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## Russia's Human Rights Emergency

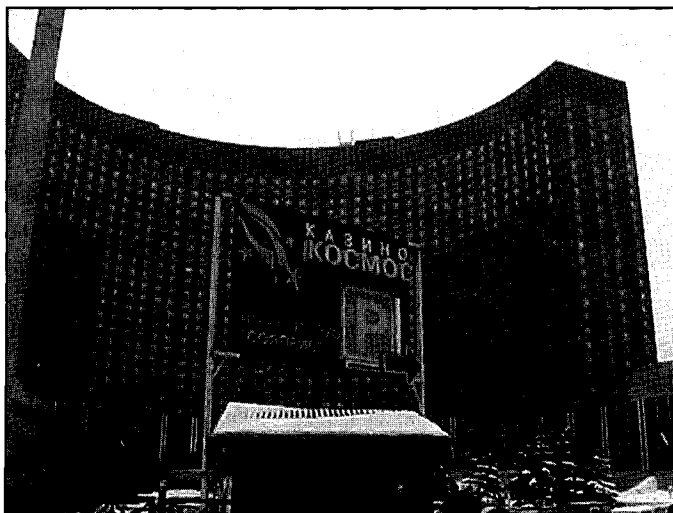
By Gregory Feifer

FEBRUARY 2001

MOSCOW—The temperature had dropped to a respectable minus 12 degrees Celsius one late January morning and a bitter wind whipped up snow around a stream of bundled-up figures treading carefully over a sheet of packed snow and ice toward the hulking Kosmos Hotel. (That edifice, whose sides curve forward in a massive imitation of Washington's landmark Hilton Hotel, once represented the height of 1970s-style Soviet architectural innovation. By the 1990s, its vulgar sprawling marble interior had become well known to a number of lonely foreign businessmen looking for a state-sanctioned screw.)

Located well north of the center up Prospekt Mira, one of the city's main arteries, the Kosmos stands opposite the All-Russian Exhibition Center (VVTs), from which it is separated by a newly built raised highway (from which it is nearly impossible to exit to the hotel). Once called the USSR Economic Achievements Exhibition (VDNKh), the rambling, two-kilometer-long park with widely spaced, Stalin-era neoclassical pavilions once showcased the Soviet empire's various achievements and reaches (and included the space, technology and agriculture pavilions as well as exhibition halls dedicated to various national republics). VVTs is now a massive bazaar, selling cars, cheap Chinese clothing and an array of other goods. "Socialism is Soviet Power Plus Electrification," a slogan attributed to Lenin, still adorns a plaque above the electrification pavilion. Completing the grim Soviet fantasyscape is an upward-swooping mass of titanium topped with a stylized rocket standing near the Kosmos and commemorating the launch of Sputnik, the world's first artificial satellite, in 1957.

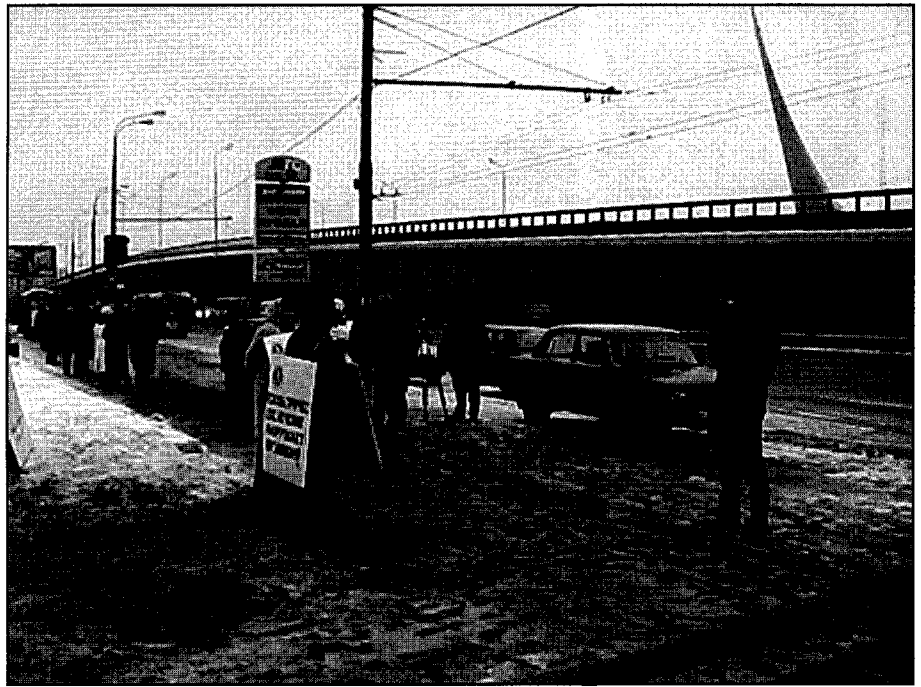
Inside the warmth of one of the Kosmos's wings, members of a teeming crowd pushed and shoved each other in a rush to check coats and collect press releases. Watching from behind the safety of a coat-check counter, a Kosmos employee smiled in bemusement at the tooth-and-claw scene in front of him.



*The Kosmos hotel, where the "emergency" human rights conference was held. The grandiose Soviet eyesore is known better for its seedy bars and prostitutes.*

"They're here to protect human rights!" he announced, pleased with his observation of the irony. Indeed, the crowd had come to attend the All-Russian Emergency Congress in Defense of Human Rights. It was the first of its kind, attracting the participation of prominent politicians and former dissidents who joined more than 1,000 activists for a two-day event that would declare a national emergency for human rights and urge a consolidated fight to protect the constitution. Human rights campaigners from 65—of the country's 89—regions, representing more than 300 organizations, attended the congress. Sponsors included the social-democratic Yabloko political party and half a dozen U.S. foundations and labor unions. The event drew attention to the war in Chechnya, judicial reform, freedom of the press, civilian control over law enforcement and the rights of workers and businessmen, among many other issues.

The conference became a watershed in more ways than one. By uniting members of a tiny, underfunded and marginalized movement, it functioned as a high-watermark of sorts to which human rights campaigners could look back with vague talk of a mandate to press on. To the movement's myriad opponents, the congress gave damning evidence that an organized group of Russian citizens was entertaining traitorous intentions of criticizing the government and President Vladimir Putin against the grain of widespread



*Outside the Kosmos, some demonstrators displayed placards as the participants straggled toward the hotel. In the top right corner stands the Sputnik monument.*

public approval. Indeed, so strong was the negative reaction of several journalists that it gave evidence of a further deterioration in the media's role as an independent institution. In the face of overwhelming public support for Putin and the policies criticized at the congress—support whipped up by the very newspapers who cite "public opinion" as the basis for their own criticism of the human rights movement—it was a wonder the congress could have been held at all. The reaction against it also decisively proved the contentious point that the country is indeed facing a human rights crisis on many fronts.



*Inside the Kosmos lobby, a mass of conference participants pushed and shoved its way toward the conference hall.*

## The New Dissidents

Inside the large, comfortable conference hall, the crowd seemed distinctly older than I had expected. It was dominated by bearded and goateed academic-looking types in their forties, fifties and sixties. Most of the fewer women seemed of the same age. The few younger participants included some long-haired men in their 30s and a dead ringer for a young Karl Marx.

Among the crowds, a number of well-known personages could be spotted: Genri Reznik, the ranking lawyer defending independent television NTV from the Kremlin's grip (and also attorney for NTV founder Vladimir Gusinsky's biggest rival, the controversial tycoon Boris Berezovsky); Sergei Nikitin and Alexander Pasko, celebrated by green supporters the world over for exposing environmental damage by the Russian military and shaking



*The conference hall was packed with around 1,000 participants. The size of the meeting prompted its organizers to state that the "atmosphere" for Russian human rights defenders had changed for the better.*

off ensuing government prosecution; and a number of other highly visible personalities such as outspoken liberal political activist Lyudmilla Novodvorskaya.

