassia Church of Praise, Serov City and (inaudible) in addition to a list of church members has been required to submit the written permission of parents for their kids to attend Sunday school. These things did not even happen in the Communist time.

The second really shocking situation which took place just recently in Tumen (ph) when the Easter celebration had been broken up. This year, all Christians in the nation celebrated Easter on one day and had become very important day for uniting all the Christians, the Orthodox, Catholics and Protestants.

The Protestant churches of Tumen (ph) rented a sports stadium for corporate celebration of this sacred for all believers day. Thousands of the citizens were invited to join the celebration. But two days before the celebration an official notification from the head of the police department was received.

Here is the quotation, "Administration of police department in Tumen (ph) hereby notify you that due to the threat of possible acts of terrorism during the Easter celebration event in the sports stadium, a recommendation to postpone Easter celebration to later days."

It would be considered irony to postpone the Easter celebration to later days, but it's really insulting for the believers.

As a result, to the great distress of the Christians, the Easter celebration were broken up. And we found out what kind of terrorist threat was in there, it's just some of the leaders of Chechen Republic mentioned that it's going the terrorist attacks in this time.

And police also wrote in the same letter they are not going to provide security just because there is possibility of possible threats

of terrorist attacks. And in the same token, there were many other celebrations, public celebrations in the same time.

So in the same time, in the Easter days, the Protestant churches were exposed to the checkup by the department of justice and office of public prosecutor exactly the same time, so it's not just accident.

Since 1997, the law of freedom of consciousness and religious organizations has been in effect in Russia. Today a commission in the government of Russian Federation operated under the leadership of Mr. Andrei Sebentsov has been prepared significant amendments for this -- to this law. And Mr. Andrei Sebentsov himself is known for the democratic attitude and positive influence on the process of securing freedom of consciousness.

However, the practice of the law implementations is often encountered by extremely narrow, non-professional approach of the officials and especially for those who given their registrations to the churches. When encountered by the problem most recently when according to the law we want to insert in our statutes of association original representatives, it was suggested to us to change entire statute, including the name of the association from Christian to something else. It's robbed our association church members of their rights of exercise the freedom of association.

However, Mr. Chairman, there are one troubling case that does not appear to have an ideological nuances. And it is -- it needs to be watched very carefully.

NIKITIN: In Moscow, after a five-year court battle, city authorities have succeeded in securing the decision to liquidate the local Jehovah's Witnesses organization.

Let me emphasize, not just deregistered the local congregation, but to make it illegal for Jehovah's Witnesses to practice in Moscow.

The court ruled that the group's practices would break up families, encourage suicide, threaten members' health by allegedly not allowing them to use blood transfusions.

Mr. Chairman, let me emphasize that I do not share the theology of the Jehovah's Witnesses, but here we remember Paster Niemoller's warning: If we do not stand up for others who are being persecuted, there will be no one left to defend us when our turn comes.

If someone violates civil laws, he or she must accept consequences, but that is not the issue here.

Moscow Jehovah's Witnesses, as a group, has been persecuted on the base of their beliefs. The Moscow court decision sets a very bad precedent for Jehovah's Witnesses throughout Russia and has no place in a democratic Russia.

It's expected that the case will be going to the European court in Strasbourg.

Our biggest concern at this moment is a draft law in Duma that would create different tiers of religious groups. And I hope the Congress will watch this closely.

And so, as I mentioned in my statement to the OSCE in the October meeting in Warsaw in 2003, the problems of violation of religious freedom in Russia are mainly caused by the following reasons:

Incompetence of many officials on the issue of constitution and legal interactions with religious organizations and unawareness about agreements signed by our country with framework of OSCE and United Nations.

Secondly, freedom of consciousness and belief are new and almost unknown concepts for the most of the Russian media. Television shows of one person, Mr. Dworkin, have created great tension between religious groups and persecution from local authorities.

Thirdly, the problems are related to ignorance of religious organizations about their legal rights.

We believe today Russia is in desperate need for education in the area of freedom of conscience and issues of tolerance and ethics of the relationship between government and the church.

It is especially true for the officials of registering services in the departments for relations with religious organizations.

The world community, with its rich experience in the area, can help Russia in this work.

The Association of Christian Churches, what I'm representing, is ready to cooperate with world community in the matter of securing freedom of conscience in Russia. It can significantly support the efforts of the president of Russia and government to build up civil society.

Thank you so much.

SMITH: Mr. Nikitin, thank you very much for your testimony.

I'd like to invite Nicholai Butkevich to proceed.

BUTKEVICH: Thank you, Mr. Chairman, for the invitation to speak to the commission. It's a real honor for me.

I'd like to request that the written version of my testimony be included...

SMITH: Without objection, your full statement will be made a part of the record.

BUTKEVICH: Thank you.

I'd like to talk today in general about the problems of xenophobia in Russia and specifically about the problem of neo-Nazi violence against ethnic minorities in that country.

This problem is clearly getting worse.

BUTKEVICH: This is not just my opinion; it's the consensus opinion in the mainstream media in Russia and among many human rights organizations. It comes against the backdrop of the use of xenophobia in politics, especially in the December 2003 Duma elections.

In the party list votes in those elections, one out of three of the voters supported explicitly anti-Semitic parties. And those three parties are the Communist Party, the LDPR of Vladimir Zhirinovskiy, which doubled the number of its seats, and the new party created by the Kremlin, the Motherland bloc. And one of the exhibits that I'm submitting is a report that we wrote specifically about the Duma elections.

I'd like to start my talk by giving some positive examples, however, because there definitely have been positive steps by the Russian government that they deserve credit for. First of all, President Putin has made several uncompromising statements condemning anti-Semitism and racism. And I think even though this is symbolic, it's very important symbolism.

In addition, the new head of the ministry of internal affairs earlier this year acknowledged a neo-fascist groups in Russia. This is the first time that somebody in that position has actually spoken so frankly about the problem. And he called for serious action against it.

Unfortunately, the next day, his deputy made a statement contradicting him, so it seems there was not total agreement in the high levels of the MVD. Nevertheless, it was an important statement.

And finally, moving from rhetoric to action, we've seen in Moscow since 2002 much better police work when it comes to skinhead violence, an increase in the number of arrests of skinheads and certainly in St. Petersburg, after the murder there in February of the nine-year-old Tajik girl, Hurshida Sultanova, by skinheads, there has been a serious crackdown on the Nazi groups there.

