Mr. Speaker, the

Khodorkovsky/Lebedev trial resumed on Monday

last week before a three judge panel in

Moscow. Since the last hearing three weeks

ago, the physical appearance of the court was

much improved: the courtroom had been air

conditioned and the halls outside had been refurbished

and painted.

Appearances are important, but substance

is critical.

Respect for the rule of law in Russia is essential

for the same reason it is essential in

every democratic society—citizens, the press,

and the business community must have confidence

that the legal system affords them protection

of their rights and that everyone is

treated equally under that law.

In Russia there is a pattern of troubling

signs that the rule of law and a free press are

threatened. I know a number of my House colleagues

share these concerns. Members of

the Congressional Human Rights Caucus, the

Helsinki Commission, and the Russia Democracy

Caucus are just some of those who have

expressed their misgivings.

One high profile example of concern is the

seizure of the assets of Russia’s largest oil

company, YUKOS, and the trial of two of

YUKOS’s largest stockholders, Mikhail

Khodorkovsky and Platon Lebedev.

Many Russian and Western observers view

the Russian Government seizure of the assets

of YUKOS as a result of political motivations.

Here are just a few recent statements on

these events:

On July 7, the Washington Post quoted a

senior level U.S. diplomat as saying ‘‘there are

increasing signs that destruction of the company

is the intended endpoint,’’ and that it appears

likely that a ‘‘sizeable percentage of the

company’s assets will move into the hands of

the state.’’

On July 7, the Organization for Economic

Cooperation and Development (OECD) called

the YUKOS affair ‘‘a case of highly selective

law enforcement’’ and a case that reveals how

‘‘the courts are often subservient to the executive,

while the security services, prosecutors

and police remain highly politicized.’’

What is now occurring in Russia has significant

human, political, and economic consequences.

Justice, freedom, and human

rights are all directly tied to the rule of law,

open and accountable government, and a free

press, which are increasingly absent in Russia.

There are several disturbing trends that

demonstrate problems with the rule of law in

Russia.

The general prosecutor and courts cannot

be merely an extension of the political will and

agenda of the Kremlin. In his visit to Moscow

earlier this year, Secretary of State Colin Powell

was unambiguous in his concern over the

rule of law in Russia, saying ‘‘Russia’s democratic

system seems not yet to have found the

essential balance among the executive, legislative

and judicial branches of government.

Political power is not yet fully tethered to the

law.’’

Furthermore, the selective and arbitrary use

of judiciary power by the Kremlin undermines

the rule of law.

Mikhail Khodorkovsky, as many observers

have noted, shows how a businessman has

been singled out for prosecution because his

political activities are not appreciated.

Journalist German Galkin was thrown into

jail and prosecuted for revealing the corrupt

behavior of local government officials. His appeal

was denied and he was only freed under

the weight of international pressure.

Aleksandr Nikitin is a former submarine officer

and nuclear safety inspector who was pursued

relentlessly through the courts by the

Russian security service in retaliation for his

outspokenness about radioactive contamination

by the Russian military. These rulings

bear out what prominent legal experts have

been saying about the flawed legal system in

Russia.

More recent events in Russia threaten a

free press, an essential element of any strong

democracy.

We do not know who murdered Paul

Klebnikov, the editor in chief of Forbes Russia,

who was writing the truth about Russia’s dark

underside, but the government must insist on

a thorough, open, and full investigation of his

killers. As one observer noted in the New York

Times, ‘‘Twenty journalists have now been assassinated

in Russia for their work; 14 since

Mr. Putin became president. Not one of the

murders has been solved.’’

A crackdown of media freedom has resulted

in all major TV networks under state control.

The last independent TV station disappeared

last summer. TV is the number one way Russians

get their news.

If Russia continues down this path, she will

never fully become the peaceful and democratic

nation that the Russian people and the

international community desire. It is essential

that Russia undertake a sincere effort to reform

its judicial system and establish the highest

degree of credibility for the rule of law and

free press, which are essential for a prosperous

and peaceful Russia.