The conference was put on by a group of over 30 organizations spearheaded by Lev Ponomaryov, a veteran human-rights campaigner whose long résumé and ubiquitous presence at rallies and protests arguably make him Russia's preeminent activist despite his relatively low profile.

A physicist by training, Ponomaryov founded Memorial—one of the country's most visible human rights groups—in 1988, to build a monument to commemorate the tens of millions who fell victim to Soviet repression. Memorial remains an active and vital group today. Ponomaryov went on to co-chair former Prime Minister and reform icon Yegor Gaidar's Democratic Russia movement, once the ascendant of liberal political groups. Democratic Russia helped bring Boris Yeltsin to power, during which time Ponomaryov acted as a close adviser to Yeltsin.

Ponomaryov also twice served as a member of parliament. He has set up a number of organizations, including Hot Line, which provides legal consultation on matters as mundane as housing disputes and as horrific as police brutality. Ponomaryov is now director of the "For Human Rights" movement, which publishes a monthly newspaper publicizing human rights groups' activities.

As the "activists" filed into the conference hall, old Soviet songs crackled over the public address system, adding to a slight tinge—not of nostalgia—but of a wistful melancholy as friends and acquaintances greeted one another. Perhaps some reflected on times in which their struggles

seemed of less importance even to themselves.

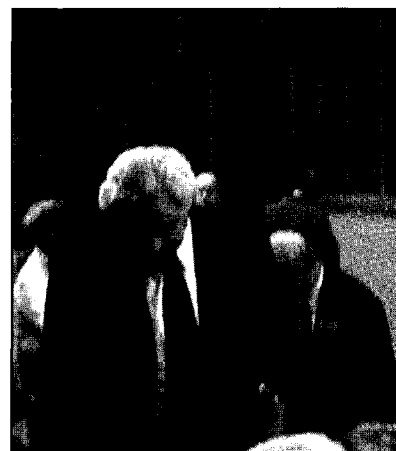
Proceedings began late and with a vote on the opening of the congress. The bureaucratic formalities seemed oddly out of place and caused even more delays, to the chagrin of two elderly men sitting in front of me. They were obviously human-rights-supporting veterans, and they put on a running commentary in the vein of Statler and Waldorf, the Muppet Show's two balcony-seated heckling curmudgeons. The two men erupted in outrage when a vote was taken on whether all foreigners had been provided with translators. "How the Hell are they going to vote on that if they don't already have a translator to explain it to them?" one asked.

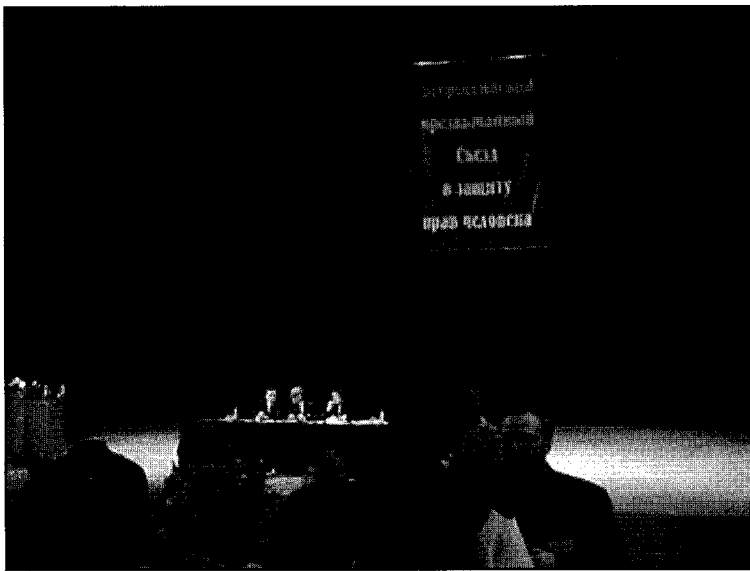
There was more outrage to follow from two microphones placed at the front of the hall, behind which long lines had already formed. "I didn't see one mention of the word 'children,'" complained a member of a children's rights organization from the Volga town of Nizhny Novgorod. "That's the most pressing problem!"

She was commenting on the contents of the conference program, which was also subjected to a vote despite the fact that it had already been printed. Several recounts took place (one after a man's hand was mistakenly counted while he was waving to a friend during voting). After a while, another activist stepped up to a microphone and said, "Let's get on with it!" That, too, was subjected to a vote, but to the audible relief of the two commentators, it passed.

A series of speeches followed, beginning with the reading of a letter by Elena Bonner, the widow of Andrei Sakharov and doyenne of today's human rights movement. She was also honorary chair of the conference's organizing committee, but was unable to fly to Moscow from New York due to illness. Hers was a bitter-sweet appeal. "Once, all of Russia's human rights defenders could meet together in one communal apartment," the letter said. "Since then, the names of many of those killed under the Soviet Union have been forgotten. I would like this first congress to pose these questions: Are

*Genri Reznik, Russia's best-known lawyer, searches for a seat. Reznik has defended the likes of controversial tycoon Boris Berezovsky and now heads the legal team of NTV television's Vladimir Gusinsky, who is fighting to maintain control over his company.*





*The conference setting together with its formal procedures created a slightly bureaucratic atmosphere that jarred with the sometimes gruesome descriptions of human rights abuses in participants' speeches.*

there human rights activists and dissidents in Russia? Are they needed?"

The answer in speeches that followed was, predictably, a resounding "Yes!" Sergei Kovalyev, the human-rights movement's most outspoken and visible proponent, was first to speak. A member of parliament, he held the post of human-rights commissioner under former President Boris Yeltsin. Since his firing last decade, Kovalyev has outraged many politicians with his frank and uncompromising criticism of the government.

"The fact that we called this conference an 'emergency' meeting has generated a lot of discussion," Kovalyev said. "Some say it reflects the extraordinary political regime we have today." (The Russian word for "extraordinary," *cherezvychaino*, is also used to mean "emergency," as in the conference's title.) "Others say there's nothing unusual, that what's going on now is a continuation of what began under the Yeltsin regime.

"What's happening is natural, in a sense," Kovalyev continued. "When a former superpower becomes a Third-World country, of course it's to be expected that resentment grows. But mass support for Putin includes that of intellectuals—writers and scholars—and that's what's truly frightening. I think it's a national disgrace. A country with such a bloody past cannot allow itself such things.

"Putin is proud of his past and the organization for which he worked [the KGB]. What are Putin's values? Great-power status, order and patriotism. But democracy is the power of the people. Officials talk about responsibility, but what does that mean? In Russia, power doesn't answer to the people. In fact, it's the other way around. People have to answer to the state.

Under our Byzantine system, we see secrecy and disinformation to the enemy. But the enemy is we, the people."

Kovalyev went on to criticize the president's reform last year of the Federation Council upper house of parliament, in which the country's governors had previously sat ex-officio. The president also made it easier to fire governors and carved Russia into seven superdistricts headed by Kremlin appointees who were to crack down on unruly provincial leaders. Precious few observers, both in Russia and abroad, have criticized the legislation, so it was surprising that even someone of Kovalyev's repute would talk about it.

"Is it bad to remove regional barons?" he asked rhetorically. "No! Of course not. But the division of power between the federal center and the regions wasn't even addressed! The reform's real aim was to end federalism and institute a unified rule."

Kovalyev then turned to more mainstream criticism: of a legislative bill now in parliament that would drastically reduce the number of political parties by raising the hurdle for entering the State Duma (lower house of parliament) from the current 5 percent of the popular vote. "The goal is no secret," he said. "It's to create a one- or two-party system. But in other countries, parties aren't banned outright. Parties are selected by the population, and many parties can and do take part."