Nevertheless, even in these two cities, where we see progress, problems still remains. There were court cases in each of those cities against skinheads in earlier acts of violence, one was a murder which they videotaped in 2002 in St. Petersburg. And in both cases, the trial ended in farcically light verdicts. I have details of that in my written testimony.

Outside of Moscow and St. Petersburg, there is sort of a patchwork quality to the government's declared struggle against extremism. In some cities, neo-Nazi groups are taken very seriously by the police and prosecutors. In others, there is a malignant neglect of this problem. And in a few cities, especially a few regions like Krasnodar Krai, the regional authorities actively incite xenophobia.

I'd like to give two examples of recent hate crimes that have taken place in Russia and the way that the law enforcement agencies have reacted to them, because I think they're instructive of this problem I'm trying to describe.

On April 16th in the Pacific port city of Vladivostok, approximately 60 skinheads armed with baseball stormed a dormitory housing predominantly Chinese and Korean students, beating any of these students that they could find. Two of them were so severely injured that they later required hospitalization.

Two security guards in a neighboring dorm saw what was happening and they called the police. They allegedly were told by the police

dispatcher to handle the problem themselves, which they actually with a great deal of courage and integrity did. Even though it was not the dorm that they were supposed to be guarding, they grabbed their weapons -- they had pistols -- and went to the dormitory and actually stopped the rampage, probably saving some lives in the process of the foreign students. They even detained many of the skinheads, and again called the police and asked them to come and pick up and arrest these skinheads.

They waited over two hours according to local press reports before the police even bothered to show up. In the meantime, a large mob of foreign students had gathered, very much in a vigilante mood to take care of the skinheads themselves and the task of these two security guards shifted from detaining the skinheads to actually protecting them from the crowd.

When the police did come, they reportedly took the nine skinheads to the police station and shortly afterwards let them go. I'm not aware of any charges that have stemmed from this act of neo-Nazi thuggery.

Secondly, in the city of Voronezh, February 21st of this year, an African student was stabbed to death in broad daylight on one of the city's main streets. The police initially denied that this was a racist crime, which is not a surprise, since the city, even though it has been the scene of several dozen recent attacks on foreign students by neo-Nazi groups, the head of the FSB and the head of the regional MVD, respectively, in 2002 and 2003, made statements in which they denied that skinheads even exist in their city.

These are clearly bold-faced lies.

But because of what happened, two weeks after the murder of the nine-year-old Tajik girl which I mentioned earlier, the press and the NGO community kind of whipped them both, and there was enormous pressure from the media for the police and the prosecutors to do something about it.

BUTKEVICH: And there may have even been pressure from the Kremlin. It's hard to tell really for sure. And so they kind of went to the next stage in trying to deal with it by spreading rumors about the African students, about why he was allegedly killed, saying that he had used the services of a local prostitute and refused to pay and was therefore killed by gangsters or allegedly spreading rumors to the effect that he was involved in drug trafficking and got what was coming to him.

The police, to their credit, did arrest three suspects. They turned out to be skinheads. Two of them have a record. The last year -- they were convicted, but given suspended sentences in an attack on a different African student.

And when they were given a preliminary hearing in the London district court of Voronezh city, they blew all of these theories that the police had out of the water. Well, one of them was asked why they killed the African student. He said, quote, "We were bored and decided to Meir Street where there are many foreign students dorms and kill a black," unquote.

At this point, it was undeniable that this was a racist crime. And the Voronezh authorities actually took a very positive -- in my

mind -- step. They charged these three skinheads under a very rarely used article of the criminal code.

And I'd like to take a minute to digress and explain Russian legislation when it comes to hate crimes. There is no legal definition of a hate crime in legislation. That phrase doesn't exist in Russian legislation. And actually, the practice has been, unfortunately, to cover up hate crimes by treating them as regular acts of hooliganism or regular murders.

This is, I believe, a conscious practice on the part of prosecutors in many parts of the country in order to kind of preserve the reputation of their city, or indeed of the country as a country were, such crimes don't really happen that often.

When there's a conscientious prosecutor, who actually wants to make a statement about hate crimes or in the this case in Voronezh where there's public pressure to do something, occasionally what's used is an article of the criminal code, Article 282, which prohibits the actions aimed at the incitement of ethnic or religious hatred. The practice then is to let's say charge a culprit with an act of hooliganism and then tack on a 282 charge, which could add an additional three to five years in prison.

Unfortunately, most of these cases fall apart. And I've studied, in my years at this organization, several dozen of these cases. And the vast majority have fallen apart. And one of the reasons is that this law was designed to prevent hate speech, not what we would call hate crimes.

In other words, as it says in the law, "incitement of hatred," not hate crimes.

What puzzles me and what concerns me is that there are two other articles of the criminal code which seem to be much more appropriate for the struggle or prosecution of violent acts based on -- motivated by ethnic hatred.

There are two small subsections or Article 105, which is the broad catchall article covering murder, and Article 111, which is a broad catchall article covering aggravated assault, which prohibit murder aggravated assault motivated by ethnic or religious hatred.

Nevertheless in all of the cases that I've studied of prosecutions of skinheads -- and, of course, I don't know of all of them, because this is probably in their realm of 100 or 200 that I've studied or read about -- I only know of three cases in which either of those two articles are ever used; twice unsuccessfully and one successfully in a trial in Moscow, which recently ended.

And so I suppose there's a somewhat cynical view that I have that this, at the very least, shows that many prosecutors in Russia are not taking this very seriously.

To get back to the example of Voronezh very quickly, it was this section of Article 105 that I mentioned which the three skinheads were charged under. And we are cautiously optimistic that this will provide an example of sorts for prosecutors in other parts of the country. And if there is a conviction on this article, we'll certainly hold that up as an example.

I would like to now speak about my most recent trip to Russia. I

just came back about 48 hours ago from a conference in the Volga region -- capital of the Volga federal district, Neshenograd. This is a conference that was organized by my organization in conjunction with the Moscow Helsinki group and our independent affiliate in Moscow, the Moscow Bureau on Human Rights.

Our three organizations received a \$1.4 million euro grant from the European Commission recently. It's a three-year project to combat xenophobia in Russia. And among many other activities, this project envisions the holding of conferences in all seven of Russia's federal districts, for a total of 21 conferences over the course of the three-year project. This is the third one that we held.

