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# The Status of Human Rights in Russia

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## ABOUT THE ORGANIZATION (OSCE)

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

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

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

## ABOUT THE COMMISSION (CSCE)

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

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

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

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

# THE STATUS OF HUMAN RIGHTS IN RUSSIA

## THURSDAY, OCTOBER 8, 1998

The briefing was held, pursuant to call, at 2:00 p.m. in room 340, Cannon House Office Building,

Mr. Hathway. Good afternoon, ladies and gentlemen. My name is Mike Hathaway. I'm Chief of Staff of the Commission on Security and Cooperation in Europe.

On behalf of Chairman D'Amato and co-chairman, Chris Smith, I want to welcome you to this afternoon's briefing.

Our subject today is what the recent changes in the Russian government portend for human rights in Russia.

The conversation about Russia is primarily about the economy. However, we have ample historical examples of economic troubles giving birth to extremist politics and extremist politics leading directly to terrible abuses of human rights.

I look forward to hearing from our three distinguished experts today. We are joined by Ms. Rachel Denber, who is Deputy Director for Human Rights Watch, Europe and Central Asia division. From 1992 to 1997, Ms. Denber was head of the Moscow office of Human Rights Watch.

Mark Levin is Executive Director of the National Conference on Soviet Jewry, long experienced in Soviet and Russian human rights issues. Mr. Levin was in Moscow during the most recent summit meeting, attended the opening of the Holocaust Museum in Moscow.

And to my immediate right is Ms. Lauren Homer, who is an attorney and president of the Law and Liberty Trust, an organization promoting religious liberty throughout the world. Ms. Homer just returned from a fact-finding trip to Russia.

Our guests will open with statements and then we will receive questions from the audience. When we get to the question portion, please use the standing mic in the middle of the floor because today's activities are being recorded and, when you do come forward to ask a question, please identify yourselves.

Before turning the floor over to Ms. Denber to begin, I want to mention in closing that this is the first commission event held since the passing of Meg Donovan, who was a member of our staff prior to her service with the House International Relations Committee and the State Department.

Meg was a devoted and energetic worker for human rights and she will be long remembered and missed by her former colleagues at the commission.

Rachel?

Ms. Denber. Thank you very much. It's an honor to be here.

I want to start off by expressing our great _ Human Rights Watch's great disappointment that the Clinton administration squandered a very important opportunity this August, during the summit, to draw very clear links between Russia's long-term economic woes and its human rights problems.

Because we believe that the human rights abuse in Russia results not only from straightforward repression of civil and political rights, but also from _ it's really a mix of repression and corruption, inertia and neglect.

Several landmark issues throughout the next few weeks will be really crucial for judging how and whether the new government will repress civil and political freedoms.

But there are, so far, really no grounds for believing that this government will fare any better in cleaning up corruption and jump-starting reform and in securing accountability for abuse in Russia's regions, that they will fare any better than any previous government.

I think the first litmus test for Prime Minister Yevgeni Primakov's government is the trial of environmental researcher and activist, Aleksandr Nikitin.

I'm sure that many of you are very familiar with the case. The trial is set for October 20. We're monitoring it. We're sending our Moscow office. We're sending a board member.

As many of you know, Mr. Nikitin faces treason charges for exposing state secrets. He had co-authored a major report by the Belona Foundation on Nuclear Contamination caused by the Russian Northern Fleet.

And this is a case that really demonstrates the lingering power of the FSB, formerly the KGB. And, as we know, that's where Yevgeni Primakov cut his teeth and rose in the government.

It's astounding that the FSB succeeded so long in pressing these charges, since they were based on secret decrees that enumerate what, in fact, state secrets are, and Mr. Nikitin, in doing his research, had no access to these decrees. And, in fact, neither Nikitin nor his entire defense team, throughout the case, has had access to the decrees.

So it's really _ no government should countenance that kind of due process violation, but the case is going forward.

And the FSB continues to enjoy _ it's the beneficiary of an obvious conflict of interest that allows it to essentially hand-pick two- thirds of the panel that will try Mr. Nikitin.

Two other sort of straight-forward repression issues that the current government should be watched very carefully on in the next two _ in the next few weeks is the Internet and religious freedom.

Now, I'm not going to address religious freedom because other people are, but we view that as a straight-forward repression issue.

And freedom of information on the Internet. The new rules have been drafted, again by the FSB, but are not yet enforced, and these rules would force Russian Internet servers to install black boxes that would allow the FSB to monitor at will, without prior notification, all Internet and e-mail communications.

And to add insult to injury, the Internet servers, themselves, would have to pay for the installation of this black box.

This is sort of _ In times of great economic crisis, there's a need for greater, not less, freedom of information, and this is a point that needs to be pressed home to the Primakov government.

And, sort of symbolically, it was very distressing to see in the very early days of Primakov's administration that he essentially attempted to gag government officials from talking to reporters without prior government permission. We've seen this in Belarus in much more obvious ways.

Well, as I said before, repression of freedom of religion, repression of freedom of speech, freedom of information, that's really, that's very important but only part of _ accounts for only part of Russia's human rights landscape.

We believe that corruption is very strongly associated with human rights abuse in Russia. The Russian government is riddled with corruption, and corruption has laid waste to public trust in institutions, institutions that are crucial both to long-term economic development and also to the rule of law and human rights protections.

Probably among the most corrupt institutions are Russia's law enforcement agencies. In fact, corruption's rampancy in the police force has helped to foster an atmosphere of impunity that prevents police from being brought to justice for brutal torture and other kinds of ill treatment.

