

## **FFI RAPPORT**

### **NORMS: THE FORGOTTEN FACTOR IN RUSSIAN-WESTERN RAPPROCHEMENT; A Case Study of Freedom of the Press under Putin.**

Wilhelmsen, Julie

**FFI/RAPPORT-2003/00457**



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8) ABSTRACT <p>The report analyses freedom of the press in Russia as a litmus test of the development of liberal democratic norms under Putin. It addresses both the question of why freedom of the press has deteriorated and what kind of impact the international society has had on this development. It is found that restricting freedom of the press has been a rational tool employed by a Russian president aiming to secure his own position, strengthen state power and win a war in Chechnya. However, the deterioration of freedom of the press is also attributed to Russian political culture and the growing influence and assertiveness of the security structures under Putin. Further, the report concludes that the Western states' response to this development has been muted and has only to a limited degree contributed to promote freedom of the press in Russia. The report is part of an FFI project that analyses the prospects of a Russian-Western "security community". A prerequisite for such a community is the development of common norms. The report reveals a mismatch between closer cooperation and institutional integration between Russia and the West on the one hand and the weak and even deteriorating standing of liberal democratic norms under Putin.</p>				
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## **NORMS: THE FORGOTTEN FACTOR IN RUSSIAN-WESTERN RAPPROCHEMENT; A Case Study of Freedom of the Press under Putin.**

### **1 INTRODUCTION**

Relations between Russia and the West are closer than ever. Russian President Putin was the first world leader to call US President Bush after the September 11 attacks. There has been extensive cooperation on fighting the war against terrorism. The NATO–Russia Council was established in May 2002, and Bush and Putin signed a comprehensive arms reduction agreement the same month. Contacts between Russian and Western leaders seem to be flourishing.

On this background of historical rapprochement it seems legitimate to ask: is Russia becoming a “Western” country? How close is Russia to the West – not in terms of common interests, but in terms of common identity and norms?<sup>1</sup> This report is part of the FFI project “Russia – partner and challenge” that assesses the prospects for a future Russian–Western security community. The term “security community” characterises the relation between two or more states when it has become unthinkable for them to go to war with each other to settle conflicts.<sup>2</sup> The development of a security community between Russia and the West would require not only an overlap in interests and stronger institutional integration, but also closer affinity in terms of basic norms. Therefore a crucial question when assessing the future Russian–Western relations is: have Putin’s steps toward integrating Russia with the West been followed by the adoption of Western liberal-democratic norms in Russia?

This report will assess the development of one core democratic norm in Russia under Putin – freedom of expression. Although other liberal-democratic norms could have been chosen for study, we have taken freedom of the press as a litmus test of developments in the new Russia. One reason is that a free press was one of the obvious democratic achievements of the post-Soviet Russian state. Further, freedom of speech is not only a key civil liberty in itself but also a fundamental part of a modern, functioning democracy. The press is the main arena for expressing views that may differ from those held by the power-holders. By supplying information, the media also give the people a chance to assess policies and politicians and cast their votes according to more objective considerations.

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<sup>1</sup> A norm can be defined as “collective expectations about proper behaviour for a given identity”. See Roald Jepperson, Alexander Wendt & Peter J. Katzenstein (1996:54): “Norms, Identity, and Culture in National Security”, in *The Culture of National Security: Norms and Identity in World Politics*, edited by P.J. Katzenstein. New York: Columbia University Press.

<sup>2</sup> The concept “security community”, which constitutes the theoretical starting point for the FFI project, has been defined in an earlier report (Julie Wilhelmsen (2002): *A Russian-Western Security Community?* FFI/Rapport-2002/04917). See also Emanuel Adler & Michael Barnett (1998): *Security Communities*. Cambridge: Cambridge University Press.

The independent media are also crucial in ensuring openness and transparency in society. This in turn is an important prerequisite in a functioning market economy. Lastly, freedom of speech also serves an important function in a security community. A free press implies that certain ways of doing things crucial to promoting trust and conflict resolution have been adopted. Allowing a free press indicates that there is a great degree of mutual trust between authorities and society at large. It indicates that the authorities can accept criticism and alternative views to their own, and can use this input to negotiate resolutions to problems. This is exactly the kind of interaction that is vital in relations between states belonging to a security community.

*How free was the press before Putin came to power?*

Although a free press was one of the great achievements of the new independent Russia in the early 1990s, the Russian media scene has had its peculiarities. The country's grave economic situation gradually forced media outlets to accept financial aid from, or even ownership by, wealthy individuals. These people were often linked to a specific political establishment and used the outlets to support themselves in their own political battles or to further their business interests. Some well-known Russian oligarchs, among them Vladimir Gusinsky, managed to acquire extensive media empires consisting of newspapers, TV and radio stations.

