

# Assessing U.S. Human Rights Policy Towards Russia

WEDNESDAY, FEBRUARY 1, 2006

WASHINGTON , D.C.

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Transcript by:

Federal News Service

Washington, D.C.

MICHAEL CROMARTIE: Welcome to our discussion of U.S. human rights policy toward Russia, and many thanks to the Carnegie Endowment for International Peace for hosting the Commission and this event. I am Michael Cromartie, chairman of the U.S. Commission on International Religious Freedom.

The Commission was created by the International Human Rights Freedom Act of 1998 to monitor the status of the freedom of thought, conscious, and religious or belief abroad as defined by the U.N. Declaration of Human Rights. Welcome. We report to the U.S. Congress, the State Department, and the president our findings and our research on what we find about countries both in our studies here and in our travels.

Today present with me is our co-chair, Felice Gaer, and Commissioner Preeta Bansal. Our fellow commissioner, Elizabeth Prodromou is an expert on Russia and was going to be here but she is at home with the flu and we regret that she is not able to be with us.

Now, the Russian government's retreat from democracy, as well as its actions to undermine human rights protections have become regular topics in Washington, therefore our topic could not be more timely. What we would like to discuss today is how the U.S. government should respond to those challenges in Russia.

As many of you know Russia has been a consistent concern to the commission, not so much because of the severity of its religious freedom violations but also due to its fragile human rights situation, including that of religious freedom. And trends of the past few years raise serious questions about Russia's commitment to democratic reform and the protection of religious freedom.

After a commission visit to Russia in 2003, we expressed strong concern that the Russian government was retreating from democratic reform endangering the significant human rights gains achieved in the dozen years since the collapse of the Soviet Union. In addition, Russia serves as a model for other countries of the former Soviet Union and other nations emerging from dictatorship.

To today the commission invited four distinguished experts to begin our discussion and we have asked them to limit their comments to eight minutes, eight minutes. I would like to turn to our expert speakers and introduce them in the order they will speak. I will be a stern taskmaster.

Our first speaker will be Mark Medish who is a partner at Akin, Gump, Strauss, Hauer, and Feld. He is a former special assistant to the president and senior director on the National Security Council for Russian, Ukrainian, and Eurasian Affairs, and he is a member of the Council on Foreign Relations Task Force on U.S.-Russian Relations. We have asked Mark to assess U.S. Russian relations, particularly the economic aspects. Thank you, Mark.

MARK MEDISH: Thank you, Michael. It's a pleasure to be here. I think this roundtable is exceedingly timely coming a day after the state of the union, which is -

MR. CROMARTIE: The word, "Russia," did not appear.

MR. MEDISH: Beslan was mentioned though. (Laughter.)

MR. CROMARTIE: Beslan.

MR. MEDISH: Which is still in Russia I think.  
(Laughter.) I'm not sure; I haven't checked the map lately. This is a good time of year I think to take stock and review policies.

By way of full disclosure, I'm someone who is usually inclined to give Russia the benefit of the doubt about its long and difficult transition from communism. These days, however, I must say that there is less benefit and more doubt when it comes to assessing the direction of Russia, in particular its leadership. I should also add, by way of disclosure, that I was briefly arrested and detained by the FSB last year but I didn't take it too personally.

A couple of points about methodology: First of all, Russia is a very big and complex country with many realities. Some of these realities are positive, some are progressive, some are less so, some are quite negative. I think it's very important to bear that in mind when we make generalizations about what is happening in Russia.

Equally important, one must not equate Russian society with its government or its leadership no more than one would with any other country. By the same token I think it's very important to maintain historical perspective in assessing Russia.

If you look at the last 15 to 20 years, Russia's overall transition I think has been remarkably positive given what could plausibly have gone wrong and was avoided. Still there are very, very serious problems.

I just came back from Moscow this weekend and my impression again was of a tale-of-two-cities quality in Russia. Both cities are very real - the divergence between economic and political trends, the striking gap between quantity and quality, if you will.

On one hand we see a dynamic economic boom driven largely by a gas and oil export windfall. People say that oil is a curse but it's real and we shouldn't lose sight of that. We are talking about a massive transfer of wealth into Russia, which is being quite well managed in terms of macroeconomic policy. There is also a story of capital flight that we can get into.

But the point is that this economic surge is not trivial particularly when

we speak of a country that suffered a huge financial collapse six short years ago. This is a real boom with substantial wealth benefits for the entire country. There is a rising middle-class story in Russia.

Goldman Sachs in its report on emerging markets has labeled Russia as one of the BRICs, along with Brazil, India, and China, B-R-I-C. You know, Russia has earned that place as a major emerging market, and that will remain the case for the foreseeable future.

The economic picture I think is one of a great strategic opportunity for Russia and the question is whether or not Russia, whether or not its leadership will use that opportunity to put in place the foundations for very long-term sustainable growth.

And that brings me to other side, the other city, as I have called it, the institutional side of things, which I think looks quite shaky. The rule of law is unreliable, property rights are ambiguous, the media have been muzzled and anesthetized, checks and balances in the political process are virtually non-existent. We see harassment of NGOs and human rights organizations and workers. Now even a crypto nationalization of civil society, if you will, through this new NGO law.

We also still have continuing regional strife in Chechnya and the North Caucasus, the failure to find a political and institutional solution. And finally looking forward there is the lack of a fully democratic plan for succession. It is a long list and I'm sure my colleagues and others can add to it.

One thing in foreign policy that I would add now is Russia's behavior in the region, in the neighborhood, former Soviet space, in Eurasia.

You know, here I think we detect a new assertiveness, if not arrogance on the part of Moscow

in its relations vis-à-vis some of the neighbors. The energy dispute with Ukraine

is just the flagrant example. Russia tends to play the role of a quasi-spoiler in the region, not a builder, and that theme of its foreign policy is I think quite worrisome.

Of course Russia has legitimate interests in failing states, the risks of failing states in its vicinity. The question is why does Russia seem to help them fail - (chuckles) - rather than help them rebuild so often?

I think in this contradictory picture, the president of Russia himself has been quite an enigma. One can really talk about a Putin I and a Putin II. The first years gave cause for a lot of hope that the president may be a systematic modernizer, despite his resume. The more recent years

give a lot of reason for concern, some of which I have outlined, and the question is what next? Will it be Putin II or some other kind of Putin?

I think the best that can be said about President Putin's track record is that he has been pragmatic but that he has cultivated a pragmatism of very low expectations, and that that pragmatism has been mostly bailed out by the oil and gas windfall in fact.

Russia seems to be searching for its own third way of globalization. I would say that is another way to characterize Russia's path. What is emerging is a kind of mixture of state capitalism with a national security state. Russia is a version of a unitary executive, you might say. Where have we heard that phrase before? The Russian terms of vertical of power, dictatorship of law, but the bottom line is that democratic governance is not really a priority and the state these days seems to be a captured one, a capture state, a state that really is turning into something of a corporate enterprise. Andrei Illarionov has written very tellingly and convincingly about this recently.

The big question for Russians and for Russia watchers is whether this path sustainable, this contradictory path, and that is not clear. As I have implied, there is no real economic or financial constraint for the foreseeable future, given the likely trends in commodity prices. Could there be a political price, nevertheless, resistance from below, dissent within the ruling elite? Possible.

How are we doing? We are coming to one minute. Oh, my gosh. Anyway, on balance I think Russia is headed in a worrisome direction toward being a more closed society. It risks becoming a non-modern petrol-state. It is certainly not too early for friends of Russia to express serious and sincere concern that Russia may be losing its way. Hopefully it is not too late to do this.

I can easily reserve my comments on U.S. policy to later on, if you wish.

MR. CROMARTIE: Yes, that will be our first question for you actually.

MR. MEDISH: That is fine. Good. I will make one final remark and that is when I was in Moscow last week, I was quite encouraged that the two leading television programs were Bulgakov's "Master and Margarita" and Solzhenitsyn's "First Circle," which to my mind means, you know, either someone has a sense of humor at state-run television or -

MR. CROMARTIE: Which is doubtful.

MR. MEDISH: No, no. Russians have a good black sense of humor. (Laughter.) Or the country, you know, really - there is a hope that the country is beginning to come to grips with its past, with its abnormal past. And I think this is a tremendously important point, that if Russia aspires to a normal future, it must come to grips with its abnormal past.

MR. CROMARTIE: Thank you. One of our questions of course, Mark, for you is going to be why you were arrested, and be sure to tell us that.

MR. MEDISH: If I only knew.

MR. CROMARTIE: Or you don't - okay.

MR. MEDISH: You can ask. (Laughter.)

MR. CROMARTIE: Our next speaker is Michael McFaul who is the Peter and Helen Bing senior fellow at the Hoover Institution. He is also an associate professor of political science at Stanford and director of the Center on Democracy, Development, and the Rule of Law. He is a senior associate at Carnegie Endowment for International Peace, and he is also a member of the Council on Foreign Relations Task Force on U.S.-Russian relations. You are a busy, guy, Mike. Welcome.