The Human Rights Watch has researched police torture in about _ for the past year and a half in seven Russian regions, and in Irkutsk in eastern Siberia and Arkhangelsk in the north, in Nijninovgorod in Novgorod and Moscow and St. Petersburg and one other.

And we found that police really routinely torture criminal suspects. There's just no doubt about it. We have incontrovertible evidence culled from dozens and dozens and dozens of interviews with people who had been suspects, but are now released.

It's simply, it's a matter of standard procedure, and it's done to all criminal suspects, including juveniles to a very troubling degree, including for very, very petty crimes like small-scale theft or burglary.

And they do this in most cases through prolonged and truly horrible beatings, but they also commonly resort to asphyxiation using a gas mask or using a simple plastic shopping bag.

In fact, I interviewed one _ anonymously interviewed one undercover detective who told me _ who was trying to dismiss the notion that police use gas masks to asphyxiate as a torture method by, he said, "Oh, that's ridiculous. We don't do that. Why do you need a gas mask when we have plastic shopping bags?"

It was pretty astounding.

Corruption, corrupt policing of Russia's still-existing propiska system violates the rights of thousands of asylum seekers and ethnic minorities in Moscow and elsewhere.

And in Moscow especially, police routinely detain people with dark skin, supposedly to check passports for a stamp that shows that they are allowed to be in the city. But really, the passport check is a thinly, very thinly veiled pretext to extort a bribe.

These checks are often accompanied by physical violence and by invasion of privacy. Police _ they conduct these passport checks literally in millions _ millions of passport checks in private apartments, often in research that I've done personally, often by pretty much entering by force the apartment.

And in neighborhoods, especially of Moscow, with large refugee populations, they extort bribes from destitute asylum seekers on a monthly basis. And what this does is it amounts to an informal tax.

Now the federal government has tolerated this corruption in the past, and nothing that I've seen so far leads me to believe that the federal government will stop tolerating this kind of corruption in the future.

The government turns a blind eye to it and turns a blind eye to police abuse, and it has utterly failed to end the inertia that's needed for the _ desperately needed for the reform of the Ministry of Internal Affairs, the procuracy, the criminal code.

And for the same reasons _ Well, it also turns a blind eye to human rights abuses that are committed by regional leaders. You have abuse at the federal level, and you have abuse

at the regional level.

And in fact, Russia's regions have sort of devolved into little fiefdoms with impunity from Moscow to pursue civil and political rights violations.

Some people view this as a kind of exchange for support. Moscow turns a blind eye to whatever regional leaders do, and regional leaders promise in return not to pursue radical secession strategies.

We've seen, especially through our own research in Kalmikia, in Bashkeria and also in Moscow, but also in Stavropol and Krasnodor, just outrageous cases of regional leaders very obviously clamping down on the press, obviously involved in the murder of at least one journalist, denying journalists accreditation, closing newspapers, closing independent newspapers, closing independent radio stations, confiscating independent newspapers that have to be printed outside the republic and brought in.

And with very few exceptions, there's no intervention from the federal government.

I'm sure that my colleague will talk about the case of Nikolai Kondrachenko, the governor of Krasnodor, who gets away with the most outrageous racist and anti-semitic remarks.

The mayor of Moscow, who's running for President and one of the most, probably one of the most powerful politicians in Russia, has been allowed to defy the Constitutional Court. The Constitutional Court ruled that Russia's propiska system has to go. The people have to be able to live wherever they want to live.

The Mayor of Moscow says, "Not in my city." And there's absolutely no reaction from the federal government.

So, I won't go into too many details about what's going on in the regions. I'm happy to provide further details during question and answer.

But there are just a couple of things I'd like to say about U.S. policy. I think that the United States government was really crucial to orchestrating the IMF attempted bail-out of Russia's fiscal crisis back in the summer and I don't know that we would ever see that happen again.

But, there has to be a connection between financial assistance to Russia and a clear commitment, some kinds of guarantees, to stop corruption and to reform the law enforcement agencies.

Second, Russian _ sorry. U.S. government agencies that are starting to deal increasingly with regional leaders have an obligation to raise human rights issues with these regional leaders.

At the same time, that doesn't mean that we should accept blithely statements that the federal government just doesn't have control over the regions, therefore it shouldn't be held accountable for human rights violations that occur in the regions. That's unacceptable.

Third, any kind of U.S. assistance to Russian law enforcement agencies, whether it's for fighting organized crime, whether it's for pursuing reform, whether it's training programs, these programs have to be screened to ensure that abusive police officers _ that abusive law enforcement agents have never been the subject of even the most routine inquiry relating to physical abuse or torture.

Also, any training programs that are on organized crime and the like have to include a component about due process, about due process rights, and the need for accountability for abuse.

And also, we are, as I said, we are attending the Nikitin trial. We're going to keep a very

high profile. This is extremely important.

The United States government should make a very _ the Clinton Administration should make a very strong statement by making sure that people from Washington, that people from the Embassy or the Consulate in Moscow or St. Petersburg, that there really is a strong showing at that trial, because that's the best way of sending a message.

Thank you.

Mr. Levin. Before I get started, let me add my own words regarding Meg Donovan. Meg actually came to Washington to work for the National Conference back in the early 70s.

And from the National Conference, she went to help the create the Helsinki Commission and personally, as well as professionally, I will miss her support and guidance and friendship very much. And her contribution to human rights is something that should be documented and shown that one person can make a difference, even in a city like Washington.

Meg should be a model for future human rights activists and those who believe that government can do good, because she was living proof of that.

Mike, I want to thank you for the words you expressed in her memory and I'd like to add my own.

As Mike said, I had either the fortune or ill fortune to be in Moscow during the recent summit between Presidents Clinton and Yeltsin.