Thus, Russian media outlets have not always reported on Russian politics independently and objectively, but also taken part in political wars through their "owners".<sup>3</sup> Although such a system is far from perfect when measured against the ideal of a free press in a functioning democracy, it still ensures room for diversity of opinion. The essential thing about freedom of the press in Russia before Putin came to power was thus that the state no longer controlled the flow of information and could not hinder the expression of diverse opinions. In a country with strong traditions of state control and suppression of diversity, this was an undeniably important achievement.

## **2 PROCEDURE AND UNDERLYING THEORETICAL ASSUMPTIONS**

In the following I will assess the development of the free press in Russia since summer 1999 and during the presidency of Vladimir Putin, focusing on the independent television channels, newspapers and journalists, as well as on the consequences of the Chechen conflict for freedom of the press.<sup>4</sup> I will recount the major events of the past three years. However, the account is not exhaustive and focuses on events that have been reported in Russian and Western press. Non-events, such as cases where the authorities did not take action to control

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<sup>3</sup> Many newspapers and TV stations, including the biggest ones, have also had price lists showing what they charge candidates for public office in exchange for writing and publishing positive news stories about them. Wealthy people could simply buy themselves a headline (*ABC News, Nightline*, 23 March 2000, as carried on *Johnson's Russia List*).

<sup>4</sup> The word "independent press" is here to be understood simply as those news outlets that are not financed and controlled by the state directly or indirectly.

critical newspapers, have not been so easy to spot. The reader should bear this in mind when reading.

The report also gives an assessment of the underlying *motivation* behind the curtailment of the free press. Is this a deflection of a die-hard political culture in the present Russian elite? Or is the attempt to extend state control over the press motivated by more pragmatic concerns such as the need to recapture power from illegitimate political actors? In other words, can we explain the development better by a normative account or by an instrumental account? Further questions arise: *who* initiated the attempts to infringe upon the press and, accordingly, to what extent does the Russian President control actors further down in the system? The answer to these questions will make it possible to draw some conclusions about prospects for the future of freedom of the press in Russia.

The report also assesses how the public, networks of NGOs and agents who promote this norm in Russia (so-called advocacy networks) have reacted to the curtailment of the press, and what impact these actors have on the authorities. Further, I will review how Western states, international organisations and NGOs have responded to restrictions on freedom of the press in Russia. This multi-actor approach to studying the development of norms in Russia relies on two assumptions. First, the belief that people, also political elites, can change their norms through interaction with domestic and external actors. Political elites can change norms – either because they come to see new norms as “right,” because they care about their international image or for instrumental reasons, to stay in power, to avoid being punished by the international community, etc. Further, the approach is based on the assumption that the development and internalisation of norms will depend on both domestic and external actors at different levels. It will depend on the choices and beliefs of the political elite in Russia, but also on the strength of domestic advocacy networks and on the external environment.