MICHAEL MCFAUL: Yes. Thank you. Professors don't do well in eight minutes. We're used to - I get 50 minutes usually three times a week. So I knew that and so I brought a more detailed paper - (laughter) - because professors also write if you're interested in my deeper, bigger, analysis of the state of Russian democracy. But let me give you the sound-bite form.

I agree with what Mark said in the beginning, that Russia is a complex place, there is good news and bad news happening simultaneously there if we were talking broadly about a wide set of issues. A lot of the dogs that didn't bark over the last 15 years have to be recognized. There hasn't

been civil war; there hasn't been inter-state war. They managed to redefine the borders of the state and create market institutions, weak ones, bad ones, flawed ones, and a new political system all at the same time, and that is important to understand. If I had more time I would focus on the bigger complex picture.

But I don't have time so I want to focus just precisely on what has happened with the political system in Russia over the last five years, and if I have time, a few ideas about what we should do about it or try to do about it.

For me, President Putin has a very clear idea of what he wants to do on the political side. He believes that a pluralistic state is a weak state, and therefore to make Russia a stronger state, which is his central objective both internally and externally - he has sought to eliminate or weaken pluralistic institutions - or just think of it even more abstractly - anything that checks the power of the president, or anything that is not controlled by the Kremlin.

And I think - you know, three or four years ago we could have a debate whether this was the agenda and whether it was systematic or just haphazard. I think the evidence now is pretty clear that that is what he is doing. What the long-term results are I think are unclear, whether it's sustainable, for instance. Most certainly I don't believe that all strong states are autocratic states. It's a two-by-two matrix of course. Weak states, strong state, autocracy, democracy, and what quadrant Russia ends up on 10 years down the road I think is too - it's early to tell right now whether they become like China or an Angola, to put it very starkly.

But I think we have to end the debate about what the project has been so far. And let me just tick through the list without elaboration of what has happened on his watch. First was Chechnya. That was the first thing he wanted to do to reign in, which by the way I personally do not have a problem with in terms of the objective, but the means of which he has done it has been incredibly inhuman and I would say ineffectual so far. But that was the first target - independent, quasi-anarchy - he went there.

Second was the media. Mark has already mentioned it. First it was NTV. Most recently it's been REN TV where it's reaching farther and farther out to more marginal kinds of media that he is trying to reign in and bring in the state - Izvestia, the change of the editor there most recently and change of ownership - another example - Moscow News. The media - first, the big three and now it's reaching deeper and deeper.

Third, the governors - again, I'm not using the word democracy; I'm talking about pluralism. Five years ago they were a check - good or bad - that is a normative question, but they were a check on presidential power. Today they are a lot less of a check on presidential power. He has done a lot

of things in terms of weakening them, changing the tax structure, basically emasculating the upper house of parliament where it really doesn't have any power now - an increasing role of KGB officers in the governance of regions, and finally last year the idea to appoint them rather than have them elected, reining them in.

Fourth, the oligarchs - again, no normative - (chuckles) - claim but five years ago, in fact at this very podium with senior people now in the government, we had a debate about whether Putin was going to be powerful or not vis-à-vis the oligarchs, and it was conventional wisdom five years ago nothing is going to change in Russia because the oligarchs are going to check anything that he does. It doesn't look so convincing today. Berezovsky is gone. Gusinsky is gone. Abramovich is gone. Khodorkovsky is in jail. They are not for better or for worse but they are no longer a political check on executive power.

Fifth, the Duma, a rubberstamp now - Duma used to be a place you had to go if you wanted to understand politics. Today you walk around the halls of the Duma and there isn't anybody there because they don't actually decide anything anymore.

Sixth, political parties, opposition parties today are much weaker than they were - and here I mean the communists and liberals - pro-loyal parties to the Kremlin, much stronger.

Seventh, even the government and chief of staff, which five years ago I would say were some kind of check on the power under Mr. Kasyanov and Mr. Voloshin, are no longer a check on executive power as they used to be.

And eighth, civil society - to me this is the last ring, right - these marginal - these are friends of mine so I'm not insulting them I hope - but marginal people that really played no political role in Russia in the late-1990s, the Helsinki group - I'm not going to name names. But really what role did they play in politics five years ago. Now it has gotten that there is no space left so they are now the target; that is why the new NGO law, that is why you see the kind of harassment that you do.

And simultaneously, as Mark mentioned, the growth of what I would call state-controlled civil side from the Nashi student groups to the association of media folks that are controlled by the state, to the public chamber. In other words, it is the state pushing into society not unlike the way the state is pushing into the economy that you have seen under Mr. Putin.

Now, the caveat to all of this is that I think individual freedoms,

including religious freedoms, with a couple of exceptions which I'll talk about if we're interested, have not been as directly threatened as democratic freedoms, and I do make a distinction. Russia today is - if you don't want to be involved in politics - you're free to do a lot of things that you most certainly weren't free to do 20 years ago.

But my argument would be where is the case where individual freedoms are preserved in the long haul without the political democratic institutions to sustain them. Singapore everybody likes to talk about, and I would like to remind you that there is only one Singapore and my prediction is Singapore will not be an autocratic rule-of-law regime a decade from now. But you can't name many more Singapores. I dare you to.

So what is to be done? Oh, and the other caveat on where is society in this? My bottom line on this - I do public opinion polls - polling in Russia, and if you pay your taxes, thank you for your support because you pay for it. The bottom line on this, Russians on average are just as democratic as Americans. They are at the median in terms of the world value systems, you know, the stuff that the University of Michigan folks do. They are just like everybody else; they believe in democracy.

And so when people say they want a strong authoritarian hand, there is no - I don't think really strong public opinion data to support that. What you need to understand is that it's just not a priority for them right now, right. And that is a very different thing to say, yeah, I'm for checks and balances; Russians are for checks and balances too. Do they want to elect their leaders? Eighty percent say yes.

Do they want independent media? Eighty percent say yes. Do they believe that the parliament should have equal power to the president? Most Russians say yes to that. Do they think that the regions should be equal power to the center? Most Russians say yes. And I could go into the data if you're interested or send it to you. But when you ask them where is this in terms of priority, it's not in the top-10, and that I think explains why you have these things happening and no pushback.

What is to be done, very briefly, in terms of U.S. policy? Let's be frank, this is not a top priority for the president of the United States. Yes, he mentioned Beslan but he didn't in that very eloquent paragraph that he gave to the Iranian people, he didn't add a coda to the Russia people and he never has and, you know, I don't expect him to. It is just simply not a priority for the Bush administration right now. They have got a very full plate of other things. Russia for them is low down in terms of, you know, his liberty doctrine - counts for everywhere else but Russia for them is not a priority.

And the second part to that you need to add is that our leverage vis-à-vis Russia today is very, very limited. But that said, I think there are some concrete things we could do differently nonetheless within that context. The kind of strategic idea I have about the way one should deal with Russia today is to invoke my colleague George Schulz out at the Hoover Institution, who had an idea that he called dual track diplomacy.

And to over simplify because I just got the napkin, dual-track diplomacy for him, if you read his memoirs in dealing with the Soviets, he said we have certain strategic interests with the Soviets that we can't ignore. So the yahoos and idiots - he didn't use words like that - but the crazies in his administration, the Reagan administration in the early years, who said, you know, that's the evil empire, we're not going to deal with them, we're just going to blow them off, we're not going to talk to them at all. He said that is ridiculous, we can't do that. We have too many important things that we have to talk about, and for him back then 20 years ago it was arms control, right.

So he said we have to do arms control. We have to meet with the Soviets. We have to shake their hands. Some of his colleagues physically did not want to touch the hand of a Soviet. Some of them are my other colleagues at the Hoover Institution who will remain unnamed. He said you can't do that. But that he also said it doesn't mean we have to call these guys our friends, our allies, and check our values at the door when we go into negotiate about arms control.

In other words, two tracks: the state-to-state strategic stuff - so today that would be Iran - and this human rights track. And he deliberately said we need to de-link them - not link them. That was a response to the Carter years and linkage and all of that stuff. He said, no, no, no; we're going to do these things in parallel, and we're not going to check our values at the door when we talk about these other strategic things. I think that is a great kind of strategic way to think about Russia today.

So what does that mean? First it means to speak the truth about what is going on in Russia. Condi, Condoleezza Rice, Secretary Rice, when she was advising the president during the campaign in 2000 criticizing you guys - you wishy-washy Clintonites on Russia, she said "You have got to end the happy talk" - quote - I'm quoting here. You know, I would say, Condi, pull out that op-ed and that to me makes a lot of sense today.