We were there, not only because of the summit, but for a far more important reason, and that was to participate in the opening of the new Holocaust Memorial Complex and Synagogue that was built in Victory Park.

It was a very significant and symbolic event. It was something that I never imagined I would be attending in my long years of working on behalf of the Jews and Russia and throughout the former Soviet Union.

It was, I have to tell you, it was almost a surreal experience to be sitting on the same stage as the President of Russia and the Mayor of Moscow and other senior Russian and U.S. officials, as well as the government officials from other successor states, as well as the collective Russian Jewish leadership and their colleagues from Ukraine, Belarus, the Central Asian and Caucus regions.

And to sit and listen to Boris Yeltsin speak about the contributions of the Jewish people to the Russian Federation, as well as the need to combat anti-semitism, xenophobia, and other ills of society.

It was also something to see the Mayor of Moscow present an 18th century Torah to the synagogue. And Mr. Luzhkov is a very complex personality, a lot of good and bad traits.

But you know, again, given what was going on in the country at the time of this commemoration, to have the President of the country and the Mayor of, governor of the largest city and region of the country there showing their support was symbolically important.

And with everything else happening, with many negative images of Russian Jews or the Jewish people in general being portrayed in the Communist and ultra-nationalist media outlets, this was something very important to try to counter some of what had been published before, during, and after we had left.

I thought what I would do, and hopefully in just the few minutes I have, is to talk a little bit more about the trip, make some general observations, talk about a survey of communities that we've made over the last several weeks to give you a feel for what's happening outside of some of the larger cities, and then, hopefully, answer any questions that any of you may

have.

A couple of weeks ago, I actually wrote a piece and I entitled it "Back to the Future," because I have to tell you that, since our trip, it seems as if we have gone, not back to the dark days of communism, but the early days of Pereistroika and Glasnost, if you look at the appointment of, some of the appointments that the Prime Minister has made.

What's clear to me, though, is that what didn't work during Pereistroika _ during the heady days of Pereistroika and Glasnost of the mid to late 80s certainly will not work in the late 1990s and as we approach the year 2000.

This may sound like a very obvious statement, but during our trip and since then, it became abundantly clear and it remains so today in my view, that the economic crisis overshadows every other issue confronting Russia. And if this economic situation is not resolved, the future stability of the country is at stake.

And I don't mean to sound alarmist, but I firmly believe that the gains that so many have made and that others are trying to make in Russia, as well as the countries around Russia, are at risk.

Unless more Russians believe, or can learn to believe that the attempt to create an open society, to create a truly market economy, which has not happened yet, doesn't only cause pain and suffering. That the move towards democratization, towards an open society, however we want to phrase it, we have to _ I think it's incumbent upon, not only the people at this table but all of us in this room and the western democracies, to show what it means to live in an open and free society.

And it's not something that can be learned through osmosis alone. It's something that requires a much greater amount of resources than the United States, through the government as well as non-government means, and the other countries in the West have been providing.

Because without this training, without this direction, I'm not very optimistic about the creation of a more open and truly democratic society, not just in Russia, but in many of the countries that once made up the former Soviet Union.

And it's clear that, even as Russia's going through this transition, there remain many questions about its political leadership Where is this current government going, and what will the results be?

I think, given some of their early decision making, many of us can conjure what direction they are going in and what some of these results may portend for the near, if not long term.

But I have to tell you, I'm someone who doesn't think in terms of the long term anymore in dealing with Russia. For me, the long-term is what's happening 48 hours from now because the situation has changed so quickly, particularly in the last six weeks.

My chairman has said this on several occasions since we've gotten back. He thought that we were entering the eye of the storm when we arrived, but in reality, we were leaving the eye of the storm. And this was in the first week of September.

And I think, overall, the situation has become even more complicated. And that's why, given the overwhelming economic and political problems facing Russia, it's not surprising that Russian Jews are extremely concerned about their future, much more concerned than they have been in years.

We, I think the best way to sum up the view of the Russian Jewish Community today is

that there's a growing interest in emigration. It hasn't turned out _ It hasn't turned into actual number yet, but those non-government agencies in Russia that handle the movement of Jews to Israel and other countries have reported not a ten, not a twenty, not a fifty percent increase in the amount of calls and visits, but a two to three hundred percent increase.

Now, in terms of actual numbers, sometimes it went up, say mid-August they were getting ten phone calls a day. By mid-September, it was up to several hundred, if not more a day.

The Israeli embassy reported a huge increase in the number of people actually going to visit to find out more about emigrating.

There is a heightened concern about rising popular anti-Semitism. It's something, you know, if you're looking for good news along with the bad news, the good news is that state-sanctioned anti- Semitic behavior, with certain exceptions, most notably the Governor of Krasnodor, who seems to be in a league of his own in terms of spewing out hateful propaganda, but overall at least at the national level and in many of the regions, the government is focused elsewhere.

Unfortunately, there has been a tremendous rise in what we term popular anti-Semitism, what's happening out in the streets, what certain nationalist parties or ultra-nationalist parties, or what I would call the post-modern Communist Party, what they have been engaged in.

This type of turmoil that the whole country is going through today in some ways has more of an impact on the Jews because they've been targeted as scapegoats in an increasing fashion.

We once had a Russian ambassador come to one of our board meetings, this is several years ago, and he said, "I bring good news to you today. I bring the results of a recent poll that was taken in Russia about who Russians hate the most, who they dislike the most. And the good news is that the Jewish population is only number six."

I'll leave it to your imagination who filled spots five through one, but the word Chechen should be at the top of the list.