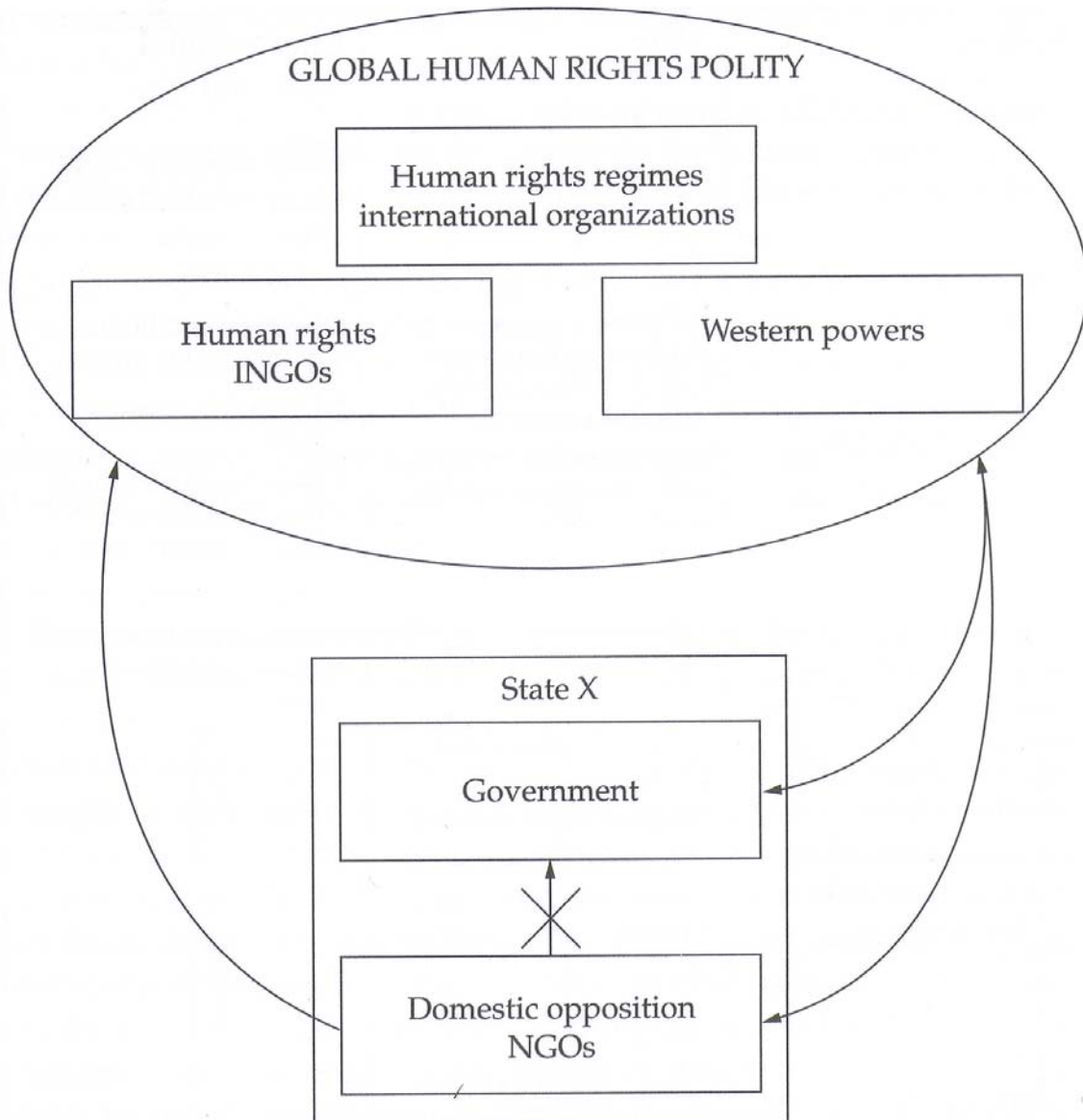
Thomas Risse, Stephen C. Ropp and Kathryn Sikkink have developed a figure, “the boomerang effect”, that illustrates the set-up of different actors and the relations between them in a process of norm change.<sup>5</sup> According to these scholars the process of norm-change generally begins with an instrumental or strategically motivated adaptation by national governments to growing domestic and transnational pressures:

“A ‘boomerang’ pattern of influence exists when domestic groups in a repressive state bypass their state and directly search out international allies to try to bring pressure on their states from outside. National opposition groups, NGOs, and social movement link up with transnational networks and INGOs (international NGOs) who then convince international human rights organisations, donor institutions, and great powers to pressure the norm-violating states. Networks provide access, leverage and information to struggling domestic groups. International contacts can “amplify” the demands of domestic groups, prise open

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<sup>5</sup> Thomas Risse, Stephen C. Ropp & Kathryn Sikkink (1999:19): *The Power of Human Rights*. Cambridge: Cambridge University Press.

space for new issues, and then echo these demands back into the domestic arena.”<sup>6</sup>



Figur 2.1 The “boomerang effect”

Risse *et al.* present a five-phase “spiral model” of how norms change:

- 1) *Repression*. Repression in a state leads the transnational advocacy network to put the norm-violating state on the international agenda through a process of moral consciousness-raising.