And I think it would be incumbent upon her personally as the chief architect of our policy to actually give a full throw - not eight-minute speech but a 50-minute talk about the state of Russian democracy and U.S.-Russian relations.

It's striking - she has never done it - never had a major policy speech devoted to Russia.

I think that would be quite useful.

And to the people who say that the downside is that the Russians would do this, that, and the other, I say show me the evidence that they would do that. To me, when we speak strongly about the Orange Revolution or the NGO law or the gas wars, we have achieved results that have not had negative consequences in other issues in U.S.-Russian relations, say, on Iran. Putin is going to do exactly what he thinks is in Russia's national interests on Iran and it's not going to be changed one way or the other by a speech that Condi gives about democracy.

Second, I think we should stop pretending about shared values and partnerships and just call it like it is. I mean, it's related.

Third, we should increase spending on democracy assistance, not decrease it; challenge this NGO law, not accept it; and in particular with an eye to the next electoral cycle, focus on those things that will help make that a free and fair election. So that to me is parallel vote tabulation, exit polls, and really beefing up the European network on election monitoring in this election - not the OSCE, which should be there as well, but this thing ENEMO, which was used very effectively in Ukraine should be in Russia.

And then finally, because I could elaborate more in detail, but focus on increasing the integration of Russian society. By that I mean exchanges, connections, anything that increases connectivity between Russian and American society because you can do that even at a time when it's hard to integrate the Russian state.

MR. CROMARTIE: Thank you, Michael.

Catherine - our next speaker is Catherine Fitzpatrick who is the U.N. representative for Physicians for Human Rights and also an independent human rights analyst. Catherine?

CATHERINE FITZPATRICK: Thank you.

MR. CROMARTIE: Thank you.

MS. FITZPATRICK: When historians examine the question of who lost Russia or how Russia was lost in the decades to

come, among the things they are going to have to look at is failure to pay attention to arcane issues like that the NGO registration and taxation issues of the last 15 years.

But really the question - keeping with the distinction between the state and the people - is who lost Russians? Were there Russians that we could have been sustaining, protecting, keeping alive, that we didn't go into bat for? That is really the question we have to look at today.

There is a built-in contradiction with having a foreign power sponsor another country's civil society, and that inevitably engenders things like this spy mania. Yet we really don't have a choice because if we wish the civil society to survive, and it is in our interests that it survive as well and the region's interests, we do have to sustain it.

The days when you could meet dissidents in the metro and then go out in the snow in the park bench somewhere and hand him \$10 or \$1,000, those are long over. That approach is not going to work, although there will probably be some individuals that we might go on sustaining in that way selectively.

We have to realize that in these last 10 years, the Russian NGOs - there are tens of thousands of them - they have - some of the major ones have staffs in the hundreds; they have budgets in the hundreds of thousands. Their travel budget alone in the vast country of Russia can dwarf their American counterparts. We can't expect to move that kind of activity underground, and that is why we really have to stand and fight on this one.

When I was recently talking to a Russian NGO leader, I asked her what her recommendations for U.S. policy are, and often people like that will say, well, that is your job; I have no expertise in that; I can't answer. But then she finally just drew herself up and said why don't you confront our officials more? Why doesn't your government take a stand and fight to repeal this NGO law and some of the - and solve some of these cases of political prisoners and so on?

We're in a situation now where Freedom House has declared Russia un-free. Whatever progress it made from the Soviet era of un-freedom, it's un-free actually in new and challenging way with more violent extremism in society, crime and corruption. It's a very mixed picture.

But the answer to these kinds of modern challenges is not to dumb down the democracy programs or cut them. We shouldn't be trying - in response to these reversals trying to sanitize out the word "democracy" or "human rights;" we should be bringing it even more forward.

In this period running up to the G-8 meeting, I think actually we do have leverage of at least the moral rhetorical sort that we can be deploying more public diplomacy. I think we need to mount a credible challenge the backsliding on human rights that we have seen.

U.S.

officials should be very frankly meeting with their counterparts and taking time to do this. There shouldn't be this kind of speed dating of five minutes tacked on to all of the other meetings when you make a trip; but it should be very sustained and visible engagement.

I think we also have to have a frank admission that Russia is not the partner that we had hoped in this international struggle against terrorism. In fact, too many of its actions actually at home and abroad are part of the problem, not part of the solution, and we need to start developing other interlocutors both in government and out of government who are closer to our values.

We have to realize there is a struggle in Russia and it's our struggle too and we have to be on the right side of it. What has been happening in the last couple of years is that Russians are out in front with the diplomacy, with the media - some Russians breaking with the government; some that were in parliament or in civil society. They are the ones speaking out on things like the erosion in the Helsinki consensus, in the attack that the ex-Soviet states mounted on the Helsinki process. The Western counterpart to that has been very weak and very much in disarray.

We have tried a lot of different policies on Russia over the year, whether it's mutual, shared destruction, whether it's constructive engagement or whatever the buzz words are. I think we need to think of a concept of peaceful challenge. That is, not the nuclear saber rattling, the sort of aggressiveness of the Cold War era, but at least a challenge in the international meetings and bilaterals that where there is a pushback - consistent, organized, sustained, pushback in concert with our allies, which should include not just Europeans but we can also draw very much on new democracies in Africa and Latin America.

The sort of principles that I think should guide this pushback in this more sort of credible challenging diplomacy should first of all include vocal, sustained commentary on poor human rights practices focusing on issues and cases. There should be - on the NGO law there should be a total stance of solidarity. That means there should not be any separate U.S. program that is cutting a separate deal, getting on a separate list, which has been the story often, where, you know, some U.S.-funded programs will dumb down the content, cut a separate deal, get on a separate insider list and evade the overall struggle that we need to be making against this very pernicious NGO

law.

Three, we should be helping Russians make their case through the channels like the European Court, the Council of Europe, the U.N., OSCE - work all of these levers, these machineries that are sometimes slow moving but they have the rhetorical value.

I think also we need to have a regional approach, an integrated approach to ensure cooperation and collaboration with areas, states whose own gains and freedom are threatened with Russia's reversals. So that means the fight for Belarus this semester or this year is also a fight for Russia. So we have to link them. We have to really discard now any notion that integration with Russia would actually help Belarussian democracy. We now see it's quite the contrary. So there has to be very continued, visible support for Belarussian democrats and of course ongoing support for Ukraine and Georgia.

Then the kinds of programs that - just to quickly highlight some of the kinds of things, I'm very much advocating direct funding still for human rights/democracy counterpart programs. We also have to look at other kinds of indirect funding and we'll have to use these kinds of - you know, the three-month study abroad where someone gets an honorarium that can sustain them for a longer time; centralized travel programs where you are picking up the travel costs for conferences either abroad or in Russia so that it's just the travel budget that you're picking up and that helps individuals that way without having to go through a foundation type of grant.

Sponsorship of local NGOs - I mean, we have to realize that there are some - there is a very uneven situation where there are some local NGOs that are going to have an easier time to get registered - take the attitude, you know, they can't send me to Siberia; I'm already in Siberia so that those kinds of groups you'll have - you can maybe work backwards. We will get them registered and then register others under their umbrellas.

I don't mean, though, in anyway to sort of fetish-ize the provinces, which I think is sometimes a tendency, where you say, oh, Moscow is corrupt and impossible to deal with; let's go - let's do the opposite of the three sisters and go away from Moscow. I think this has to be very selective, very informed process where you are picking out the ones that really do perform in programs that make sense - the same with support of local TV - pinpointed approach where that would make sense - and definitely boosting international broadcasting, radio broadcasting in the Russian language, and also foreign language broadcasting that sometimes when there isn't a permissive environment to where it's blocked, you can support local cable TV that is translating it or you can support satellite TV.

All of these programs that we used to have of book mailings and cultural

exchanges and so on, they seem a little bit antiquated, but they definitely could be updated with all of the kinds of new technology we have, which is increasing broadband and Internet connectivity and e-mail programming, and social software for people to use - distribution of wireless laptops, access to 3-D platforms and virtual worlds, distribution of CDs. All of these kinds of new methods should be investigated.

It often seems that the human rights is a very ghettoized sort of departmental approach, but I think it has to be mainstreamed through other programs so that people who are working just on economic exchange or let's say the kind of work that has to do with combating terrorism between law enforcement or security issues that they should also be briefed and aware of the human rights issues and the solidarity issues at stake, where they are not cutting deals, making separate programs that erode the solidarity that we need to keep in regards to this NGO law.

I think that there was a certain amount of success in rolling some of it back, but we have to realize that some of it was deliberately put there to feed to us to then make it appear that some progressive move was made, and this method of first appearing to scare the foreigners that they won't be registered, then seeming to allow them to come in, it is a tactic that just divides the foreigners from the locals and scares the foreigners into dumbing down their program. So I think we have to very forthrightly resist this and challenge this.