Now, having said that, given the prominence of a number of individual Jewish businessmen, as well as the government officials who may have had _ may be Jewish or had Jewish ancestry, Jews have become an increasing target for the ultra-nationalists and Communists.

The leader of the Communist Party demanded an inquiry into the background of the immediate past Prime Minister because he came out and said that his father was of Jewish _ had a Jewish background.

This is but one small but very visible example. There are people who are increasingly harassed on their streets. Those Jews that do not live in the large cities feel much more isolated than their compatriots who live in Moscow, Petersburg, and some of the other large cities.

And we see this problem getting worse before it gets better.

In fact, we had an opportunity while we were in Moscow, to meet with a number of senior Russian officials, from then-Prime Minister Chernomyrdin to the head of the National Security Council and several members of the Duma.

And every one of them, every one of these people spoke about the possibility at some point of street violence. And that's not something that we've heard in our previous visits.

More than one Russian official stressed the need for repair of the social fabric of the

country and the economy in order to reduce the influence of the extremists.

And that's what I want to finish up on. Everything is coming back to the current economic state. And again, if we're looking for some good news tied around bad news, we only have to look at what happened yesterday in Moscow.

There were predictions, at least by the organizers, of millions of people protesting out in the streets, throughout the country, and it didn't happen. It didn't happen. But the fact that hundreds of thousands of people did come out, I think, should only emphasize for us the need to look for solutions.

We can't, I don't believe that we as Americans, let alone the West, can resolve the many problems that confront the Russian Federation and its leadership.

But I think we can play a positive role both on an economic but I think in some ways, in a more important way, on the political and social levels of society. And it's something that my organization has been trying to focus on in terms of dealing with national and regional and local officials to get them to understand what pluralism and tolerance actually mean. To get them to understand what the protection of ethnic and religious minority rights means.

For those that aren't familiar with the National Conference, and this is what I'll finish up with, Mike, we are an umbrella group. We are made up of many different organizations, and what we have been trying to do is to get our member agencies who have expertise in _ whether it's sensitivity training, the development of programs to highlight pluralism and tolerance _ to get them involved in Russia, Ukraine, and the other successor states.

And I'm hoping that we have the time in the coming months, let alone into the new year, to get these agencies over to Russia and these other countries, again, to make them understand that there are benefits to a more open and democratic society.

Thank you.

Ms. Homer. I would like to also thank Mike Hathaway, John Finerty, Chairmen Smith and D'Amato, and other members of the Helsinki Committee for their continuing focus on Russia, on the human rights situation there, and the religious freedom situation.

I've prepared about seven pages of testimony. I'm not going to read it this afternoon, but I've just returned from a two-week trip to Russia and Kazakhstan.

While I was in Russia, I was able to meet with a number of government leaders involved in the regulation of religious organizations, with religious leaders, and with NGO leaders involved in the fight for religious freedom.

The mood was very bleak and I will be repeating, but I think I need to add my own emphasis to the news that the economic crisis in Russia overshadows everything, and overshadows everybody's thinking about the future of virtually anything, religious freedom, not being even at the top of most people's lists of the most important problems of the moment.

As we now can see, the dissolution of the Soviet Union and the emergence of Russia, with a desire to be a democratic, free- market state in 1992, was not matched by the resources of its people to receive freedom, not matched by the resources within its legal system to moderate this process and was missing the political will to seize on what now looks like a unique opportunity that was squandered to completely turn the country around from its past history of tyranny and of lack of respect for individual rights, of which religious freedom was one of many casualties.

Since the summer, the entire banking system of Russia has collapsed. Anybody who had managed to put a little bit of money aside during the last six years and was foolish enough to

trust Russian banks has lost it pretty much completely. There are some procedures by which people can get small amounts out a day at a time, but _ And then most of the money in savings was in rubles anyway, and the value of the ruble has gone down to about 25 percent of what it was early in August.

So people are _ see their own personal financial situations being ruined, but also businesses are closing down. There's an inability to import food and medicine from the West and something like 70 percent of all the food supply in Russia recently has been imported from abroad.

Stores aren't empty yet, but they are emptying out. It's very easy and visible to see that on the streets of Moscow. There's been panic buying of staples. A lot of people have gone out and purchased large consumer items like refrigerators, televisions, so that they would have some sort of hedge against the inflation that they view as coming.

One of the things that struck me, as somebody who's been involved in Russia for eight years, and speaking of back to the future, is that it's now easy to get around Moscow again, because no one's driving their cars, and so the gridlock traffic jams are a little bit of a thing of the past. That's a happy thing in the midst of real tragedy.

I explain in here, you see people drunk on the streets at 7:00 in the morning. People are scavenging for food in garbage skiffs, and I saw a lot of people, both in Moscow and St. Petersburg scavenging in already harvested potato fields for potatoes.

And I mentioned it to a Russian friend who said that she'd seen pictures of that during the second World War, but had never seen that in her lifetime.

I think that, as somebody who has been involved in this whole process, we have to recognize that the only real hope for Russia, from the beginning of the period of reforms, was that its leaders and its people would come to understand the fundamentals that have made free markets and democracy work in other nations.

Governments have to exist to serve their people, not government officials, and the rule of law, equity, fairness, and justice must control the behavior of all citizens, including their leaders.

Government expenses must be paid for by a justly and uniformly administered system of taxation. Economic progress cannot be allowed to outstrip social justice.

Perhaps most important, a truly democratic government must be rooted in a populace that understands, respects, and is willing to work hard to preserve equality, justice, and the rule of law for all citizens.

The willingness to exert the self- discipline and self-sacrifice that is required to create a democracy is historically found in nations that _ where their people have a belief in God and adherence to a strong system of moral and spiritual principles developed through their religious commitment and understanding.