Going into this conference, I read about several incidents that happened in Nizhnynovgorod and in the Volga district city of Ulyanovsk. And I'd like to briefly describe those.

There was an attempt in early April -- an apparent attempt; it's not really clear -- but an apparent attempt to burn down the synagogue in the city.

BUTKEVICH: A petroleum-based tar-like substance was put into bottles and Molotov cocktails and thrown against the wall of the synagogue. It was not lit and so fortunately there was no fire.

Nevertheless, when I went, the day after the conference ended, to the synagogue, I could still see very clear traces of this black substance against the wall. I could also see in the building adjoining the synagogue that somebody had carved words like, "Beat the Jews," and neo-Nazi slogans. I'm not sure when that happened. It could have been a while ago; it could have been recent.

In addition, in Ulyanovsk on April 22nd of this year, eight extremist youths burst into the Jewish cultural center in that city, tearing down Israeli flags and then Jewish symbols, screaming anti-Semitic abuse. They luckily did not injure anybody who was there. Police came very late to -- 40 minutes, actually, after they were called to respond to this incident. To their credit, the police did arrest a member of the National Bolshevik Party, an extremist nationalist group, in connection with this incident and the investigation is continuing.

Finally, in Nizhnynovgorod on April 20th, which was the 115th anniversary of the birth of Adolph Hitler, a time which in Russia and in some other countries there is always an increase in hate crimes, the local mosque was attacked. Unidentified people threw bricks through the window. Earlier in the month, Muslim worshippers near the mosque were beaten.

And I heard at the conference later that police are not taking those incidents seriously at all.

Actually, within the first couple hours of my arrival in Nizhnynovgorod, I had an encounter of sorts with a form of xenophobia. I was walking down one of the main streets and I saw the statue to Lenin that they still have there. It's quite gigantic. It's easily the height of this building, in the great tradition of Soviet architecture. And you see -- I could see on there three pieces of graffiti. One, the words, "Death to the Jews", another a swastika, another the slogan of the neo-Nazi group Russian National Unity,



"Glory to Russia."

As shocking as the vandalism of one of the city's main symbols was to me, I was even more shocked by the indifferent attitude of passersby, and indeed the indifferent attitude of city officials who apparently had not bothered to clean this up.

I was even more surprised in offense by the reaction of my colleagues in Nizhnynovgorod who I asked about this incident. They basically were surprised that I even brought it up. It seems like a very minor thing to them. They're more worried about assaults and even murders that have taken place in their city.

And we've come to the situation in Russia where such a brazen act of vandalism is not only routine, but is ignored even by people who are human rights activists. It's not even considered a big deal anymore.

Indeed, I heard about many recent hate crimes in the city of Nizhnynovgorod. And I'd like to make clear that I'm not specifically picking on this city. I don't think it's actually the worst or the best city. I think it's, kind of, an average city when it comes to this problem.

There's a Catholic priest there named Father Mario, originally from Argentina, who ministers to Catholic parishioners in that city. Most of his parishioners are foreign students from developing countries studying in Nizhnynovgorod: Africa, Asia, Latin America. And he said that during his daytime services, they're quite well attended. But the nighttime services are almost empty because foreign students don't go out at night there because they're very likely to get beaten up. And indeed, just the day before our conference, an Indian medical student was severely beaten not too far from the Catholic church in Nizhnynovgorod.

Father Mario and many other people who made presentations at our conference all, kind of, said the same thing. When it came to foreign students, three years ago there were very few problems. All of a sudden this just started happening. 2001, early 2002 and even the first few months of this year, there is a noticeable worsening in the climate as compared to last year.

I'd like to conclude by sharing with you, Mr. Chairman, the scariest things I heard at this conference in Nizhnynovgorod, and that is in relation to attacks on people from the Caucasus, primarily the Armenian and the Azeri population in the city of Nizhnynovgorod.

They suffer, just like the foreign students, from regular skinhead attacks, from police indifference in general to these attacks. And yet what's different is that some of them, at least, are openly talking about violent reprisals against the skinheads and even against the families of the skinheads in reprisal for attacks on them and their own loved ones.

And this is, kind of, the first hint of the nightmare scenario for Russia, not now, but five or 10 years from now. You can see that the ground's being laid, possibly -- I don't want to be an alarmist -- for some sort of an ethnic conflict because there are millions of people from the Caucasus in Central Asia who live in Russia.

BUTKEVICH: No one knows how many, because many are there

illegally.

They're, as I said, regularly attacked, and not just in Nizhny but in other cities. And the police are doing very little about it. And in some cases, they have formed, especially in (inaudible), self-defense groups. There have been cases where they have actually attacked ethnic Russians, some of whom were not guilty of anything. And this is the kind of scenario where if innocent -- especially innocent ethnic Russians get hurt or, God forbid, killed in reprisal for this neo-Nazi violence, there could be a counter-reaction. It could just get worse and worse. And I'm sure that you can follow up the logic.

So I think that this problem of xenophobia is still in the stage where it can be controlled, but if present trends continue, if the government continues to, kind of, take it half seriously and to apply countermeasures in a spotty fashion, as they've been doing, this is something that could have serious repercussions for the security of the country and indeed for the security of our own country.

So that's why I'm particularly grateful for this opportunity to speak with you, Mr. Chairman, to speak to the commission. I think this is a very important hearing. And I thank you very much.

SMITH: Mr. Butkevich, thank you very much for your expert testimony and all of you for your very fine testimony. Again, we will be widely disseminating your comments to members of the commission and to members of Congress, House and Senate.

I do have a couple of questions, Mr. Butkevich. You mentioned Mr. Putin in your testimony as speaking out on a number of occasions. But during that spate of hate crimes in April, he seemed to be pretty silent. And I'm wondering if -- you know, you mentioned one out of every three people voted for political parties that were anti-Semitic, which is a very large minority of the Russian people to be voting that way, and you indicated it was getting worse, in terms of the xenophobia and the racism -- noticeably worse, I think was the words you used; that they're not necessarily taking it seriously within the government and the prosecutors.

But the foreign ministry and certainly members of their parliamentary assembly that join us at these meetings that we have, including the most recently concluded meeting in Berlin, say all the right things, seemingly are on board in combating anti-Semitism wherever it rears its ugly head.

And I'm wondering how much, in your assessment, of this is for public consumption and for foreign audiences, but when it comes to the hometown crew a lot of winks and nods go on.