I think therefore if we have, you know, the - more amplitude, more visibility of the public diplomacy, especially in the international meetings when you have something like the ECOSOC NGO committee, which reviews - a check organization working in Chechnya, and, you know, U.S. response was to postpone it and buy time, but they didn't really line up the allies and they lost the struggle and the group was de-registered, and that enabled Russia, China, Cuba to come and say U.S.-funded organizations are destabilizing the region. And so that stood with no pushback, no speeches, no demarches.

So that kind of that thing - you know, you need to pay attention to all of those breakouts of, you know, bad faith that happen and try to keep a unified approach in them, again, with our allies and looking beyond just our traditional allies. I think we can find new ones.

We also have to make sure that things like visas and student exchanges, there should be classes of students who want to come here in the summer and have trouble getting visas for other concerns, and that they become, then, very disgruntled and turned off to American policies. We have to make sure that these kinds of things like the visas and the exchanges are attended to along with the human right diplomacy.

Okay, thank you.

MR. CROMARTIE: Thank you, Catherine.

Our next speaker is Nikolas Gvosdev, who is the senior fellow in strategic studies at the Nixon Center and also the editor of a very important journal called The National Interest. We have asked Nikolas to address Russia's view of its role in international relations and also the current situation of Russian nationalism. Thank you, Nikolas.

NIKOLAS K. GVOSDEV: Thank you. I would like to start, if I may, with a few observations that build on everything that the three previous speakers have said to completely flesh out the picture.

The first is that we have the reality of a shrinking zone of democracy and freedom in Russia paradoxically juxtaposed against a rising middle class. And so if in 1993 you had a very wide zone of freedom in Russia, you had comparatively few people who could exploit that full zone of freedom.

So while the zone of freedom may be contracting, the number of people today - and most estimates of the Russian middle class, we're looking at about 30 percent of the population - are now poised more than in any point in Russian history to take advantage of what is still a wide assortment of freedoms.

But it's interesting to note that what is happening is that while organizational freedoms are diminishing, freedoms of assembly and of group action, personal autonomy is increasing, and the ability of ordinary Russians to access personal freedoms - travel, to have access to the Internet, to have access to cellular communications, to have access to a wide variety of consumer goods, it's creating a situation not unlike what Putnam observed here with his c, which is you have a number of middle-class Russians who may look at the situation around and say there are organizational problems but my personal autonomy is not affected because I can travel, I can go onto my computer, and unlike in China I have full access to the Internet. If it is too bad that some people, some village in the north, only have access to Russian state TV, but that is not my concern.

And I think that this provides why we have a certain degree of ambivalence with this rising middle class about - when they hear Westerners say it's terrible - this situation in Russia - you're losing your freedom, and more Russians are saying, what do you mean I am losing freedom? I have had the most freedom I have ever had, more than

my grandparents had or parents or great-grandparents.

And this it goes in a variety of ways, and even for religious freedom, and interesting example - a friend of mine in Moscow who is a Buddhist feels individually that he can go on the Internet; he can get as much Buddhist literature as he wants; he has been to India to visit the sacred sources of Buddhism.

And so, again, this kind of contradiction between the question of religious freedom in an organizational sense versus how it's interpreted by many people individually, and the fact that as long as the middle class feels that its zone of personal autonomy is not affected - and I think this is the question that Mike points down the road - at what point if the organizational freedoms have eroded can you sustain this level of personal autonomy.

And that I think is the tipping point. But it's why you have right now I think this situation where the middle class doesn't feel particularly threatened because personal freedoms, personal autonomy really hasn't been affected.

The second observation is that for many the link between democracy and prosperity is increasingly unclear, and this is not simply the result of Russia's experience in the 1990s. Just as Mark noted that there are two cities, the two-cities approach, there are also in many cases two narratives about flower revolutions. One narrative is expansive freedom; the other narrative is, particularly for Ukraine and Georgia, that the economy hasn't really done all so well in the aftermath of those types of revolutions.

It was very interesting to note that in the run up to the elections in Kazakhstan, this was something that was very much pushed by the Kazakh establishment, that a vote for Nazarbayev was a vote for stability and prosperity. That if you want to risk a flower revolution like Ukraine, then you are going to pay the economic consequences. And for a rising middle class, particularly I think in places like Russia and Kazakhstan and elsewhere, where there is a sense of that rising middle class prosperity being linked to stability, again, people are less willing to want to rock the boat. I think it was telling that in the Moscow city elections, which a number of people were very positive about - I was actually very pessimistic about the Moscow elections - that if in the richest, wealthiest, most educated city in Russia with the most access to information, if liberal parties couldn't get more than 20 percent of the vote, that was a bad sign because in 1989, under much worse circumstances, the democratic forces swept the Moscow city elections when they weren't even allowed to have independent political parties.

In Serbia, 1996, the Serbian democratic opposition swept Belgrade and the other cities and so that if in Moscow - and we can say low voter turnout was a reason, but the fact that people didn't go to vote and that when the cast ballots, they didn't cast ballots for the liberal democratic parties I think is a worrisome sign, and, again, it points to a middle class, which does not see necessarily that increased democracy right now - and I think that Mike's point about the polling data is very clear - that people will say in theory democracy, separation of powers, institutional freedoms are important; they are not just not important right now. So it's a reverse of Augustine's call for chastity and continence, oh Lord, but just not right now - at some point in the future, and I think that that is something for us to keep in mind.

And I think that this is also coming out in some of the polling data among some of the younger Russians, and this comes to this question of rising nationalism in the recent article in The Washington Quarterly about attitudes towards Stalin, about attitudes towards the Russian past among young Russians, and these are people who have little or no memory of the Soviet period. These are people who came to maturity in the collapse of the Soviet state and in post-Soviet Russia.

The fact that you have such high poll numbers in that polling data of people saying we don't want foreign interference in our affairs; we are going to find our own way to democracy - distrust of foreign NGOs - I think 59 percent of the young Russians polled said that they felt that foreign NGOs were not there to help; were there to interfere.

And this legacy, this - and again, the legacy that I think we sometimes in the West are a little too quick to dismiss, that a lot of people do believe that American advice in the '90s was not intended to be benevolent. We can argue and I think we have had many debates in this place and in others about whether that was intended or not, but if people believe that U.S. advice on the economy, democracy, and everything is somehow done with the motive to weaken and to destroy, I think that - then that is a problem, again, we have to address.

My colleague, Chris Marsh, has done a lot of work about the increased interest in Russia on the Chinese models - very interesting back and forth. Of course very little of this appears in English. It is in Russian and in Chinese journals that cross-fertilize each other about this idea that the Chinese model - greater state role in the economy, a greater state role in controlling civil society, the importance of stability as a way to promote long-term reform.

I think all of this is resonating and I think this idea that the state playing this greater - nationalizing civil society, nationalizing the economy - we are seeing some of this cross fertilization I think from the Chinese model and the perception that the Chinese model worked and the democratic model did not, and that is something I think we have to address and be prepared to look at.

Even with regard to religion, if we look at the Putin team, an interesting paradox - unlike their predecessors, this is a team of people, particularly in the presidential administration, which is much more cognizant of the role of religion in society, most of them are much more cognizant of religion, but at the same time, this sense that religion isn't simply a matter to be left up to individuals, but because it affects civil society that it needs to be controlled and managed.

And so we've seen in the last number of years this greater willingness on the part of the administration to actively intervene into the organized life of religious communities - the orthodox, the Muslims, certainly the most high-profile cases being with the Jewish community. And again, coming out, I think to some extent, of this notion of state intervention and a distrust of pluralism as a way to move the reform forward.

What this is also producing on the international sense is - and I think that anyone who has been to Russia in the last number of years - much less willingness to accept international criticism or standards. Anytime criticism is brought up of a Russian practice, the standard now is they have a laundry list of similar failings in Britain, France, the United States and Germany: the sense that you're just as bad as we are in these issues - you have your skeletons in your closet, we have skeletons in our closet - a sense that countries aren't really interested in human rights, that this is simply - and again, this is all something that has come out very strongly in the Chinese literature, this notion of hepeng yim bang (ph) - that human rights are simply - it's regime change by another means. You claim that you're interested in democracy but your real interest is to weaken governments. And I think this sentiment is very strong now at the mid-level of Russian officials, this sense that when human rights concerns are presented that we don't have a sense of really being interested in human rights but we're just interested in using this as a political tool. I think, unfortunately, some of the ways that we tried to spin the recent Azeri and Kazakh elections have fed into that, that certain electoral practices in countries are deemed anti-democratic and then in other countries they're seen as progress towards democracy.