Kovalyev also criticized Moscow's ongoing campaign in Chechnya, launched after Chechen rebels invaded the Russian region of Dagestan in the summer of 1999. "Those raids weren't launched by Chechens holding office," he said. "But Putin and company cynically used that as justification to fight a war against them." Kovalyev went on to criticize Putin's foreign policy. "He fraternizes with the most



*Memorial's Oleg Orlov (left) and Andrei Babushkin, head of The New House human rights group, moderated the conference.*



*The human rights movement's shining light, Sergei Kovalyev. The country's human rights commissioner in better days, Kovalyev maintains an unrelenting stream of criticism of the government.*

undemocratic countries in the world, from North Korea to Cuba, countries that are a menace to world democracy."

Kovalyev ended by asking how the threat to democracy should be fought. "Human rights defenders can't not be involved in politics," he said in answer, prescribing that activists should constantly monitor the country's political events, draft protests in the form of petitions, and maintain a constructive dialogue with authorities. "We have to be taken seriously. We have to have mass support. And social support only comes from routine work," he said.

### A Slew of Issues

The talks that followed echoed Kovalyev's appeals, differing chiefly in the issues addressed. There was disagreement during the conference about which problems were the most pressing. But no one disputed the idea that human rights were seriously under threat. "Two days is not enough simply to list human-right-abuses in Russia," said Amnesty International representative Mariana Katsanova.

A Polish guest praised the Soviet dissident movement for inspiring his compatriots to fight their own communist regime in the 1970s and '80s. "We had our victory," he said, almost apologetically. "But we must keep fighting."

Nikolai Fyoderov, a former justice minister and now governor of the region of Chuvashia, sent a letter, read aloud at the conference, encouraging its participants to press ahead in their work. Fyoderov is one of two or three governors who routinely address human-rights issues and is the only one to openly oppose a number of Putin's policies.

One topic high on the list of woes was the handling of country's national debt. In mid-January, Finance Minister Alexei Kudrin announced that Russia refused to make the full payment due on its upcoming Paris-Club debts. The explanation was simple: money for that purpose hadn't been allocated in this year's budget. At the same time, the government seemed fully prepared to make payments on a range of other debts, including its London-Club debt. The

government even said it would pay debts for items not included in the budget. Prime Minister Mikhail Kasyanov, for example, promised to pay \$16 billion to the military-industrial complex—for debts that were never budgeted. These were "incurred" when factories acting without state orders simply produced goods and socked the government with a bill. (Putin also announced the raising of pensions, also not included in the budget.)

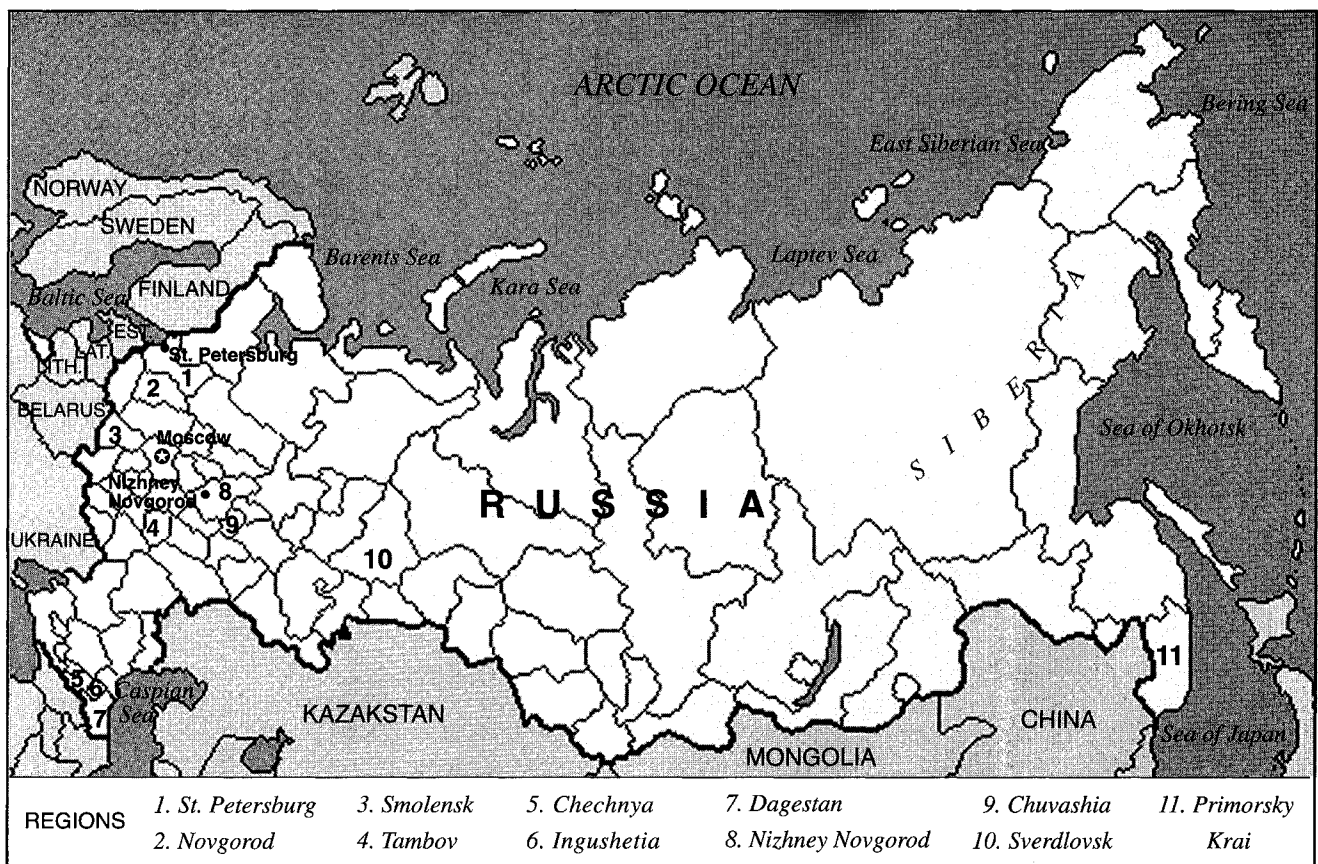
Moreover, critics say many of the government's debts are mysteriously rising. The London-Club debt amounted to \$32 billion before its restructuring last year, when it came to \$41 billion. The same is true for debts racked up by Soviet foreign-trade organizations set up during the late 1960s by the KGB to finance Soviet-backed insurgencies and governments in Third-World countries. (By the 1970s, those were mostly used to launder money abroad for Party insiders. In the 1990s, their debts were resold through a network of offshore companies. Analysts say these companies were controlled by the very government officials negotiating the debts' restructuring. In 1994, these debts stood at around \$5 billion. After their resale and restructuring, they amount to more than twice that, according to Finance Minister Kudrin.)

Writing in a column in the English-language daily *Moscow Times*, analyst Yulia Latynina—echoing the opinion of many others—wrote that it was clear in each of these cases that inside traders got wind of the government's pending decisions and made billions by trading in the debt at the government's expense. The difference between such debts and the money owed to the Paris-Club is that London-Club and other debts trade freely on debt markets. The bonds can easily be transformed into hard cash in the pockets of government insiders. But Paris-Club debt can't be. It's owed directly to western governments. Since it's not traded on the open market, the reasoning goes, there's no gain to be made from paying it.

A number of conference participants denounced the government's debt policy. Others outlined other problems, including the thousands of Russians literally freezing to death in the country's Far East during a time of record-low temperatures that reached minus 57 degrees Celsius. Worst hit were those in Primorsky Krai, whose governor, Yevgeny Nazdratenko, ran the region like a private fiefdom for years in part by appointing his cronies to head a number of key industries while allowing public infrastructure, such as heating systems, to rot. Putin finally sacked Nazdratenko in February—but appointed him head of the notoriously corrupt State Fisheries Committee shortly after.

