FOR HIS ANTI-YELTSIN TRACTS. THESE REPORTS CLEARLY REVEAL ABUSE

(A) AN ASSOCIATION OF LOCAL HUMAN RIGHTS ORGANISATIONS HAS BEEN ESTABLISHED TO COLLATE AND INVESTIGATE SUCH ALLEGATIONS): BUT THE PICTURE BEING RETAILED BY AMNESTY INTERNATIONAL MAY BE EXAGGERATED. WE HAVE NOT SEEN ANY PHOTOGRAPHIC EVIDENCE OF PHYSICAL INJURIES WHICH MIGHT HAVE BEEN EXPECTED IF THE WORST ACCOUNTS OF BEATINGS WERE ACCURATE. FOR EXAMPLE, RUMOURS THAT THE WELL-KNOWN FORMER DEPUTY RUMYANTSEV WAS BEATEN UP AND STUBBED WITH BURNING CIGARETTE ENDS HAVE SINCE PROVED GROUNDLESS: AND KAGARLITSKY'S HEALTHY APPEARANCE DID NOT SQUARE WITH HIS ACCOUNT OF THE ROUGH TREATMENT HE HAD RECEIVED.

4. KOVALYOV WAS CRITICAL OF THE EXPULSION FROM MOSCOW OF THOUSANDS OF PEOPLE WHO LACKED A RESIDENCE PERMIT (PROPISKA). THERE WAS NO AUTHORITY FOR THIS UNDER THE STATE OF EMERGENCY POWERS, AND IT WAS IN ANY CASE A VIOLATION OF THE LAW (ONE OF THE EX-SUPREME SOVIET'S MOST ENLIGHTENED ACHIEVEMENTS) ABOLISHING THE SOVIET (AND BY DESCENT TSARIST) PROPISKA SYSTEM. HE DEPLORED LUZHKOV'S (MAYOR OF MOSCOW) REFUSAL TO APPLY THIS LAW IN THE CAPITAL. UNFORTUNATELY LUZHKOV'S STANCE WAS VERY POPULAR WITH MUSCOVITES, AND THE SPECIOUS USE OF THE STATE OF EMERGENCY TO CRACK DOWN ON CAUCASIAN TRADERS AND 'MAFIA' WAS OBVIOUSLY GEARED TO THE ELECTION CAMPAIGN (THE NEW MOSCOW CITY DUMA IS TO BE ELECTED ON THE SAME DAY AS THE FEDERAL PARLIAMENT ELECTIONS).

LOBBYING FOR EXTENDED POLICE POWERS

- 5. KOVALYOV WAS LESS CONCERNED WITH ABUSES OF THE STATE OF EMERGENCY REGIME THAN WITH AN ATTEMPT BY LUZHKOV AND THE MINISTRY OF THE INTERIOR TO SECURE INCREASED POLICE POWERS AFTER THE STATE OF EMERGENCY HAD ENDED (NOTE: PROBABLY ON 18 OCTOBER). THE ROOT OF THE PROBLEM WAS THAT THE INABILITY OF THE POLICE TO GET RESULTS USING NORMAL METHODS: NOW THEY HAD BEEN GIVEN A TASTE OF EMERGENCY POWERS THEY WANTED THESE MADE PERMANENT. A DRAFT DECREE HAD BEEN PREPARED FOR SUBMISSION TO YELTSIN WHICH FOR THE PERIOD OF 'GRADUAL CONSTITUTIONAL REFORM' UNDER THE 21 SEPTEMBER DECREE WOULD ESTABLISH:
- NATIONWIDE INTERNAL MOVEMENT CONTROLS:
- POWERS OF SEARCH:
- AND LONG-TERM DETENTION OF SUSPECTS WITHOUT CHARGES.

THE TEXT OF THIS DRAFT HAS BEEN LEAKED BY YELTSIN'S LEGAL AFFAIRS ADVISER BATURIN TO 'IZVESTIYA', WHICH TOGETHER WITH OTHER LIBERAL NEWSPAPERS HAS LAUNCHED A COUNTER-LOBBYING CAMPAIGN AGAINST THIS DECREE. KOVALYOV WAS CONFIDENT THAT YELTSIN WOULD NOT SIGN SUCH A DECREE (AND THE DRAFT HAD NOT YET REACHED THE PRESIDENTIAL APPARAT): BUT THE FACT THAT POWERFUL FORCES WERE LOBBYING FOR SUCH MEASURES WAS WORRYING ENOUGH IN ITSELF. KOVALYOV SAID THAT THE UK AND OTHER LEADING WESTERN COUNTRIES SHOULD COMBINE THEIR OPEN SUPPORT FOR YELTSIN (WHICH HE APPLAUDED) WITH DISCREET DIPLOMATIC PRESSURE ON HUMAN RIGHTS ISSUES SUCH AS THIS DRAFT DECREE.