So I think one of the things as a policy recommendation to begin with is we need to return, I think, to a certain degree of independent assessment of conditions that is de-linked, and I think Mike's point about dual-track diplomacy maybe applies here as well, that there should be a way to assess human rights standards, democratic standards that is not going to be connected to strategic interests but are objective criteria. And I think that the Commission has certainly been useful in that because of your willingness to criticize Germany and France in the past to show that there is - you know, U.S. allies will be criticized by the commission just as much as China, Uzbekistan and Cuba. And I think that that needs to continue and to be expanded because I think right now what we're seeing is a perception in Russia in particular that the human rights issue is no longer something for its own value but is just simply a tool of diplomacy, and therefore these complaints can be discounted, or that Condi will give the speech, you listen to it, and then you move on and it doesn't really sink in that this is something that matters.

And I think that we do need to do some rethinking about how we're going to link human rights and democracy promotion as part of an overall U.S. foreign policy strategy. I think we've had some good rhetoric so far vis-à-vis Russia but I don't think we've put into place exactly how we're going to balance all of this out and how it works in the policy. And this is why we get - Catherine pointed out - in the end, this freelancing attempt where different agencies and groups will try to co-opt their own deals or to have their own policy perhaps towards Russia, or towards other countries, and I think that that overall is a weakening of this issue.

Just on the final point, I know it's not good to admit in Washington that you don't know what to do, but really on this question of what should we be doing vis-à-vis Russia, I don't know. I think engagement has a certain approach, but then we see the limits of that. Criticism can work in some cases but we've seen the limits in that, and I think we're still sort of trying to test and probe and to try to find what exactly is the right mix, and I don't think that, like a Duncan Hines recipe, there's an instamix you pull off the shelf and that works, and I think there is going to be a lot of this give and take an ambiguity, and I think we have to be comfortable that there is going to be that ambiguity in moving this process forward.

MR. CROMARTIE: Thank you. Thank you, Nikolas.

Well, in a moment we're going allow you all to get in and ask questions, but first my fellow commissioners and I get to go first, and as moderator I also get to go first. And the first question I have is for Mark, which is this: What specifically do you think are the U.S. policy options toward Russia right now?

MR. MEDISH: Thank you, Mike. First of all, as you saw, I think we all got implicated through the passing of passing of time napkins in state control over free speech - (laughter) - but I hope it was managed smoothly.

MR. CROMARTIE: It was done liberally.

MR. MEDISH: It was very well done.

I just want to share a couple more thoughts on the "L" words that have come up in the comments, and the two "L" words I have in mind are linkage and leverage, because I think they're really the nub of the policy challenge.

As the other speakers have said, we have these multiple paramount security challenges with Russia.

As with any other hard case, like China, these interests, whether they are strategic, security, regional stability, promotion of democracy, human rights and integration, they can come into conflict in real time, and that's the problem. A unitary approach probably is not going to work. We need a kind of integral calculus if you will where we don't sacrifice any of our objectives over the long run but we don't get hysterical about any one of them either. And that's going to be very challenging going forward because, as Mike said very correctly, our leverage is on the wane if you look at the sort of classical tools of influence in foreign policy that we enjoyed vis-à-vis Russia

in the 1990s. So it's financial conditionality through IMF and the World Bank program. That era is gone.

Memberships in clubs, that's an interesting one, and I want to say a couple of words about that - WTO, G-8 for example. What's another kind of leverage? Well, moral suasion at the leadership level, frank conversations. Another I think that's very important is what I would call guerilla strategies of influence, and that's at the people-to-people level - not the state level but getting in deeper. My own recommendation follows what Catherine said, and that is we need critical engagement and we need more of both - more criticism and more engagement. And I think it's a risk that Russia

has been de-prioritized on the agenda because I think it receives too little engagement and too little criticism generally from this administration.

The WTO issue, Russia's potential membership in the WTO, and the G-8 membership - and Russia hosts this year in July at St. Petersburg - these will inevitably raise soft linkage issues. So notwithstanding Secretary Schulz's wisdom about dual-track non-linkage, I will tell you, as a political reality, we will see linkage, and that might not be a bad thing.

President Putin commented in his press conference, I think it was earlier this week, in Russian - (speaks in Russian) - which means the dogs bark but the caravan continues to go past. And this was in response to criticism about Russia's

hosting the G-8. Now, I think this was quite a revealing comment.

It was realistic and somewhat cynical, that the barking will go on but forget about it. I think the lesson here is we've got to keep barking.

And in terms of practical points, I want to really emphasize what all three of my colleagues said. We need to speak with a clearer voice and a more consistent message. And we need to do so not only for our part but also with our transatlantic partners. I think one of the vast missed opportunities in Russia

policy is in the transatlantic context. I think the U.S. and the EU together have done a very poor job of managing the message to Russia

as partners. I don't want to overuse that word, but that's a missed opportunity. So we need a clearer message spoken more in unison. We have less leverage; we need to do more with less. That's the challenge. That's the alchemy of the moment. So we've got to be clever here and not squander opportunities, not squander the leverage that

still remains. It is non-zero. It has declined but it is non-zero.

My final point is that in this context - and this is not a partisan comment - we must always keep our own house in order. Nothing is as corrosive of our capacity, in my view, to influence the world as the widespread perception that America has itself forgotten to apply the highest standards of democratic legitimacy and the rule of law to its own conduct. If we create the impression through our carelessness that we believe that might makes right, let us not be surprised if the prospect for the respect for human rights begins to darken globally.

Thanks.

MR. CROMARTIE: Thank you, Mark.

Now I'd like to turn to my colleagues. First, Commissioner Gaer.

FELICE GAER: Thank you, and I want to thank all the panelists for these very interesting presentations.

We are told, both by yourselves and others, that the complaints about human rights abroad are resented, resisted, and appear to be counterproductive at the leadership level in Russia.

And I heard some of the panelists, particularly Cathy Fitzpatrick and Mike McFaul, saying that we should be sustaining groups inside - (technical discussion). We've been told that external criticism is resented and counterproductive, and that this is very much a time for sustaining groups inside the country, I assume on the theory that an internal voice will be taken more seriously and have greater impact.

In that context, do you think that the external speeches and remarks by political leaders like the president are going to be effective? We had several suggestions that Condi make a speech. The president, of course, before going to Slovakia next year, did make a public speech, which no one expected. Do you think that was effective?

MR. CROMARTIE: Who is that addressed to - Michael?

MS. GAER: To all the panelists.

MR. CROMARTIE: To all the panelists.

MS. GAER: To Cathy, Mike and Mark and Nikolas.

MR. MCFAUL: Nobody likes to be criticized. I don't like to be criticized. Do you? My son doesn't like it when I criticize him. My students don't like it when I criticize them. Just because you don't like it doesn't mean it might not make the situation better. So on the concrete situation with Russia, and Putin personally, in my opinion the president has not spoken the truth about Russia. Condoleezza Rice has not spoken the truth about Russia. So this notion that we are criticizing them and they're reacting, that's a bunch of bunk. Look at what President Putin said yesterday in his remarks in the press conference - very striking, very revealing to me - very confident man this time. I've witnessed these things and watched him for a long time, by the way - 15, 20 years already. This is the most confident I've ever seen him. And the thing that Mark talked about - he said, it's McFaul who's barking but the president is with me. That's exactly what he said.

He said, this notion that we should be thrown out of the G-8, that's the barking dogs like me, but the president is with me. That's his point, and that's why he feels confident. And that to me is the wrong message. That's the mixed signaling. So, yes, you get the ambassador on occasion saying - when he was out there would say something. It wouldn't be followed up by the president. And in my talking with very senior government officials who do not share the president's view on this, I do not hear any evidence that this is taken very seriously, either in the private conversation with Putin, or publicly. And I think the evidence is precisely what Putin said in his press conference yesterday. It doesn't mean a speech by Condi or the president - the president is not going to make a speech - but a speech by Condi. It doesn't mean he is going to change his policies overnight - of course not - but it will make him a little less certain about what he's doing, and it will encourage others in his society about the uncertainty, that this is not inevitable, that we are not on that side.

That's to me, the audience - you know, Putin needs to be a little less sure of himself at the G-8. For him, the G-8 is an affirmation that, we've made it and we're part of it, and I don't think we - at this stage in the game, that's not the message that we should be sending. So maybe it's uncomfortable, maybe it would be difficult, but I think it's right.

And, second, I don't believe - I challenge you, and you should challenge the

administration when they say, well, if we criticize them on that they're not going to support us on this. Show me some evidence where that is true. I actually don't see it as being that compelling. I've actually looked for it, where we've said something really - in history, in any country I don't think it's true, but especially with Russia today - well, we criticized them on the gas things and then what did he do? They actually - you know, I think it was effective. The NGO law - you know, it's a terrible law in many, many ways, but the draft today is better than the first draft, and that's because - it wasn't because we said, oh, Russia has to do its own course and all that. Actually, no. Nick Burns and other people - and the Europeans, I totally agree, have to be unified. We said this will - this should not stand. The Orange Revolution, the same thing. It wasn't, well, there has to be different ways of interpreting how you count the elections. No, it's this election is wrong. And the Russians pushed back.