Complaints were also made that despite constitutional protections for citizens' freedom of movement, the government places limits on this right, and some regional and local authorities (most notably the city of Moscow) restrict movement through residence-registration mechanisms. These restrictions, although repeatedly challenged in city court (most recently and successfully in September by a human-rights organization), remain largely in force





and are tolerated by the federal government.

Loud protests were made against the new legislative bill on political parties, criticized by Kovalyev, and which is now making its way through parliament. It is generally acknowledged that if passed, the law could wipe out 90 percent of existing political groups and place the rest under significantly tighter government control. Putin submitted the bill last year, saying he wanted to introduce order into Russia's chaotic political system by leaving only a few large, nationwide parties instead of the motley assortment of 188 groups scattered across the country today. Critics oppose the bill's provision for state funding of parties and its rigid rules for forming a party, saying both would allow the government to manipulate parties or shut them down on the basis of technicalities.

One bone of contention is the bill's requirement that a party must have at least 10,000 members nationwide and branch offices in at least 45 regions with a minimum of 100 members each. That rule would bar regional parties and grass-roots groups from nominating candidates for elections to legislative bodies. Once registered, a party could still be shut down if membership numbers dropped below the required minimum.

The list of issues continued. Several human-rights defenders at the conference made appeals to the journalists in the audience. But criticizing the media is a particularly tricky issue for Russian NGOs. The state of affairs in the press is dismal, with newspapers routinely printing favor-

able stories about their financial backers or for those willing to pay. At the same time, media outlets are crucial for human-rights activists' publicity.

In late February, several leading Russian newspapers were trapped in a sting operation when they printed a false news story in exchange for secret payments. The sting, detailed in *Kommersant* newspaper, was the work of Promaco, a Moscow public-relations agency, whose directors claimed they were tired of bribing journalists to plant news stories favorable to their clients. The agency's director said his company had tried to obey the country's press laws, which forbid bought-and-paid-for news stories. But the company kept losing market share because "nobody else in Russia was obeying those laws."

Promaco sent a fictitious press release to 21 newspapers to see how many would offer to print it in exchange for cash. Thirteen of the papers, including some of Moscow's most prestigious dailies, ran the story as regular news, charging fees ranging from \$200 to \$1,732. The press release announced the phony "grand opening" of a new electronics supermarket, called "Traffic Light," at a downtown Moscow address—in fact a vacant lot. (Apparently, none of the journalists even checked it out.) *Nezavisimaya Gazeta* ran a long, by-lined story about the non-event, including a glowing description of the store's five shopping levels, a discussion of the "well-known" firm's high reputation for customer service and even quotes from its fictitious general manager.

That such activities can take place was attributed to a

weak civil society, itself the effect of a vicious circle. "The basis of Soviet patriotism was to close ourselves off from outside," said Alexei Simonov, president of the Glasnost Defense Fund, an NGO that tracks violations of journalists' rights in the former Soviet Union. "An information vacuum created information safety. As a result, our population is still not ready for the influence of information. Not knowing things is safer.

"The media is especially weak on the topic of human rights," Simonov added. "In essence, when journalists don't also function as human-rights fighters in their own right, then freedom of speech comes under threat from direct and indirect censorship." At the same time, credible journalists are finding it increasingly harder to work. Much has been said and written about the case of embattled NTV, the country's only independent television stations, which the Kremlin is attempting to take over—while having already effectively regained control over Russia's most-watched ORT television. Much less press coverage is devoted to the fact that a number of state agencies are increasingly refusing media outlets critical of their work accreditation to cover news conferences and events. Meanwhile, the Glasnost Defense Foundation also estimates that several hundred lawsuits and other legal actions were brought by government agencies against journalists and journalistic organizations during 1999, the majority in response to unfavorable coverage of government policy or operations. And each year, more journalists are beaten and killed.

In one example of many listed in a U.S. State Department report on human-rights published in late February, Andrei Barys, a reporter from the regional *Uralskii Rabochii* newspaper, was attacked last July by three unidentified assailants in the city of Kachkanar in the Sverdlovsk Region, where he had traveled to research a story on a criminal group headed by Valery Volkov. Shortly after his arrival in Kachkanar, Barys noticed that he was being followed by a group of men. They attacked him shortly after, saying, "Don't poke your nose into Volkov's affairs!" and advising him to leave the city. Barys attempted to contact the local police the following day, but the police chief refused to hear his complaint. In another case—among hundreds—Sergey Novikov, president of the Smolensk region's only independent radio station, Vesna, was murdered in his apartment last July. His radio station had repeatedly denounced corruption within the regional administration, courts and police. A month before his death Novikov wrote an open letter to Smolensk Governor Aleksander Prokhorov and included the names of officials suspected of corruption. The Interior Ministry classified the murder as a contract killing.

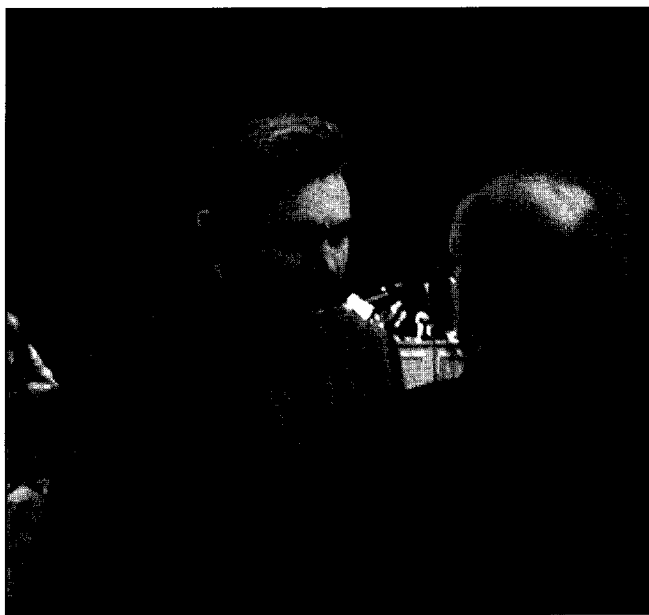
To make matters worse, Press Minister Mikhail Lesin—a former advertising executive who played an insidious role in trying to coerce NTV management, for which Putin publicly reprimanded him—tried to deflect criticism by announcing his ministry was compiling a report on freedom-of-speech abuses in the United States. It was a tactic smacking of Soviet-era propaganda. Lesin said he was convinced that Russia has "more freedom of speech" than the

United States in comments reported by *Vremya Novosti* newspaper. He argued that American media outlets "basically belong to 50 major corporations, while in Russia there are about a thousand companies." In a distinctly post-Soviet touch, however, Lesin also announced the Press Ministry would wage a large advertising campaign in the United States to improve Russia's image. "How long can Americans continue to be fooled by stories about what's happening in Russia, including what's happening with freedom of speech?" he said, adding the ministry would spend whatever amount was needed on the project.

### Pasko and Nikitin

The blurred line between activist and journalist is most clear in the cases of military journalist Grigory Pasko and retired navy captain Alexander Nikitin. Nikitin was the first Russian environmentalist to be persecuted by the Federal Security Service (FSB—a successor to the KGB), arrested in 1996 and held for nearly 11 months on charges of high treason and espionage for co-authoring a report for the Norwegian Bellona environmental group exposing the hazards of the country's nuclear fleet. Nikitin spent more than 10 months in solitary confinement in a St. Petersburg FSB jail before being released in December 1996 on the condition that he remain in St. Petersburg. He was acquitted only in December 1999.

