

Russia

by Robert W. Ortung

Capital: Moscow
Population: 144.9 million
GDP/capita: US\$10,825
Ethnic Groups: Russian (79.8%), Tatar (3.8%),
Ukrainian (2.0%), Bashkir (1.2%),
Chuvash (1.1%),
other or unspecified (12.1%)

The economic and social data on this page were taken from the following sources:

GDP/capita, Population: *Transition Report 2006: Finance in Transition* (London, UK: European Bank for Re-construction and Development, 2006).

Ethnic Groups: *CIA World Fact Book 2007* (Washington, D.C.: Central Intelligence Agency, 2007).

Nations in Transit Ratings and Averaged Scores

	1999	2001	2002	2003	2004	2005	2006	2007
Electoral Process	4.00	4.25	4.50	4.75	5.50	6.00	6.25	6.50
Civil Society	3.75	4.00	4.00	4.25	4.50	4.75	5.00	5.25
Independent Media	4.75	5.25	5.50	5.50	5.75	6.00	6.00	6.25
Governance*	4.50	5.00	5.25	5.00	5.25	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	5.75	6.00	6.00
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	5.75	5.75	5.75
Judicial Framework and Independence	4.25	4.50	4.75	4.50	4.75	5.25	5.25	5.25
Corruption	6.25	6.25	6.00	5.75	5.75	5.75	6.00	6.00
Democracy Score	4.58	4.88	5.00	4.96	5.25	5.61	5.75	5.86

* With the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author of this report. The opinions expressed in this report are those of the author. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

Executive SUMMARY

During President Vladimir Putin's six years in office, the Russian state has consistently cracked down on citizens' political freedoms while expanding its role in the economy. Key problems such as the instability in the North Caucasus remain unresolved even though Russian forces have killed many of the Chechen terrorists and begun reconstruction of Grozny. Putin's policies are a reaction to the lawlessness and crime that was rampant during the Yeltsin era. However, by reversing some of Yeltsin's signal achievements, such as establishing a more pluralistic media, Putin has not managed to put in place political institutions that are accountable to the people. In fact, his administration is relying increasingly on nationalist appeals, which have encouraged ethnic violence in Russian society.

Putin's political system continued to evolve according to Kremlin preferences during 2006. The new Law on Nongovernmental Organizations created an atmosphere of intimidation for much of civil society. The range of views in the media continued to shrink. Electoral law reform further reduced opposition chances. Corruption remained rampant, showing that Russia's elected leader has little control over the vast bureaucracy that is only theoretically subordinate to him. In Chechnya, Ramzan Kadyrov, frequently criticized for the use of torture and violence, gained more power, allowing him to run the republic with increasing autonomy.

National Democratic Governance. Although benefiting from extensive economic growth and outwardly stable, Russia's political system faces many questions as President Putin's term comes to an end and political actors focus on the succession of power. The Kremlin continued to assert greater control over the country's economic assets. The state cracked down on ethnic Georgians as part of the larger conflict with Georgia. The unresolved conflict in Chechnya and increased powers for the Federal Security Service in fighting terrorism raised concerns about the protection of civil liberties. *State reliance on nationalist appeals portends extensive problems for the future, but the situation did not deteriorate noticeably. Accordingly, Russia's rating for national democratic governance remains at 6.00.*

Electoral Process. The authorities continued to fine-tune the electoral system in order to ensure victory for favored parties while reducing the representation of the opposition. In regional elections, overseers were able to remove inconvenient parties. The Kremlin also moved to create a two-party system, with United Russia and Just Russia, hoping to redefine the political landscape so that key parties will be loyal to the current incumbents. Space for the opposition continued to shrink. *As the authorities continue to seek greater control, leaving little to chance, Russia's rating for electoral process worsens from 6.25 to 6.50.*

Civil Society. Russia launched 2006 with a new law placing onerous new reporting requirements on nongovernmental organizations (NGOs). The first to be affected were foreign organizations working in Russia, which had to devote extensive resources to meeting the requirements of the law. Signaling the limits for domestic groups, the authorities shut down the Russian-Chechen Friendship Society in October. As the state cracks down, Russian society is producing a growing wave of xenophobia and intolerance, with deadly conflict in Kondopoga and a multiethnic Moscow market indicating the most virulent expressions of the underlying tensions. *The new legislation on NGOs clearly shows that the state has little interest in promoting freedom of assembly among Russian citizens, creating instead a climate of fear and intimidation that bodes ill for the future: As a result, Russia's rating for civil society deteriorates from 5.00 to 5.25.*

Independent Media. In 2006, constraints on the media tightened. There is little diversity of views on television or in the key national newspapers. A Kremlin-friendly company purchased *Kommersant* and replaced the editor. The murder of Anna Politkovskaya silenced one of Russia's most fearless investigative reporters. The authorities are increasingly using the courts to exert pressure on journalists, and recent legislation imposes stiff penalties for slandering bureaucrats. The Kremlin is now examining ways to exert greater control over the Internet, which remains an island of freedom in the media world, though the increased censorship suggests this could be short-lived. *Owing to the buyout of Kommersant, the killing of Politkovskaya, and the increased pressure for greater censorship on the Internet, Russia's rating for independent media worsens from 6.00 to 6.25.*

Local Democratic Governance. There is intense pressure now to end mayoral elections, just as gubernatorial elections were canceled in 2004. Most local governments still lack the funding necessary to fulfill their responsibilities, particularly in education and health care. At the same time, powerful regional leaders like Tatarstan's Mintimer Shaimiev have returned to asserting the primacy of regional laws over federal law. Shaimiev has forced Putin to sign a power-sharing treaty, reversing the Kremlin's previous policy against them. In this case, the Kremlin is making concessions to an authoritarian Muslim leader, seeking to purchase stability. Where the Kremlin feels stronger, as in Nenets and Khakasiya, it is using the judicial system against governors who do not toe the federal line. *The year 2006 was largely one of waiting until the anticipated resumption of local government reforms scheduled for 2009, safely after the 2008 presidential elections. Therefore Russia's rating for local democratic governance remains at 5.75.*