<sup>6</sup> Ibid p.18

- 2) *Denial*. The transnational advocacy network starts lobbying international organisations and Western states, “shaming them” for not reacting to the norm violation. If the Western states level criticism, the norm-violating state usually reacts by denying that its national practices in this area are subject to international jurisdiction. The norm-violating state may even succeed in mobilising some nationalist sentiment against foreign intervention and criticism. This stage often involves pressures of various kinds, both material and moral. Moral pressures can become especially significant when the norm-violating country aspires to membership in valued international groupings and is thus vulnerable to critique of norm violation.
- 3) *Tactical concessions*. The norm-violating state starts making tactical concessions, in order to pacify criticism. These concessions signal that the state no longer denies the validity of the norm. Further, tactical concessions open space for societal mobilisation in the norm-violating country and strengthen the domestic advocacy network. Human rights claims are expected to be the main principled idea around which an opposition coalition can be formed, often because the group recognises that human rights claims enjoy greater international support and legitimacy. The domestic advocacy network is in turn empowered by support from the transnational networks. For example, donor countries may make aid contingent on human rights improvements and persist in “shaming” the norm-violating regime. At a later stage in this phase, the leaders of norm-violating states start “talking the human rights talk”, justifying their actions by it. Gradually they become entrapped in their own rhetoric, and a socialisation process comes to substitute for instrumental adoption. They are forced into dialogue with advocacy networks concerning how to improve the human rights situation. Faced with a fully mobilised domestic opposition linked with transnational networks for whom human rights have achieved consensual status, norm-violating governments no longer have many choices. Some rulers start a process of controlled liberalisation. Others increase the level of repression, but are then thrown out of power, because of the strength of the opposition at this point and the lack of international support.
- 4) *Prescriptive status*. In this phase the validity claims of the norm are no longer controversial. The state ratifies human rights conventions, includes these norms in its constitution and establishes mechanisms for citizens to complain about violations. Further, the discursive practices of the government acknowledge the validity of the norms irrespective of the audience; they no longer denounce criticism as “interference in internal affairs” and they engage in a dialogue with their critics. However, actual behaviour might still not be rule-consistent. If the international pressure erodes in this phase, low-level human rights abuses may become endemic.
- 5) *Rule-consistent behaviour*. By this phase, human rights norms are fully institutionalised and norm compliance has become a habitual practice, enforced by the rule of law. However, pressure from the transnational and domestic advocacy networks is still important to ensure that national governments live up to their claims. Moreover, the national government might need such outside pressure vis-à-vis domestic opponents to implement the norms.

Risse *et al*'s model deals with the human rights norms in general and is not specifically worked out to address the Russian case. However, their model will be employed here as a template against which to measure the Russian case. The model suggests what actors to study, and aggregates certain analytical questions. According to the model, crucial factors are the

existence and strength of a domestic advocacy network and the pressure from transnational networks and the Western states, through the “boomerang effect”, in spreading human rights norms to states such as Russia. Obvious questions thus become: does this domestic advocacy network exist in Russia? Is it gaining strength and influencing the authorities – and if not, what are the reasons? Further, have the transnational advocacy networks, Western states and organisations levelled consistent pressure and criticism against norm violations in Russia, as the model suggests. If not, why? Has this criticism had any effect on the Russian leadership? Is the Russian leadership engaging in a dialogue on these issues, starting to “talk the talk”, grant concessions, etc? Finally, on the background of answers to these questions, what can we say about the future of freedom of the press and more generally liberal-democratic norms in Russia?

### **3 FREEDOM OF THE PRESS IN RUSSIA 1999–2002**

#### **3.1 A Ministry for Press, Broadcasting and Mass Media**

In June 1999, President Boris Yeltsin established a new Press Ministry. In the words of Prime Minister Stepashin, they were “starting to create a federal strategy which would consolidate all of the state’s capabilities in ideological work”<sup>7</sup>. Mikhail Lesin, who had played a key role in Yeltsin’s re-election campaign in 1996, headed the new ministry, which was charged with compiling a registration list for all mass media organisations, regulating production and distribution of media products and organising national tenders for the various licenses that would now be required for carrying out mass media activities<sup>8</sup>.

Prime Minister Stepashin several times felt the need to assure the Russian public that the new Ministry did not signal a return to censorship, and that the government was committed to freedom of the press. However, the establishment of a Press Ministry was most likely a step to extend and tighten the Kremlin’s control over the main levers of power and to influence the upcoming parliamentary and presidential elections. This move was more instrumentally motivated by the short-term goal of controlling power, than it was a reflection of a negative attitude to freedom of the press on the part of Yeltsin. Several times during his presidency Yeltsin had proved that he was committed to freedom of the press; he never targeted journalists who were critical of him or his policies. As it turned out, however, establishing the new Ministry marked the beginning of a process that eventually came to limit freedom of the press in Russia. The new arrangement gave the Ministry various levers to use against media seen as disloyal to the Kremlin, and, under Putin, these levers have been used to establish greater state control over the press.<sup>9</sup>

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<sup>7</sup> *Associated Press*, 6 July 1999.

<sup>8</sup> *Jamestown Monitor*, 8 July 1999.

<sup>9</sup> See Laura Belin (2001) “Political Bias and Self-Censorship in the Russian Media” in Archie Brown (ed) *Contemporary Russian Politics*. Oxford: Oxford University Press.

### 3.2 The election campaigns of 1999 and 2000

The campaigns leading up to the parliamentary and presidential elections in 1999 and 2000 revealed how corrupt the Russian media system was and how the media could be used by the Kremlin to get rid of opponents. The state-controlled media outlets were used to wipe some political forces off the political map, and create others from practically nothing. Unity, a totally new pro-Putin party, was set up in autumn 1999. It received extensive and purely positive coverage on the state-controlled channels ORT and RTR and became the second biggest party in the Duma after the election.<sup>10</sup> At the same time, the leaders of the main contending party, Fatherland-All Russia, Moscow Mayor Yuri Luzhkov and former Prime Minister Yevgeny Primakov, were subject to a smear campaign run by the state-controlled channels. Although the two men tried to counter the attacks through the outlets under their control, the smear campaign virtually destroyed them politically and stifled their party.

