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**U.S. Commission on Security and Cooperation in Europe**

**Hearing: Human Rights and U.S.-Russian Relations: Implications for the Future**

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Mr. Chairman, I thank you and the Commission for the opportunity to offer my thoughts on the future of the U.S.-Russia relationship. Having been present at the G-8 summit in St. Petersburg, I am happy to share what I saw and heard, and to provide my own opinions and analysis to the Commission.

Russia today is moving toward a system defined by unchecked executive power, a greater state role in the economy, and a more tightly managed and circumscribed civil society. The Kremlin's distrust of pluralism and growing limits on civil and political liberties raises concerns about the government's commitment to democracy and human rights, as well as to the rule of law impartially and dispassionately dispensed. The consensus view is that what is emerging in Russia is a form of "soft authoritarianism" (I have, in the past, used the term "managed pluralism"), which retains some democratic features but is a far cry from what might be described as the "developed democracies" found in the post-industrial societies of the West—leading to an evident "values gap."

At the same time, given its size, geopolitical position, and natural resource endowments, Russia remains a country critical to achieving success for a number of key U.S. foreign policy goals, from stemming nuclear non-proliferation to improving energy security. It is particularly timely to address the question of how Washington should balance its concerns about the state of human rights and democratic governance in Russia with securing its vital interests. As former Secretary of State Henry Kissinger said in the current issue of *The National Interest*, "The domestic nature of a regime is a factor that has to be considered" in assessing its relationship with the United States—but we still often lack a set of realistic criteria that would enable policymakers to set priorities.

I feel that it is important we dispense with glib pronouncements about the relative ease in balancing contradictory and competing impulses or that, with only a modicum of effort, we can simultaneously be very critical of the Putin Administration and achieve full compliance with our most pressing concerns.

My impression, in the aftermath of the G-8 summit, was that this so-called "selective cooperation" approach has alienated and even irritated the Putin government without doing much to strengthen the cause of liberal democracy in Russia. It has undermined efforts to enlist more active Russian support for U.S. objectives vis-à-vis Iran and North Korea. The United States is neither safer nor are its values on surer footing.

Too often over the past 15 years, we have swung from one extreme to another in assessing Russia, and usually have, in turn, exaggerated the country's virtues and vices. We should be prepared to speak openly and frankly about what we feel is going wrong in Russia—whether it be the state of press freedom, onerous restrictions on civil society organizations or the existence of a fair electoral system. But, at the end of the day, we have to be able to answer the question I posed in an essay in the Spring 2004 issue of *The National Interest*: “[E]ven with all these disappointments, is this a Russia with which we can live?”

This question needs an answer because I do not see major changes occurring in Russia for the foreseeable future. While some Russians are concerned at the direction the country has taken under Vladimir Putin, polling data collected by the respected Levada Foundation indicates that for the vast majority of the citizenry, the current government has provided both the stability and the prosperity needed to enjoy a wide array of personal liberties. Asked to give their impression of contemporary conditions in comparison with those under Gorbachev's perestroika, 84 percent found Putin's Russia to be better in terms of guaranteeing religious freedom; 81 percent agreed that they had freedom of speech and 83 percent felt they could join any civic or social organization they wished. Significantly, the Putin Administration enjoyed a 65 percent approval rating—versus 26 percent for the Yeltsin government in 1996, and, significantly, 88 percent anticipate major improvements after 2008.

For Russia's rising middle class—which by some estimates is now over 30 percent of the population, the prosperity of the last seven years has given them greater opportunities to take advantage of freedoms that before existed only in the abstract. And so, while the zone for political activism and various organizational freedoms has been shrinking, most people do not perceive much of an infringement at all in their sense of personal autonomy, especially in terms of access to global networks of information (via the internet) and ability to travel overseas.

This produces what I have called a “democracy paradox”—that the authoritarian tendencies of the Putin Administration are supported by a large majority of the population which sees this as a necessary palliative to the chaos, collapse and poverty of the 1990s. (And I might note that this “democracy paradox” is present in other countries as well, and helps to explain the large basis of support for the Nazarbayev government in Kazakhstan as well as the revival in the political fortunes of Viktor Yanukovych in Ukraine).

The Russian polling agency ROMIR categorizes the mood of most Russians today as what it terms “conservative liberalism”—a desire for a period of relative stability and quiet marked by no major upheavals in order to rebuild and guarantee a certain level of economic and social security as market reforms continue. I realize that some in the United States see this as a “selling out” of freedom. But given that many Russians lost their savings twice during the 1990s—the first in the hyperinflation of 1992 and the second in the collapse of the financial system in 1998—the Putin bargain, a certain retrenchment in terms of political liberties in order to better secure the economic

foundations of society—is quite appealing. It also explains why, with the exception of those few for whom life under the Putin regime has gotten worse (for certain business figures, for example), the U.S. invocation of the 1990s as a more democratic period in Russia’s history (as the vice-president alluded to in his speech in Vilnius this past spring) has not had much resonance.