And, you know, it was Micah Naftalin that made that comment years ago when he testified before our committee, back in the mid-1990s, about this privatizing.

And we've been arguing with all of the governments who make up the OSCE that indifference is tantamount to commission; that you can't look the other way and that makes you complicit in these crimes.

And I'm just wondering if you might want to respond to that.

And the trend line that you talk about, frankly, is contrary to what the Russians would have us believe when we go to these

conferences. And, like I said, are clapping enthusiastically when people like Nathan Sharansky and others speak out, as he did so well.

And secondly, just let me ask you the question about reporting. One of the things that we have found in the OSCE recently, there's been a noticeable lack of reporting in any systematized way. The U.S. does it. A few other countries do it. Most do not.

And as again, Nathan Sharansky said so well at that conference in Berlin, the key to ensuring that human rights are adhered to is chronicling where the abuses occur. We do it with the religious freedom report that we issue every year. We do it with the country reports on human rights practices and others.

If you don't have a report, if you don't have transparent, and hopefully very accurate, information about what's going on, how do you respond to it?

So do they report in Russia? Is there any kind of systematized effort to collect data on anti-Semitic acts?

BUTKEVICH: Thank you, Mr. Chairman. I'd like to answer your last question first.

My organization and our affiliate in Moscow has for many years tried to get the MVD and the justice ministry to share with us statistics on 282 cases, for instance. But they claim that they don't collect such things. And so I think that they're a very long way from what we have here, where we record hate crimes in a very serious fashion.

And, of course, it's a kind of a ridiculous situation, where you see the U.S. statistics being held up by some Russian officials, you know, several thousand hate crimes committed in our country every year. And they say, "Well, look how terrible you are. How can you, you know, say that we're racists or we're anti-Semites?"

Well, it's because they cook the books. And that's the unfortunate truth about that.

BUTKEVICH: And so we -- part of the project envisions seminars which will be held actually I believe within a month in Moscow with the MVD to try to teach them about to respond better to hate crimes. And we're hopeful -- of course, there are, you know, some officials within the Russian government who are friendly to our cause and who are just as concerned as we are. And we're hopeful that this project will not just create critical information, though that's also very important, but also create and strengthen partnerships that we have with friendly Russian officials.

I think when you said earlier that crimes of omission, or ignoring this problem are just as bad -- almost as bad as promoting it, you hit the nail right on the head. Of course, we no longer have the terrible situation in the Soviet Union where the state actively promoted anti-Semitism. And I think that there is a lot of goodwill on the part of the president, President Putin, and some other top officials when it comes to combating this problem.

Unfortunately, I think the central government is still rather weak and dysfunctional. And even though President Putin has done a

lot to correct some of the worst, I guess, falling-apart that took place under the Yeltsin administration, the government's word in many cases -- the writ of the government doesn't go very far in some cases, especially if they don't make a priority of it.

And so I think the central government can do a lot more to combat this problem of anti-Semitism and especially the problem of racism. But it has, unfortunately, I believe other priorities. I think when you mentioned these conferences in Berlin and other conferences, it is to some degree a cynical P.R. exercise.

But as I said, at the same time, there's goodwill but a lot of dysfunctionality as well. People who are ethnic Russians suffer a lot at the hands of dysfunctional law enforcement agencies. Most of them don't trust the police.

There was a poll taken there recently that said -- the question was asked, "Whom do you fear?" And police were rated higher than ordinary criminals.

So this is a problem that affects a lot of people. It's more of a problem for people from certain ethnic and minority groups, of course, but there's a lot of dysfunctionality that has to be combated as well.

SMITH: Would you like to respond to that, to the question? Oh, you weren't here when I posed the question? OK.

It was regarding the situation of anti-Semitic acts, whether or not there was reporting or other acts of racism or xenophobia. And the fact that to international audiences, the Russian government, especially their foreign ministry, are very adept at conferences, like the Berlin conference, of sounding as if they're absolutely on the team and doing everything humanly possible to mitigate these abuses, whereas there seems to be a difference, a lack of or spotty enforcement of crimes that are committed that are clearly racist crimes and so on and so forth.

So if you could...

KASPAROV: Yes, I heard that Berlin conference was mentioned. I would like to mention another conference, which had very little publicity in the Western press; in fact, probably more publicity in Russia.

It was groups from Islamic (ph) conference in Malaysia sometime ago. And Mr. Putin was invited as the guest of honor or whatever to attend this conference on the premise that Russia has very significant Muslim population and could also be, sort of, an observer.

And this conference was infamous for one of the most vicious remarks -- anti-Semitic remarks ever heard in this world since Adolph Hitler, made by the Malaysian prime minister, Mahathir.

There was quite a short-sighted publicity of this unfortunate event in the Western press. But I think that most of the Western media outlets failed to report that at least Putin was in the audience and, in fact, he was making closing remarks and he failed to address this issue.

So speaking after the Malaysian prime minister and hearing these

outrageous remarks, Mr. Putin didn't make any effort to confront him.

As for xenophobia in Russia, we should simply look and read Russian papers. And during the last five years -- last four and a half years with Mr. Putin in the office, we could see the mounting attacks on the United States of America and U.S.-interests in Russian press, which has resulted by the raising of xenophobia and anti-Americanism in Russian society.

KASPAROV: Those are quite simple facts. You can simply read even so-called liberal papers. Liberal papers, where in one of the papers Bush could be compared as moral equivalent of Osama bin Laden or like. And those state-run papers are under civilian control of the government, and undoubtedly this policy is not alien to those who are calling the shots in today's Russia.

To demonstrate the effect of this xenophobic propaganda, I would also like to bring the attention of this commission to the case that I mentioned in my testimony. It's a trial of Russian security forces that took place in the city of Rostov in the beginning of May, just less than 20 days ago. There were four security officers who killed six innocent Chechens, including two women.

They made no attempt to justify their act, talking about these Chechens being armed or attacking them. It was a mistake. They killed them. It was in the operation of a so-called cleansing operation in that region. They killed the driver, they killed five other civilians in the car, they burn down their bodies to ashes, and they blew up the car trying to cover up the crime.

They were caught because at that time there was still some report in Novaya Gazeta, one of the very few remaining independent outlets in Russia -- and I would be happy to hear the long list that Mr. Lozansky mentioned here because the list is very short and shrinking every day. Novaya Gazeta reported on this crime, and these people were detained.