Unfortunately, this has been absent in Russia for a period of over 70 years and in six years it was impossible for its people to recapture it.

The Russians have been fairly optimistic, and maybe we've all been extremely naive about what the process would be, but in any event the chickens have, indeed, come home to roost.

While the abruptness of the current crisis is due to the turmoil in global financial markets, the reality is that Russia is bankrupt and cannot pay its debts, and that its economy is in ruins.

The money that has gone in from the World Bank and other international lenders has not been used to _ for fundamental investment in basic industry. It's been, essentially, stolen by bankers and other people with access to the money.

The country has gone through this terrible period of four-digit inflation in the early 1990s, and it looks like it's going into it with, in some ways, even less to fall back on than it had in the early 1990s, because Russian industry, wholesale systems, the agricultural system, has been sort of dismantled. I mean, it's completely ruined.

And so, the question is, where are the funds going to come from to save Russia and, in my own opinion, I don't see them being available in the West. I think that the overall economic turmoil in our country, in Japan, and Europe and in Germany is going to mean that international monetary institutions are not going to be able to come in with the same level of rescue plans that they have in the past, and it looks as if the sovereign default on Russia's international debt is almost inevitable.

On the religious freedom picture, I agree completely with the comments of Rachel Denber and Mark Levin about the overall direction in which things are headed.

I'd like to talk a little about the religious freedom picture as it is right now, and then get into my own views of where things are probably headed.

While I was in Moscow, I met with Andrei Loginov, who is President Yeltsin's top advisors on relations with the state Duma, his deputy, Andre Protopotov who runs a small office in the Presidential apparat that deals with issues of religious freedom and religious organizations.

We were joined by Vladimir Tomarovsky, who is the head of the Department on Public and Religious Organizations in the Ministry of Justice and his _ one of his deputies, Alexander Kudriatsev, who is responsible for registration of all religious organizations at the Russian Federation level, and with some other members of their staff.

The good news, for those of you who followed the Smith amendment and the various representations of the Russian government about implementation of the new law on religious freedom that was enacted just about a year ago is that they have done some good things in my opinion.

Protopotov's office is a place where religious organizations can go if they have complaints about things that are going on and where, administratively, they can take action.

They have a couple of committees on church-state relations that meet on a regular basis, including one that focuses on regions and, although no lawsuits have been initiated about the regional laws, which as most of you probably know exists in a majority of the regions and are very inconsistent with the Russian constitution, and even the 1997 law on religious organizations.

They have been doing studies of each region and its religious situation and its laws on a monthly basis. And they are communicating with local authorities where their laws are not consistent with the Russian Federation law and telling them that they need to make changes.

And to me, this is really a major step forward. I don't know how effective it's going to be, but it is a big step forward.

The Ministry of Justice has set up an expert committee on religious organizations to study new religions. And I had been somewhat afraid that this committee was going to start investigating religions that are already registered, but according to the Ministry of Justice, they are just looking at new religious organizations.

The _ I'm going to talk about incidents in a minute, but the overall view at the level of the Presidential apparat is that there _ the level of complaints about religious discrimination and abuses is about the same as it was before the new law was enacted.

And I would say that that also meets with my understanding of the situation. There are problems, but they are about the same. There haven't been the avalanche of problems that we had expected. There are a lot of problems with registration with particular denominations, but it's not _ it hasn't been, you know, a disaster so far.

Andrei Loginov's view is that the transition of power to Primakov from Kiriyenko was accomplished within the bounds of the constitution and that that means that there will be a period of stability politically for a while that, if it had happened outside the bounds of the constitution that things might have quickly spun out of control.

And he felt that the criticism from abroad about the new law on religious organizations had been salutary because it kept worse things from happening, but that it was somewhat of an overreaction.

A primary concern to the Russian government is the future of the Orthodox Church and its role in society. And I learned while I was there that Patriarch Alexi has been in ill health and there is quite a power struggle going on within the Patriarchate for _ about the succession with some very radical, xenophobic, anti-Semitic, anti-protestant groups trying to grapple for power.

And while Alexi the Second has played a fairly neutral and a sort of pacifying role in the recent political turmoil, that could change, although they dismiss the idea of an alliance, at least with the Communists, because the Communists have apparently been moving away from their attempt to embrace Christianity, or embrace Orthodoxy as part of their platform.

They see the next two years as very difficult. They see that the economic situation is going to adversely affect the ability of religious organizations to hire lawyers and get the help that they need in re-registering and in complying with the new law.

They see them as also being too busy with their own survival to really step in and meet the spiritual needs of the Russian people during this time of crisis, not having the resources to be a source of material assistance.

And, again, continue to be concerned about this concept that there should be a new Russian idea besides trying to avert catastrophe. They are making plans to celebrate the millennium from a Christian point of view, which is an interesting thought and it will be interesting to see how it develops.

In terms of the view from outside the Presidential apparat, things are more pessimistic. The human rights organizations and one of the organizations that I work closely with, The Institute for Religion and Law, has been besieged by telephone calls about various types of incidents.

A lot of these have to do with registration issues, with congregations being threatened with being closed down. There have been lots of incidents of congregations being told that they could no longer meet in public buildings or in schools and in other places.

And so they are basically disenfranchised. I mean, they can continue to exist, but if they don't have places to meet, their rights are pretty restricted.

There have been a few acts of violence reported. I'm sure there have been more that haven't been reported, such as the beating of an Adventist worker and confiscation of his bibles by Cossacks in Krasnodarsk. An American missionary working in the Havorask re-

gion, not Dan Pollard, but one of his colleagues, was threatened with deportation and was temporarily jailed over a visa issue.