For most Russians, the increased level of state control and supervision has not yet collided with the outward expansion of their own sense of personal autonomy. This accounts for major differences in perception between outsiders looking in (such as Freedom House rating Russia “unfree”) and the sense of many Russians of being in a position to live without state compulsions. To take the religious freedom question: for many Russians, freedom of religion means the right not to be compelled to take part in religious activity, not that every religious organization should have equal access to facilities and the public square.

At some point in the future, these two trend lines may intersect, where the state’s desire for control impinges on what is perceived to be the personal liberties of the average Russian. We are not in that situation today—and for many, the problems experienced by “minority” groups—whether religious, political or social—is seen as something unrelated to ensuring the continued prosperity of the country and the exercise of personal autonomy.

The Putin Administration continues to enjoy a good deal of support in Russian society—significantly among the 18 to 24 year old demographic—the country’s first post-Soviet generation—that sees in Putin’s revival the path to opportunity and prosperity after the uncertainties of the Yeltsin era. There is certainly discontent—particularly with corruption—but nothing that suggests the current government is viewed as illegitimate by its people, especially given the fact that, despite Kremlin management, Putin has twice received an electoral mandate to govern.

All of this suggests to me that the likelihood of a colored revolution in Russia—given conditions on the ground in 2006—is highly unlikely. In Serbia and in Ukraine, there was widespread dissatisfaction with the status quo and an opposition that had already demonstrated its credibility by winning local elections; neither of those conditions exists in Russia.

We must also avoid falling into the trap of assuming that a more democratic government in Russia would have better relations with the United States. Testifying before you earlier this year, Assistant Secretary of State Dan Fried noted, “We cannot and do not separate Russia’s internal development from Russia’s external relations, including with us.” Certainly, having a Russian government that is more open, more transparent and more accountable benefits the United States. I am concerned, however, that there often seems to be a tacit assumption that Russian disagreements with the United States on foreign policy issues are primarily caused by authoritarian tendencies within the Kremlin rather than based on differing assessments of national interests. This is why I do not believe that

a change in government in Russia would lead to major changes in foreign policy, unless the West was prepared to radically alter its own approach.

Misreading the Eastern European experience, where newly-democratic governments worried about their security moved much closer to the United States, there are those who assume that if only the Russian government became more “accountable to the people” its positions would move into alignment with those of Washington. I would direct your attention, however, to opinion polls which demonstrate that there is a great deal of suspicion about the United States and that a more democratic government would have even less maneuvering room in foreign policy than the current regime. It should also be noted that in a variety of key Russian economic sectors—from the nuclear power industry to the oil and gas complex—there is a perception that the U.S. works against their economic interests (e.g. by wanting Russia to terminate its contracts with Iran or by seeking pipeline routes that bypass Russian sources of supply). As I concluded in an op-ed in the *Los Angeles Times* earlier this year: “In fact, it is difficult to conceive of any Putin foreign policy decision of the last several years that would have been reversed by a more democratically accountable Russian government. Eighty-nine percent of the people, for example, opposed any participation of Russian forces in an American-led coalition in Iraq.”

At the same time, the United States has lost a great deal of credibility with many Russians, both those in the government as well as in the general public. A constant refrain is that the U.S. is interested only in a weak and pliable Russia and that concerns about democracy and human rights are but cover for interfering in Russian affairs. The argument about double standards, even in the Eurasian space, is often raised—one Russian interlocutor once point-blank asked me whether, if the Kremlin has decided to open up Russia’s energy sector to greater U.S. participation and had given Washington a blank check vis-à-vis Iran, whether the same level of concern about “Russian democracy” would still be raised, or whether Russia would be given a more positive assessment a la recent praise for Azerbaijan and Kazakhstan.

The perception that the United States is driven more by opposition to Putin rather than concerns for democracy received a major boost because of the participation of senior U.S. government officials in the “Alternative Russia” forum prior to the G-8 which included representatives of fascist and communist movements (and which a number of Russia’s mainstream opposition parties boycotted precisely because of the attendance of those elements). There is a growing belief among members of the government that the United States constantly moves goalposts (the continued reluctance of the Congress to graduate Russia from Jackson-Vanik is usually cited). In the aftermath of the G-8 summit, one senior Russian official told us that while Putin is not looking for confrontation with the United States, making concessions for the sake of partnership with the U.S.—walking the extra mile in the name of improving U.S.-Russia relations—is increasingly losing currency in Moscow.

In our discussions about Russia, therefore, I would first lay down two ground rules:

First, it is of vital importance that all countries in the OSCE be held to the same standards and that matters such as elections, press freedom and so on be evaluated by using objective criteria regardless of whether a given country is considered to be “pro-American” or “pro-Russian.” It sends a significant signal when, as during this Commission’s July 2004 hearing on religious freedom in the Caucasus, U.S. allies Georgia and Azerbaijan were nonetheless subjected to criticism. The willingness of the U.S. Commission on International Religious Freedom to subject long-time allies like France and Germany to scrutiny alongside states like Uzbekistan or Turkmenistan has also been essential in establishing an impartial U.S. interest in advancing human rights. Nothing is more damaging to this than the perception that criticism of a country’s human rights record is conditional, or when U.S. officials are seen as defending or excusing behavior in a country considered to be friendly to the U.S. that draws condemnation in a state considered to be unfriendly to Washington. The proliferation, in recent years, of both official and unofficial teams of observers to contested elections and the emergence of “dueling reports” has also contributed to this. This was a major point of contention during the spring session of the U.S.-Russia Dialogue in Moscow.

