

**Testimony of Sam Patten, Senior Program Manager for Eurasia at Freedom House
Before the Tom Lantos Human Rights Commission, U.S. House of Representatives
On the Status of Human Rights in the Russian Federation
May 6, 2010**

Co-Chairman McGovern, Co-Chairman Wolf, thank you for the opportunity to join this distinguished panel of experts today to address the situation of human rights in the Russian Federation. I once had the chance to watch the giant after whom this commission is named interact with some of his Russian counterparts in Spaso House and witness the moral authority he commanded, even when he and those in Moscow disagreed – which was frequently. As you have heard just now, today the status of human rights in Russia is no less precarious than it was in Tom Lantos' time, and this Commission is well-positioned to call for a sharper focus on and higher priority for these issues in the United States' ongoing process of dialogues with Russia. It is rare, however, that governments take the lead in defending the rights of people. In Russia's case, one of the most important things America can do right now is to listen to what the Russian people themselves are saying. Due to a number of circumstances Freedom House has been systematically tracking for years, that may be easier said than done.

Last week, Freedom House released its annual *Freedom of the Press* survey in which Russia's position slipped further showing declines in a number of key areas as dozens of criminal cases and hundreds of civil cases were filed against journalists. Russia remains one of the most dangerous countries in the world for journalists to work, as the Committee to Protect Journalists' Nina Ognianova will likely describe in greater detail. Our *Freedom in the World* survey this year noted continued decline in Russia in the categories of political rights and civil liberties as a significant reality gap between President Dmitry Medvedev's rhetoric and action became even more pronounced. Regrettably, our *Nations in Transit* survey this year, which takes a closer, more textured look at former Communist countries, does not hold any brighter news – to the contrary it describes near rock-bottom performance in terms of national democratic governance, electoral processes, civil society, independent media, local democratic governance, judicial framework and independence and corruption. In each of Freedom House's annual reports, this trend tracks with a steadily regressive pattern over the past decade.

Over this period, a direct relationship between acts of terror and the dismantling of rights and freedom can be seen. The second Chechen War followed apartment bombings in 1999 and in its wake came the take-over of national television networks by state-owned corporations wholly loyal to the Kremlin. After the hostage-taking at the Dubrovka theatre in Moscow in October of 2002, these controls tightened following a parallel incident in which one television station attempted to decipher decision-making processes within the Kremlin by reading then-President Vladimir Putin's lips as he met with advisors. Following the hostage-taking of children and teachers on the first day of school in the North Ossetian city of Beslan in September 2004, the Kremlin responded by repealing the direct election of governors – a milestone in the roll-back of democratic freedoms.

The American Committee for Peace in the Caucasus, a Freedom House project that tracks events in the five North Caucasus republics of Russia, shows a direct correlation between acts of violence between militants and authorities increasing in a cyclical, mutually re-enforcing pattern. This research also shows a heightened degree of coordination among militants in the various republics tracking back to the declaration of a trans-Caucasian emirate in 2007.

Corruption and impunity play a clear role in this cycle as the demand for *Shari'a* can be seen as driven by the absence of any accountability in the legal system. Repressive though the imposition of Islamic law may be in a secular country, it is at least a legal system with clear rules and consequences for violating them. While there may be a response against attacks on authorities through operations against militants, there is no such response for attacks against civilians, journalists or human rights defenders in the North Caucasus. This perceived lack of justice fuels the ideology of a mounting, and increasingly coordinated, insurgency throughout the region. As Russia plans to host the 2014 Winter Olympic Games near the city of Sochi – on territory that was the scene of genocide a century and a half ago – it is difficult to imagine security in this dangerous corner of the federation improving without a significant shift in strategy from that which grew out of the last decade. Greater accountability by regional as well as federal authorities and responsiveness to the needs of the citizens in these republics should be cornerstones of such a strategy.

Those Russians who have stepped forward to call for greater protection of human rights have often paid a terrible price, as we have heard today. The brazen murder of a human rights lawyer and an independent journalist on a busy street in Moscow or that of a human rights researcher in Chechnya, both in 2009, demonstrate not only the risk, but also the bravery of human rights defenders like Tatiana Lokshina who do not allow the daily threat of violence to stop their work. Yet these are the few. For the many, fear understandably has a deterrent effect.

Against this grim background, it is important to note that the Russian public has not been completely silent in the face of the effects of autocracy, corruption and a failure to protect. Yet the protests that have drawn thousands to the streets of Vladivostok and Kaliningrad have not been stirred by outrage over human rights. Rather, the demonstrators in each of the spontaneous protests across the country are speaking out against the deprivation of equally fundamental rights—decent living conditions, freedom from arbitrary regulations against motorists, and fair taxation. Taken jointly, these demonstrations recall the public anger in reaction to the failure of “shock therapy” in 1993-4 when life savings were wiped out and the outrage manifested itself in the resurgence of the Communist Party, which nearly un-seated former President Boris Yeltsin in 1996. Coincidentally, it was also in this period the first Chechen War finds its roots.

When deprived of what they have come to know as their rights, Russians will demand change. Even if the connection between a repressive political order and the widespread deprivation of human rights – indeed of the very civil liberties that caused the tragic death of Sergei Magnitsky in a Moscow jail – is not immediate to the man on the street today, what is clear is that all is not well in Russia. Media repressions are just one way the current regime seeks to prevent Russian citizens from connecting the dots between the widespread abuse of their rights and deteriorating conditions in regions across Russia's eleven time zones.

Throughout its long and often tortured history, political change in Russia has never come without violence. As a highly-educated and undeniably cultured people move forward in the Twenty-First Century, there is much that the friends of the Russian people can do to help them release social and political pressure to counter this trend. Demonstrating that friendship in a way that is meaningful to any Russian, comes not only through constructive criticism, but also by a collective will to stop accepting things as the way they are simply because it appears that is how they have always been. In the case of Russia and its deteriorating human, civil and political rights, the stakes are simply too high for a seemingly pragmatic acquiescence.

The Russian people deserve better. But they are unlikely to strive for it without encouragement and support from beyond their borders. The respect that the Russian government craves abroad is not commensurate with its actions at home. The needs for practical support of those Russians with the courage and determination to push for change in an ever more Orwellian environment have been neither recognized nor adequately funded by their friends abroad. It is, as the man whose name this commission bears might remind, our moral responsibility to recommit ourselves to helping Russians defend their rights, and to do better.