PRESS AND TELEVISION

- KOVALYOV NOTED THAT THE AUTHORITIES HAD ACTED LAWFULLY UNDER TO STATE OF EMERGENCY IN INTRODUCING CENSORSHIP (IN ANY CASE LIFTED AFTER 48 HOURS) AND IN SUSPENDING EXTREMIST PUBLICATIONS. ONCE AGAIN, HE WAS MORE CONCERNED WITH THE PERIOD AFTER THE STATE OF EMERGENCY HAD BEEN LIFTED. THE ANNOUNCEMENT ON THE BANNING OF FOURTEEN HARDLINE PUBLICATIONS AND THE '600 SECONDS' TELEVISION PROGRAMME WAS NOT ENTIRELY SATISFACTORY. THE GOVERNMENT HAD RIGHTLY INSTITUTED CRIMINAL PROCEEDINGS AGAINST THESE PUBLICATIONS FOR VIOLATIONS OF THE MASS MEDIA LAW CARRYING PENALTIES UP TO AND INCLUDING CLOSURE/BANNING. BUT THE GOVERNMENT HAD JUMPED THE GUN BY ANNOUNCING THIS BAN BEFORE OBTAINING A VERDICT FROM THE COURTS.
- 7. THE PRESS MINISTRY HAS SINCE ANNOUNCED THAT THE TWO NATIONAL DAILIES ON THE BLACK LIST, 'PRAVDA' AND SOVIETSKAYA ROSSIYA', WILL BE ALLOWED TO REOPEN WITH NEW EDITORS AND DIFFERENT NAMES. 'PRAVDA' ('TRUTH') MAY BE RENAMED 'PUT' PRAVDY' ('PATH OF TRUTH').
- 8. TODAY'S 'IZVESTIYA' PUBLISHES A LETTER SIGNED BY PROMINENT INTELLECTUALS ARGUING AGAINST ANY REPRIEVE FOR '600 SECONDS'. THE AUTHORS RECALL THAT EVER SINCE SUPPORTING THE SOVIET COUP ATTEMPT IN THE BALTICS IN JANUARY 1991, THIS PROGRAMME HAS INCITED RACIAL HATRED, AND GIVEN ENCOURAGEMENT AND PRACTICAL HELP TO EXTREME NATIONALIST TERRORIST GROUPS. 'MOSKOVSKY KOMSOMOLETS' HAS PUBLISHED A FACSIMILE OF A LICENCE SIGNED BY RUTSKOI'S 'DEFENCE MINISTER' ACHALOV PERMITTING THE AUTHOR OF '600 SECONDS' NEVZOROV TO CARRY WEAPONS 'FOR THE DEFENCE OF THE WHITE HOUSE'.

POLITICAL PARTIES

9. THE VARIOUS MOVEMENTS MAKING UP THE NATIONAL SALVATION FRONT WERE SUSPENDED IMMEDIATELY ON 4 OCTOBER FOR PARTICIPATION OR COMPLICITY IN THE INSURRECTION. ON 8 OCTOBER THE AUTHORITIES ALSO SUSPENDED THE MAIN COMMUNIST PARTY (LED BY ZYUGANOV) AND RUTSKOI'S PARTY 'PENDING CRIMINAL INVESTIGATIONS'. THE MINISTRY OF JUSTICE HAS PUBLISHED A LIST OF 91 REGISTERED PARTIES AND MOVEMENTS ELIGIBLE TO TAKE PART IN THE DECEMBER ELECTIONS. THIS LIST INCLUDES TWO SMALL COMMUNIST PARTIES AND A FEW HARDLINE NATIONALIST MOVEMENTS. ZYUGANOV MIGHT HAVE BEEN EXPECTED TO RESPOND TO HIS PARTY'S SUSPENSION BY BOYCOTTING THESE 'ILLEGITIMATE ELECTIONS TO A PACKED PARLIAMENT' (AS SOME OTHER OPPOSITION LEADERS HAVE BEEN PUTTING IT) BUT ENCOURAGINGLY, ZYUGANOV HAS MADE IT CLEAR THAT HE INTENDS TO TAKE PART, BY HOOK OR BY CROOK. THE NATIONAL-PATRIOT LEADER BABURIN HAS SIMILARLY URGED HIS FOLLOWERS TO PARTICIPATE.