And there has been a _ there have been a couple of attempts to shut down religious organizations. The by now famous Lutheran Church in Khakassia has been ordered to have its registration revoked on grounds that seven of its ten founders were not, in fact, Lutheran believers.

There was nothing in the 1990 law when this organization was registered that required its founders to be Lutheran believers, but it's been shut down. On the other hand, it resisted four other attempts to shut it down.

And the Jehovah's Witnesses have been sued in Moscow by a prosecutor alleging violations of a section of the new law that prohibits organizations from existing if they interfere with family relations, create religious dissension, or cause people to engage in acts that are harmful to themselves and so this proceeding is going to deal with a lot of issues of the basic tenets of the Jehovah's Witnesses faith.

They are represented by an excellent lawyer, as are the Lutherans in Khakassia and the view from the Presidential apparat is that this is a time when it's important to let the courts feel their way along in terms of what the laws and the Constitution really mean.

There's also a pending challenge to the 1997 law, particularly the 15 year rule, but it's not clear when that's going to be heard.

In terms of the future of Russia, I guess I see two trends. I don't see a rest unition. I don't see a short-term solution for the economic problems, so two sets of things can be expected.

One thing that can be expected is that the centripetal forces that are seeking to tear the Russian Federation apart, just as they tore the Soviet Union apart, are going to continue. And we've already seen that very strongly.

Rachel mentioned that the regions are just doing what they want and going their own way and are not being held accountable by the central government because it doesn't have the power to do so and it doesn't want to push things to a crisis.

In the Caucasus regions and in the Central Asian regions of the Russian Federation, radical Islam is also a big destabilizing factor, and we've already begun to see some things in Dagestan and other places that could lead to further Chechenyas and other sorts of internal violence.

There are, at the same time, going to be attempts to reimpose central government authority. Certainly, the appointment of Primakov as Prime Minister is a pretty strong signal about the involvement of the security forces in the government of Russia at this time.

There have been, as have already been mentioned, this attempt to monitor the Internet, restrictions on press freedoms, and other events that are signalling some very negative developments.

In that regard, I've been receiving reports that western ministries had previously could buy air time on Russian radio stations are being put off the air, and you know, there's just no explanation for it. It's like being thrown out of a building.

Well, it's not convenient, we don't have the air time, I mean there's nothing official about it, but suddenly they are just not able to operate.

There is a tremendous amount of anger which is likely to lead to xenophobia and blaming the crisis on the usual suspects.

I completely agree that anti- Semitism is on the rise and it's not just anti- Semitism.

Baptists, Pentecostals, Lutherans, Charismatics, non-traditional religions for Russia, I mean the Jehovah's Witnesses have been in Russia for a long time, all of these are groups that are going to be receiving more negative attention and, depending upon how visible they are, are going to be in trouble.

I asked a lot of questions about the safety of foreign religious workers and didn't meet with much _ my thesis, which is that they are a group that is probably going to be the subject of both repressions and investigations by governmental agencies and subject of potential violence or other forms of discrimination didn't meet with much success at either our embassy or at my meetings with Russian government officials. However, I expect to see that happening.

As I close, let me just mention a couple of things. We apparently have another amendment to the Foreign Appropriations Bill that was not sponsored by Senator Smith but has the same language, and we again, as a nation, and the OSCE has to look at the question of whether we're going to continue engagement, whether we're going to provide it material assistance during the coming winter months, and just generally what our attitude is going to be towards Russia.

And I guess my feeling is that we don't really have any option but to continue engagement. I don't think that the Russian people should starve to death because their leaders stole the money that was intended to help them get their economy jump-started and move forward.

On the other hand, we're going to have to be much more careful and there really is just a sense of hopelessness in Russia. I don't know what we can do. I don't have any easy answers. Maybe something along the lines of the Marshall Plan has to be looked at, but we're going to need some very intelligent people working very, very hard to try to figure out how to stabilize Russia and keep it from turning into a polyglot conglomeration of small, regional states that have nuclear weapons and the ability to cause lots of damage.

From the religious perspective, I think that the Russian people need religious faith and spiritual resources more than they ever did, and they are very unlikely to get them without help from outside of Russia.

Whether that help is going to be given and whether it's going to be possible to get it there are questions that remain unanswered.

Thank you so much.

Mr. Hathway. Thank you, Lauren. Let me add one final cautionary note about the future of Russia, something that is a little outside of our usual purview, but that people should be paying attention to.

We, here in the United States, are focused to a degree on the year 2000 problem. In communications with the Russian government, primarily through Department of Defense channels, the Russians have been asked what they have done to prepare their country for the year 2000 problem.

And the answers the United States has received have been declaratory and have been rather short on supporting factual detail. The Russians have asserted that they don't have a year 2000 problem and that their military systems will be in satisfactory condition, that we don't have to be concerned about whether their early warning systems may give a false alert or various other command and control systems might fail.

This discussion does not address the use of computers within the Russian economy. In

particular, in the Russian north, as with almost everything within the old Soviet economy, control systems for environmentally necessary systems are centralized and are run by computers that our IBM technicians of the 1960s would recognize. And they would probably recognize some of the software running on these computers, as well.

The question arises as to whether, in this state of turmoil and unrest, anyone is even paying attention to whether or not these control systems will be updated to the point where they don't shut down on the first of January in the year 2000.

And I don't need to say that when one is in Siberia, or one is in close proximity to the Arctic Circle, having the central heating system, for example, for a city close down because its computerized controls no longer work, is a real threat to human survival.

This says nothing about the use of systems of this type in continuing business operations and the impact that that would have, presuming that the Russians are able to organize some recovery with or without international assistance from their current state.