So I think the evidence for speaking strongly, especially when you don't have any other tools, is actually - it can be quite productive.

MR. CROMARTIE: Catherine?

MS. FITZPATRICK: Well, this idea that we don't have the leverage - I mean, we do have some, and when all else fails in this situations when you don't have leverage, what you can do is not confer legitimacy. You can withhold legitimacy. And when you have a situation where, for whatever reasons, you have to give them this gift of the hosting of the G-8 in St. Petersburg, you can still plan a whole array of other things. There could be a parallel NGO conference; there could be visits to the region, there could be very demonstrable gestures made, there could be cases raised. There's a lot of things that you could do if you put your attention on to how to have this be a display other than just a self-satisfied Putin shaking hands, because the membership in the club is very important to him.

I also agree with what Michael is saying, is that there isn't this diplomacy, there aren't the speeches, there isn't the criticism at all at the top levels, and when there are these meetings - as Nikolas was saying, you know, more and more we get the old Soviet approach were it's your Indians kind of thing, but we need to be ready for round two and three. I mean, when we raise things like the stabbing of the rabbi and they answer and say, you have Columbine, we have to say, those are completely different things with completely different profiles and we're not going to sit still for that kind of moral equivalency and analogy.

So, yeah, I think that, you know, deepen the engagement and the audio on this has to be turned up.

MR. CROMARTIE: Nikolas?

MR. GVOSDEV: There things. I think that the question of criticism - I echo what Mike said here - no one likes to be criticized but it's done. But the question is, what is the purpose of the criticism? And I think that what we've seen is a very disjointed - to the extent that criticism has occurred, particularly I think more in the Congress, what is it being linked to? Is it criticism with an idea to see constructive change and to see specific things be changed and then there are rewards? Is it criticism for grandstanding to domestic audiences? Again, it comes back to this notion of criticism has to fit into a larger strategy. If it's criticism for the sake of being able to say, I am on the record as denouncing X, but then I'm not really going to do anything about it.

And I think that this really - this question of the G-8 comes right smack-dab in the middle of it in that we don't really think through the G-8 process, we don't think about what Russia's role is, and then we get these congressional statements saying Russia should be kicked out of the G-8. Then nothing really seems to happen. Putin then can say, yes, the dogs have barked and the caravan is moving. It's this idea almost that the criticism isn't really connected to a larger strategy. And then I think that's where it can become counterproductive in one of two ways, because if criticism is done and it just simply irritates people and there is no attempt to then try to get concrete change, or if criticism is seen as being hollow, that this is the price you pay - and again, the Russians are learning from the Chinese on this. The Chinese get criticized all the time; they're used to it now. There is a kind of immunity that it develops. Well, that's just those crazy Americans; they have their own domestic lobbies, and this is what you do to appease them, and you just simply - to move on.

And it's very telling. I mean, when Industry and Economy (sic) Minister Khristenko was here several months ago - and this is straight out of the Chinese playbook - which is Russia needs a good business lobby. How do you get around this? Well, if the human rights community isn't going to be in your camp, then you get the big U.S. conglomerate. Look what Boeing did for China. Boeing comes in and helps to alleviate some of the criticism of China, and it's not surprising that lo and behold, you now have this nice memorandum where Russia is going to be buying a lot of the new Dreamliners, and there is this expectation that Rio Tinto is going to go into the mineral sector now, and I think that there is this sense of, fine, the human rights criticism, we have to sort of endure it. It's the cost of doing business with the United States because there is no sense of how it moves along.

And also, I think if there is not a sense that if you take steps - and I think there has been a shift in Russia - I think in 2000, 2001, 2002 there was a sense of criticism from the U.S. leading to some change in Russia. And then, for example, with Jackson-Vanik, the sense that Russians now have that there is nothing that they can do to get Jackson-Vanik repealed. There is complete freedom of immigration now. You know, Jews are returning to Russia from Israel because they decided that living on the West Bank and the Palestinian welcome wagon is perhaps not as bad as going back to Moscow, and the sense that, well, criticism occurs in Congress, we take some

steps, we don't see any benefit so, again, it's just the price we're going to pay.

The question, the second one about support for internal groups I think it quite interesting. I think you've probably heard from Larry Uzzell on this, his concern that really indigenous Russian groups that have no foreign sponsors are the ones that generally tend to get lost in the shuffle. So when there is a religious freedom question, the denomination that has a powerful patron in the West, they get the attention, but if you're old believers or independent Baptists or other things and you're truly an indigenous Russian group with no source of foreign support or sponsorship, that you're the ones left out, and I think those are, in some cases, the voices that need to be heard more; that there are truly internal Russian voices that aren't connected to foreign groups.

And I think one of the points about the criticism of the NGO law is very telling. The draft improves. What does it improve for? It improves for - representatives of foreign NGOs in Russia get a better break now than domestic Russian NGOs that are not connected to foreign groups. So the message that the Russian received is we take care of our own but indigenous Russian groups, well, that's too bad. Go find an American sponsor to take you over and then we'll treat you differently. So I think that there is that issue of the internal groups being left out of the picture.

MR. CROMARTIE: Thank you, Nikolas.

Mark, do you have a quick comment on that?

MR. MEDISH: Just very quickly. To encapsulate what has been said in response to the speech question, the value of voice, whether it's public or behind closed doors, the answer is unequivocally, yes, it is a valuable and important tool. We must use it, but we need a strategy. The message that's delivered through the speech needs to be a smart one. We have to pick our battles. And finally, the voice that delivers it has to be credible. That's the challenge of using speech effectively. And I don't think we've always done that, whether Democrats or Republicans have been in power. A lot of our foreign audiences tend to get whiplash from our various speeches about the way the world should be.

MR. CROMARTIE: Thank you, Mark.

Commissioner Bansal?

PREETA BANSAL: Yeah, I guess my question is first for Nikolas, and really all the panelists that wish to comment. The question I have is, what is the relationship between - or the influence of the Russian Orthodox Church on domestic policy in Russia? And relatedly - or more broadly I guess - would be the relationship between the surge of Russian nationalism and the treatment of minorities. And in particular - it's a little bit of a chicken-or-egg kind of question - is the state learning from China in the sense that it's fostering nationalism as a replacement for, you know, communism or whatever, or is the nationalism - is that feeling kind of growing first within the people?

MR. GVOSDEV: I think that what we're seeing is that the Orthodox Church, as an institution, has less influence on the state. It's more that because the state is now run by people who consider themselves to be orthodox that they have a right to sort of set policy, and also to set policy for the church as a whole, that there is this sense that the church must fit into the system that the Kremlin is creating rather than the church carving out an independent place for itself. And it's the same thing - the whole notion of separation of powers, you know, even in the traditional Byzantine-Slavonic notion of the church having an independent voice to check the executive. That also is changing the idea that the church is part of a Kremlin-led vision for civil society.

So it's less, I think, that the church comes in and makes demands of the state and more that the church is being asked to align itself with the priorities of the state, in return, of course, for, I think, having a certain moral position in society, a certain cultural position. This question of nationalism I think links into it because this traumatic search for a Russian national identity and the collapse of the Soviet state. And, again, that the people around Putin - and this is the interesting thing I think I've found about him and some of his people - they're not very dogmatic as orthodox Christians. They're not going to argue theology with you about the divine and human natures of Christ, and theosis and things like that, but they are going to be very interested in this notion of tradition informing identity, and tradition and religious ritual and practice helping to set markers for identity, and that even if you don't go to church, the church you shouldn't go to is the Orthodox Church, not the Catholic Church, the Baptist Church. (Laughter.)

So that if you go to church or not, that's not important, but the church you define yourself in relationship to should be the Orthodox Church, and then for some of the other nationalities - I mean, Islam, Buddhism, Judaism in certain cases - Catholicism for certain nationalities. If you're a Pole or a German you should be Catholic, or perhaps Lutheran if you're in - (unintelligible) - or elsewhere. But this notion of religion forming a basis for identity, and particularly in the collapse of the Soviet Union, the Russian Orthodox Church helps to keep together a sense of - for lack of a better word - East-Slavness together. It's a way in which - the borders of the Russian Federation may be defined one way, but the borders of the Russian Orthodox Church allow people to continue to think of Russia as having an existence that is connected to but also transcends that of the Federation. So I think you've seen that in recent years, and why the Moscow patriarchate in particular and also the Russian state is interested in holding the patriarchate together rather than the sort of natural traditional

orthodox process of separate churches for separate states, so why shouldn't Ukraine and Belarus and Kazakhstan have separate Orthodox churches in this desire to hold it together?

MR. CROMARTIE: Thank you, Nikolas.

I think Commissioner Bansal had a quick - Catherine and then Commissioner Bansal. I'll get you all in.