10. SEE MIFT FOR COMMENT.

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TO IMMEDIATE FCO
TELNO 1801
OF 151510Z OCTOBER 93
INFO IMMEDIATE WASHINGTON, PARIS, BONN, ROME, OTTAWA, TOKYO
INFO IMMEDIATE PEKING, UKMIS NEW YORK, UKREP BRUSSELS, UKDEL NATO

MIPT: RUSSIAN CONSTITUTIONAL CRISIS: HUMAN RIGHTS AND CIVIL LIBERTIES SINCE THE INSURRECTION: COMMENT

SUMMARY

1. COMMENTS ON CRITICISM OF THE HUMAN/CIVIL RIGHTS SITUATION IN RUSSIA, AND RECOMMENDED LINE TO TAKE WITH RUSSIAN AUTHORITIES.

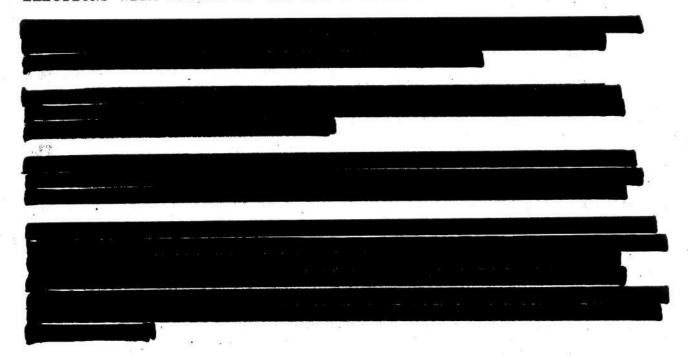
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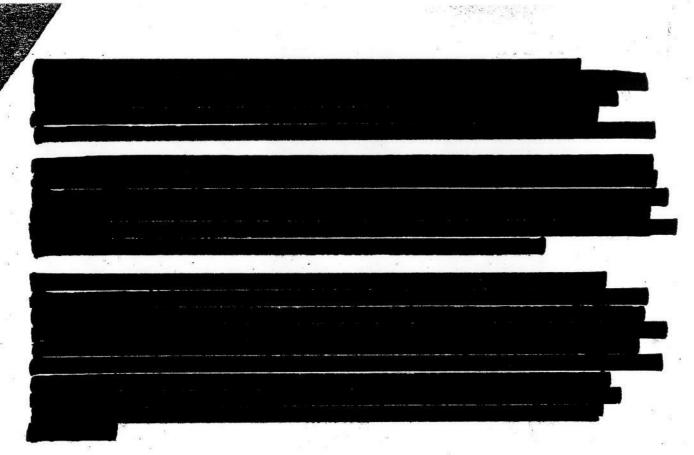
- 2. YELTSIN AND HIS GOVERNMENT ARE DETERMINED NOT AS THEY SEE IT TO REPEAT THE MISTAKE OF 1991: THIS TIME THEY MEAN TO USE THEIR VICTORY TO DRIVE A STAKE THROUGH THE HEART OF THE SOVIET SYSTEM, AND TO DESTROY COMMUNISM AND FASCISM AS POLITICAL FORCES IN RUSSIA. THE WAY IN WHICH THEY HAVE EXPLOITED THE STATE OF EMERGENCY SINCE 4 OCTOBER TO ACHIEVE THIS HAS CLEARLY AT VARIOUS POINTS GONE WELL BEYOND THE LAW, THOUGH AS NOTED IN MIPT THE MOST BLATANTLY ILLEGAL OF THESE MEASURES (THE ACTION AGAINST THE CAUCASIAN MINORITIES) HAS ALSO BEEN THE MOST POPULAR.
- 3. ALL OF THIS HAS ATTRACTED CRITICISM, FROM THREE MAIN SOURCES:
- THE HARD-LINE OPPOSITION (OBVIOUSLY):
- RUSSIAN CIVIL RIGHTS ACTIVISTS:
- THE WESTERN PRESS.