They were tried by the jury, and on May 2 jury made a verdict that should scare any normal person: acquitted. Not find any reason to soften the punishment, it was a full-scale acquittal. And the court showed no interest in finding out who was giving these orders because the only excuse of these four officers was that they were given orders from a higher command.

The name of the major who was giving an order was established. The court made no efforts to invite him as a witness and, of course, didn't look into the records to find out who was authorizing these brutal attacks on Chechen population. The reason is very simple: Because we all understand that the genocidal war in Chechnya is run on the direct order of President Putin, and he covers up all the brutalities of Russian forces there.

But what is most frightening, seven out of 12 jurors gave standing ovation to these four security officers, and now those four security officers are applying their case, insisting on being compensated for two years they spent in jail during the investigation process. I have very little doubt that Russian state will accommodate such a request, while there were no requests of the victims of mistaken attacks of Russian troops in Chechnya being compensated.

Just recently by a mistake, Russian plane bombed house where

alleged terrorist could be hiding. The result: a woman killed with five of her children. No apology. These officers were not even detained for further investigation.

And I think, you know, the Chechen war has its terrible effect on the psychology of Russian people, and now even in Moscow -- I'm not talking about Russian regions -- we could sense this national hatred. And, of course, as Mr. Butkevich bluntly explained in his testimony, Russian police and Russian officials normally make no efforts in prosecuting those who are committing these crimes.

So I will have very pessimistic outcome about future international relations in Russia because this government shows interest in pacifying these relations and, in fact, trying to play with this explosive material.

SMITH: Let me just ask you, if I could, since you've brought up Chechnya a few times. We held hearings when the first Chechen war began and had Elena Bonner and many others testify, and felt very discouraged at the U.S. government's response at the time.

I remember Al Gore was in Moscow as the hostilities were being initiated, and actually made the very troubling, and I think very misguided, statement that the Chechen war, which was emerging then, was analogous to the U.S. Civil War, as if to give it a certain, "We will take no action politically and diplomatically to isolate and to criticize."

It was so bad that -- and our witnesses at the time couldn't have been more blunt in saying that we gave the green light, wittingly or unwittingly, to the Russians to do what they were doing; not that a negative would have stopped it, but it might have mitigated some of the brutality. And, you know, that attitude seems to have pervaded for years.

Then when the second Chechen war begin, it seems to me the response was muted, both in our Western press and by our own government -- the U.S. government.

Now my question to you is: Right now, as we look at Chechnya -- and, again, we've had hearings, IDPs. We've heard how the forced return in Ingushetia has put so many people at risk. With regards to those policies, how would you assess the U.S. government, the European Union?

Any of you who'd want to touch on this, please do.

The European Union at the recent Human Rights Convention in Geneva at least attempted with a resolution to condemn the ongoing brutality in Chechnya, and I was there three days, and I think they were working it pretty hard. Obviously, it went nowhere at that body.

So my question is: Have we been feckless and ineffective and inadequate and maybe an enabler with regards to Chechnya? I don't see much in our own press. Occasionally, there will be a New York Times or some other report about it -- about the killing, but it's very sporadic. What's your sense?

Anyone else who would like to touch on it?

KASPAROV: Mr. Chairman, you just mentioned your Civil War and compared Chechen situation to the situation in this country in 1861.

I would say Chechnya could not be compared exclusively to one single event in American history. It has some resemblance with Civil War, but more it has resemblances of Vietnam.

Could you imagine Vietnam happening somewhere in the middle of Kansas? And that's what's happening in Russia.

Chechnya is going to produce, sort of, Vietnam syndrome. There are about million Russian soldiers that came through this Chechen war, involved million soldiers, and you understand the effect that this kind of war, this kind of tragedy will have on the national psychology for generations to come.

We're talking about young people. We're talking about people who supposedly will be building future Russia, and many of them will have their moral (ph) system and their priorities in life completely broken by the tragedy in Chechnya.

The sooner we stop this carnage, better for Russia.

And it's very important that Russian people themselves send a message to the government. The problem is that Putin's administration, as I explained already, put all sorts of obstacles for information to spread.

I think one of the things that Western governments, the human rights organizations, U.S. Congress and European Union could accomplish is just to force the Chechen issue back in the main press. It's not Mr. Putin's privilege to decide what should be excluded or included in the public debate. The events have cost Russians -- and Chechens are also Russians -- already hundreds of thousand lives and many, many more refugees, and talk of the ruined infrastructure of the region and the rise of terrorism in Russia, this event can be cured only through the very sophisticated and elaborated public debate.

While world attention is caught to certain events in Iraq and the Western press is full about the reports from Iraqi jails, there is no attempt to look at the situation in Chechnya or Ingushetia, which is hundred, thousand times much worse than in Iraq, but this event, unfortunately, is completely sidelined due to the decisions of Western leaders that Chechnya is purely domestic affair.

So bringing attention of the world to Chechnya, not waiting for Al Arabiya or Al Jazeera to report about it, I think that will be an utmost duty of Western human rights organizations and Western governments.

SMITH: Dr. Lozansky, you had said that the U.S. shouldn't drive Russia out of the G-8 and made note of the legislation offered by Congressman Tom Lantos that passed in the I.R. Committee very recently, sent to the Congress, but it does send a message of -- it was worth noting that Congressman Lantos, the ranking Democrat on that committee, was the one who was just a few years ago talking about that the time had come to get rid of MFN, the annual review pursuant to Jackson-Vanik and Russia, because they had so turned the corner with regards to human rights and democracy. So coming from the same man that was proposing this a few years ago makes, at least some of us, take a good look at what he's suggesting here.

Isn't the issue -- you might want to comment on that -- but isn't the issue of corruption, of a lack of rule, of law in Russia the most

troubling issues of all? I mean so many of the people, perhaps that were in the KGB or in some other part of the government, now are in organized crime. One of the things -- and one that we might want to touch on -- is that whole issue of human trafficking.

We have tried to get the Russian Duma, our Congress to do more on that. They have, obviously, their own self-interest in doing it. For a while there, there was a total lack of responsiveness that they didn't even have a problem, even though so many Russian girls were ending up in New Jersey and New York and everywhere else in the world being abused. And my -- so you know, what about this idea that corruption really is at the core of what we're talking about here?

LOVANSKY: Yes, sir. Of course, there's big corruption in Russia. But it didn't start under Putin administration. Corruption started with the collapse of Soviet Union. And there are many reasons.