MS. FITZPATRICK: Well, I would have to say, the way in which the primacy of the Russian Orthodox Church is being manipulated really creates a kind of unseemly, almost, penetration of society, which is very visible on the TV. I spent a year translating the Kremlin TV every day, so I got a lot of insights into how they're - you know, every news hour has the Russian Orthodox Church. Every subway and shopping market opening has an array of officials from the Orthodox Church - numerous stories put out like, you know, they'll go to Dagestan, they'll find a Russian Orthodox Church in which the priest can say the Dagestanis are our stone masons building our church. I mean, anything that they can show an inter-ethnic story was the primacy and the others are always feeding into the leading church with the leading role in society.

I think it's just a blanket approach and I think that it's happened almost unawares for a lot of people in the West.

MR. CROMARTIE: Yes, Michael, quickly.

(Cross talk.)

MR. MCFAUL: On the question of nationalism I think moving forward - and by "forward" I mean the post-Putin era. This is a central question that I don't have a good answer to, but I want to alarm you, okay, which is to say that there has been instances throughout the post-communist period where the state has tried to manipulate nationalism for short-term political ends. So the creation of the LDPR, for instance, back in 1991 - it sounds like ancient history - Mr. Zhirinovsky, that was done by the state. That was done to cut into Yeltsin's electoral base, and that had some unintended consequences. That turned out not to be so bad, but for a while there it looked kind of bad.

Likewise, in this last electoral cycle, the Kremlin put together this group,

Rodina, Fatherland Group, and there it was to cut into the communist base. It was brilliant, by the way - brilliant electoral strategy, did very well, but then - these are friends of mine. These guys that did this I've known for a long time. But then it kind of got out of control, they didn't like it, and so they tried to break it up, and then they didn't let Mr. Rogozin run in the last Moscow city council election because of an ad. Now, I've seen the ad. The ad was xenophobic and awful, wouldn't like to see it run, but this to me is a precarious thing. These guys, under the guise of managed democracy, they think they can turn this off and on. The group Nashi, the student group that they also created is another example of it.

They think they can kind of turn it off and on when it serves their purposes, and so far I would say they've been effective and rather good at that. But we know in other times and other historical moments, especially if the next president of Russia doesn't have a 70-percent approval rating - which he will not - and if Russia does go through another bust time, which I predict it sometime will - that's not hard to do - then the question is what happens with these things that they thought we they were controlling? And that I think is worrisome.

MS. BANSAL: I'll just throw out my follow up and then maybe we can go straight to the audience and they can incorporate it as they choose to or not, or answer it. The question I have is, given what you've said about the relationship between the church - Orthodox Church - and Russian government in the state, in terms of pushing for human rights - in terms of U.S. policy of pushing for human rights, is it better or worse or does it make any difference if we talk about religious freedom and related human rights, or to talk about human rights including religious freedom? I'm just wondering if religious freedom as a U.S. foreign policy push, in the context of Russia, is whether it's better to lead with that as a way of creating space in civil society, or whether it should just be encapsulated within other human rights. That's the question but I'll -

MR. CROMARTIE: Just say either/or but don't give a long answer.

MS. BANSAL: Yeah. (Chuckles.)

MR. CROMARTIE: Which one do you think?

MS. FITZPATRICK: Include it in the list.

MR. CROMARTIE: Include it in the list. (Cross talk.) It

looks like the panel agrees on that.

Okay, I'm going to open it up to you all. First of all, I want to say, Mark, I know you were arrested, but at least you did not have a year of hard labor translating Kremlin TV tapes. (Laughter.) That may happen to you next.

MR.  
: That's a different circle of hell.

MR. CROMARTIE: Ladies and gentlemen? Yes, Lauren. By the way, say who you are and who you're with.

Q: Okay, I'm Lauren Homer. I'm a lawyer in private practice. And as some of you know, I've been following religious freedom issues in Russia since the early '90s. And I guess I have some observations, but just on that last point I totally agree. I mean, I don't think you can take religious freedom out as a right which trumps others, and I don't think there is going to be any religious freedom in Russia if other human rights, particularly political rights, are not observed.

And I think what Michael McFaul said was really a good illustration of what's happened to U.S. policy. I mean, in the early '90s we were all pushing for democracy and we had a lot of leverage and the religious freedom issues ended up becoming something that kind of galvanized attention on what was going on in Russia, I think very effectively. But, you know, Grozny was obliterated; nobody said a word. The opposition parties have been pretty much snuffed out or turned into puppets of behind-the-scene people; nobody said a word. I think one of the most outrageous things was when Putin decided to appoint the regional governors and nobody said a word. Media has lost its rights.

So on that context, if you look at how all the independent actors in society are being silenced, where is this going? And it seems to me that sort of globally it's going toward reassertion of empire, and that's what's going on with Ukraine, that's what's going on with Georgia now. I mean, these people are feeling strong. Yesterday's press conference Putin said in a very cynical and insinuating way, well, we have these missiles and they can hit lots of people and no one can stop them. I don't think that was an accidental, offhand comment.

MR. CROMARTIE: Lauren, we need a question.

Q: Okay. Anyway, my observation is that I think from a policy point of view you need to step back and you need to step back to democracy. I don't think you can - I agree that this NGO law is bad, but I don't think that by itself you can expect Russian NGOs to solve this problem. So that's my comment. Thank you.

MR. CROMARTIE: Any comments on that comment? Yes, go ahead, Mark.

MR. MEDISH: Just very briefly, I think you make a very good point also about this post-imperial hangover. I think in this discussion of Russian nationalism, what we mustn't lose sight of is that Russia really is suffering an identify crisis. It's a very old country but it's a very new country in some important ways. And so, you know, concepts of citizenship, of society just are fledgling, and it's a very difficult and messy time.

Political actors are now using nationalism as a political tool for control and for advancement. That's very dangerous. Nationalism by itself is something I don't think we can condemn. I mean, every nation is entitled to its nationalism. We have ours as Americans, and we don't wait for anybody to criticize our nationalism. That's the challenge before Russia is can it find the balance point of a constructive national identity? This is the period we are living through, I think, and the Russians are living through, and they're contending with demons from the past.

MR. CROMARTIE: Catherine?

MS. FITZPATRICK: Well, I agree that you can't have the whole project of democracy depend on groups. I mean, what happened, I think, in the '90s and the early '00s is that we - you know, we conceive of civil society as just being these groups and we've kind of lost the wider picture that it's everything with religion, trade unions, the economy. The government itself has to become part of civil society. And that's why I was speaking about the importance of mainstreaming these ideas more in every sector, not so that you're just saying, oh, let's support the Moscow-Helsinki group and sort of salve our conscience that we've done the right thing for this little group that's alone; it can't face the monolith.

I think that this ideological struggle of the Chinese model versus the East European model, let's say, is very much one that we should be part of, and with the language capacity and the publishing and the TV and broadcasting deployed on it, because I don't think the answer is to say to Russians that China - that

to fix the economy have Perestroika but don't have Glasnost. We can't say that that worked because ultimately I don't believe it will work for China and Korea and Singapore. It isn't the model that Eastern Europe used and they turned the corner in ways that Russia didn't turn.

So I think we can stand up for these other models, intellectually debate them, without saying, well, let's be happy that there is a middle class that maybe can go to church and can get on the Internet because that's the substrate or kind of fascistic tendency that's to really take root for a long time in a society, and I don't think we should be accepting that as a substitute for real entrenched human rights and institutionalized democracy.

MR. CROMARTIE: Yes. Oh, I'm sorry. The woman in the back - in the very back - in the very, very back.

Q: Thanks. I'm Nancy Lubin with JNA Associates and the American Foreign Policy Council. The discussion has been great but I wanted to clarify one point that maybe I misheard, and that was I thought I heard a couple of the speakers commenting that the concern that if we criticize strongly in one area it might undermine us or blow up in our face in another area is unfounded, but there is no evidence for it, and I was thinking, isn't that what just happened in Uzbekistan only six months ago after criticizing the crackdown and the slaughter in Andijan? Within a month we had lost our basing rights. You know, there was - the crackdown on the NGOs was accelerated, and certainly back last summer that was a major blow to U.S. interests as a whole. So I'm curious, where did I go wrong? What's the difference between this fear as applied to Russia and what happened down in Central Asia?

MR. MCFAUL: I think that's addressed to me because I was making the claim. I actually don't - I mean, you're the expert, but I do not think it was criticism from the Bush administration that led to the reverse in Uzbekistan. It was his own decision, his own calculation. My own view of that - and I was talking to many folks in the government - they were going very cautiously, precisely because they didn't want to lose the base. That was there - they were peddling this very - he made the calculation and he was the one that turned. And I think it illustrates the opposite: that when we bank on autocrats as allies who don't have any constituencies - they can turn on a dime. And so this courtship of 12 years with Mr. Karima (sp), overnight all that stuff - all the Bill Perry trips out there in the '90s, all that stuff was eliminated overnight.