WE NEED TO CONSIDER HOW TO REACT, NOT JUST IN RESPONDING TO SUCH CRITICISM BUT IN OUR DEALINGS WITH THE RUSSIAN AUTHORITIES. IT IS NOT IN OUR INTERESTS TO BE SEEN TO OFFER SUCH UNQUALIFIED SUPPORT TO YELTSIN THAT WE ARE READY TO OVERLOOK WHATEVER EXCESSES MIGHT BE COMMITTED IN HIS NAME TO ENSURE THAT HIS POLITICAL OPPONENTS CANNOT MAKE A SERIOUS SHOWING IN DECEMBER'S ELECTIONS. IT MUST BE PUBLICLY UNDERSTOOD HERE AND IN THE WEST THAT OUR AIM IS TO SUPPORT A FUNCTIONING DEMOCRACY HERE, NOT TO MAKE TSAR BORIS SAFE ON HIS THRONE.

4. THERE ARE VARIOUS POINTS WE NEED TO KEEP IN MIND:

- TWO MONTHS AWAY, THE MAJORITY OF THE NEWSPAPERS AND PARTIES NOW SUSPENDED OR BANNED SUPPORTED AN ARMED INSURRECTION AGAINST THE STATE, IN A COUNTRY WHERE FIREARMS ARE WIDELY AVAILABLE AND WHICH HAS NO DEMOCRATIC TRADITIONS. WESTERN COUNTRIES WHICH CHOOSE TO POSTURE FOR THEIR PUBLIC OPINION BY SUPPORTING DEMOCRATIC GOALS BUT DENOUNCING THE ROUGH MEASURES WHICH MOST PEOPLE HERE HAVE ACCEPTED AS NECESSARY TO ACHIEVE THEM WILL NOT RECEIVE A SYMPATHETIC HEARING IN MOSCOW:
- THE PUBLICATIONS NOW BANNED ALL TO A GREATER OR LESSER EXTENT CARRIED ARTICLES WHICH WOULD HAVE BEEN ILLEGAL IN MOST WESTERN COUNTRIES (WILD ANTI-SEMITIC DIATRIBES, CALLS TO OVERTHROW THE GOVERNMENT BY FORCE). CIVIL RIGHTS ACTIVISTS HERE DO NOT OBJECT TO THE SUPPRESSION OF THESE VIEWS, BUT ARGUE THAT CENSORSHIP WOULD BE PREFERABLE TO ABOLITION:
- THERE IS ABUNDANT HOSTILE CRITICISM OF YELTSIN AND THE GOVERNMENT IN THE MAINSTREAM PRESS:
- NOBODY IS AT PRESENT PREVENTING THE MEMBERS OF BANNED EXTREMIST PARTIES FROM EXPRESSING THEIR VIEWS, OR FROM STANDING FOR ELECTION UNDER THE BANNER OF NEW PARTIES SUPPORTING PRECISELY THE SAME IDEAS AND POLICIES AS THE BANNED ONES. THE HARDLINERS HAVE BEEN DISRUPTED, BUT NOT EXCLUDED FROM THE POLITICAL PROCESS:
- THERE IS NO REASON TO BELIEVE THAT THE ACTUAL MECHANICS OF THE ELECTIONS THEMSELVES WILL BE ANYTHING OTHER THAN FAIR. THE PROVISIONS ON PARTY POLITICAL BROADCASTS SOUND EVEN-HANDED, THOUGH COVERAGE WILL INEVITABLY SHOW A BIAS FOR YELTSIN AT THE CENTRE, AGAINST HIM IN SOME OF THE REGIONS (WE HAVE UNDERTAKEN TO PROVIDE THOSE RESPONSIBLE FOR CONTROLLING TELEVISION COVERAGE OF THE ELECTIONS WITH COPIES OF THE BBC'S GUIDE-LINES ON THIS).





6. HMA WILL BE ASKING TO SEE KOZYREV NEXT WEEK IN ADVANCE OF HIS VISIT TO THE UK, AND WILL USE THE OPPORTUNITY TO EXPLAIN OUR POSITION, MAKING IT CLEAR TO HIM THAT HE CAN EXPECT SOME SEARCHING QUESTIONING ON THIS BOTH PUBLICLY AND PRIVATELY WHEN HE IS IN THE UK.

7. WE WILL BE IN TOUCH WITH EASTERN DEPARTMENT WITH FURTHER IDEAS ON PRACTICAL SUPPORT FOR POLITICAL REFORM IN RUSSIA IN THIS TRANSITIONAL PERIOD.

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