Judicial Framework and Independence. Russia scores very poorly on ratings of judicial independence. The state uses the courts to protect its strategic interests and political goals. Many Russians believe that they cannot get justice in Russian courts and appeal to the European Court of Human Rights, where they typically win. While Russia is quick to pay the fines assessed against it, the country has been

slow to reform the conditions that caused the problems in the first place. Prosecutors and investigators have been slow in adapting to the heightened requirements of convincing juries and instead have stepped up pressure to abolish jury trials. *Though state interference for political and economic reasons continues to limit the independence of the courts, the procedures of the courts are improving. Therefore Russia's rating for judicial framework and independence remains unchanged at 5.25.*

Corruption. The Russian government has made little effort to launch a real anticorruption campaign. There have been a few crackdowns in the law enforcement agencies, but the amount of work needed is extensive. In a handful of cases, brave individuals have made a difference, such as Andrei Kozlov, Russia's top bank regulator, who was assassinated in September for his efforts to shut down banks involved in money laundering. While the Kremlin cracks down on the media and civil society, the clout of the bureaucracy has been growing in an environment of reduced accountability. At the same time, an ever increasing share of the budget is being classified. *Owing to little real effort to improve accountability, which is not possible given the crackdown on the media and civil society, Russia's rating for corruption remains at 6.00.*

Outlook for 2007. In 2007, attention will focus on the December State Duma elections that will set the stage for the 2008 presidential elections. The Kremlin expects that its apparent control of the political system will ensure a victory for the current authorities and a smooth transition. Potential shocks could come from unintended, and uncontrollable, consequences of the Kremlin's support for nationalism and its ongoing failure to resolve conflicts in the North Caucasus. Russia's heavy reliance on energy exports and increasing state control of the economy could also prove problematic.

MAIN REPORT

National Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007
n/a	n/a	n/a	n/a	n/a	5.75	6.00	6.00

While the Russian Constitution enshrines the principles of democracy, the trend line for practices has drifted in an authoritarian direction. Decision-making power is increasingly concentrated in the presidential administration, which is difficult for ordinary citizens to access but often seems to work in favor of powerful private interests. Nevertheless, President Vladimir Putin retains high levels of personal popularity because, in the general Russian view, he has managed to stabilize the Russian political system during an era of extensive economic growth that has somewhat improved the living standards of ordinary citizens.

Bureaucrats who control the state are expanding its formal role in the economy, though often for their own political or personal benefit. This expansion is taking place in the most lucrative sectors of the economy. Industries affected include the energy sector, military-industrial complex, transportation (aviation, shipping, railroads, and road construction), nuclear power, mining, and car manufacturing, creating extensive new grounds for corruption.¹ For example, on November 9, 2006, President Putin named Defense Minister Sergei Ivanov to head the newly created United Aircraft Company, which brings all of Russia's civilian and military aircraft producers under one roof. State managers control 75 percent of the equity in the new company.

The Russian political system seems stable in the short term, with no obvious extra-systemic opposition groups poised to make trouble. However, this stability is subject to a number of unanswered questions. The most important is the presidential succession in 2008. While Putin has clearly stated that he will step down at the end of his second term, he has also dropped hints that he will continue to play an undefined role in the political system after his constitutional term ends.² How he would interact with the next leader remains unclear. Fearing potential instability, and currying favor with the current incumbent, many political leaders have suggested that Putin find a way to remain in office, either by transforming Russia into a parliamentary democracy or by merging with Belarus to create a new country. There appears to be little consensus around the idea of simply allowing the voters to decide after a campaign among a variety of candidates. Individuals who have announced that they are running for president, such as former prime minister Mikhail Kasyanov and chess champion Garry Kasparov, face intimidation at each stop of their regional campaigns.

Ethnic conflicts provide another source of instability. The state-orchestrated campaign against ethnic Georgians, which resulted in the closure of dozens of

Georgian businesses and the deportation of more than a thousand Georgians in the first part of October, signaled to Russian nationalists throughout the country the government's implicit approval for attacks on Georgians and other groups from the Caucasus. The crackdown, timed to coincide with Russia's conflict with Georgia, also demonstrates that the law enforcement and court systems are political tools to be deployed when convenient.³ Such nationalist appeals are easy to make but very hard to control. Conflict between Slavic and Caucasian groups in Kondopoga, including murder and pogroms, have already demonstrated the ferocity of unleashed tensions.⁴

Chechnya is also a source of instability, particularly as the Kremlin hands greater power to Chechen prime minister Ramzan Kadyrov. In an April interview with *The New York Times* several months before she was murdered, Anna Politkovskaya said that she had evidence of torture in Chechnya by Kadyrov's police, including one witness who had been tortured by Kadyrov himself.⁵ Kadyrov has denied such allegations. Nevertheless, the violence is spreading outside of Chechnya's borders into the rest of the North Caucasus.⁶ In June, Amnesty International recorded evidence of disappearances in Ingushetia, a problem that had once been concentrated in Chechnya.⁷ Attacks are common in Dagestan as well. Observers also point out that the conflict has lasted so long that a new generation of fighters has joined the ranks of the Chechen rebels.⁸ Terrorist groups are now able to self-finance their activities through racketeering and can build powerful explosives with very few resources.

The Russian legislature remains a reliable handmaiden of the executive branch. In fact, Duma deputies frequently announce harsh bills cracking down on democratic freedoms, allowing the Kremlin to win international plaudits by rejecting the bills as too extreme. Recent examples of this strategy have occurred in the area of NGOs, counterterrorism, and local government. Respected independent deputy Vladimir Ryzhkov estimates that there are currently five liberals in the Duma and predicts that they will all be eliminated after the 2007 elections, when all candidates will be elected on the basis of party lists.⁹

On March 6, the president signed legislation that hands the Federal Security Service (FSB) extensive new powers in fighting terrorism.¹⁰ Because the FSB controls the National Antiterrorist Committee, it now has the authority to give orders to all other state agencies. Critics fear that the wording of many of the passages in the legislation are so vague that they can be used against civil society. For example, the new law bans "establishing or operating any organizations whose goals or actions aim to promote, justify, or support terrorism or crime." A court must determine which organizations can be sanctioned at the recommendation of the Office of the Procurator General.¹¹ The new law permits the secret services to tap telephones and monitor electronic communications in a geographic area where counterterrorist operations are under way. While all Western democracies have also adopted counterterrorism laws that give extensive powers to their intelligence agencies, they did so in the context of political systems that provide a degree of accountability not found in Russia today. Nevertheless, the Russian public generally supports Putin's law enforcement measures.

