I want to thank you, Madam Chairman, for the opportunity

to come today to present my views on the state of human

rights and the rule of law in Russia. As you know, my late father,

Tom Lantos, was a former chairman of this committee, and I am

honored to have the opportunity to appear before his colleagues

whom he both admired and deeply respected. My father was in

some ways an old-fashioned man and he believed in the traditional

notion that our partisan, if not our policy differences, should stop

at the water’s edge. For this reason he was one of the most profoundly

bipartisan Members of the Congress when it came to matters

of national security and foreign policy. And it is in that same

spirit that I hope to present my remarks today.

In December of last year I traveled to Moscow to witness the culmination

of the second show trial of Mikhail Khodorkovsky, Russia’s

most prominent political prisoner. I went in order to speak out

against the mockery of justice that it represented, and in doing so

I was quite literally following in my father’s footsteps.

In May 2005 Congressman Lantos stood on the steps of the

courthouse in Moscow to denounce the outrageous manipulation

and abuse of the Russian judicial system represented by the targeted

prosecution of Mr. Khodorkovsky. Sadly, things have only degenerated

in the intervening 5 years. Whatever small shreds of

legal plausibility the first Khodorkovsky trial may have had, there

can be no doubt that the second trial had only one true purpose,

and that was to keep a charismatic and compelling political adversary

of Mr. Putin carefully locked away behind bars for as long as necessary.

And what is it that makes Mr. Khodorkovsky such a threat to

Mr. Putin? Above all, it is his vision of a Russia, open, transparent,

and genuinely Democratic. Khodorkovsky stated with humility and

conviction in his closing words to the court at the end of his trial

when he said, ‘‘I am not an ideal person, but I am a person of ideas.’’

And over the nearly 8 years of his incarceration Mr.

Khodorkovsky has shown that he is prepared to make great sacrifices

for those ideas, ideas of a Russia with an independent judiciary,

where an individual’s rights don’t depend on the whim of the

czar; ideas of a Russia where democracy and freedom of the press

are a reality and not a facade; ideas of a Russia where the government

is not the source of corruption and lawlessness but, rather,

they are the nation’s defender against such scourges.

Mikhail Khodorkovsky is far from alone in believing in the importance

of these ideas for the future of his country. While I was

in Russia, I had the opportunity to meet with a variety of human

rights activists, and they uniformly expressed the conviction that

things were moving in a very bad direction in their country, from

the unexplained violent deaths of over 150 journalists, to ongoing

violation of article 31 of the Russian Constitution, which protects

the right of the people to peacefully assemble. They are deeply con-

cerned about the future of democracy and pluralism, and they want

our help in standing up for these rights.

It was a bitter cold December day when I went to the Moscow

courthouse, and I was taken aback to see many dozens of protesters

standing across the street, quietly but eloquently expressing

their support for Mr. Khodorkovsky, for Platon Lebedev, Sergei

Magnitsky and other victims of an increasingly corrupt and undemocratic

system in Russia. Their message to me was simple:

Don’t sacrifice the values on which we want to see the new Russia

built. It is a message I believe we need to heed.

Thank you very much and I look forward to answering your questions.

Well, I think that the most critical thing that the

U.S. Government can do—and this is where I think there are concerns

with the way the reset policy has been perceived both within

Russia and outside of Russia—that is, that we must get away from

the notion that we completely delink Russia’s behavior and performance

on issues of human rights, rule of law and democracy

from all of our other broad-ranging concerns in our relationship to

Russia.

The notion of delinking what are our most profound values and

which, frankly, are the values that ensure the ongoing stability,

strength, vitality, and success of any society from other concerns is,

I think, where we begin to go off the track.

And so I believe that in specific response to your question we

need to once again make it clear to the Russian Government that

we will not confine our response to their slide away from democracy

and toward authoritarianism.

To simply, you know, mild and weak-kneed protestations

that are routinely ignored and frankly are viewed as simply

something for domestic consumption.

And that is understood not only by the Russian Government

but by the very democracy activists, the very human

rights leaders who we need to express strong support for.

Well, I couldn’t give you a specific figure on how

many political prisoners there are, but I can tell you there are millions

of intimidated Russians.

There are untold numbers of people in Russia who

are intimidated from fully exercising their rights to——

Yes. Unexplained violent deaths.

