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Mr. Chairman, distinguished Commissioners. My name is Nicolai Petro. I am professor of politics at the University of Rhode Island. During the past decade I have lived and worked in Russia, completing a book on democratic development and serving as civic affairs advisor to the mayor of Novgorod-the-Great. A decade before that, thanks to the Council on Foreign Relations, I had the privilege of serving in the State Department as special assistant for policy to the man who would later become our Ambassador to Moscow, Alexander Vershbow.

I am honored to appear before you today, and will focus my remarks on the issue of democratic governance which has become such an apple of discord between Russia and the United States.

You are all no doubt familiar with the view that President Putin is trying to destroy democracy in Russia, so I will get straight to my points. First, I question the accuracy of this view. Furthermore, I believe that its inaccuracy is leading to misjudgments about political trends inside Russia. Finally, I will mention a few areas where the US and Russia could forge common ground on the issue of democratic governance.

Russia Through the Looking Glass

Russia's record on democratic governance has been severely distorted in the mainstream press. Here is a simple reality check: Putin enjoys phenomenal popularity in a country where politicians get extremely low ratings. Why? Because under him real wages have risen 75% after inflation, poverty has been halved, and federal budget surpluses are running at 12%. It would be suspicious if Putin had anything less than a 70% approval rating.

It is also said that his regime has turned back the clock on democracy. A March 2005 survey of attitudes toward democracy, however, shows that three times as many Russians feel that the country is more democratic today than it was under either Yeltsin or Gorbachev. The same percentage rate human rights conditions better under Putin than under Yeltsin.

There is a troubling rift between Western and Russian perceptions of reality when it comes to democracy, and I suspect that the media plays a very large role in it. By focusing so much attention on Putin, it has forgotten about the rest of Russian society. The casual observer this gains the impression that the country is run entirely from the Kremlin; there is no independent media, the situation in Chechnya is deteriorating, the legal system is a joke, and civil society is

under assault.

Other charges are sometimes added, but addressing just these four should suffice to illustrate why Putin is credited by most Russians with improving human rights and democracy.

PRESS/MEDIA

The trend toward economic independence of the media has accelerated dramatically under Putin. Before coming to office just 10% of local television stations were financially self-sufficient, that has risen to more than a third. Notably, this has occurred alongside annual growth rates in newspaper, journal and book production in Russia that exceed 10%.

I draw your attention to these figures because they are so at odds with the general perception. Put another way: there is more privately financed media in Russia under Putin than there has ever been in Russian history, both in absolute numbers and as a percentage of the whole.

This is not magic. It is the power of capitalism—specifically advertising—which has grown \$2 billion in the last two years and is expected to increase 20% each year for the foreseeable future. Profit has done what no foreign assistance programs ever could—to create a wide variety of commercial programming and diversify the ownership of the Russian media. Today, among the 35 largest media holding companies on Russia only a handful are directly or indirectly managed by the state. This genie is long out of the bottle and the notion that the Kremlin could ever put it back, and restrict access to information, is simply too far fetched to be taken seriously.

CHECHNYA

In 2005 dramatic changes have taken place in this tragically devastated region, renewing hope for peace and stability.

First, more than seven thousand rebels have laid down their arms, many joining the pro-Moscow government to hunt down their former comrades. As a result, terrorist attacks within Chechnya have fallen four fold, and casualties among the Russian military have dwindled from 1,397 in 2000 to just 28 in 2005. Terrorist attacks and kidnappings have fallen at a similar rate over the past two years, although sadly more than 1,800 cases remain unresolved. These are official Chechen government statistics; the human rights group “Memorial” gives somewhat higher numbers, but the trend they portray is exactly the same.

Chechnya has become a much safer environment, and this has encouraged more than a quarter million refugees to return and open more than 30,000 new businesses. The State Bank of Russia has re-opened throughout the republic, as have the schools and universities. A significant portion of the municipal infrastructure of Grozny has been rebuilt and housing prices there have increased tenfold.

The final piece in the Kremlin's strategy for reintegrating Chechnya was the spectacularly uneventful election of a new, bicameral Chechen legislature. 355 candidates, including several

former rebel commanders, competed for 58 seats. The stage is now set for an accord that will give Chechens extensive local autonomy within the Russian Federation, while providing a clear time table for federal reconstruction assistance.