Electoral Process

1999	2001	2002	2003	2004	2005	2006	2007
4.00	4.25	4.50	4.75	5.50	6.00	6.25	6.50

Russian citizens do not have the ability to choose their leaders in fair elections. Russian elections are largely managed from above, and the population can pick only from candidates already approved by the authorities. In 2006, Russia implemented a new law by which it holds all regional elections for the year on the second Sunday either in March or in October.¹² In the elections held in 2006, the opposition complained about the lack of a level playing field. In the March elections, the courts intervened by barring the Rodina political party from competing in seven of the eight regions where elections were held.¹³ Dmitri Rogozin, Rodina's party leader at the time, had fallen out of favor with the Kremlin. By the October elections, the party had replaced its leaders with more compliant figures and did not face such registration problems. Nevertheless, individual regional leaders continued to block specific parties for a variety of local reasons. Accordingly, the liberal Yabloko was removed from the Karelia elections in October. Additionally, Yabloko officials complained that the election commissions were biased, citing the example of Sverdlovsk Oblast, where United Russia put up numerous billboards with no sanctions, while Yabloko was reprimanded for posting a few handbills.¹⁴

In preparation for the 2007 parliamentary and 2008 presidential elections, the authorities continued to fine-tune the country's electoral laws with the aim of protecting their own power and limiting the chances of the opposition to win significant representation.¹⁵ In the summer, new legislation removed the ability of Russian voters to choose "Against All" on their ballots, one of the few recommendations submitted by the Organization for Security and Cooperation in Europe (OSCE) that were implemented by Russia.¹⁶ While this option does not exist on the ballots of most developed democracies, Russian voters have used "Against All" to protest against elections that provide no real choice among candidates. An election is declared invalid if "Against All" wins the most votes. Usually, a high percentage of voters choose "Against All" when the authorities intervene extensively in the electoral process. On October 8, when nine regions elected legislators without the "Against All" option, the number of invalid ballots increased and voter turnout fell in some regions, according to Central Electoral Commission head Aleksandr Veshnyakov.¹⁷

Other legislative changes provide additional checks on the opposition. On July 13, Putin signed a law that strips legislators of their seats if they change parties and prohibits party members from appearing on the list of another party during elections. These provisions aimed at weakening opposition parties by preventing them from setting up informal blocs. Parties like Yabloko and the Union of Right Forces (SPS) had sought to form informal alliances this way after previous legislative amendments banned the formation of blocs.¹⁸ Yabloko and the SPS have failed to put forward popular programs and have little support among the population. On

the positive side, such legislation might eventually induce the opposition to form a united party that will have broader appeal.

Additionally, the authorities abolished minimum turnout requirements for Russian elections (50 percent for presidential elections, 25 percent for Duma elections, and 20 percent for regional elections). Such requirements do not exist in most democracies but were considered important in Russia. In the past, the opposition sometimes sought to use this turnout provision to annul election results by calling for a boycott of the polls. New legislation also bans negative information about candidates in television ads, a restriction that will likely be used to prevent challengers from criticizing incumbents. A law on extremism bans anyone declared an "extremist" from running for office. This feature could be used against any candidate the authorities find inconvenient.¹⁹ On December 12, the authorities searched the offices of self-declared presidential candidate/chess champion Garry Kasparov, seeking extremist materials.²⁰

Authorities are working to consolidate and control the political landscape essentially by establishing a two-party system in which both parties support the current regime. In addition to United Russia, the predominant pro-Kremlin party, President Putin has given his blessing to a new center-left alliance, Just Russia, which draws on Federation Council Speaker Sergei Mironov's Russian Party of Life, Rodina, and the Pensioners' Party. The idea behind this project is to siphon off votes from the Communist Party and provide Russia with "a second leg" when the "first leg (United Russia) goes numb", in Kremlin strategist Vladislav Surkov's formulation.²¹ In the October regional elections, United Russia won approximately 244 seats in regional legislatures, while the three-party Just Russia alliance won a total of 49 seats. The main challenge to United Russia, the Kremlin hopes, will not be from the opposition, but from another party that supports the authorities as much as United Russia does.

In previous years, Russia has adopted laws that make it tougher for parties to secure registration, requiring them to have at least 50,000 members overall and 500 members in at least half of the regions. By the end of 2006, the Justice Ministry's Federal Registration Service had registered 32 parties, turning down at least 16 applicants.²² However, the Federal Registration Service said that only 17 of these met legal requirements at year's end and the rest would be disbanded. When the list came out, observers cried foul: Some of the parties that were approved had little real activity (Peace and Unity Party, Greens, and Social Justice Party), while others that were not registered have much greater representation, including Viktor Tyulkin's Russian Communist Workers Party or former prime minister Mikhail Kasyanov's National Democratic Union. Eduard Limonov's National Bolshevik Party, also not registered, has been officially banned in Russia. Parties that fail to secure registration must either redefine themselves as public organizations or disband by the end of the year.

There is no serious opposition party in Russia, and opposition candidates have little opportunity to present alternative policies or ideas, much less replace the existing authorities. Voter turnout is dropping as the electorate becomes disgusted with

the increasing unfairness of elections at all levels, and particularly biased election commissions, law enforcement agencies, and courts, which ignore United Russia's violations. Few citizens are interested in joining political parties. The most recent legislative and presidential elections were deemed free but not fair by international monitors.

Civil Society

1999	2001	2002	2003	2004	2005	2006	2007
3.75	4.00	4.00	4.25	4.50	4.75	5.00	5.25

At the beginning of 2006, Russia adopted new legislation that imposes extensive reporting requirements on NGOs and, in some ways, intimidates them from becoming involved in politically sensitive activities that go against the Kremlin. Putin has repeatedly stated his opposition to the funding of “political activities” by foreign governments, but he has never made it clear exactly what he opposes, forcing groups to guess just what they can and cannot do. Most human rights groups in Russia have funding from foreign sources.