Russian state television channels were also used to engineer the emergence of Vladimir Putin to power. Putin was not well known to the public in the summer of 1999, but by spring 2000 he had become the obvious choice for president. In many ways the centrepiece of Putin's electoral campaign was the war in Chechnya, which made him immensely popular. The state-controlled media portrayed him as the strong man committed to bringing order to Russia: they carefully legitimised and built public support for the war. For example, state television blamed the Chechens for bombing several Russian blocks of flats in autumn 1999. The Russian people generally accepted that the Chechens had done this, even though the government admitted to having no proof. Putin was officially not campaigning in the presidential election, and he refused to take part in televised debates. However, he was visible every day on the Russian television channels, featured flying a fighter jet to Chechnya, or meeting with oil workers in the regions.<sup>11</sup> Through a low-key but highly effective media campaign, the Kremlin controlled both the images voters saw and the terms of the debate through the state television channels.

With Luzhkov and Primakov neutralised, the main challengers in the presidential election were Communist Party leader Gennady Ziuganov and Yabloko leader Grigory Yavlinsky. Ziuganov was largely spared harsh criticism on the state-owned channels because he was seen as having no chance of defeating Putin. Against Yavlinsky, however, the ORT channel launched a fierce campaign shortly before the election – accusing him of receiving money from the West, of failing to support the popular Chechen war and even of having undergone plastic surgery to boost his appeal. And then, immediately before the election, anti-Semitic and homophobic propaganda was used against Yavlinsky.<sup>12</sup> Some analysts pointed out that the reason for this campaign could be that Yavlinsky was considered to have a possibility of preventing Putin from winning a majority in the first round of elections.

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<sup>10</sup> The great majority of Russia's 108 million voters rely on ORT and RTR as their only sources of news.

<sup>11</sup> Breaking Russia's election law, Putin repeatedly used his official position to carry out "election agitation" (*Jamestown Monitor*, 6 March 2000.) Moreover, analysts from the European Institute for the Media stated that television news coverage had devoted nearly half the time spent on all 11 candidates to showing Putin, mostly in a good light. EIM also quoted some independent media as saying the government had pressured them to minimise criticism of Putin, threatening financial measures (*Reuters*, 27 March 2000.)

<sup>12</sup> *Reuters*, 24 and 27 March 2000.

Thus, the election campaigns prompted the Kremlin to increase control over and manipulate the media in order to concentrate power. This trend started with the establishment of a Press Ministry already before Putin began to assert influence, but accelerated under his rule. Putin's vision for Russia was that the state needed to resurrect its "vertical power". The diffusion of power in the 1990s – to various institutions, regions and illegitimate political actors such as the oligarchs – was seen as the main cause of disorder and unlawfulness in Russia. Thus, in a sense Putin's motivation behind manipulating and controlling media to secure power and dispose of opponents was of an instrumental nature.

However, it also seems that this offensive reflected a certain mindset and a return to old habits. Firstly, the campaigns went further than what was necessary to secure election, effectively wiping out the opposition by manipulating the media. Secondly, the campaigns resembled old Soviet-style propaganda activity. Both these observations suggest that Putin and his circle perceived few normative barriers against infringing on the freedom of the press in this way.

In the long run, the mudslinging that accompanied the election campaigns (and that the Kremlin opposition also engaged in) ruined "the way of doing things" and damaged the media's reputation further. This not only gave Putin an excuse to crack down on the media, it also made it less likely that Russians would rush to the defence of the media defence if and when such a crackdown came.

### **3.3 The oligarchs and their television channels: NTV and TV-6**

In 1999, Russia had three main national television channels: the state-owned RTR, the semi-state-owned ORT and the privately-owned NTV. The latter was part of oligarch Vladimir Gusinsky's Media Most holdings. The independent television channel had been highly critical of the first war in Chechnya, but had supported Yeltsin unequivocally in the presidential campaign in 1996. However, as the end of Yeltsin's presidency drew near in 1999 and the question of his successor became acute, the paths of the Kremlin and NTV diverged once and for all. Not only did the channel and other outlets belonging to Media Most (such as the daily *Sevodnya*, the weekly magazine *Itogi* and the radio station "Ekho Moskv") oppose and criticise the Kremlin's policies in Chechnya and reveal corruption in the upper echelons, they also backed Moscow Mayor Yuri Luzhkov and former Prime Minister Evgeny Primakov and their party Fatherland-All Russia in the parliamentary elections. In the run-up to the presidential election, Media Most outlets and especially NTV waged a rabid campaign against Putin.