The region's dramatic turnaround has been noted by European observers once sharply critical of Russia. Both Alvaro Gil Robles, Human Rights Commissioner for the Council of Europe, and Marc Franco, the head of the European Commission's delegation to Russia, went out of their way this fall to applaud the Chechen government's progress. Franco was even quoted in the Russian press as saying that "in the past the West had made some mistakes with respect to the Caucasus."

It is unfortunate that these efforts have received so little attention in the Western media, because it is very much in our national security interest to encourage Russia's state-building efforts in the Caucasus.

THE LEGAL SYSTEM

Historically Russians have had little faith in the judiciary. This too has begun to change under Putin. Thanks to a new Criminal Code and Code of Criminal Procedures passed by parliament in 2002, anyone arrested in Russia must appear before a judge within 48 hours. Anyone accused must now be charged with a crime within two weeks (amended to one month for those suspected of having links to terrorism), or released.

Two further signs of liberalization took place just this past month. First, the annual conference of chairs of regional courts proposed sweeping new reforms aimed at virtually eliminating closed judicial proceedings. Second, the State Duma passed in a first reading an important new initiative in defense of privacy rights. It establishes a federal agency to which a citizen can turn and demand an investigation to find out exactly what information the government is gathering about him, where this information is being kept, and what is in it.

Putin's expansion of the jury system nation-wide has had a profound impact on a system that has traditionally favored the prosecution. Today juries acquit 20% of cases, and in 2005 Russia saw its highest acquittal rate ever.

Under Chief Justice Valery Zorkin the Constitutional Court has set a more independent course than its predecessor, criticizing the December 2003 electoral law, striking down restrictions on media coverage of elections, and strengthening the rights of defendants and the role of juries. Last month Zorkin spoke out about the importance of "very solid, independent courts. If you do not have these sorts of courts then not only will citizens' rights not be protected but also there will not be checks, or reins, if you like, on the executive." In fact it has become commonplace for courts to hear cases on the constitutionality of state, local and municipal charters.

I attribute the speed of some of these changes to the fact that the European Court of Human Rights in Strasbourg is the de facto final court of appeals for Russian civil cases. The dozen or so judgments against Russia rendered by this court in 2005 have received considerable

publicity, with human rights violations getting the lion's share of attention. It is worth noting, however, that 86% of the cases filed in Strasbourg seek to obtain financial compensation in suits that have already been won by plaintiffs in Russian courts.

It should therefore come as no surprise that the number of citizens appealing to courts for redress of their grievances has shot up from one million under Yeltsin to six million under Putin, and that more than 70% of plaintiffs win the cases they bring against government authorities. In a word, the Russian legal system is fast becoming an important instrument in the defense of civil liberties.

NGOs

This brings me to the recently adopted amendments on non-governmental/non-commercial organizations (NGO/NCO), which have been described as extending government control, but were in fact designed to do just the opposite.

Public activity requires no registration under Russian law. For specific types of organizations, however, such as trade unions, political parties, religious organizations and civic organizations, registration provides some tax benefits as well as limits on legal liability. The only category of public organizations for which these benefits had not yet been codified were noncommercial organizations. The amendments sought to bring these into conformity with existing legislation by clarifying the state's obligation toward noncommercial organizations.

They stipulated, for example, that registration cannot be denied on the whim of local officials, but only if an organization's statutes contradicted Russia's constitution or laws, or if the organization was suspected of fraudulent or deceptive behavior (namely money laundering). Registration could be denied if documentation was missing or false, or if another organization claimed the same name, but could not be denied for any other reason that local authorities might deem "convenient." Absent one of these specific reasons, it had to be granted within 30 days.

The proposal strictly limited bureaucratic review of NCO activities to no more than once a year, and stipulated that any administrative actions had to be done under court supervision. The much touted issue of the closing of foreign organizations was clearly a red herring, since nothing in the proposed legislation gave bureaucrats the right to do this.

As anyone who has read the Duma debates on this law knows, its authors, both prominent liberals, put these safeguards in place precisely to deprive local bureaucrats of any pretext for denying registration. They were able to convince a majority of their colleagues but not, apparently, many in the Western media. A public outcry ensued among foreign NGO supporters and several amendments were introduced, including one that allows new foreign NCOs to be denied registration if its goals "threaten the sovereignty, political independence, territorial inviolability, national unity and sovereignty, cultural heritage or national interests of the Russian Federation."