Civil society had some successes during the year, such as a victorious campaign to free driver Oleg Shcherbinsky (accused of being responsible for the death of a governor traveling in a speeding motorcade) and a successful effort to influence plans for constructing a pipeline near Lake Baikal. Over time, Russia has developed many small, local groups that unite people around common interests. Advocates for right-hand-drive cars are particularly vocal, fearing that government regulation will make their vehicles illegal. Nevertheless, in 2006 the setbacks to civil society were more visible than the advances.

Under the new NGO legislation Putin signed at the beginning of the year, foreign organizations working in Russia had to reregister by October 18. Each of the groups had to collect extensive documentation—the Moscow branch of the Heritage Foundation, for example, submitted a file with 200 pages, including approval for opening a Moscow office from all of its original founders.²³ Some organizations, like Human Rights Watch, were initially denied registration and had to suspend activities temporarily until being registered a few weeks later. The Russian Justice Initiative, an NGO registered in the Netherlands that helps victims of human rights abuses in the North Caucasus take their cases to the European Court of Human Rights (ECHR), was denied registration twice in 2006.²⁴ Much of the information required from NGOs is standard in any democracy, such as financial reports on the groups' activities. Generally, once foreign and Russian groups presented the necessary paperwork, they were quickly registered. By the end of the year, the Federal Registration Service had registered 189 representations and branches of foreign NGOs in Russia and was considering applications from 12 more.²⁵ Before the law went into effect, 500 foreign NGOs had been operating in Russia. Many groups disbanded because they found the registration procedure too

complex.²⁶ As a result, Lyudmila Alekseyeva, head of the Moscow Helsinki Group, called the new NGO law a “strangling cord for civil society, with the foreign NGOs the first to go.”²⁷

The law requires that groups must submit lists of their planned activities for the next year by December 31. Submitting plans will give the authorities the ability to block projects they do not support, particularly those addressing Chechnya, the human rights situation in the military, and discrimination against various groups of the population.²⁸ Allison Gill, head of the Human Rights Watch Moscow office, called the requirement to submit a list of planned activities in advance the “most disturbing” provision of the new law.²⁹

The authorities have already closed one domestic NGO. On October 13, a Nizhny Novgorod court shut the Russian-Chechen Friendship Society, which published a newsletter monitoring human rights in Chechnya.³⁰ The court based its ruling on a law that forbids a person convicted of “extremist” activities from heading an organization. Executive Director Stanislav Dmitrievsky was convicted of such extremist activities in February for publishing articles by Chechen separatist leaders. Beyond attacking NGOs, Western newspapers have reported that Russian authorities have revived the Soviet practice of using psychiatry against people whose views do not hew to the mainstream.³¹

Russia’s society has produced a growing wave of ethnic nationalism and intolerance. During the year, there were 520 racist attacks in the country, including 54 murders, according to Sova, a group that tracks ultra-nationalist activity in Russia.³² About 62 percent of Russians believe it is necessary to restrict certain ethnicities to their respective parts of the country, up from 42 percent two years ago, while only 24 percent oppose such a move, according to a Public Opinion Fund poll.³³ The August 21 bomb blast in Moscow’s multiethnic Cherkizov market that killed 10 and wounded approximately 50, mostly Uzbeks, Tajiks, Chinese, and Vietnamese, marked an escalation in the preparation of attacks against immigrants. The bombing was much more sophisticated than more typical expressions of ethnic violence, such as skinheads beating dark-skinned people on the street.³⁴ The normally quiet northwestern republic of Karelia also attracted attention. After men from Azerbaijan and Chechnya killed two ethnic Russians in a bar fight in Kondopoga, young men in the city burned the bar and attacked homes and businesses owned by migrants from the Caucasus on the night of September 2. Many ethnic minorities fled that night, and the event received extensive national attention.³⁵ Lev Gudkov, a researcher at the Levada Center who has conducted extensive work on Russian attitudes, described Russia as being in a “pre-pogrom” condition, with a dramatic rise in xenophobia since the second Chechen war began in 1999.³⁶

Many of the country’s nationalists feel that Putin’s policies and statements regarding Georgia and the North Caucasus support their actions against non-Russians. On May 4, Amnesty International released a report declaring that racism in Russia is “out of control” and that the authorities were not doing enough to stop it.³⁷ Amendments to the law on extremism were not helpful since they use the term in vague ways. The first attempt to implement the provisions came from

senior environmental official Oleg Mitvol, who sought to label a construction firm “extremist” because it resisted his attempts at inspection.³⁸ State Duma member Vladimir Ryzhkov noted that Russia’s current anti-extremist legislation will do little to reduce the rising number of hate crimes committed in Russia.³⁹

A law passed on December 5 now requires Russia’s president to appoint the president of the Russian Academy of Sciences after the individual has been elected by the General Assembly (a group within the Academy). Critics claim that this provision could end the academy’s independence.⁴⁰ Although it was always dependent on the federal budget, the academy had retained autonomy over management and spending.⁴¹ Observers suggested that the move was economically motivated since the academy owns numerous pieces of lucrative real estate. The ultimate impact of this reform on the academy’s funding priorities is not yet clear.

The basic goal of Russian state policy is to centralize philanthropy so that the government will have greater control over it.⁴² Putin established the Public Chamber, whose task is to coordinate NGO activities and channel funding to state-approved organizations. In its first grants competition, the chamber handed out 250 million rubles (US\$9.6 million) to 617 NGOs, but there were no well-known human rights groups among the recipients.⁴³ Most did not bother to apply, fearing they had no chance of winning. At the end of the year, the chamber handed out nearly 473 million rubles (US\$18.2 million) to 1,054 organizations.⁴⁴ Though its members like to take on important issues, such as nationalism or hazing in the military, the Public Chamber has little effect on existing reality, according to an unsigned commentary in the Web site *gazeta.ru*.⁴⁵ Chamber members appear frequently on television, but the same broadcasters rarely show members of independent groups, such as Memorial or the Moscow Helsinki Group, indicating that the chamber is replacing grassroots groups with officials more closely tied to the state machine. The chamber manages to address specific problems, like the issues faced by home owners in the village of Butovo, but not the underlying problem of insecure property rights.