And that to me I think it shows the false promise of dealing with autocrats as long-term allies. I didn't see it as a reaction of - you may have a different interpretation and you know better.

MR. CROMARTIE: Catherine?

MS. FITZPATRICK: I think you could pose the question, why did we even have the base there in the first place? Was it really that much of a strategic interest? Was it more of a regional politics and kind of a piece in a bigger sort of image thing we were trying to do there in the region? I think that they were already on a bad trajectory anyway, and for us to not have commented on that slaughter would put us in a really morally bad place and politically bad place in terms of all the regions' movements, because I think the movements that are poised between sticking with the human rights model of peaceful change and international law and then being pushed into more radical calling of violence and extremism - if they feel that it's hopeless and they have no one backing them, no one at their back internationally, that there is just this lack of credibility, we can't even go to bat for those people when they get started, then we're part of that problem that pushes them towards that extremism. If we can't help them uphold those international values and give them some sense that when they're slaughtered that we're going to say, no, that's wrong, and pull our base out - that was the right thing to do.

MR. CROMARTIE: Ladies and gentlemen, our panelists are so good and your questions are so good, we're going to go overtime, so I just want to warn you of that. And I'd like to take this gentlemen's question right here.

Q: I'm Mark Pomar from IREX, and if I can just step into this NGO - Russian NGO versus Central Asia - for the past year, NGOs in Uzbekistan and Central Asia have been harassed. The head of our office was accused of criminal activity. And at the risk of simplifying, the U.S. government really did very little, if anything, in terms of responding.

In the case of the Russian NGO law, as soon as the draft came out, Undersecretary Buns, Dan Fried, Barry Lowenkron called in about 12 or 15 of us - had the various NGOs, and we spent about two hours discussing the ins and outs and where we were running into problems and how to respond and what would be the best approach. Then several of them went out to Moscow, met with the NGOs and really brought that issue to bear, and probably resulted in a modified law. We have since had follow-up meetings. DRL at the State Department is setting up a special group to handle problems that NGOs are experiencing in Russia - a very different reaction from anything compared to Central Asia, which basically was, we're not going to deal with it, and it's a very different situation. So there has been a response - very much so I think - on the U.S. government's part in terms of NGOs, both Russian and foreign.

And just one last point on the Russian NGOs. There is a lot that can be done for the Russian NGOs to be more professional as well. In other words, I think that is a step - one of the ways to support Russian NGOs is to help them become more professional, more transparent, handle funding in a clear way through bank transfers, not through cash. It will help defend them. It will be a little bit of the Helsinki approach that we took some 30 years

ago where we said, you are following the law; why are you persecuting them? Here the case would be NGOs are being transparent; they are clearly enunciating what they're doing, how they're doing it. It will be much easier from the West to be able to raise those issues in the future.

MR. CROMARTIE: Mark.

MR. MEDISH: Just very briefly. I think it's a very well-taken point, and President Bush deserves, I think, quite a bit of credit for raising the NGO law issue at Busan during the APEC summit - and Angela Merkel as well during her meeting, although she was a little late to have an impact since President Putin has already signed the law, but the message was the correct one. The taskforce that Mike McFaul and I serve on that's co-chaired by Jack Kemp and John Edwards, as you probably know, sent an early letter on this subject to the president. And I think it's a good example of articulation of a message and use of voice strategically.

Now, one can debate whether this modified law is in fact an improvement or not, and I have heard many people say that certain troubling aspects were modified but the result is more ambiguity, and more ambiguity means more legal uncertainty, and legal uncertainty is actually not a great thing.

So I think it's to be seen in implementation really, as with any law, whether progress has been made. Thank you.

MR. CROMARTIE: Yes, Cathy?

MS. FITZPATRICK: First of all, you have to realize, those kinds of things that were very good and were visible to you weren't visible in the Russian media and weren't visible to every Russian NGO, and they can't see always these responses because it's not part of the whole regular, diplomatic approach. I mean, the inaugural speech has Beslan mentioned in our sense of solidarity with Russians over that tragedy in fighting terrorism, but in the liberty section Russia is not on the list. And that message is part of the static we're running against.

With this new entity that's called Ros Registratiya - I got a report today that they're going to have 30,000 bureaucrats fan over Russia - that's 332 per region or something - and they're going to be tremendously intrusive. I mean, I actually - in looking at the changes to the law I see where they've just opened up new problems because they - before there was more - you know, the notification approach under the law or the discretionary approach where it's always up to an official to clear on you or not clear.

So that whole discretionary area is now opened up much more because of their ability to ask for - their staff has to attend every event of yours, they can ask for papers at any time. I mean, it's incredibly intrusive, and this idea that, well, maybe a little more professional, a little more open, a little more bank transfers, and we're going to fight that sort of arbitrary discretion approach. I mean, it's absurd. Well, we have to take a stand on it now. It's not about lack of professionalism; it's about their over-intrusiveness with this law. And it's still not too late to object to it and ask that it be repealed.

MR. CROMARTIE: Yes, ma'am, right here.

Q: Marjorie Mandelstam Balzer, Georgetown University.  
I have a question for Cathy Fitzpatrick. It's an elaboration question on the terrorism partnership. You say that Russia has unfortunately been part of the problem, not part of the solution. I was wondering if you could give a few more details.

MS. FITZPATRICK: Well, it's a longer discussion; it's not really our topic today. But, I mean, one obvious thing is Iran - it's supporting Iran and being sometimes obstructive and sometimes not as helpful as it could be on dealing with Iran.  
Another thing is just their failure to solve the Chechen gaping wound that continues to produce many victims, many - you know, new generation of fighters and a very hardened police and army corps that's conditioned to abuses without any - with a whole sense of impunity that now has gone back and they're in many communities, bringing that culture of impunity. I mean, the failure to solve the Chechen crisis is part of the problem of terrorism in Russia. You couldn't see it any other way, really. It's had a devastating effect on the army's morale and the people's morale, and just generations of people injured and families have lost people by it.

The impact on the society is very dramatic and still we tend to think of it as sort of over or it's under control, but it isn't; it just keeps going on.

MR. CROMARTIE: Ladies and gentlemen, we've gone overtime, but we could take one more question. Well, there are three of you and I'll just say yes, sir. You were here - this man right here. You were the first one here this morning so -

(Laughter.)

Q: My name is - (unintelligible) - and I am from ITAR-TASS Russian News Agency. I would like to ask a question for the commission. As far as I know, the delegation of commission is going to visit Russia. I would like to ask you to tell us, if you would, about the aim of this visit, and with whom are you planning to meet in Russia? Thank you.

MS. GAER: The commission visited Russia in 2003, exactly two years ago, maybe this week. We have a commissioner traveling to Russia next week to attend a conference. It's not a delegation of the commission going to examine any situation; it's a commissioner going to attend a conference, which is a conference consisting of regional persons responsible for various religious issues, and it's a government body that's bringing them together.

MR. CROMARTIE: Yes, quickly, Michael.

MR. MCFAUL: Can I make just one closing comment? The discussion is disturbing me a little bit, and let me make one last comment. We're talking about criticizing here and there and the kind of minutia of this versus that tactic, and I think we're missing the point on what has happened in Russia, if that's our focus. Russia - I teach comparative democratization at Stanford, and if you believe the literature on democratization, it starts in Portugal in 1974 - the third wave - a remarkable run in terms of the advance of democracy in a short period of time. The greatest setback to democracy in the world since 1974 has been the return of autocracy in Russia. It's not just some little - with all due respect, it's not just the NGO law; it's a long list that I read - and it's the only place, with the possible exception of Pakistan as a competitor. This is a big, big thing that's happening.

So for us to just kind of think about it as just another little place with some problems - it's also a very strategic country in the world. It's not a small, peripheral place. Zimbabwe, for instance, might be on your list too, but this is not Zimbabwe. And I just think as you think about what you say and do, remember the big context here: It is a big thing, and it was not China. The China model is ridiculous. It's an agrarian society to industrial - I mean, the notion that Russia can adopt a Chinese model is just absurd.

And the other thing that is absurd about the comparison is that Russia did have democratic institutions in place. China has not. And I think we need to focus on that erosion in this context. This is the biggest setback since 1974, and that, I think, needs to be your focus moving forward.

Sorry to be -

MR. CROMARTIE: No, no, thank you, Michael. Thank you very much.

Before I thank our speakers - and I'm about to thank them - I want to say that you all know that these kind of events just don't occur organically like flowers and just grow; there is a lot of hard work that goes into them, and I want to publicly just say thank you to Catherine Cosman and to Anne Johnson for all the hard work they did to make this event happen in a very short time. So, Anne and Catherine, thank you.

And then on to our speakers: Thank you so much for your time and for your presentations. We appreciate it very much.

(Applause.)

(END)