The initial version of the bill, the one that had provoked so much outcry, contained no such

provision. It was added at the last minute, in reaction to Western criticisms of the law, an example of how ill-conceived and ill-informed human rights pressure can backfire.

My overall conclusion from this review is that, while many problems still exist, the Russian political system is struggling to address them in a democratic manner. The political process works, and because it works we shouldn't be treating it as if it were broken.

Many Western observers seem honestly not to know the degree to which Russians are already using democratic institutions and debating issues in a variety of public arenas, including more than two dozen political debate programs that air every week on national television. Instead they attribute Putin's popularity to the flummoxing of the ignorant masses by a state bent on suppressing dissent. This has led many in the West to see any strengthening of the Russian state as a bad thing.

But every survey shows that this is not what Russians think. Having seen their life savings wiped out and the state abandon all pretense of caring for the poor and elderly, they now demand that it take more responsibility. Because they lack faith in Russia's democratic institutions, Putin's critics misperceive the driving force in Russian politics today: Putin isn't forcing Russians into the arms of the state; rather, it is the people who are demanding that the state do more for them and become more accountable.

If I'm right, then it is not hard to understand why Russian-American relations have deteriorated under Putin. Most Americans instinctively view the growth of any state with some apprehension, while most Russians today view the return of the state with relief. This rift in perceptions is dangerous because, being rooted in abstract mental constructs, it is so easily taken to extremes, as when American pundits equate Putin with Stalin or Mussolini; or their Russian counterparts suggest that the West intentionally set out to impoverish Russia in the 1990s. After all, they say, how could such smart people "inadvertently" propose reforms that pushed forty percent of the population into poverty.

What the West can do to Improve the Prospects for Russian Democracy

In conclusion, let me suggest a few areas where we might find some common ground with Russia on the issue of democracy and civil society.

First, let's not equate the destruction of state institutions with greater freedom. The literature on civil society unequivocally shows that stable and respected state institutions are vital to the development of civil society. Analysts who argue that, by strengthening the state Putin ipso facto diminishes freedom, pit democracy against good government, a choice that Russian voters have always rejected. We can defuse extremist critiques of the West inside Russia by supporting the same model of civil society in Russia that one finds throughout Europe. Of course, one has to first acknowledge the good faith efforts of the Russian government in this regard.

Second, within Russia civic organizations need to assert themselves as truly independent actors. It is not healthy for Russian democracy that so many civic organizations subsist on

foreign grants. By definition this makes them susceptible to foreign influence.

Let's get rid of this suspicion by encouraging Russian NGOs to wean themselves off foreign subsidies and orient themselves toward clearly defined domestic constituencies.

A November 2005 poll reveals the extent of the problem: only 13% of Russians know what an NGO is, and just 3% have personally encountered examples of NGO activity. Hard to develop much public support that way. Shifting from foreign to domestic financial support is the clearly way to go, and I applaud the recently passed NGO legislation precisely because it pushes civic organizations in this direction.

Supporters of Russian democracy should also encourage Russian NGOs to think strategically about what role they intend to play in Russian society—eternal gadfly? constructive critic? supportive opposition? Those that wish to become authoritative voices in their own country would do well to take full advantage of institutions like the Social Chamber that provide them with a public forum.

Finally, a change in the tone of our discourse could only help. No light is shed when a former CIA director remarks that “Russia, under Putin, is either already a fascist state, or close to becoming one,” or when a distinguished US Senator chastises the U.S. Deputy Secretary of State saying: “You're being silent on Russia. They're bad guys.”

A far more helpful approach would be to defer to the institutions of Russian democracy and to the wisdom of the Russian people, imperfect as they may be. Personally, I would limit my criticisms to preserving the established rules of the game, which serve political competitiveness and the democratic transition of power. I have faith that the Russian people will do the rest.

What will happen ultimately when, in the not too distant future, a strong Russian state confronts an indigenously well funded civil society? Nothing much; just everyday politics. I am convinced that Russia is far enough along politically that this outcome is a foregone conclusion. The only question in my mind is whether Western political leaders will be wise enough to let it emerge on its own, or will delay it by trying to shape its development.

Thank you for your kind attention.