Second, I believe it to be counterproductive to challenge the essential legitimacy of the Putin Administration. And here I would draw a critical distinction between recognizing a government’s legitimacy versus conveying approval of its policies. To be critical of the Putin legacy is one matter; to assume, as some here in Washington have, that his basis of support within Russian society comes from a citizenry that has been duped, fooled or otherwise has some psychological longing for autocracy is another matter altogether. It ignores the extent to which the Putin government has been able to respond to the needs and concerns of most ordinary Russians, and it encourages the temptation to accord to advocates the status of somehow speaking on behalf of a “silent Russian majority.” Elections may be flawed in Russia, as they are elsewhere, but they are still a much more reliable guide to popular sentiment.

This then returns me to the fundamental question I posed at the beginning: is the Russia that has emerged under Vladimir Putin a Russia with which the United States can live with and pursue common interests—and can we expect cooperation on vital issues of concern to us? If a house divided cannot stand, any policy predicated on two contradictory answers to this question has no chance of success.

If the answer to this is no—then we should act accordingly and not delude ourselves that we can oppose the regime while expecting its cooperation. Perhaps this logic worked for a time in Kyrgyzstan, where Aksar Akayev facilitated U.S. strategic interests in Central Asia even up to being overthrown in the Tulip Revolution, but this to me seems to be an outlier rather than the rule. This would mean being prepared to act on issues such as Iran, North Korea and terrorism without significant Russian cooperation and a willingness to invest much more effort and resources in the Eurasian periphery, a willingness I have to frankly say seems somewhat lacking in the Congress.

Let me put forward my own opinion that it is possible to have an effective, business-like relationship with the current government in the Kremlin. I would dispense with expansive rhetoric about strategic partnership and shared values, although I do believe that Putin's Russia is a vast improvement on the Soviet system and has been much more successful in securing the blessings of liberty than the chaotic Yeltsin Administration and that, however imperfect now, the long-term foundation for a developed democracy is still being laid in Russia. I think that it should be possible to find common ground on a number of key issues and for the U.S. to speak frankly about its concerns—but only if we set clear priorities.

But this would also require both the Bush Administration and the Congress to develop a larger strategy vis-à-vis Russia in which criticism of Russia's democracy deficit would serve a larger purpose beyond grandstanding and where, following Kissinger's advice, the failings (or the positive aspects) of the domestic regime could be assigned some sort of weighted ranking in the formation of policy. Mark Medish, who served on the National Security Council during the Clinton Administration, had this to say on the uses of criticism vis-à-vis Russia in a U.S. Commission on International Religious Freedom roundtable this past February: "We must use it, but we need a strategy. The message that's delivered through the speech needs to be a smart one. We have to pick our battles. And finally, the voice that delivers it has to be credible. That's the challenge of using speech effectively. And I don't think we've always done that, whether Democrats or Republicans have been in power."

This means having guidelines and a willingness not to "Christmas tree" different concerns in an effort to exert pressure. It is utterly inconceivable to me why the People's Republic of China could be graduated from Jackson-Vanik provisions years ago while Russia is still ungraduated from the provisions of the legislation, although for at least the last 12 years Russia has been in full compliance with the specific provisions, especially regarding immigration. But the willingness of members of Congress to add other complaints about things such as religious freedom or protection of intellectual property rights—legitimate ones, to be sure—as additional reasons not included in the original legislation for not graduating Russia (and a very clear signal sent by graduating Ukraine only after the Orange Revolution, even though Ukraine had also been in effective compliance for many years) has sent a message that the U.S. will arbitrarily move goalposts and that, as one Russian told me, there is no incentive to seek mutually-acceptable compromises with the United States.

As I said, I do believe that an effective businesslike relationship with Russia is possible. Perhaps the grey areas produced by our nuanced relations with states like China, Saudi Arabia and Pakistan—where key interests and values are often in conflict—has produced a sense that with Russia, a line should be drawn. And in the aftermath of the G-8 Petersburg summit, I question how likely we can sustain a broad interest-based relationship with Russia, given the failure to come to an agreement on Russian entry into the World Trade Organization. Russia is increasingly poised to reject U.S. criticism of its human rights record while at the same time U.S. leverage over Russia continues to shrink. I think that much of the remaining time of the Bush and Putin Administrations

will focus on maintaining existing ties and exercising damage control rather than leading to any rapid and fundamental redefinition of U.S.-Russia ties. This is still a marked improvement over even the best days of the Cold War and the supposed halcyon days of Gorbachev—but falls far short of expectations of Russia joining the Euro-Atlantic community as a full and influential member. No longer an adversary, not yet an ally—that seems to be the ongoing trajectory of the U.S.-Russian relationship.

I thank you for your time.