Now, you touched a little bit in my statement that unfortunately the United States government encouraged some of those things by, I don't know, closing their eyes on corruption. And because they saw no other point, no other alternative but to support corrupted regime. Everyone knew that the Yeltsin regime is corrupted, but there were no alternative.

And so with Putin, he inherited a very bad situation. The country was about to collapse. We must remember this financial crisis of 1998. And, of course, he had to take some action -- not merely Putin, and please don't misunderstand me. I don't think that Putin's a great democrat. I always -- Putin, of course, he's authoritarian. But in the inherited country, which is almost ready to collapse, he had to take some unpopular measures.

But my main point which I want to make, is that he enjoys tremendous popularity, not only because he controls channel one, two and four of Russian television. All sociological surveys, they prove that even without TV he would probably get -- if not 70, he'll get 60, 65 percent. And those polls are done by American organization as well.

So the point I want to make that this level of freedom, even with this (inaudible) of freedom, right, imperfect and, of course, limited, let's say. Still for the United States at this point, it is more important to have Russia as a partner in fighting terrorism, and energy issues, ecology and many other things that we have mentioned. And Russian people are capable. Look, super-intellectual Garry Kasparov and (inaudible) and all his friends, very capable people. I don't think they need lesson.

United States moral support, fine. But public statements are going to be counterproductive, because if you have a president who is so popular and people really love him, and then America, you know, denounces him as evil, or KGB or whatever, I don't think there'd be gaining some points with Russian people.

So we should concentrate on specific proposals, specific projects, like I mentioned, business, many, many other good things are happening. And promote them, and bring message to Russian people that, "We really want to be friends and we need Russia as an ally." And leave things of building democratic state to Russians. I think they're capable of doing this. And I think they're doing pretty well.



Progress is to -- really there's a great progress that's happened for last 12 years. And remember, Russian democracy is only 12 years. I will say that look America has -- what? -- I say 200, but some people correct me: America started building democracy already 400 years ago, in 1619 or something.

And we are not really perfect. So let's leave to Russians building free and democratic society. And let's concentrate on pragmatic policy issues which are much beneficial to both countries.

SMITH: I appreciate that. Part of the concern -- I mean, we recently had a Helsinki Parliamentary Assembly that focused on corruption as the hijacker of democracy.

Part of the concern -- just so you understand where many of us are coming from -- is that everyone had great hopes and expectations, not that you would have Nirvana and the emerging markets, you would arrive there overnight. Nobody expected that at all. But the concern is the trend line -- the all-important trend line, into which direction are these countries moving.

In Bucharest, when we held this Parliamentary Assembly just a few years ago, there was consensus among the members that democratic institutions were being undermined, free media was being undermined to serve the purposes of certain politicians.

Wouldn't all of us, including myself, like to be able to say to my own media, "Run this," and just have that happen. It certainly doesn't happen. I get a chance to respond to the criticism. But it does keep; you know, the checks and balances, things moving in the right direction. And freedom is more probably because of it.

That's our concern with Russia that their trend line seems to be going the other way.

And one of the things that Reverend Nikitin brought up was the Jehovah's Witnesses in Moscow -- and I would ask you if you would touch on that a little bit further; one for the Jehovah's Witnesses themselves, and the fact that liquidation seems to be their lot for the congregation in Moscow. That's a very serious breach of human rights, and the free exercise that is not guaranteed by the U.S. Constitution, but the Universal Declaration of Human Rights, and all of the declarations the U.N. has made thereafter that have been acceded to by the Russian government, and even before that by the Soviet government.

If you could speak to that, perhaps, elaborate on the situation with Jehovah's Witnesses, and what this portends perhaps for other religious minorities.

I'll never forget; we had a meeting on religious freedom. We met many members of the Duma at the Kremlin, including -- at this point it was Yeltsin's governments. And we were concerned about that new law that was moving that we thought would constrict religious freedom.

In meeting some of the Russian Orthodox, in one particular metropolitan -- when I brought up what is my faith, that the Gospels talk about -- in Matthew's gospel, the 25th chapter -- "When I was in prison, did you visit me? When I was naked, did you clothe me?" And our Lord then concluded, "Whatever you do to the least of my brethren, you do likewise to me" -- there were many people of faith who we had

lists of -- this was just a few years ago -- that were being held, and harassed and their congregations harassed.

And the metropolitan said, "Well, we went through it. Maybe it's their time." I almost fell off my chair with that kind of indifference and lack of sensitivity on his part.

And I just wonder how much of the government policy is at least pushed and tugged at by certain elements within the Russian Orthodox Church. And when you get, you know, a tightening of the noose, if you will, around minority religions that ought to be protected, and sandbags put around them, and now they're being liquidated.

And, Reverend Nikitin, could you speak on that?

NIKITIN: Yes. The case with Jehovah Witnesses are very important for us. And it's a definitely unconstitutional, and against the law of freedom of religion.

But the situation here, it's just like a showcase. It's just one problem, a case what can breed another problems all over Russia.

I'm very concerned about the situation with the continuing so-called traditional religion laws trying to pass in Duma. In fact there is three laws. One is again, prepared by Mr. Chuev, Alexander Chuev, second by Sergei Glaziev, and the third one is preparation to agreement between Russian Orthodox Church, or so-called only traditional religion in Russia, and government.

And we are very concerned, especially in this time, when we see Jehovah Witnesses is the first case, then we see too many situation when there was a terrible attack and harassment of believer's feelings, you know, after the breaking up meeting of Protestant churches together. Then the churches are met in their own church. And then police break up again in the church, and asked everybody to leave the building. And they wait for 40 minutes for the dog, sniffing dog. I mean, this is like -- you know, Easter is very special day for all the believers. And we see it's especially starting up very recently, right after the case with the Jehovah Witnesses.

So we are especially concerned about this traditional religion law is graded Russian Orthodox as a first-class religion. And second-class religion is Muslim and Jewish. And then third-class religion is Protestant. And fourth-class religion is Catholic Church. So I don't why is the Catholic Church is fourth-class religion, rather than Jewish. I mean, I can't comprehend this.

But this is just the beginning of this movement. And I think that's why we need to watch very closely to these cases, because in Russia things are started. And then it's bringing to the big, like a wave, tsunami, covering whole nation. So that's probably what I would like to answer.

SMITH: I know you've been very patient. If I could ask just a couple more questions, and then any final comments you might want to make.