So what happens on the first of January of the year 2000 is a significant concern about the future of the Russian Federation.

With that comment, I want to open the floor for questions. Once again, please, if you have a question, come up, use the standing microphone, identify yourself and your organization. Thank you.

Questioner. Hello. My name is James Andrick. I'm with the General Counsel's office of Jehovah's Witnesses and I appreciate all of your enlightening comments. Sorry I was a little late, Ms. Denber.

Ms. Homer, I was particularly concerned, of course, with what you had to say about Jehovah's Witnesses. I know we had a trial September 29, the opening stages of it, and I thought it was interesting what the court said right from the very beginning.

They said that the purpose of the trial is to decide whether or not to liquidate the congregation of Jehovah's Witnesses in Moscow and ban its religious activity. So that's what it was all about with 10,000 Jehovah's Witnesses in Moscow, and of course we're concerned for the other 200,000 or so that are in the country and been there for many decades.

We've made a number of contacts with Moscow city officials, and so far no one will come forward and say they are the ones that are behind it, behind this court case that's come up.

The Moscow prosecutor's office, of course, is bringing it, and one thing we did at the court hearing on the 29th is make a motion to the court that the Moscow Department of Justice be added as a third party.

And fortunately for us, they agreed. The court agreed. And so the court case was adjourned until November 17, and hopefully at that point we'll see who, in the Moscow city government, is behind _ who's pushing this.

So I guess my question is what position is the city of Moscow taking in support of religious freedom? Were you able to meet with any officials in the city of Moscow that may be behind this push, not just the national level, but on the city level.

Ms. Homer. I didn't meet with anybody at the city level. I was told by people at the federal level that this case originated with a few unhappy families. Apparently, there was one mother whose son became a Jehovah's Witness. She was Orthodox and she was very upset that he became a Jehovah's Witness.

I mean, there were some specific complaints to the Moscow city prosecutor by families who objected to participation of their relatives in the Jehovah's Witnesses. And this is what

I was told.

And that the Moscow prosecutor's office got enough complaints that they felt that they had to do something. I mean, you know, I share your view that there's probably other factors involved, but this is at least the official explanation.

Questioner. Okay. So you're not sure who, well besides the fact that that group is pushing it, any of the officials that you met, nobody took credit for it?

Ms. Homer. I think that also some of the anti- cult groups in Moscow are involved, but whether these have any official relationship to any government officials, I don't know.

Questioner. Okay. This is something you mentioned _ I'll just be brief. You mentioned that the tenets of Jehovah's Witnesses, the religion, the religious tenets are under trial, basically, and this is something of course that has already been mentioned before the _ Presidential judicial chamber had already discussed this matter with the St. Petersburg newspaper a while back and they were reprimanded.

The newspaper was reprimanded for baseless charges against Jehovah's Witnesses, so we're of course hopeful that this case will turn out.

Ms. Homer. Well, you know, I do tend to agree with them in this one respect, that the more these things gets litigated, the clearer the law will be.

The same thing happened in this country and it would have been, you know, a miracle beyond the ability of any of us to have imagined that this law would go into effect and that there would not be cases and that there would not be attempts to shut down organizations under these various articles of the law.

So I think you should just keep, you know, fighting and have expert witness and try to deal with these charges.

It would be nice if all religious groups that were being maligned in Russia right now had a forum in which they could present the truth about their faith and its practices.

Questioner.: Very good. Thank you.

Questioner. I've got two questions, so since no one else is asking questions, maybe you'll let me have two.

One is for Mr. Levin. I'm Mika Hokobar from the Office of Religious Freedom in the State Department, and I was wanting to ask you to what extent does the present threat of anti- Semitism fall under the larger rubric of religious liberty problems in Russia? And to extent is it unique, with its own set of causes and solutions?

And the question for Ms. Homer would be, I just heard your mention of the commission set up by the Ministry of Justice to monitor the cults _ to monitor the new religious organizations, and I was wondering how that relates to some of the cult commissions in western Europe, particularly the Enquete commission.

Mr. Levin. I think it covers both areas, but let me start with the uniqueness issue. I think given the history of the Jewish population, whether it was Tsarist Russia, the Soviet Union, or now 12 independent states, there is a reservoir of prejudice and the hatred towards Jews and it's based on little information. It's based on _ it's almost, in some cases, handed down from generation to generation, particularly in the more rural areas.

And it goes _ again, I mean, this is the part of the world that came up with the Protocols of the Elders of Zion. So in that sense, there is a uniqueness to it and the _ it seems that when there are difficult times it doesn't take long for scapegoating to be directed towards the Jewish population by very familiar individuals and groups.

Now how it fits in overall is also, I think, it's symptomatic of the larger problem of religious freedom overall, but also what role the Orthodox Church plays in society.

I think it's very clear that the Orthodox Church is threatened by, not just new groups coming in, but religious faiths that have been in Russia for a long time. And it's dealing with the concept, the overall concept of freedom of religion. What does it mean? How is it implemented? What is its impact on a country or an area that essentially has had a state religion with the, some would say, even during the 70 year period of Communist rule.

And again, I think it goes back to what I said in my remarks that we are dealing with a part of the world that I think many of us tend to forget that isn't built on a foundation of western philosophical beliefs.

And we have to be sensitive to that, but at the same time, I think we have to challenge some of the tried and true views held by a significant part of the population.

Ms. Homer. I'd just also like to add on that point that anti-Semitism in Russia is an ethnic as well as a religious issue. And there has been long-standing propaganda. There is currently lots of anti-Semitic propaganda and statements being made in a wide variety of media outlets and by different organization. And so the intensity of the anti-Semitism and its likely consequences are much more serious.

