



HELSINKI COMMISSION HEARING

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Chairman - Andrei Sakharov Foundation

The period of Russian history, which began in September 1999 with the tragic explosions of apartment buildings in Moscow and Volgograd, can properly be called the Putin era, the successor to the Yeltsin era. This new era has been characterized by several distinctly troubling tendencies fundamentally affecting the Russian nation.

1. Violations of the Constitution by the President and state officials.

First of all, there is the creation of a union of Russia and Belarus, with the prospect of combining them into a single state.

This can be lawfully accomplished only if it is preceded by popular referendums confirming the desire of the two peoples to unite, followed by the introduction of appropriate amendments into the two Constitutions.

Second, there is the virtual liquidation of the Federal Council, depriving it of the functions assigned to it by the Constitution and turning it into an advisory organ. This destroys the federal structure of Russia, which de facto is turned into a unitary state. The division of Russia into seven regions, although formally not a violation of the Constitution, reinforces the emasculation of the upper chamber, giving the president additional levers to pressure local authorities and to centralize state power.

Such fundamental changes in state structure reduce society's possibilities for influencing the government and impair the rights of voters. Besides, this kind of reorganization ("strengthening the vertical chain of authority" as Russian officials call it) has led to a colossal growth of the bureaucracy and to exorbitant expense for its maintenance which cause further grief to citizens and taxpayers.

High-ranking officers of the army and security services have left their former posts and infiltrated central and regional government bodies, and they continue to do so. The dependence of procurators and judges on the central and local executive organs has grown.

A number of laws adopted by the Duma and presidential decrees clearly illustrate the retreat from the democratic principles of government and humane values proclaimed during the previous era. The following examples are far from exhaustive and vary in importance.

There is the law on political parties, which deprives significant groups of voters of the opportunity to elect persons to the legislative bodies who will represent their particular interests and which also allows the president to secure a parliament even more compliant than the present one.

There is the doctrine of information security. There is the interruption of the work of the Presidential Pardons Commission, introduced by President Yeltsin.

There is the introduction of military training for high school students, the allocation of money from the budget for so-called "education in patriotism," and the creation with the help of the presidential administration of a pro-Putin organization of young people. At the same time we see a steady increase in the number of runaway children, in drug use by young people, and in child prostitution. Today there are more homeless children in Russia than there were in 1921 after our Civil War. And 18,000 children are serving sentences in reformatories. The tragic fate affecting many children is the result of mass impoverishment. According to official statistics, more than a third of the population lives below the poverty level.

There is the recurring spymania and the recently revealed circular of the Russian Academy of Sciences obliging scientists and scholars to report (once again!) to their bosses their contacts with Western colleagues and any plans to publish abroad or

receive grants from foreign sources. Truly, “what goes around, comes around.”

2. The use of financial and legal pressure to curb the independent media - television, radio, and the press.

We still haven't seen the end of the crushing of the Independent Television Company (NTV) as well as Media-Most's press holdings. This will be followed, judging from actions of the Procurator's Office, by the destruction of TV Channel 6 and the Echo of Moscow radio station. The situation is even more catastrophic in the provinces, where, in addition to the financial and legal pressures leading to the closing of local newspapers, radio and television, there are frequent reports of threats to, beatings of and sometimes even murders of independent journalists. Furthermore, I do not know of a single case when investigation of such crimes has resulted in the conviction of the perpetrators. Recent examples of the persecution of independent journalists was the trial in Belgograd of Olga Kitova and the scheduling of a second trial of Grigory Pasko. In short, the proclamation in the Universal Declaration of Human Rights that everyone has the right to “receive and impart information and ideas through any media” is being violated in Russia today.

3. The Chechen war.

In Chechnya, mass violations of the rights of the civilian population - looting, “cleansing” of villages, torture, imprisonment in pits, extrajudicial executions, including shooting of children -- are continuing. The military authorities are trying to cut off access to information about Chechnya and to interfere in every possible way with the work of the Red Cross, Amnesty International, the Memorial Society, and other humanitarian organizations.

Investigations of mass crimes against civilians are sabotaged. Independent investigators are not permitted access to the investigations of mass burial sites. According to official statistics, more than 3,000 Russian soldiers have died in the second Chechen war. No one knows how many civilians have perished. There are no statistics on civilian deaths. These should include not just those killed directly during military operations, but those who have died from cold and disease as well as the majority of those who have been detained during “cleansing” actions and then have vanished without a trace. In time the bodies of some “disappeared” persons have turned up in the mass graves of the executed.

The situation of Chechen refugees is going from bad to worse. According to the numbers recently published by the State Commission on Statistics, there are 77,000 refugees in Russia, mostly migrants from Kazakhstan and the other Central Asian Republics. Chechens are not included in that figure. This is the result of a technicality – only a person arriving from a foreign country is considered to be a refugee. In this way tens of thousands of Chechens, who fled bombing, shelling, and other horrors of the war, who have lost their homes, their possessions, and often family and friends, are not counted as refugees and are thereby deprived of the right to choose their place of residence within Russia and the right to international assistance and defense.

The temporary camps for displaced persons in Ingushetia are filled beyond capacity. People survive in them only thanks to the assistance of international humanitarian organizations. Russian government representatives, instead of helping these organizations, do everything possible to hinder their work and to compel the return of the exhausted, half-starved, often diseased people to Chechnya. But no one can guarantee that they will be safe there. The Chechens fear – with good reason – that they will be left without shelter, food or humanitarian assistance. They fear robbery, violence, and the continual “cleansing” actions, during which practically all adult and adolescent males are detained. The genocide of the Chechen nation is continuing.