Private giving in Russia now totals US\$1.5 billion a year, a great advance over the US\$1 million of 1992, according to Charities Aid Foundation.⁴⁶ In December, the state Duma passed a bill on endowments for charities and NGOs in the first of three readings. If ultimately approved as a law, this new legislation could provide a stronger basis for philanthropy. However, like the Public Chamber, Russian philanthropists generally avoid political and human rights issues, particularly following the closure of Mikhail Khodorkovsky’s Open Russia. Most Russian businessmen now finance only those activities approved by the authorities, fearing that by taking the initiative to support political and human rights issues, they will end up in prison like Khodorkovsky.

Independent Media⁴⁷

1999	2001	2002	2003	2004	2005	2006	2007
4.75	5.25	5.50	5.50	5.75	6.00	6.00	6.25

Since coming to power, the Putin administration has systematically cracked down on Russian media freedoms. After asserting control over the main nationwide television networks in 2003, the authorities have now taken over the most important non-state-controlled newspapers. They have signaled that the regional media and Internet are next. In its Press Freedom Index 2006, Reporters Without Borders ranked Russia 147 of the 168 countries it examined.⁴⁸ Nine journalists died on the job, according to the Glasnost Defense Foundation. The most taboo topics are privileges and corruption among the elite, including criticisms of Putin, his ties with business, the Putin-era oligarchs, Chechnya, and the law enforcement agencies' poor performance in countering terrorism, as in the case of Beslan.⁴⁹

The assassination of investigative journalist Anna Politkovskaya on October 7 drew international attention to Russia's increasingly constrained media. Politkovskaya frequently criticized the kidnappings, torture, and murders carried out by the pro-Kremlin leadership in Chechnya and the excesses of Russian troops in the region. Thirteen journalists have been killed since Putin came to power, and there have been no convictions in any of the cases.⁵⁰ Russia is the third most dangerous country in the world for journalists, following Iraq and Algeria, according to the Committee to Protect Journalists.

There is little diversity among news sources, as most have fallen under state control. The four most important national networks devote about 90 percent of their political news time to covering the activities of the authorities, almost invariably in positive or neutral terms, according to monitoring performed by the Center for Journalism in Extreme Circumstances in March 2006.⁵¹ These broadcasters devoted 4 percent or less of their political coverage to the opposition, and such broadcasts were generally negative.

With the sale of *Kommersant* this year, Kremlin-friendly companies have now taken over the main newspapers in Russia that provided a non-state point of view. At the end of August, Alisher Usmanov, owner of numerous steel companies and president of Gazprominvestholding, a subsidiary of Gazprom, purchased the paper. Usmanov is thought to be close to Dmitri Medvedev, the presidential contender who is also the chairman of Gazprom's board of directors.⁵² Typically, newspapers purchased by Gazprom move away from hard-hitting news coverage in favor of content suitable for tabloids. Already the editor and several key journalists from *Kommersant* have left. The newspaper closed its opinion section at the end of the year. However, the situation is not completely bleak. Publications such as *Novaya gazeta*, *Expert*, and *Vedomosti* (published by *The Wall Street Journal*, *Financial Times*, and *Moscow Times*) provide some analysis. Likewise, *Ekho Moskvy*, which is owned by Gazprom, continues to provide critical analysis.

Regional and local publications are generally beholden to regional and local governments for subsidies and therefore take care not to offend their political sponsors.⁵³ Such governments spend millions of dollars a year on these publications.⁵⁴ Many in the media refuse to publish critical articles because they are interested in helping the authorities promote a positive image of their region. Nevertheless, there are examples of excellent publications and journalists working in the regions. For example, the newspaper *Vechernyi Krasnotur'insk*, edited by Natalya Kalinina, was the first to report on the hazing that Private Andrei Sychov suffered during his military service. After *Vechernyi Krasnotur'insk* began reporting this story, the national media picked up the cause, and Sychov's mistreatment became a major scandal in Russia, shining an unwelcome light on the military's failure to reform, according to an article on the regional media by Maria Eismont.⁵⁵ In the cities of Berdsk and Khanty-Mansiisk, journalists have left their newspapers to set up independent publications when their owners refused to publish important investigative articles.⁵⁶

The authorities are increasingly using the courts to exert pressure on journalists. Boris Stomakhin was sentenced to five years in prison on November 20 for articles about Chechnya, with the court citing bogus ethnic incitement charges. The Union of Journalists' Igor Yakovenko said that his organization receives about 10 complaints a month from journalists under pressure.⁵⁷ Russian legislation now contains many prohibitions against slandering or insulting the authorities. On July 28, the president signed legislation that makes slandering a government official in the performance of his duties an act of "extremism," exposing the offending journalist to the possibility of a long jail sentence.⁵⁸ Critics argue, however, that the definition of extremism is so vague that it can be used to silence opposition politicians and the press. With ever greater frequency, the courts are deciding defamation cases against journalists in favor of bureaucrats. In the 1990s, there were fewer than 10 such criminal cases. Now the number is as high as 45 per year, according to the World Association of Newspapers.⁵⁹ In advanced democracies, civil, not criminal, courts deal with such cases.

Having gained control of the traditional media, the authorities are now taking aim at the Internet, which remains an island of free speech with important non-state news sites like *gazeta.ru*, *lenta.ru*, and *newru.com*. Seven percent of the population use the Internet every day, while 22 percent have access to it at least once a month.⁶⁰ The Kremlin fears that this medium could serve as an effective organizer for potential revolutionaries and therefore has sought to exert greater control over Russian Internet service providers.

Blogs in Russia create an online forum for civil society. Many Russian blogs appear on *www.livejournal.com*. A scandal occurred when the Web site's American owner sold the rights to service the Cyrillic portion of the site to a company owned by oligarch Aleksandr Mamut and his associates. Many of the bloggers feared that the sale portended a coming crackdown on the content of the site because Anton Nosik, a well-known liberal who threatened to remove nationalist and fascist blogs, was a member of the new team. Nevertheless, the site remains popular, and bloggers

like Ilya Yashin, leader of Yabloko's youth movement, have used it to organize thousands to participate in street protests.⁶¹

For its part, the Kremlin began more formal censorship of the Internet this year, cracking down, for example, on sites that reproduced the Danish cartoons depicting the prophet Muhammed. The site *gazeta.ru* received an official warning; a second such warning would force it to shut down. The Ivanovo-based *Kursiv* site, which lampooned Putin's efforts to increase birthrates by dubbing him the "phallic symbol of Russia," was immediately shut down and the editor fined 20,000 rubles (US\$770). In the past, this site has exposed corruption in Ivanovo, and this investigative work may have been the real reason for the crackdown.