Various means were adopted to harm Gusinsky's Media Most in what turned into a war against the independent media network. Tax police had started an audit of Media Most structures back in July 1999 and opened a criminal case against Media Most for alleged violations of tax laws in October the same year. However, the real offensive started shortly after Putin was elected president. On 11 May 2000, the Media Most offices were ransacked the first time, and one month later Gusinsky was behind bars accused of fraud. Over a period of more than a year,



several criminal cases were opened by the General Prosecutors Office against Media Most and Gusinsky – for alleged violations of tax laws, for illegal eavesdropping and disclosure of commercial secrets, for embezzlement and fraud etc. Media Most offices were raided dozens of times by the Federal Security Service (FSB) and the tax police in connection with these cases. Several Media Most staff and journalists were targeted through questioning in connection with criminal investigations and charges, among them the most outspoken and critical Yevgeny Kiselev.

Creditors and shareholders, most importantly the Russian gas-giant Gazprom and state-owned banks, harassed the company financially by calling in loans. In August 2000 a secret agreement, called “protocol 6,” was signed to sell Media Most holdings to Gazprom. However, the agreement, bearing the signatures of Gusinsky, Gazprom–Media’s Alfred Kokh and Press Minister Lesin, proved to have been signed under threats against Gusinsky of investigation and criminal charges. The whole affair was something close to blackmail, and the agreement was deemed invalid. Only a month later, new pressure was mounted on Media Most through a state bank’s demand that Media Most pay back debt.<sup>13</sup>

Finally, in November 2000 an arrest warrant for Gusinsky was issued in connection with Media Most’s debts to Gazprom, and Gazprom took over the majority shares of Media Most in December 2001.<sup>14</sup> Gusinsky left the country and was later arrested in Spain after a call through Interpol. However, he was not extradited to Russia because the case brought against him was deemed to be politically motivated. In April 2001 the NTV management was ousted despite the protests of thousands of demonstrators and staunch opposition from NTV journalists.<sup>15</sup>

A similar story repeated itself with media outlets controlled by oligarch Boris Berezovsky. Initially Putin’s ally who gradually became a foe, Berezovsky had owned 49% of the national station ORT. Already in August 2000 the Kremlin tried to weaken Berezovsky’s control over the channel by requesting him to sell his shares in return for writing off debts. Berezovsky resisted for some time, although he was put under pressure by the Prosecutor General’s Office investigation into allegations of embezzlement from the airline Aeroflot. In early 2001 Berezovsky finally sold his shares to the Sibneft oil baron Roman Abramovitch, who in turn handed the stake over to the state<sup>16</sup>.

Although Berezovsky lost his influence over ORT, he acquired control over the Moscow television channel TV–6 and the influential newspaper *Kommersant*. Many of the journalists from NTV sought refuge in TV–6, and Yevgeny Kiselev was made general director of this

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<sup>13</sup> *Jamestown Fortnight in Review*, 3 November 2000.

<sup>14</sup> A law given retroactive force was passed in July 2001 requiring national television companies in Russia to be less than 50% owned by foreign companies or citizens. An earlier version suggested restricting foreign ownership severely in *all* Russian media to protect Russia from malevolent foreign influence. Some have claimed that the law was directed against Gusinsky and Berezovsky, who carry both Russian and Israeli passports (*Moscow Times*, 9 July 2001).

<sup>15</sup> Radio Ekho Moskvyy, the last outlet in the independent Media Most holding, was “silenced” in June 2001 when Gazprom finally acquired controlling shares over the radio station.

<sup>16</sup> *Jamestown Monitor*, 15 March 2001.

channel. Although weaker than NTV, TV-6 continued the Kremlin-critical line. In May 2001 Lukoil, reportedly working on Kremlin's behalf and holder of 15% percent stake in TV-6, brought a bankruptcy case against the station on the accusation that it failed to make a profit. Subsequently, the Moscow Arbitration Court all but sealed the fate of TV-6 in November 2001, by ordering that TV-6 be liquidated within six months. Finally, on 11 January 2002, the High Arbitration Court ruled that TV-6 must be liquidated, and Press Minister Lesin took TV-6 off the air on January 21. This was the last independent television channel in Russia that was critical of the Kremlin's policies and that reached a national audience.