Mr. Kasparov, you had mentioned, regarding the judiciary -- the judges -- and I quote you -- "(inaudible) provide verdicts favorable to the administration when all evidence points to the contrary."

Let me just ask Dr. Lovansky, is that your experience as well?

LOVANSKY: Frankly, I don't do too much business with judicial proceedings. I think that jurors, it's pretty good. We encourage. I think the United States encouraged Russia to have jurors trial. And there are many consultants from the United States who were helping Russia to accept the system. So since only beginning -- and Russia doesn't have, really, a traditional culture of this jurors trial, I mean Soviet -- after the Soviet years; probably had under the czar. So it will take time.

And I don't want to leave you saying that Russia is so great and democratic and free and prosperous that you shouldn't do anything. I know all the shortcomings, probably more than anyone else, because I go there all the time and I spend a lot of time there.

But you're talking about pragmatic things. You can't expect Russia, in 12 years, to become democracy like we. And that's why you have to work with a country which we have right now, and be Russia's ally.

So this why we had to be very careful how we -- what we say, how we denounce Russian president or Russian government, because we need Russia. And the United States needs Russia as an ally. We don't have too many allies, by the way. So Russia is a very important one.

SMITH: Let me just ask Mr. Nikitin, if he could, I mentioned earlier the concern that I have, and many of us have, regarding trafficking. Do your church organizations -- and any of you who might want to touch on this, are you involved with the trafficking issue, working to provide shelters for the women? And have you been able to get involved in that?

NIKITIN: Yes, of course.

Well, as you know, it's a very large problem in Russia. And it's not just in Russia for the Russian, you know, ladies mostly. And I have terrible statistic that over a million Russian ladies live in -- I mean, involved basically in slavery all over the world. And as Christians, we're helping person by person, and we have lots of testimonies of changing young ladies' lives.

And not just in Russia, but in Arab Emirates, in -- I just recently visited Arab Emirates. But specially it's a lot of -- we have centers for these ladies close to Moscow, and some of them close to St. Petersburg.

So we are aware of this problem. And we would like to do more as is possible, because it is become a large problem for our nation, and for the future of our nation.

SMITH: Let me ask one final question unless any of you would want to respond to that. How do you assess the appointment of Vladimir Lukin as national human rights ombudsman? Is that something will he be...

LOZANSKY: I know him quite well. He was Russian ambassador to the United States.

SMITH: Yes.

LOZANSKY: A very respectable individual.

By the way, this in itself is very symbolic, that Vladimir Lukin, who is a member of this Yabloko Party, this -- he was a guy who -- I remember from old days when we protested Soviet invasion into Czechoslovakia. He also signed this petition, so not too many people at the time did that.

So a very respectable individual, scholar. Great experience. He was before me as chairman of the foreign relations committee in the Duma. So I think I welcome this, and I think he will do a great job. This is really very -- a great.

And this shows that Putin only puts KGB people all over. Sometimes he also -- I think he invited a few people from human right forces from Yabloko to join the cabinet. So I think it's a pretty good sign.

BUTKEVICH: May I respond to that, Mr. Chairman?

Mr. Lukin has been very helpful in working with us and the guidelines of our project of monitoring xenophobia. He has -- actually, for the first time, his office is going to write a report on xenophobia in Russia, and I heard at the conference in Nizhnynovgorod that he is also pushing the Duma to hold hearings on the issue of xenophobia, which would be the first time I heard since 1995 that the Duma has done that.

His predecessor, Oleg Goronov (ph), was very cooperative as well. I think it's unfortunate that Mr. Putin probably hardly ever met with him, and we're cautiously -- we're optimistic that because Mr. Lukin is actually Putin's person, and because now the pro-Kremlin party, United Russia, now dominates the Duma that he'll have greater access and hopefully greater influence as well.

So I'd definitely want to associate myself with Mr. Lozansky's remark about the new ombudsman.

SMITH: Maybe just one last thing, if I could. Mr. Kasparov had mentioned in his written testimony, and I just would quote it and ask if the three of you might respond to it, "The Putin administration is moving Russia toward a complete autocracy. Already, the central bastions of free press, fair elections and unbiased judicial system has been nearly eradicated. Without Western attention and pressure, the situation will only worsen during Putin's next four years."

Do you all think that that's accurate? Is it something that you would agree to?

KASPAROV: Yes.

SMITH: I know you do.

(LAUGHTER)

KASPAROV: The question was to all of us.

LOVANSKY: I disagree. I don't think it's correct. Just by showing that -- your example of Mr. Lukin showed that this is not the

case.

BUTKEVICH: I'd like to think that the truth may be somewhere in between my two panelists here.

I don't think that we are moving toward a total autocracy. Nevertheless, there is a lot of backsliding toward authoritarianism, and certainly the KGB penetration of not all the many branches of the government is the cause of a great concern.

On the other hand, as Mr. Lozansky says, Putin is genuinely very popular, and I understand why. It's because the situation in the '90s was terrible for the vast majority of people there, and they really wanted order and stability. And partially because of his actions and partially because of high world oil prices Mr. Putin has definitely helped that process along.

And so I guess I have mixed feelings about his administration in that sense.

LOZANSKY: But the more we engage the better for Russian democracy. The more projects we have, the more changes we have, it's better for Russian democracy.

SMITH: Mr. Nikitin?

NIKITIN: Well, I just was studying history of Russia and Byzantine mentality in our nation and slavery because of that slavery mentality in our nation. And I would say it's -- in the sense of Byzantine Russian Orthodox mentality, the czar is always taking part of God on this Earth.

And as we won't have the freedom of religion, we will have totalitarian regime. If we not moving toward bringing forth freedom of religion, it's going to have one king who is almost like a god.

So that was a history of Russia, and we need to study our history to comprehend what can happen if we are not -- we are in the process -- in the next two years, it will be critical years for our nation.

SMITH: Mr. Kasparov, did you want to just...

KASPAROV: Yes, I'll actually respond to this question as well. I don't want to go too far in the Russian or world history. I think we have enough information to generalize for the last 15, 20, 25, 30 years and draw certain conclusions. One is, I don't understand why we are trying to compare Putin's time to Stalin's time or to Brezhnev's time, while we must compare this time to Yeltsin.

Now, at Yeltsin's time, we had at least two major television channels in private hands; we have none today. We had many leading papers in private hands; we have none today. I'm talking about leading papers.