Pasko caught the FSB's attention by reporting allegations that the Russian Pacific Fleet mishandled its nuclear waste. He was arrested on charges of passing classified materials to Japanese NHK television in November 1997. Pasko argued that while his material documented environmental hazards at the fleet facilities, it did not involve clas-



*Navy captain-turned environmentalist Alexander Nikitin, one of the first to draw attention to the government's increasingly heavy-handed approach to its critics. Nikitin's celebrated case lasted years and ended in acquittal.*

*Military journalist Grigory Pasko, who was prosecuted shortly after Nikitin for exposing the Pacific Fleet's mishandling of nuclear waste. His three-year sentence was suspended, but last November, the Supreme Court sent appeals back to the court that found him guilty.*



sified information. Pasko was acquitted of treason and espionage by a military court in Vladivostok in June 1999, but was convicted on a lesser charge of improper military conduct. He was sentenced to three years but was immediately amnestied and released, having spent almost half the length of his sentence in pre-trial detention. Both Pasko and the prosecution appealed the verdict to a higher court, Pasko saying that the verdict should be annulled and he should be acquitted and the prosecution saying that the case should be heard again in court. Last November, a panel of Supreme Court military judges said the lower court decision was "incomplete, biased and ill-founded," and set the stage for a retrial in Vladivostok. "I consider this a death sentence," Pasko told reporters at the time.

One of the stars of the "emergency" conference, Pasko took to the podium amid much applause. "Someone just asked me why I'm still free," he said. "But under Putin, no one asks 'Why were you subjected to four-and-a-half years of prosecution?'" He went on to speak of the "total impotence of the judicial system—especially in the military," stopping often for applause.

### Legal Cards Stacked Against NGOs

Many of the conference speeches ended with exhortations for human-rights activists to work harder. But at no time since 1991 has that been that more difficult. Moscow Law Professor Vladimir Mironov spoke about the erosion of the presumption of innocence in the trial process. "There's no equality under law. It's like a game of cards when your opponent has a trick deck," he said. "The only question is whether or not he will allow himself to win." Mironov's chief prescription for beneficial change in the legal system: "An increase in the level of social involvement."

But the tide seems to be turning against the human-rights movement just when the country needs it more than ever. Human-rights veteran Sergei Grigoryants, chairman of the Glasnost Public Foundation, a human rights organization, said recently-passed "re-registration" laws required all human-rights organizations and other non-governmental organizations registered before May 1995 to file again for incorporation. The result of the bureaucratic hurdle: "In the Tambov Region, only 5 percent re-registered. In Moscow, only 12 percent did. In the whole of the country, only

57 percent of previously existing human-rights organizations still officially exist.

"As in the Soviet Union," Grigoryants added, "the rest will have to go underground." In one example last November, a court refused to extend the registration of Moscow's branch of the Salvation Army as a religious organization, accusing it of being a violent, militarized group. (It's also worth noting that last August, armed masked men accompanied by a local police official in uniform raided the Moscow office of Grigoryants's own Glasnost Foundation, holding personnel at gunpoint for nearly 40 minutes.)

"A new communist order is being built," Grigoryants continued. "I don't mean socialist, but communist in its repressive sense. The case of Edmund Pope [the former U.S. naval officer accused of spying in a Moscow court] is a sign that everyone has to be careful of every word they say." Pope was sentenced to 20 years in prison for espionage in December, in what was widely seen as a show trial by a court heavily biased in favor of the prosecution. Pope was pardoned by Putin on health grounds in December and returned to the United States. Several conference participants also mentioned the case of Igor Sutyagin, a researcher from the Institute for USA and Canada Studies arrested in October 1999 on charges he was giving classified information about the Russian military to foreign intelligence services. The USA and Canada Institute says it has no access to government secrets, and Sutyagin and his lawyers insist his reports about the Russian military were based simply on his own analysis drawn from information in published sources. Agents also searched the Moscow apartment of Princeton University graduate student Joshua Handler, an arms-control researcher working with Sutyagin. Handler was not charged and left the country, but FSB chief Nikolai Patrushev later called him a spy. Such actions coincide with Putin's signing last September of an information security doctrine that warns of "information weapons" allegedly used against Russia by unidentified foreign powers. The doctrine calls for tighter controls over media in language ringing with Cold-War era terms.

At the same time, human-rights organizations are be-

*Moscow Law Professor Vladimir Mironov spoke about the erosion of presumption of innocence in the trial process.*





ing accused of “conspiring against the state.” Valery Borshchev of the Moscow Helsinki Group said this is especially the case with organizations that protest against police and military brutality. Borshchev cited the well-known problem of “*dedovshchina*” (hazing) in the military. Hundreds of Russian soldiers—drafted for a period of two years under the country’s conscription system—are either killed by their superiors or commit suicide each year. “One young soldier hanged himself to escape beating,” Borshchev said. “His commanding officer said, ‘It was his own fault.’”

“The situation in the secret services is also critical, mainly because of torture,” Borshchev added, saying that last year around 2,000 accusations against state agencies were lodged. “Only six were brought to trial and only half of those trials were brought to a conclusion. The result is that no one is safe. Anything can happen at any time. If there was at least a dialogue with the state before, now there is none.

“The state is only a mechanism for carrying out the will of the people,” Borshchev continued. “The simple way to control it is through the courts. But try getting a bureaucrat into a court. Judicial power in this country is becoming an increasingly secretive thing.”

## Chechnya

Perhaps Russia’s most pressing—and certainly most visibly ruinous—human-rights problem is its ongoing campaign in Chechnya. One of the chief factors allowing brutality including rape, torture, murder and kidnapping by Russian soldiers in the region to continue, according to conference participants, is government propaganda. “One so-called exact rocket hit [on the house of a Chechen leader] broadcast on NTV actually also damaged many one-story houses, several apartment buildings and a market,” said Memorial’s Oleg Orlov, citing one example of many.

“An armored personnel carrier is blown up and revenge is taken by waging terror through torture and murder of peaceful civilians,” Orlov said. As an example, Orlov cited the case of one young Chechen, 28-year-old Aliya Shurkayev. “He was taken from his house and the next day his corpse was dumped near a hospital. The hands and fingers were broken. There was no reason given. He was accused of nothing. How many such cases are there? We know of secret jails where people disappear and where they are tortured.”

Psychological effects on Russian soldiers were also discussed. “How are [Interior Ministry police] going to function when they return here and are supposed to protect us after doing what they’ve been doing down there?” Orlov asked.

In late February, Memorial announced that 27 bodies had been found and identified in Chechnya after a chance discovery. The bodies were located less than a kilometer from the headquarters of Russian forces at Khankala, in

the capital Grozny’s eastern suburbs. Among the 27 dead were three young men, including a 14-year-old, who went missing after they were arrested in December by Russian troops in the villages of Dolinsky and Raduzhnoye, north of Grozny, Agence France-Presse reported. All three had gunshot wounds to the head and one had his eyes gouged out, according to testimony from those who had traveled to the neighboring Russian republic of Ingushetia to buy accessories for funerals.

*Novaya Gazeta* is one of the very few Russian papers that tries to report the situation in Chechnya objectively. (The paper has also organized clothing- and food-donation drives to aid families in the bombed-out republic). In February, one of the paper’s reporters, Anna Politkovskaya, was detained in an army camp and threatened with rape and murder before being released. In an article for London’s *Observer* magazine, Politkovskaya detailed several cases of the widespread phenomenon of what she calls “commercial” concentration camps. Chechen civilians—after brutal punitive raids on their villages—are kidnapped, tortured and thrown into pits dug in the ground. Inside the ditches, victims have only enough room to sit or crouch—they can’t stand (due to logs placed overhead) or lie down. They are held and tortured for days in sub-zero temperatures while their poverty-stricken families scrounge for cash to pay for their release. The pits are a relatively new phenomenon; the first were allegedly dug originally for dumping garbage.