Interior Minister Rashid Nurgaliev and Procurator General Yury Chaika told the Duma on November 15 that the state needed to take effective action to stop the spread of extremist propaganda on the Internet, suggesting greater legal controls. Russian nationalists used the Internet to gather participants for the "Russian March" on November 4, and the authorities have launched an investigation.⁶² Even human rights campaigners complain that some sites have posted appeals to kill people of other nationalities.

The authorities are not the only problem for the media. Journalists often take money for positive coverage, and the practice seems to be getting worse according to a journalist for the *St. Petersburg Times*.⁶³

Local Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007
n/a	n/a	n/a	n/a	n/a	5.75	5.75	5.75

Although the Russian Constitution formally declares the independence of local government, in practice municipalities are closely constrained by regional and federal authorities. Currently, local government is in a state of limbo. The federal government passed a reform law in 2003 that was supposed to be put into practice by 2006, but full implementation for some regions has been postponed until 2009. Observers criticize the reform for centralizing power, but they also note that adopting a set of reforms and then postponing its implementation leaves the federal system without clear direction. Regions that have tried to implement the legislation have had difficulty hiring staff for the new levels of municipal government created.⁶⁴

Current legislation allows Russian cities to either elect their mayors directly or to have the city council elect a mayor from among its ranks and appoint a city manager to handle city administration. In some cities, such as Petrozavodsk, city council members have gone on hunger strikes to protect direct mayoral elections.⁶⁵ Increasingly, however, cities are opting to eliminate direct elections because allowing the local legislature to appoint officials seems to make the system more controllable. Some federal legislators have sought to reinforce this tendency. On October 20, 2006, United Russia party members introduced federal legislation that would allow

governors to abolish mayoral elections in regional capitals. The bill also sought to give the governors the right to transfer some mayoral powers and city funding to the regional level. However, discussion of the law was postponed indefinitely on November 7.⁶⁶

Where they are held, mayoral elections still bring surprises, showing that some elements of grassroots democracy remain strong. In October, Viktor Tarkhov of the Russian Party of Life won the Samara mayoral election, beating incumbent Giorgii Limanskii, who was backed by United Russia. Of course, both candidates had the support of pro-government parties. However, the election demonstrated that the United Russia label was not enough to save incumbents who have worn out their welcome with the public. The Samara example could serve as a model for other cities seeking to preserve elections.

Russia's crime problem has also limited local democracy. In the Far Eastern city of Dalnegorsk, mayoral elections had to be postponed until spring 2007 after a run-off set for October 22 could not be held when the candidates withdrew following the murder of former mayor and prominent candidate Dmitri Fotyanov. There are strong political and criminal links in the region due to the large profits made from illegal logging and sales to the Japanese market.

The 2004 law giving the president the right to appoint regional leaders appears not to have been as effective as the Kremlin hoped it would be at restricting the powers of the governors. In most cases, Putin has simply reappointed incumbent governors. Tatarstan president Mintimer Shaimiev told a November meeting of the United Russia Tatarstan branch that federal legislation should not necessarily have priority over regional laws.⁶⁷ The main thrust of Putin's federal reforms has been to assert the supremacy of federal law. On November 8, Tatarstan became the only region in Russia to reach agreement with Putin on a power-sharing plan, which was awaiting approval by both houses of the Russian legislature at the end of the year. The treaty gives Tatarstan the rights to increased revenue from its mineral resources and allows the republic to declare Tatar an official language. If the treaty is ratified, federal passports for the republic's citizens will have Tatar-language inserts, and future republican presidents must speak Tatar.⁶⁸ Until this concession, Putin's policy had been to abolish the Yeltsin-era power-sharing treaties and force the regions to bring their legislation in line with federal norms. Shaimiev is a strong regional leader at the head of a Muslim region, and Putin fears the instability that could result from removing him.

Similarly, on October 5 Putin nominated Bashkortostan's president Murtaza Rakhimov for another term in office. Rakhimov has served since 1993 and has been repeatedly accused of rights violations and organizing the local economy to the benefit of his own family. Shaimiev and Rakhimov consistently deliver strong electoral support for Kremlin candidates in federal elections and are expected to do so again in the 2007–2008 electoral cycle. Independent local government is essentially nonexistent in both republics.

In some cases, the Kremlin has sought to use the judicial system to pressure governors. On May 24, federal authorities arrested Nenets governor Aleksei Barinov,

who was the last governor to win a direct popular election before Putin's 2004 reform went into effect and the first to be detained while in office. Some observers suggested that he had run afoul of the federal authorities in a dispute over oil.⁶⁹ Additionally, on July 25 Khakasiya governor Aleksei Lebed was charged with abusing office for allegedly spending money intended for the local university on his personal vacation. These charges seem selective since they are aimed at removing figures the Kremlin finds inconvenient.⁷⁰ Barinov and Lebed began to face legal trouble after their regions refused to comply with Federation Council chairman Sergei Mironov's demand that they replace their representatives to the federal Parliament's upper chamber.

City leaders have also come under pressure. Volgograd mayor Yevgenii Ishchenko was temporarily removed from office at the end of June so that the oblast procurator could complete an investigation into Ishchenko's alleged wrongdoing in office. Observers in Volgograd have described Ishchenko's situation as driven by his conflict with the governor and the United Russia party.