When the bidding was opened for the TV-6 broadcasting license, Putin backed "Media Socium" headed by former Prime Minister Evgeny Primakov and industrial baron Arkady Volsky, both secret service veterans and closely connected to the Kremlin. On 27 March 2002, "Media Socium" won the license together with the "Sixth Channel", a group which included Kiselev, his team of journalists and several leading oligarchs. Most analysts, interpreting this as a gambit by Putin to ensure that the new channel would be in the hands of people more under his control, doubted that it would become a genuinely free and independent channel. Indeed, Primakov openly told reporters that he hoped Kiselev's team would agree to a "certain degree of censorship" on the new channel.<sup>17</sup>

Even now, when there on the ownership level is no independent nationwide TV channel left, subtle pressure for self-censorship is used. The license of the new NTV, successor to the shuttered independent Russian TV station, was renewed only after many delays and public statements casting doubts on the outcome. The Russian business daily *Kommersant* commented that the delays were intended to frighten NTV's General Director into being a bit more attentive to what NTV put on the air.<sup>18</sup>

#### *Putin's conscious strategy or a lack of control?*

The first steps taken to acquire control over Media Most were probably prompted by Yeltsin's need to secure support for his candidates in the upcoming elections, and to neutralise competitors. But there is another explanation, equally plausible, which involves other actors than the president. The oligarch Boris Berezovsky, who at the time was highly influential in the Kremlin, was a driving force behind the initial campaign against Media Most in 1999. His main motivation was to secure the election of forces that could guarantee his continued influence and prevent the election of Yuri Luzhkov. Luzhkov was promoted by Media Most outlets and had promised to re-distribute privatised state property if elected president – and such a redistribution of property would have hit Berezovsky harder than anyone else. Also other actors in the system had their own reasons for wanting to silence Media Most outlets. One of them was Kremlin Administration Chief Aleksandr Voloshin, who had been criticised by NTV for involvement in various pyramid schemes and corruption. Thus, the rationale behind the initial attempts against Media Most reflected the power structure of the Yeltsin

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<sup>17</sup> *Gazeta.ru*, 29 March 2002.

<sup>18</sup> "The mendicant journalists" by Sam Vaknin, as carried on *Johnson's Russia List*, 19 June 2002.

period. In this structure, powerful oligarchs had great influence over politics in a system where policies often reflected the personal interests of the various actors, rather than those of the state.

Putin's role in the dismemberment of independent television channels is not so easy to ascertain. The generally accepted version in the literature is that, as president, he has managed to secure much more control over the system below. Hence, it would be logical to expect that he himself masterminded the dismemberment of the independent television channels. However, Putin repeatedly sought to disassociate himself from the different events, criminal cases and scandals – for example, by criticising the first arrest of Gusinsky as “excessive” and by reprimanding his Press Minister, Lesin, for the “protocol 6” affair. Indeed, it seems likely that individual actors and institutions further down in the system initiated some of these events, independently from the President.

For example, the first raid of Media Most headquarters in May 2000 was deemed by some to have been initiated by Yuri Zaostrovsev, a newly appointed FSB deputy director who had been accused by Media Most outlets of taking part in shady deals.<sup>19</sup> Yevgeny Primakov speculated whether people who wanted to harm Putin initiated the raid.<sup>20</sup> The arrest of Gusinsky in June 2000 is another example. It was ordered by the Prosecutor General Vladimir Ustinov, and prompted some concern that Putin was not running the show in the Kremlin. Ustinov was deemed to be an ally of Berezovsky, so Berezovsky might have initiated this attempt to strike against his long-time foe independently of Putin. Another fact that makes it probable that Putin did not order this arrest is that the timing was very inconvenient for him. He was at that point touring Europe and had to face harsh criticism for the arrest.

All the same, I would argue that the various attempts at framing the independent television channels, which eventually led to their dismemberment, were carried out in accordance with the understanding that the President wanted to extend control over these channels. Although Putin never took responsibility for the attacks, he often gave them his blessing after the event. Moreover, those responsible for the attacks were never punished. For example, Press Minister Lesin was only mildly reprimanded for the “protocol 6” affair and did not lose his position. If the initial attacks on Media Most were a reflection of a struggle amongst oligarchs, this was certainly not the case later on, when Berezovsky's own media-empire was targeted. This later phase reflected the reviving Russian state trying to wrest power from the oligarchs. The first raid on Media Most in 2000 took place only four days after Putin's inauguration as President, and the campaigns were carried through without him intervening to stop them. Thus, the burden of the evidence suggests that the dismemberment of the independent television channels was less a consequence of ad hoc events initiated by individuals on lower levels in the Russian political system or powerful oligarchs, and more a consequence of a conscious strategy pursued by the Russian President.

### *Motivation*

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<sup>19</sup> *Moskovsky Komsomolets*, 12 May 2000.