On May 25, 2001, the Russian National Committee to End the War and Make Peace in the Chechen Republic received a letter from Aslan Maskhadov, President of Chechnya, in which he has again confirmed that he is ready to engage in peace negotiations without preconditions. I ask that this letter be included in the record together with my testimony.

OPEN APPEAL OF THE PRESIDENT OF THE CHECHEN REPUBLIC ICHKERIA

TO

THE RUSSIAN NATIONAL COMMITTEE TO END THE WAR AND MAKE PEACE IN THE CHECHEN REPUBLIC

First of all, I would like to thank the world renowned human rights advocates who signed the appeal of “The Russian National Committee to End the War and Make Peace in the Chechen Republic” for their courage, for their firm civic stand, and for their humane and civilized perspective on the situation in Chechnya.

I would like once again to call to the attention of President Putin, the people of Russia and the world at large that no one has gained and no one can gain from this war and from our many years of conflict. People on both sides are dying, and instead of

constructive development, we see only havoc and destruction. Enormous material resources have been allocated, supposedly for rebuilding, but they have disappeared no one knows where, and whatever was rebuilt after the first war is being destroyed once again. We are caught in a vicious circle which we cannot and must not ignore. I am convinced that we can resolve our differences in the interests of our peoples if only both leaders have a sincere desire to do so and are willing to listen to each other with open minds.

This war has benefited neither Russians nor Chechens and only aggravates our mutual relations which were complicated enough already. I assure you that we Chechens derive no pleasure from this war. We are fighting not for the first time to save our nation from genocide, from the barbaric "scorched earth" strategy which has been employed by Russia against the Chechen people for 300 years.

I was chosen by the Chechen people to be President of the Republic by means of a legitimate election monitored by Russian as well as international observers. Neither I nor the true sons of the fatherland who have joined me in our struggle against aggression, against the monstrous and repeated violence suffered by the Chechen people, are bandits or terrorists. The very accusation is blasphemous and cynical. I ask and insist that the choice of my people be respected, that they be given the right to decide for themselves who will be their leader and what will be the character of their state and government.

From the very beginning of the current war I have repeatedly stated that we are taking the wrong road to settle our mutual relations. We have already tried this road and nothing good has come of it. Revenge, hatred, punitive measures do not lead anywhere. It is impossible to resolve international or interethnic conflicts in this way. History has demonstrated this on more than one occasion. This road brings grief, suffering, and great hardship to all the peoples involved and provokes still more mutual resentment and hatred.

I offered to sit down at the negotiating table even during the fullscale war which Russia has been waging against my people, falsely depicting it as a "counterterrorist operation." I suggested that we decide all contested issues in a civilized manner and declared myself ready, given appropriate evidence, to conduct a joint struggle to suppress the terrorism, drugs and banditry infesting the Chechen Republic and other regions as well. As President of the Republic, I needed then and need now to engage in dialogue with the Russian leadership. I am quite sure that Boris Yeltsin sees many issues of our mutual relations in a different light today than he did when he was President of Russia. Much could have been done otherwise, but the scales are tilted again toward the use of force because continued chaos and lawlessness make it easier for certain people to acquire property, to grow rich, to rise in rank and office.

History and geography oblige us to accept compromises in our mutual relations and the bloody outcome of our past interactions is the best evidence that we have been on the wrong track. Until now, however strange it may seem, no one has tried to base their dealings with the Chechens on a good neighbor policy, on the principles of mutual respect and recognition of our lawful claim to this land. I know my people and I am confident that Russia would gain a reliable and loyal neighbor if it instituted equitable relations with us. But so far, no one has tried to settle all the outstanding issues on the basis of a good neighbor policy. Instead, Russian generals and politicians have indulged in wishful thinking, they have twisted facts and wildly distorted reality, giving these a nationalistic, great power spin, and thereby provoking both the first and second Russian-Chechen wars.

After the first war, our Republic lay in ruins, our people were impoverished. We tried to repair our relations with Russia. I know this and Boris Yeltsin knows this. But instead of assistance and support we were subjected to the full range of the Russian special services' subversive operations. That was not the kind of help we should have had. Now we need a new approach.

When the first war began, the presidents were Boris Yeltsin and Jokhar Dudaev. Now they are Vladimir Putin and Aslan Maskhadov. The consequences of these two wars are not at all what the past and current presidents anticipated. We need a fresh approach. I cannot accept the present state of affairs which only aggravates the conflict and hatred between our peoples. That is not my way.

For the sake of my people's future, despite everything that has happened, I sincerely believe that the Chechen and Russian peoples will have to reach an accommodation. I officially declare that I am ready to sit down at the negotiating table with the Russian leaders and to engage in a dialogue about peace without prior conditions. Whatever the outcome of these talks, I am convinced that the future of our peoples depends on mutual respect and understanding. If we don't succeed in achieving this, others will do so in the future. And whoever they may be, they will go down in history as wise statesmen and leaders.

Respectfully,

Aslan Maskhadov
President of the Chechen Republic Ichkeria

The appeal of the Russian National Committee to End the War and Make Peace in the Chechen Republic called upon Presidents Putin and Maskhadov to proclaim a ceasefire and open peace negotiations.

Persons signing the appeal included: Ruslan Aushev, President of Ingushetia; Sergei Kovalev, Boris Nadezhdin, Yuli Rybakov, and Sergei Yushenkov, deputies of the Russian State Duma; Victor Astafiev, Andrei Bitov, , Victor Erofeyev, Felix Svetov, Alexander Tkachenko and Arkady Vaksberg, members of the Russian PEN center; and Elena Bonner, Oleg Orlov, Lev Ponomarev, and Yuri Samodurov, representatives of the Russian human rights community.