Conference participants advocated one chief course of action: immediate talks with Aslan Maskhadov, elected Chechen president in 1997 and still considered by many to be Chechnya’s legitimate ruler.

## Guests Speak

During the conference, I often found myself thinking how strange it seemed to be listening to the litany of human-rights abuses. The situation in Russia seems so Kafkaesque as to boggle the mind because of the insidiousness of the degradation carried out by the state against its subjects and the seeming futility of protest. But the speeches’ topics clashed with the conference’s mundane surroundings. Conference participants were seated comfortably in the warm hall, and many talked to one another. Everyone had heard the types of accusations being made countless times before. Nonetheless, I felt a sense of relief to find myself in a packed auditorium of people who shared similar views, who didn’t think it traitorous to criticize the state’s abuses of its citizens’ liberty and dignity. It seemed miraculous that such a meeting could have been held at all.

A number of guests spoke during the conference, including social democratic party Yabloko leader Grigory Yavlinsky. Last decade, the economist staunchly criticized the Yeltsin regime, but is often criticized for having failed to play a constructive role in Russian politics by refusing to join any government. Yavlinsky also kowtowed to Putin during his lightning-fast rise to the presidency and weakly

criticized the Chechen campaign many months after it had begun. But the fact that he addressed the issue at all sets him miles apart from most other so-called liberal politicians, most of whom actively supported the war. At the conference, Yavlinsky cited the perceived threat to the constitution as his chief justification for agreeing to call the current state-of-affairs an “emergency.”

“The Constitution, which we did not support in 1993 [when it was passed], has become Yabloko’s platform, and we will defend it using every parliamentary and nonparliamentary method,” Yavlinsky said. Critics say a bill now pending in the State Duma indicates that the Kremlin is considering a major overhaul of the constitution. The bill in question—introduced by State Duma Deputy Boris

since most of its members would be appointees.

Oleg Mironov, who succeeded the outspoken Sergei Kovalev as Human Rights Commissioner, also read a speech at the conference. Mironov, never much liked by many members of the human-rights community, discredited himself fully for supporting the government’s involvement in Chechnya in 1999. “The situation with human rights today evokes alarm and concern and can be characterized as unsatisfactory,” Mironov said during the conference.

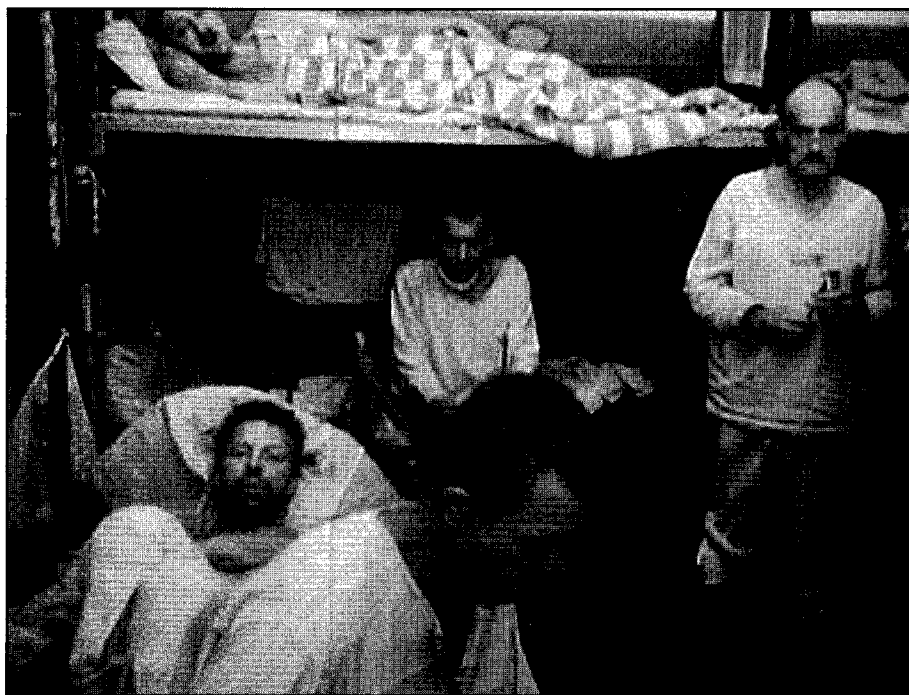
Following the talks, the conference broke up into working groups to address specific issues. The participants wrapped up the event by calling the meeting a success, saying that having declared an “emergency” gave human rights defenders a mandate to press ahead in their work.

### Conference Aftermath

In the days following the “emergency” conference, a series of articles critical of the congress—together with some in smaller newspapers lauding the event—appeared in the Russian press. That was to be expected. The surprise came in the form of an editorial in the English-language daily *The Moscow Times* (my wife’s employer), which criticized “some members” of the human rights movement for failing to work constructively with the government. The paper is usually critical of the government, especially on human rights issues. But the editorial—which ran in the first chaotic days of a new and inexperienced editor’s tenure—accused some of the human rights defenders of irresponsibility. “We do not believe

that declaring a ‘human rights state of emergency’ is a responsible reaction to the present situation,” the editorial read. “Such rhetoric merely deepens the divide between the government and liberal forces in society, provoking confrontation rather than facilitating a dialogue that could lead to real improvements.”

The *Moscow Times* opinion editor later insisted to me that the editorial really did mean only to criticize only some of the participants. But the opinion piece denounced the idea of declaring of an “emergency” in general, a position supported by almost all of those present at the conference. Another article—written by the well-respected political analyst Sergei Markov, president of Moscow’s Center for Political Studies, and posted on the Kremlin-backed strana.ru website—denounced the human-rights



*A photograph of the inside a Russian jail, part of a display outside the conference hall. Human rights groups charge that some 11,000 detainees and inmates die in penitentiary facilities each year, most due to overcrowding, poor sanitary conditions, disease and lack of medical care.*

Nadezhdin of the “liberal” bloc of ex-Yeltsin-era reformers, the Union of Right Forces—would provide for the formation of a constitutional assembly.

That’s important, critics say, because several of the constitution’s chapters (1, 2 and 9)—outlining the major principles of governance, the rights of citizens and the procedure for amending or rewriting the constitution—can only be changed by a constitutional assembly. Hence the growing suspicion that the document will indeed be altered. Under Nadezhdin’s bill, which reportedly enjoys the support of the presidential administration, the assembly would consist of the president, the Federation Council, 100 Duma deputies, top judges and 100 lawyers appointed by the president. Opponents of the bill say it would create a “nomenklatura assembly,”

movement for being politicized and fractured.

In fact, the human-rights movement seems relatively well-organized and remarkably unified. That's no mean feat, given the isolation and silence in which many of the organizations toil. Much effort needs to be expended simply on publicity, and activists oblige by calling regular press conferences, publishing in-house monthly newspapers and presenting well-organized press releases and other publicity material when reporters are present. More important, human rights activists speak more-or-less in a unified, mutually supportive voice. That's most likely the result of the surreal situation in which arguments for basic, seemingly inalienable human rights—in even a nominal democracy such as Russia's—are met with a chorus of denunciation.

In February, a number of human rights organizations held a news conference to announce a protest in Moscow to the Chechen war. The event was another of those spear-headed by "For Human Rights" leader and "emergency" congress organizer Lev Ponomaryov. "The emergency conference gave us a mandate to oppose the war more strongly," said Yuri Samodurov, head of the Andrei Sakharov Museum and Social Center, during the briefing. Speakers at the news conference again called for immediate negotiations with Chechen leader Aslan Maskhadov.

Dmitry Brodsky, head of the Antiwar Committee, said one of the chief problems in protesting the war was apathy on the part of society. "Our youth is also much more aggressive than before. People are ready to beat the enemy into oblivion. But we all know the situation in Chechnya is a dead-end."