Russia's local governments are also in financial trouble. According to an Audit Chamber report, 98 percent of Russian municipalities are running budgetary deficits.⁷¹ Typically, the local governments have a wide range of responsibilities, including health care and education services, but lack an adequate tax base to fund their efforts. Governors have frequently used new legislation in Russia to strip localities of their status as towns, thereby depriving them of the ability to control their own budgets, according to a report by the Public Chamber's Vyacheslav Glazychev.⁷²

Judicial Framework and Independence

1999	2001	2002	2003	2004	2005	2006	2007
4.25	4.50	4.75	4.50	4.75	5.25	5.25	5.25

Russia's Constitution and legislation provide protections for political, civil, and human rights, but practices in the judicial system frequently fall short of these ideals. Representatives of the state are often above the law and have great advantages compared with individual citizens. Thus, while processes for resolving commercial disputes have become more reliable, the state still intervenes where it has a strategic interest. Such problems are likely to get worse, because the Kremlin "has been engaged in a gradual re-nationalization of key sectors of the economy with little regard to the rule of law," according to Richard N. Dean of Baker & McKenzie LLP, an international law firm.

Part of the judiciary's problem was poorly paid judges who were vulnerable to pressure from above and extensive bribery. In recent years, Russia has increased judges' salaries to levels comparable to salaries in the private sector.⁷³ In November, legislation was introduced in the Duma requiring judges to declare their income and property.⁷⁴ Similar reforms have been successful in Romania. However, in Russia the results have yet to be seen. In 2006, Russia's ranking in the World Economic

Forum's Global Competitiveness Index dropped because Russian companies are concerned about the "independence of the judicial system and justice as such." Russia's judicial independence ranked 110 out of 125 countries because it is "time-consuming, unpredictable, and a cost burden to enterprises." Additionally, the Russian state plans to move the Constitutional Court from Moscow to St. Petersburg, which would lower its status. Some of the judges have expressed their displeasure at making the move.

The situation with property rights is "extremely poor and worsening," dropping from 88 in 2004 to 114 in 2006, according to the Global Competitiveness Index. In November, when the United States and Russia reached agreement on Russia's World Trade Organization accession, Russia agreed to take steps to improve its record in protecting property rights to address the major piracy and counterfeiting industries in the country. That month, the procurator general filed a case against a Perm Krai school director for allegedly using pirated copies of Microsoft's Windows software on school computers. The case was misdirected, however, because it went after an educational user of such programs rather than the organized crime groups that distribute the illegal copies. Even Microsoft sought to distance itself from the prosecution and did not seek compensation.

Many Russian citizens feel that they cannot get justice within the Russian court system and appeal to the European Court of Human Rights. Russians filed 10,583 of the more than 45,000 cases with the ECHR in 2005 and 12,000 cases in 2006, 20 percent of the total.⁷⁵ The Russian state typically loses the cases brought against it (winning only 10 of 362 cases between 2002 and mid-2006) and promptly pays the relatively small fines that the ECHR imposes. In the case of *Ilascu v. Russia*, however, Russia has failed to comply with the judgment, as the secretary-general of the Council of Europe noted on December 9.⁷⁶ Among the 46 members of the council, only Russia has yet to ratify the 14th additional Protocol of the European Convention on Human Rights. The protocol will improve the operation of the ECHR and must be ratified by all members before it comes into force.

Despite this formal compliance with the international court, the government usually does not make an effort to change whatever structural situation led to the violation in the first place. On July 27, the ECHR found Colonel General Aleksandr Baranov, commander of Russian military forces in the North Caucasus, responsible for the disappearance and presumed death of Khadzhi-Murat Yandiev, a prisoner detained in Chechnya. The decision was the first to hold Russia responsible for a disappearance in Chechnya and may open the way for more prosecutions. The organization Memorial estimates that as many as 5,000 have vanished during the second Chechen war and notes that this problem is not being solved. In October, the ECHR ordered Russia to register the Salvation Army, which it promptly did after previous Russian court decisions had denied the group official status, claiming that it was seeking to overthrow the state.

In addition to the problems faced by the Russian Justice Initiative noted earlier, at least one other group that assists Russians in taking cases to international courts had difficulty carrying out its work. In July, the Federal Tax Service ordered the

Center for Assistance in International Defense (www.prison.org/help/ngo/doc015.htm) to pay 4.5 million rubles (US\$167,000) in back taxes and penalties for allegedly failing to pay income tax on grants received from 2002 to 2004.⁷⁷ The founder of the organization is Karina Moskalenko, one of the lawyers defending jailed magnate Mikhail Khodorkovsky. With funding from the Ford Foundation, the MacArthur Foundation, the National Endowment for Democracy, and the OSCE, the group had won 9 cases at the time the penalty was assessed and had 250 cases pending.⁷⁸

Russian juries are much more likely than judges to find defendants not guilty and as such are one of the few components in the Russian legal system to take seriously the notion of “innocent until proven guilty.” Judges acquit in 3.6 percent of cases, while juries do so about 17 percent of the time.⁷⁹ Juries in Dagestan, for example, have acquitted people accused of planting bombs and assassinating the republic’s information minister. Frequently, juries acquit because of poor investigative and trial work by prosecutors and are open to the argument that the people on trial had no connection to the crime they are accused of committing. Often investigators use illegal methods to gather evidence, which then cannot be admitted into court. Sometimes the investigators rely exclusively on confessions which may have been obtained under torture, causing people to falsely admit to committing crimes. In other cases, witnesses are intimidated into not testifying, as was the case in the trial of Aleksandr Sivyakov, accused of scandalously hazing the conscript Andrei Sychov.⁸⁰ Reform is unlikely anytime soon. Yury Chaika, appointed procurator general in June, has said that any changes would have to be “careful and balanced.”⁸¹

Still, these jury acquittals show that it is possible to get a fair trial and that some judges and juries take their responsibilities more seriously than do prosecutors. The acquittals have led many Russian politicians to call for banning jury trials, claiming that they allow too many criminals to go free. With no principle of double jeopardy, Russian court verdicts can be overturned and the trial repeated until the prosecutors find a jury willing to convict. In 2005, the Supreme Court reversed acquittals in 46 percent of cases where they occurred.⁸² There were 600 jury trials in a system that tried 1.1 million criminal cases.