Over a period of about 7 years now.

Have met their deaths under extremely suspicious

circumstances; not in a war zone, but while covering corruption,

human rights abuses.

I would be happy to.

Absolutely.

Well, obviously, human rights——

Obviously, human rights cannot be the only driver

of our foreign policy. We have a huge range of concerns from our

national security concerns, our economic concerns, our energy

needs. There are a wide range of issues. But I think if the recent

events, particularly in the Middle East, have shown us anything,

it has shown us that we make a poor deal when we decide to settle

for the so-called friendly tyrant relationship; that if a tyrant is

friendly to our other interests, we sort of overlook their rampant

abuses of their own population. Because we have seen stunning

speeds of collapse of regimes in other parts of the world that we

were convinced were our bulwarks in that region. So I think it

needs to be a central priority but certainly not the only one.

I would not so much suggest pausing reset as

supplementing reset with a more vigorous and outspoken human

rights dimension to our policy vis-a`-vis Russia, and I think, Congressman

Rohrabacher, the reason there is such a heightened level

of concern about the human rights situation in Russia is because

it has been moving decidedly in the wrong direction. I agree with

you. China’s situation is more abusive, is more troubling. But what

is always disturbing is to see when you lose ground.

Yes, sir. Sorry.

Well, I think that I experienced the same thing when

I met with human rights leaders in Russia in December. And that

is what the current Russian Government would like to do, would

be to focus on sort of, if you will, the feel-good aspects of human

rights—social assistance and things like that—but that there is an

increasingly hostile and difficult climate when it comes to securing

the architecture of rule of law, the architecture of——

Well, I think that—I am not going to give you a yes

or no answer on that because I do not consider myself an expert

on that issue. But I think we need to proceed with caution on Jackson-

Vanik.

It is not an area of my expertise, but one certainly

gets the impression that—to use a basketball metaphor—they are

trying to box out there.

Well, on the question of it being personal vis-a` -vis

the President of Georgia, I think that there are a lot of decisions

in Russia that are based on personal animus and animosity. And

certainly the case of Mikhail Khodorkovsky is a classic example of

that, where Putin has viewed Mikhail Khodorkovsky, now Russia’s

most prominent political prisoner, as a direct threat to his power.

So they have thrown aside all semblance of rule of law in the continued

and excessive pursuit of this individual. So I think that that

kind of personal politics is very prevalent there.

On the issue of corruption, it is rampant. It is sometimes called

vertical corruption. It is taking place at every level. And it represents

a kind of plundering of the Russian people by the Russian

bureaucracy. And it is one of I think the most severe issues holding

back any sort of hopeful future for the Russian people until this

rampant inbred corruption by the governmental bureaucracy is

brought under control.

And maybe I will leave some of the other issues to my colleagues

because I know time is short.

Well, I would agree with your last point. I don’t

think we are seeing healthy development. It is going in the opposite

direction. But as it relates to the issue of the interrelationship

between Putin and Medvedev, President Medvedev has spoken

clearly. In fact, one of the first things he said upon assuming the

Presidency was that he wanted to combat the legalism nihilism—

and those are his words—that characterized Russia. And many

people are watching this second trial of Khodorkovsky and Lebedev

because it is the ultimate example of legal nihilism.

As Dr. Cohen said, legal experts across the spectrum and across

the globe acknowledge that it is an absurd Kafkaesque trial in

every sense where they are now being sort of convicted for charges

that are absolutely inconsistent with the facts on which they were

initially convicted 8 years earlier. And I think the outcome of that

case, the fact that basically it was an example of telephone justice,

that from Mr. Putin came the telephone call to the judge ordering

the outcome that he desired. I don’t think there is any doubt about

that. The judge expelled reporters from the courtroom when he

read the verdict, because I think his own shame and sense of guilt

at being a party to this was so great that he didn’t want all those

witnesses there as he read the verdict.

So certainly the outcome of the Khodorkovsky case is emblematic

of the fact that in this conflict between Medvedev—more of a reformer,

somebody who has a law background himself—and Putin,

Putin clearly was triumphant.

I would agree with that. But I think it is nonetheless

instructive and illuminating that the Castro regime remains an oppressive,

autocratic, antidemocratic regime and Russia supports

them. I think that is something worth noting.

Thank you so much.