Sergei Sorokin, a human-rights activist who also teaches grade school said it was impossible for him to talk to his students about the Chechen campaign. "Children are get-

ting used to being systematically lied to," he said. "We all hear that the government is carrying out an 'anti-terrorist operation.' But the children see that in fact a war is going on. They see civilians suffering. They see Chechens harassed on the streets of Moscow. And it's all becoming normal to them."

Throughout the briefing, several of the few reporters who had deigned to show up fidgeted and uttered sighs of disapproval. And then in a sudden outburst, a reporter for *Kommersant*, once the country's most respected newspaper, angrily came out in loud condemnation. "Why are you lying to us?" he asked, glaring at Ponomaryov. "There's no anti-war campaign. You have no real plans. That's why society doesn't support you!"

Ponomaryov reasoned with the reporter, even though the conversation—at a news conference in which reporters had no place engaging in disputes with the participants—was entirely inappropriate. But the reporter, backed up by two more journalists—one for the smi.ru website and another for Ren-TV—only became angrier. "How can you advocate negotiations with Maskhadov?" he cried. "That will only drive the Chechen disease inward. You can't talk to terrorists. The Chechen disease has to be exorcised! One side has to win."

In the West, organizations such as minority groups are sometimes criticized for their inflammatory language and the insistence on couching demands as inalienable "rights." Such talk often alienates those outside the minority who are exhorted to recognize those "rights," the argument goes. In our existentialist world, some say, there are no such things as "rights," only arrangements between individuals, groups and the state reached at random during millennia of human existence. Acknowledgement of that would reduce fruitless debate because such arrangements can't be negotiated when groups are unwilling to compromise—since talk of "rights" rules out compromise on the basis of some absolute code of conduct.

That kind of entirely justified argument is a luxury in Russia. In a time in which most journalists have sold out, when the basic rudiments of a civil society are lacking, human-rights defenders are becoming some of the few in Russia actively campaigning for such issues as freedom of speech and rule of law and denouncing such actions as arbitrary police brutality. "At the very least, we're trying to show that some people don't support the things going on in this country," Vsevolod Lukhovitsky, another human-rights campaigner-cum-school-teacher told me. "If people know that someone somewhere is against the war, for example, then that offers a ray of hope to those who would otherwise be completely isolated and alienated. That changes their attitudes."

Not all agree. "Now is simply not the time to



*A Moscow news conference held to announce a protest of the Chechen War. During the briefing, journalists angrily denounced weary human-rights activists for criticizing the government.*

draw sharp battle lines,” read the recent editorial in *The Moscow Times*. “Putin’s administration is at least as open to engagement as was that of former President Boris Yeltsin, and it continues—in words at least—to support the constitution, the rule of law and even human rights. Liberals should exploit every avenue for positively influencing policy by pressuring from within to bring the Kremlin’s deeds into line with its stated goals.”

That the administration is in fact less open to engagement than the Yeltsin regime is painfully clear, even to supporters of Putin’s Kremlin. The editorial’s phrase “in words at least” is more than just a caveat—it’s the overriding reality. Indeed, timidity on the part of human-rights advocates would result in a quicker deterioration of human rights. It’s no secret that human-rights organizations have almost always been open to constructive dialogue—and in fact have usually initiated it. But now is indeed the very time to fight, and the organizations that declared an “emergency” should only be lauded for doing so.

### Chechnya Protest

Some time after the “emergency” conference, I spoke to Ponomaryov—a slight, mild-looking, dark-haired man—about Chechnya. My chief question was whether he thought the West was doing enough to denounce Russia for its actions. I assumed he would complain that not nearly enough was being done, and I wanted to ask him specifically what he thought other countries should do to attempt to help the situation.

Ponomaryov’s answer was surprising. I knew he and other human-rights activists advocated third-party mediation by western organizations such as the Council of Europe’s Parliamentary Assembly (PACE). But surely there was more that could be done? “Not really,” he answered.



*“For Human Rights” leader Lev Ponomaryov stands at the center of Russia’s human-rights movement. Once close to former President Boris Yeltsin, the sometime politician and human rights veteran organized the Memorial human-rights organization, co-headed the liberal Democratic Russia movement and remains a ubiquitous presence at human-rights rallies and conferences.*

Ponomaryov evidently didn’t even much care for the question, as if he was resigned to the fact that the West really wouldn’t do more than make a show of protesting about the war. However, his attitude may be more of an acknowledgment that the problem is Russia’s to deal with alone.

Not everyone agrees with Ponomaryov. Speaking on an NTV television interview program on February 28—the fifth anniversary of Russia’s acceptance into the Council of Europe—Sergei Kovalev, who’d been the first to address the “emergency” conference, criticized the council. It had helped make matters in Russia worse by failing to act in protest to the Chechen War, he said. “Organizations like that say a lot of admirable things, but they don’t act,” he said. “Russia will soon get used to being scolded and will no longer even pay attention.”

In late February, Ponomaryov’s post-conference vision for an ongoing protest against the Chechen campaign saw its first stirring. A group of protesters gathered in central Pushkin Square (outside the city’s infamous first McDonald’s) to call for negotiations with Chechen rebels. (The demonstration had been announced at the contentious news briefing shortly before.) The protest was held at dusk, made darker by heavy clouds that had been dropping snow for days on end. The protesters were hardly distinguishable from a stream of overcoated, early rush-hour pedestrians shuffling past and into and out of a nearby metro entrance on the brightly illuminated commercial thoroughfare of Tverskaya Street. Only two or three stopped to listen to the loudspeaker-projected words echoing off a massive new two-story Bennetton shop at one end of the square.

Like the “emergency” conference, the gathering of around 40 people—in a city of around 13 million—was made up largely of middle-aged protesters. There was little police presence. If the lack of young faces in the staid setting of a formal conference hadn’t seemed immediately jarring in January, it did now during the street demonstration. (There were many young faces, however, the following day at an annual Communist Party march—on Defenders-of-the-Fatherland Day—during which young hooligans beat their chests and ranted about nothing in particular.) Someone at the antiwar protest beat a lone drum. In contrast to the usual push-and-shove atmosphere of Russian public spaces, the crowd at the protest seemed unusually polite. People made way for one another and generally seemed timid.

At the appointed moment, Ponomaryov clambered onto a flatbed truck with a number of others and announced into a microphone that the protest was being held as a response to the January conference. “We insist on immediate talks with Maskhadov!” he said, echoing the oft-repeated call, then added, “We want the future of Chechnya to be subjected to a referendum in which everyone who lived in the republic before 1990 votes!”

Duma deputy Yuli Rybakov took the stage after



*Rush-hour crowds were virtually indistinguishable from the protestors who gathered in central Moscow's Pushkin Square to protest the Chechen War.*

neighbor fought in Afghanistan. His family is still suffering the consequences. I'm embarrassed by my country. It's an outrage. When our army can't win a war against a small people—then that must mean that the small people are in the right."

As Maslova's voice grew louder, a number of others surrounded us. "When our soldiers die, their children become orphans," one woman interrupted. "It's not war, it's an anti-terrorist operation," said an elderly man who had evidently come to protest against the protesters. The growing circle around us was typical of street protests—or "*meetings*," as they're called in Russian—in which people in small groups debate each other. Such gatherings had their inception at the turn of the century and reached their height ahead of the Revolution. I witnessed my first during their resurgence in 1991 at the time of the attempted coup d'état that ended up toppling the Soviet regime.

Ponomaryov. "The war will lead to the full discrediting of our entire society!" he announced. "We forget that every single day, people are dying in Chechnya. People sitting in McDonald's, laughing over their Big Macs, don't want to realize the war will come to Russia proper."