Yeltsin bashing was spreading across Russian media outlets. Maybe Yeltsin was a tyrant. He also looked more like a tyrant in Russian eyes than Putin, but he was criticized and he didn't care about it. Russian parliament, although I'm a harsh anti-communist and I didn't like the Russian Duma in '95 to '99, dominated by communists and their supporters, but it was a classical case of the parliamentary opposition to the president, and it balanced the power.

It disappeared today. Analyzing the trend, we could clearly see the deterioration of major democratic institutions. In 1996, we had an election, and Mr. Yeltsin was opposed by communist candidate Gennedy Zyuganov. It was not perfect election, and I think Mr. Lozansky's description of Russian democracy could fit the 1996 election. It was not perfect, but it was a fight. It was a fight between two different concepts, and Mr. Zyuganov lost.

In '96, we had this fight. In 2000, we had no fight at all. And in 2004, we had no election at all.

And I want to confront all the popular story about Mr. Putin's popularity. Now, with my limited understanding of democracy, I think there is only one opinion poll we can trust: it's an election. All other opinion polls should be questioned, especially in a country like Russia.

When you ask all the Russian citizens about our president, general secretary of the Communist Party, it's a genetic fear that has been generated for 75 years of communist terror prevents him or her answering honestly. And I believe that we cannot rely on any opinion poll where the questions are directly asked about Mr. Putin's person.

There's a very strange disagreement in numbers. While people are being asked about Mr. Putin, his rating goes to 70 to 75 percent. When they ask separately about his policies, it never reaches 50 percent.

I believe people are frightened to criticize Putin in person, but they are not happy with his policy in Chechnya: below 50 percent. They are not happy with his policies in combating crime rate: below 40 percent. And they're not quite happy with his economical record, because the increase in living standard in Russia, it's quite small for the majority of Russians: numbers also between 40 and 45 percent.

I don't understand how the record of a president could be -- in all major issues could be below 50 percent, while his popularity record goes to 75 percent. We have to find a rational explanation, not to talk just about mysterious Russian soul.

And also I'm a bit confused that into these hearings, very often we're mixing human rights and Russia's geopolitical importance. Yes, Russia is geopolitically very important, and there are moments in its history where United States had to join arms with Comrade Stalin. That was a necessity. There was a threat from Nazi Germany, and there was no other choice. But Comrade Stalin didn't pretend to be a great democrat and didn't want to be part of G-7.

Also the United States is dealing today with very important allies like General Musharraf, but no one is trying to prove that his record in human rights deserves any credit.

So I think that we should concentrate on certain elements where the West could have an influence. And I strongly disagree with Professor Lozansky when he says that engaging Russia will turn this country into better shape.

We also had experience from the nearest past. The policy of detente in the '70s ended up as Afghanistan. And what eventually demolished Soviet Union was Reagan's blunt policy of Evil Empire.

So unfortunately, Mr. Putin's KGB origin makes him understand only language of strength, and not being soft at the bargaining table, accommodating number of his demands.

And also, as I mentioned a few times, the key situation in Russia is based on the lack of independent judiciary system.

And I would like also to bring attention to the fact that European Court on Human Rights made the historic decision granting victory for Mr. Gusinskiy versus the state of Russia, where he complained about illegal arrest and using state power of taking away his property. And European Court of Human Rights -- it was a panel of seven judges from different countries, including one from Russia, unanimously supported him and blamed Russian state, Putin's Russia, Putin's government, for using its power, using the power instruments to redistribute the property and taking from Mr. Gusinskiy.

I think this is very important, and this is a very fundamental step forward. Those are the measures that Western institutions, human rights organizations could take to make sure that Putin would not feel comfortable in dealing with human rights issues in Russia.

And at the end, I wish that I could have our friend Congressman Weldon here and ask him to demonstrate the same passion and rage as he displayed talking about U.S. officials of State Department on Russian television when he is being asked about the situation in Russia. And I wish he could talk with the same passion about Chechnya and other human rights abuses, because he is a man who has access -- unlike us, those in Russia who are fighting for democracy -- he has access to television stations as a very close friend and ally of President Putin's government. And hopefully he and other U.S. congressmen could carry the message across and tell Russian people that it's not as simple and it's not as rosy as being presented by the local propaganda.

And I refrain from any remarks on Mr. Putin's record on the economy, because I don't believe it is the subject of these hearings. But we all know that the collapse of 1998 was due to the fact that the oil prices went down to \$10 a barrel. And in 2000, when Mr. Putin took over, the country was not in any crisis. It was improving. It was doing much better, and today it was \$40 a barrel. I don't think we could judge the efficiency of Putin's government.

And at the end, I'd like for this commission to add to my testimony the documents from the committee 2008 (ph), including our declaration and the recent statement of the commission on Chechnya, which was refused by all important Russian publications to display.

And then I'm grateful for this opportunity, and grateful that the commission is taking time to investigate human rights situation in Russia. And hopefully in the future the very reasons why we're here will be (inaudible) in Russia. But I'm not an optimist. I'm afraid we'll be talking more in the future about these problems in Russia in years to come.

Thank you very much, Mr. Chairman.

SMITH: Thank you very much. Now, was that two additional documents, just so we're clear?

KASPAROV: Yes, they're two documents I submitted. One is the declaration of the committee...

SMITH: Without objection...

KASPAROV: Yes, and another one is our statement on Chechnya, which was proposed to Russian press two days ago, and not published.

SMITH: Thank you so much, and would any of you like any concluding remark? Or, I know it's getting late.

LOZANSKY: Well, just only one small remark is that it's true that the experience of President Reagan -- by the way, I worked with his team at the time. But our goal at the time was to destroy communism and throw Soviet Union communism to ashes of history. I don't think that our goal now is to destroy Russia and undermine an elected president.

So that's why (inaudible) will probably worked very well, and I mentioned in my presentation, during the Soviet Union, because they had different goals. At this point, our goal is to have Russia as an ally to fight terrorism and on many other issues, as I mentioned.

So probably we should use different tactics than we used in the Soviet Union.

SMITH: OK.

Again, I want to thank our panel of experts. This is a very incisive and provocative hearing. The information you've conveyed to us, both written and orally, will be, like I said I guess three times now, very widely disseminated, because it is very, very useful, especially with the upcoming meeting with the president and Putin and others. But this is part of a series of hearings, and we thank you so much for your presentations and your work.

The hearing is adjourned.