

“Russian Violations of Borders, Treaties, and Human Rights”
U.S. Senate Committee on Foreign Relations
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Chairman Corker, Ranking Member Cardin, esteemed Members of the Committee, thank you for holding this important and timely hearing, and for the opportunity to testify before you.

Twenty-five years ago, at a conference held, of all places, in Moscow, member states of the Organization for Security and Cooperation in Europe established as a principle that issues relating to human rights, democracy, and the rule of law “are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned”¹. Through its membership of both the OSCE and the Council of Europe, the Russian Federation has undertaken binding commitments with respect to election standards, the freedom of expression, and other important aspects of human rights. All of these principles are enshrined in the Russian Constitution.

In its sixteen years—nearly a generation—in power, Vladimir Putin’s regime has turned these commitments into a dead letter.

Today, elections in our country serve as a mere ritual to ordain the incumbents, with any meaningful opposition, in most cases, disqualified from the ballot, and with voting marred by intimidation and fraud. After March 2000, not a single nationwide election in Russia has been assessed by OSCE and Council of Europe observers as free and fair. According to independent estimates, up to fourteen million votes were stolen in favor of the ruling party in the most recent parliamentary election in 2011, which was followed by the largest street demonstrations under Mr. Putin’s rule, when more than 100,000 people went to the streets of Moscow to protest fraud². Preparations for this September’s parliamentary vote are not promising, with new restrictions imposed on both campaigning and observation, and with the establishment of a new National Guard that will be allowed to use force and shoot without warning in the event of mass demonstrations.

For more than a decade, the Russian parliament has been devoid of genuine opposition—“not a place for discussion,” in the unforgettable words of its own speaker. The same applies to most media outlets. After taking over or shutting down independent television networks in the early years of Mr. Putin’s rule, the Kremlin now controls all nationwide airwaves, which it uses to rail against the outside world—including the West and Ukraine—and against Mr. Putin’s political opponents at home, who are denounced as “traitors” and “enemies of Russia.” The few surviving pockets of media independence are under severe pressure, as witnessed by the recent editorial purges at the RBC media group following its coverage of the “Panama Papers.”

¹ 1991 CSCE/OSCE Moscow Document <http://www.osce.org/odihr/elections/14310?download=true>

² “Russia’s Dubious Vote,” *The Wall Street Journal*, December 28, 2011
<http://www.wsj.com/articles/SB10001424052970203391104577124540544822220>

The police, the prosecuting authorities, and the courts are used by the Kremlin as tools for suppressing and punishing dissent. According to Memorial, Russia's most respected human rights organization, there are currently eighty-seven political prisoners in our country—a number comparable with the late Soviet era³. These prisoners include leftist politician Sergei Udaltsov; the brother of anticorruption campaigner Alexei Navalny, Oleg Navalny; opposition activist Ildar Dadin, jailed under a new law that targets individual street protests; and Alexei Pichugin, the remaining hostage of the “Yukos case.”

But those who oppose Mr. Putin's regime risk not only their wellbeing and their freedom. They also risk their lives.

On February 27, 2015, Boris Nemtsov, former deputy prime minister and leader of Russia's pro-democracy opposition, was killed by five bullets in the back as he walked home over the Bolshoi Moskvoretsky Bridge, two-hundred yards from the Kremlin wall. More than a year on, the investigation into his murder is stalling. Although they have apprehended the alleged perpetrators, investigators have been unable to pursue organizers and masterminds. According to media reports, attempts to track the higher-ups were vetoed by Gen. Alexander Bastrykin, the head of Russia's Investigative Committee⁴. And, despite the obvious links between the murder suspects and Kremlin-appointed Chechen leader Ramzan Kadyrov, he has not been even formally questioned in the case.

I can speak to the dangers that face opposition activists in Russia from personal experience. Exactly one year ago, in Moscow, I fell into a coma as a result of severe poisoning that caused multiple organ failure and that was certainly intended to kill. Doctors told my wife that they estimated the chance of survival at around five percent. I am very fortunate indeed to be speaking with you today.

Our friends in the West often ask how they can help the cause of human rights in Russia. The answer is simple: please stay true to your values. We are not asking for support—it is our task to fight for democracy and the rule of law in our country. The only thing we ask from Western leaders is that they stop supporting Mr. Putin by treating him as a respectable partner and by allowing his cronies to use Western countries as havens for their looted wealth. The U.S. has been a pioneer in the efforts to put a stop to this. Nearly four years ago, Congress passed the Magnitsky Act, a groundbreaking law that, for the first time, introduced personal accountability for human rights abuse and corruption by prohibiting those who violate the rights and pillage the resources of Russian citizens from traveling to the U.S. and using its financial system. Testifying before this Committee in June 2013, Boris Nemtsov called the Magnitsky Act “the most pro-Russian law in the history of any foreign parliament.”⁵ It is my hope that this law is implemented to its full extent, without regard for rank or influence, and that the crooks and abusers get a clear message that they will not be welcome here.

³ List of people recognized as political prisoners by the Memorial Human Rights Center (in Russian) <http://memohrc.org/pzk-list>

⁴ “RBC Investigation: Where the Nemtsov Case Has Led” (in Russian), *RBC*, January 20, 2016 <http://www.rbc.ru/politics/20/01/2016/569e4b2a9a794709eaff2a9d>

⁵ Testimony by Hon. Boris Nemtsov, U.S. Senate Committee on Foreign Relations, June 13, 2013 http://www.foreign.senate.gov/imo/media/doc/Nemtsov_Testimony.pdf