I was struck by one placid-looking woman in the small crowd holding up a sign saying, "Mr. Putin, Stop the genocide of the Chechen people!" Did she feel more people like her would come to the protest? "I wanted more people to come," she admitted. "But you can't expect anything anymore from our people." A pensioner at age 51, Anna Maslova said she'd come to the protest unaffiliated with any organization.

"When the intelligentsia flocks to support the authorities, when the young are interested only in enjoying themselves in bars; when people sit around in their kitchens, not knowing what's going on because there's no information in any of the papers they read—and anyway, they're uneducated and they're just managing to scrape by. No, you can't expect anything. Anyway, people are afraid to speak up.

"I know what repression is," Maslova continued. "My mother was arrested when I was a young girl. And I know what war is. My

A number of protestors praised coverage of the Chechen war on still-independent NTV, which was present at the event with a microwave dish-equipped van that could beam live reports back to the studio. In fact, despite its reputation (which was made by airing critical reports about the first 1994-1996 war), NTV's correspondents rarely file stories differing from those of state-run television stations. Reporters generally simply describe the latest government casualty reports—but live, and against a backdrop of cam-



*Shockingly polite demonstrators wait to be addressed next to a sign reading, "If we lose our conscience, we'll lose Russia!"*



*"You can't expect anything anymore from our people," said Anna Maslova, one of a tiny handful of Muscovites who turned out to protest the war. Her sign reads, "Mr. Putin, Stop the genocide of the Chechen people!"*

oufrage netting. The channel didn't even report the protest meeting, despite the fact that the event was the first of its kind in many months.

The two television reporters at the protest—one for the Moscow City Hall's TV-Center in addition to the NTV correspondent—instructed their cameramen to shine their lights at me and Maslova and shoot away. I was madly scribbling in my notebook, trying to get down all the comments as my fingers froze numb in the minus-five-degree temperature and snowflakes turned my fountain-pen ink into little rivulets running down the page.

"I've been in Chechnya more than once myself," Maslova continued. "I know how important the home is for Chechens. Any Russian would defend his own home the way the Chechens are now."

Maslova complained bitterly, as had Kovalyev, about the decision in late January by PACE, Europe's primary human rights watchdog, to restore Russia's voting rights in the body—despite maintaining criticism of Russia's actions in the campaign. PACE had suspended Russia's voting rights in April of last year over alleged summary executions, torture and abuse of civilians by Russian troops, all of which Russia denies. "It's only the influence of western countries that stops us from doing even worse things

than those going on now," Maslova said.

Others complained about the lack of information about anti-war organizations. Most of those I'd talked to had read of the protest in *Novaya Gazeta*, the small, staunchly anti-war newspaper. Another woman heard about it on Radio Liberty.

As I left the protest, I looked back to see Ponomaryov, still on the truck, leading a chant of "Negotiations! Negotiations!" The demonstrators' voices were all but drowned out by the nearby choking traffic. The organizers of the January "emergency" conference had said the atmosphere for human-rights defenders had changed for the better as a result of the event. But the situation in Chechnya—as in other areas rife with human-rights abuses—looked bleak as ever. Putin had recently handed over control of military operations from the army and the Interior Ministry to his old organization, the FSB, as a baseless signal to a domestic audience that the operations were winding down. Such moves seemed to have placated any potential discontent with the waging of the conflict. But a negligible handful of citizens had still turned out to protest on Pushkin Square—that seemed to offer at least some hope that the government wasn't yet completely free to do what it wanted with its subjects' lives. I wondered how long that would be the case. □



## INSTITUTE OF CURRENT WORLD AFFAIRS FELLOWS AND THEIR ACTIVITIES

### **Shelly Renae Browning** (March 2001- 2003) • **AUSTRALIA**

A surgeon specializing in ears and hearing, Dr. Browning is studying the approaches of traditional healers among the Aborigines of Australia to hearing loss and ear problems. She won her B.S. in Chemistry at the University of the South, studied physician/patient relationships in China and Australia on a Thomas J. Watson Fellowship and won her M.D. at Emory University in Atlanta. Before her ICWA fellowship, she was a Fellow in Skull-Base Surgery in Montreal at McGill University's Department of Otolaryngology.

### **Wendy Call** (May 2000 - 2002) • **MEXICO**

A "Healthy Societies" Fellow, Wendy is spending two years in Mexico's Isthmus of Tehuantepec, immersed in contradictory trends: an attempt to industrialize and "develop" land along a proposed Caribbean-to-Pacific containerized railway, and the desire of indigenous peoples to preserve their way of life and some of Mexico's last remaining old-growth forests. With a B.A. in Biology from Oberlin, Wendy has worked as communications coordinator for Grassroots International and national campaign director for Infact, a corporate accountability organization.

### **Martha Farnelo** (April 2001- 2003) • **ARGENTINA**

A Georgetown graduate (major: psychology; minor, Spanish) with a Master's in Public Affairs from the Woodrow Wilson School at Princeton, Martha is the Institute's Suzanne Ecke McColl Fellow studying gender issues in Argentina. Married to an Argentine doctoral candidate and mother of a small son, she will be focusing on both genders, which is immensely important in a land of *Italo/Latino machismo*. Martha has been involved with Latin America all her professional life, having worked with Catholic Relief Services and the Inter-American Development Bank in Costa Rica, with Human Rights Watch in Ecuador and the Inter-American Foundation in El Salvador, Uruguay and at the UN World Conference on Women in Beijing.

### **Gregory Feifer** (January 2000 - 2002) • **RUSSIA**

With fluent Russian and a Master's from Harvard, Gregory worked in Moscow as political editor for *Agence France-Presse* and the weekly *Russia Journal* in 1998-9. Greg sees Russia's latest failures at economic and political reform as a continuation of failed attempts at Westernization that began with Peter the Great — failures that a long succession of behind-the-scenes elites have used to run Russia behind a mythic facade of "strong rulers" for centuries. He plans to assess the continuation of these cultural underpinnings of Russian governance in the wake of the Gorbachev/Yeltsin succession.

### **Curt Gabrielson** (December 2000 - 2002) • **EAST TIMOR**

With a Missouri farm background and an MIT degree in physics, Curt is spending two years in East Timor, watching the new nation create an education system of its own out of the ashes of the Indonesian system. Since finishing M.I.T. in 1993, Curt has focused on delivering inexpensive and culturally relevant hands-on science education to minority and low-income students. Based at the Teacher Institute of the Exploratorium in San Francisco, he has worked with youth and teachers in Beijing, Tibet, and the Mexican agricultural town of Watsonville, California.

### **Peter Keller** (March 2000 - 2002) • **CHILE**

Public affairs officer at Redwood National Park and a park planner at Yosemite National Park before his fellowship, Peter holds a B.S. in Recreation Resource Management from the University of Montana and a Masters in Environmental Law from the Vermont Law School. As a John Miller Musser Memorial Forest & Society Fellow, he is spending two years in Chile and Argentina comparing the operations of parks and forest reserves controlled by the Chilean and Argentine governments to those controlled by private persons and non-governmental organizations.

### **Leena Khan** (April 2001-2003) • **PAKISTAN**

A lawyer who formerly dealt with immigration and international-business law in the Washington, DC area, Leena will study the status of women under the "islamization" of Pakistani law that began in the 1980s and continues to this day. Born in Pakistan and immersed in Persian and Urdu literature by her grandfather, she is a Muslim herself and holds a B.A. from North Carolina State University and a J.D. from the University of San Diego.

### **Jean Benoît Nadeau** (December 1998-2000) • **FRANCE**

A French-Canadian journalist and playwright, Jean Benoît studied drama at the National Theater School in Montreal, then received a B.A. from McGill University in Political Science and History. The holder of several Canadian magazine and investigative-journalism awards, he is spending his ICWA-fellowship years in France studying "the resistance of the French to the trend of economic and cultural globalization."

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