The courts are still subject to political manipulation. Driver Oleg Shcherbinsky was initially convicted for not moving his car out of the way fast enough to allow Altai Governor Mikhail Yevdokimov’s speeding motorcade to pass. The governor died in the subsequent accident. However, when drivers’ associations across Russia began protesting this injustice, an appeals court quickly overturned the ruling. The conviction was seen by the country’s leadership as a political liability that, if left in place, might have given the opposition a concrete event around which to organize.

Russia has made some advances in its incarceration practices. On April 17, Putin signed a law stripping the Federal Security Service of its pretrial detention centers. These centers are now part of the country’s penitentiary system, which is administered by the Justice Ministry. This step brings Russia into accordance with the guidelines of the Parliamentary Assembly of the Council of Europe and fulfills the obligations Russia committed to when it joined the Council of Europe in 1996.⁸³

There were 871,700 people (convicted and under investigation) in Russian prisons as of January 1, 2007.⁸⁴ This number rose by 39,000 over the first six months of 2006. In 2005, the courts let 2,000 people go free because there was no evidence that they had committed crimes. No one is held responsible for detaining these people needlessly, according to Federal Penal Service director Yury Kalinin. While the prison system had been liberalizing until 2005, new rules adopted that year increased restrictions, according to prison activists, who say that prisoners are now treated more harshly.⁸⁵ A report from Amnesty International said that Russian NGOs had found more than 100 cases of torture in 11 regions. The survey did not include the North Caucasus, where the problem is reportedly worse.⁸⁶

Corruption

1999	2001	2002	2003	2004	2005	2006	2007
6.25	6.25	6.00	5.75	5.75	5.75	6.00	6.00

In September, Putin admitted that the lack of progress against corruption was one of the great failings of his administration. Transparency International's 2006 Corruption Perceptions Index gave Russia a score of 2.5 on its scale of 0 to 10, with 0 being most corrupt. This number was slightly better than last year's 2.4, ranking Russia 121 out of the 163 countries on its list.⁸⁷

Russia did take several formal steps to address the problem. In 2006, the country ratified the UN Convention Against Corruption, which it had signed in 2003,⁸⁸ and the Council of Europe Criminal Law Convention on Corruption, signed in 1999.⁸⁹ In September, Procurator General Yury Chaika announced that he had set up a special subdivision in his agency to catch bribe solicitors among the country's high-ranking officials.⁹⁰ At the same time, much of the population is implicated in corrupt transactions, as at least one-third of wages are handed out in envelopes to avoid tax payments.⁹¹ This practice takes place even in state agencies. Against this background, most Russians accept corruption as inevitable.⁹²

The government has not implemented effective anticorruption policies. Shortly after Putin's annual address to the Federal Assembly (both houses of Parliament: the State Duma and Federation Council) in May, the Kremlin fired nearly a dozen high-ranking officials in the Federal Security Service, Office of the Prosecutor General, Interior Ministry, and customs agency, and Federation Council chairman Sergei Mironov recommended the dismissal of four members of the upper house. Beyond the few individuals involved, however, this campaign did not seem to go anywhere.

Some compared the 2006 arrests with the 2003 campaign against police corruption dubbed "Werewolves in Uniform," which was also more show than substance. A head of the Internal Security Department at the Emergency Situations Ministry and six police officers of the elite Criminal Investigations Directorate who figured in that case received sentences from 15 to 20 years' imprisonment in 2006.⁹³

While this case attracted considerable media attention, Transparency International's Yelena Panfilova did not see these sentences as a trend.

Some authentic efforts to deal with corruption resulted in tragedy. The assassination of Andrei Kozlov, Russia's top bank regulator, on September 13 turned attention to the extensive corruption in Russia's murky banking system.⁹⁴ Kozlov was one of the highest-ranking officials to be killed in the Putin administration. Russia has an extensive problem with money laundering, which feeds bribery, tax evasion, drug traffickers, and terrorism. After the murder, Putin ordered the creation of a task force to address crime in the banking system. It will for the first time include police and prosecutors in addition to bank regulators. Kozlov had been making some progress, denying the applications of 343 banks from 1,270 that sought to continue their operations. He was closing about two banks a month, creating a large number of enemies. Before his death, he said that he would next focus on corruption in the central bank itself, where the problem is allegedly rife within regional branches. The assassination demonstrates that certain elements in Russia's power structure act as a law unto themselves.

Part of the problem is the expansion of Russia's bureaucracy. The number of bureaucrats grew by 115,200 to reach 1,577,200 at the end of 2006, according to Rosstat, the state statistical agency. Most of the new positions (127,000) were in the regional divisions of federal executive branch agencies.⁹⁵ In the draft 2007 budget, state spending on the maintenance of the administration is expected to rise 50 percent to 821 billion rubles (US\$32 billion).⁹⁶ Efforts to reduce corruption by paying bureaucrats higher salaries have not worked. "In the past two years, salaries of state servants have grown radically, but so have corruption levels," according to Igor Nikolaev, director of the Russian auditing company FBK's Strategic Analysis Department.⁹⁷

The absolute amount of bribes has increased in recent years as the size of the economy has grown, according to research by the World Bank and the Indem think tank in Russia. These trends occurred despite a number of policies that Russia put in place to address corruption during Putin's term. Reducing licensing requirements and cutting tax rates did not lead to fewer bribes in these areas. Explanations include inconsistent implementation of reforms and decreasing accountability due to more restrictions on the media and civil society.⁹⁸ In particular, the World Bank study found a significant increase in bribery surrounding government procurement and licensing.

Indeed, state procurement is one of the "most complicated and corrupt" spheres of the Russian economy, according to First Deputy Prime Minister Dmitri Medvedev. This year, the state is expected to make 800 billion rubles (US\$31 billion) in purchases.⁹⁹ A major problem is *otkat*, where the winner of a state contract gives a percentage back to the bureaucrat who helped make the deal possible. One Siberian firm singled out by Deputy Economic Development and Trade Minister Andrei Sharonov paid a 16 percent kickback.

The amount of transparency in the public sphere is shrinking. An increasing share of the Russian budget is being classified, according to experts at the Institute

for the Economy in Transition. In 2005, 41.4 percent of the budget was classified, and that amount was expected to rise even higher in the following years.¹⁰⁰ For example, the section of the Russian budget relating to mass media contains 11.2 percent of secret articles, raising questions about why this information is not made public.

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