In anticipation of the public rallies that happened yesterday and that are possibly still going on in Russia, no less a figure than the Minister of Foreign Affairs said that pogroms could not be ruled out. And I think that needs to be taken very seriously.

Mika, in answer to your question, I did not say that this commission was to monitor new religious organizations. It's intended to evaluate them.

The Russians claim that people have come and tried to set up religious organizations that, you know, worship vodka bottles or computer monitors or as fronts for commercial activities or not really religious activities.

And so the idea of this commission is that it will examine the tenets of new religions and then determine whether or not they are consistent with the various provisions of the Russian law whether, they qualify as a religion and whether or not they violate any of the provisions of the law on what religious organizations can't do.

A good example of that would be that some of the radical Islamic groups might be looked at, and one of the provisions of the law is that you can't organize a religious organization that promotes the armed overthrow of the government. And so if they were promoting the armed overthrow of the government, presumably they wouldn't be allowed to register.

Ms. Denber. I'd just like to add something to what Mr. Levin said in response to your question about anti- Semitism and whether it's a unique phenomenon or whether it's a question of freedom of religion.

It seems that scapegoating of Jews and anti-Semitism, I think there's a very different kind of quality from the scapegoating of other ethnic minorities.

Ethnic minorities are blamed, I mean, ethnic minorities like the Chechen, the Armenians, the Azerbaijanis, the people from the Caucasus, they are blamed for a lot of social ills, like they're crowding our cities. They're driving up the prices in markets because, traditionally, people from the Caucasus and from Central Asia are the people who overwhelmingly bring in fruits and vegetables from their countries and bring them to market, and when the prices go up, these are the folks who get blamed.

So they are blamed for a range of social ills and this provokes rage.

But the _ they are scapegoated more now than ever before. I don't think they ever were considered _ they were certainly, I think prior to the 1990s, I don't think they really were so much scapegoats as objects of ridicule or objects of discrimination.

But the scapegoating of Jews is very different because it's not that Jews are being blamed for little _ for a rise in prices at the markets or for crowding public transportation, other things, you know, that cause social rage.

They are blamed at a much higher and a much more fundamental level. No one is going around saying this government's full of Armenians, you know. Or it's full of Chechens, although there are lots of Chechens _ I couldn't say there are lots of Chechens. There is a sort of a mix in local governments, you know, there's an ethnic mix.

Mayor Luzhkov has a very highly placed Chechen in charge of the state property committee, but no one goes around saying the Chechens run Moscow.

No one goes around, you know, Abdulatipov, who's from Dagestan, the Dagestanis are running the government.

But there's this obsession with Jews running the government. So the rage is focused at a much higher level.

Mr. Finerty. I'm John Finerty. I'm on the staff. We met with some people today from the Russian Federation, government officials, and we were just a few of the cases of local officialdom, and they seem to be quite confident that, despite local attitudes and local officials, that if these issues are taken to court high enough, that based on the law, they will be resolved.

Other than the case that we see with the Lutherans in Khakassia, I'm not really that familiar that there is really a track record yet on the law. And I just wonder, Lauren or anybody here, but I guess mostly Lauren, whether a year from now, will there be anything like a track record where they can say yes, this really was resolved or these things have not worked out?

Ms. Homer. Well, the Constitutional Court challenge squarely addresses the constitutionality of the 15-year rule, which takes away from currently registered organizations many of their rights of religious expression.

It says that they can't teach in hospitals or in schools or they are not eligible for military exemptions. That can't invite foreign religious workers. And so that's at the heart of the Constitutional Court challenge, and so if that's overturned, if that's found to be unconstitutional, it will eliminate many of the problems with registration as an issue under the law.

As I think I mentioned, certainly the history during the last several years has been that even though all these regional laws were being enacted, there was only one court case which was successful in challenging a regional law. But it has been very surprising that there haven't been more.

So I would say in a year, I would be surprised if there were more than maybe five or six cases and I don't think there will probably be enough or that they will go far enough to really clarify things.

There's, you know, as Rachel Denber was saying, there's not the rule of law. Local officials can pretty much, you know, get away with a lot, unless people do resort to court. And it has seemed to me for a long time that there is a need for, you know, kind of a legal services system in Russia to help religious organizations that are the victim of official discrimination or high-handedness to get some recourse.

But I do agree with them that, you know, in the long run, if Russia can continue to exist as a nation, the way it's going to get the rule of law is going to be with court challenges and courts ruling and officials agreeing to be bound by their rulings.

Mr. Levin. John, I think that's the point. Starting a year from now, we'll have to see what type of structure exists, and are the other regions exerting a lot more influence in their own areas, and what type of relationship do they have among themselves, let alone what type of relationship they have with the national government in Moscow.

I think there are many, many questions as to what the future will look like.

Ms. Homer. The other thing, too, is that we have to keep in mind is that the Russian Constitution is a legislative document. It can be changed by _ it's a difficult process, but it can be changed.

And you know, in 1993 and in 1995 when both you and I were over there monitoring elections, we saw how, you know, what the vote looked like when you looked at the regions, and I mean, I think if there was a vote today, there's probably no question but that the Communists and the Neo-Nationalists would do even better than they did then.

So, you know, we could end up with a horrible new law on religion in addition to maybe even changes in the Constitution within the next couple of years if things don't improve economically.

Mr. Hathway. Does anyone else have any questions? Okay. Let me close, then, by thanking our briefers for their very good presentations today and thank you all for coming. The briefing is closed.

(Whereupon the foregoing briefing was concluded at 3:27 p.m.)