<sup>20</sup> *Interfax*, Moscow, 12 May 2000.

Putin claimed several times that the dismemberment of both Media Most and TV-6 was strictly a “matter of business” and that politics had nothing to do with it. He also connected the campaigns with efforts to establish a “dictatorship of law” in Russia. These arguments are not convincing. If the dismemberment of the independent television channels were a matter of business, the state-owned RTR should have been closed down a long time ago. In February 2001 an audit chamber investigation of the All-Russia State Tele and Radio Company (VGTRK), which includes RTR, concluded that the company was mired in debt, corruption and tax evasion. The VGTRK would have been smashed if law enforcement organs had approached it with the same standards they applied to Media Most.<sup>21</sup> Instead, the results of this investigation were kept secret and VGTRK and RTR were not touched. Moreover, as the Glasnost Defence Foundation and the Union of Journalists stated shortly after the ruling on TV-6, Lukoil’s move to dissolve TV-6 was not rational from an economic perspective. At the time, TV-6 was in the process of recovering both in terms of profit and ratings after the arrival of the former NTV journalists.<sup>22</sup> Lastly, the law invoked in the case against TV-6 in 2002 had in fact been suspended the previous year because it was flawed.

Hence, the attacks on the independent television channels were not primarily motivated by any urge to establish a rule of law or secure economic gain. But Putin clearly had strong interests in damaging TV-6 and Media Most outlets for other reasons. Gazprom’s threats against Media Most in spring 2000 were explicitly connected to dissatisfaction with NTV’s coverage of the Chechen war. It is clear that this dissatisfaction stemmed from Putin – after all, positive coverage of the war was essential for his position. Further, Putin had been outraged by the harsh criticism directed against his candidacy for the presidency by Media Most outlets. His campaign headquarters had lashed out at the press, accusing some media of “neglecting the principles of journalistic ethics” and “ignoring common sense”. One statement also said that all instances of “lies” concerning Putin would be monitored and that the campaign team would “reserve the right to use all means available in its arsenal for an asymmetrical answer to the provocations”.<sup>23</sup>

In view of Putin’s broader goal of resurrecting the “power vertical,” destroying the independent television channels was an effective way of disposing of two central oligarchs. Already in March 2000 Kremlin Staff Deputy Chief Vladislav Surkov warned that certain oligarchs whom he termed “conceited individuals” would be dealt with for good.<sup>24</sup> In his first state of the nation speech in July 2000, Putin gave further evidence that he intended to limit oligarch influence by attacking the independent media outlets. While claiming to support a free press, Putin also stated that he disliked that the press should belong to someone (read: the oligarchs), and he harshly criticised its anti-state activity.

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<sup>21</sup> *Jamestown Monitor*, 15 February 2001.

<sup>22</sup> Quoted in Laura Belin “Will TV-6 go out with a bang or a whimper?” *RFE/RL Russian Political Weekly*, 10 November 2001.

<sup>23</sup> *Russian agencies*, 4 March 2000.

<sup>24</sup> *Segodnya*, 30 March 2000 “Vladislav Surkov is preparing public opinion for a crackdown on the mass media”.

Putin is highly sensitive to criticism, both of himself and of the state organs in his charge, and this has been an incentive to increase control over the independent television channels. The *Kursk* tragedy of August 2000 demonstrated this clearly. The Russian press was very strong in its criticism of the authorities' arrogance and secrecy in dealing with the matter. This mortifying experience for Putin proved that the press had the power to turn public opinion against the president. The incident prompted the authorities to bring pressure to bear on those who questioned the official line, and probably also strengthened Putin's desire to control the press more generally.

Thus, Putin had ample motives for launching a crackdown on the independent television channels. It seems reasonable to argue that he did this largely for instrumental reasons: to secure his election, to wrest power from illegitimate political actors such as the oligarchs, to halt criticism against himself and the policies of the Kremlin. There was no rational reason why Putin should *not* try to limit the influence of the independent television channels. However, it would be rational for any power-seeking politician to try to control the media only if he did not feel restrained by normative barriers against such behaviour. Moreover, the efforts to limit the influence of the independent television channels exceeded what was strictly necessary from a rational perspective. Thus, in this case the normative account also needs to be given some weight. Events clearly show that Putin had few normative barriers against infringing upon freedom of the press. It is not unreasonable to argue that the lack of such normative barriers can be ascribed to the remnants of a political culture from Soviet times that have survived ten years of Russian democracy.

### 3.4 Independent newspapers and journalists

When the fate of Media Most was sealed, so was the fate of the influential daily *Segodnya* and the newsmagazine *Itogi*, which belonged to the holdings. In April 2001 *Segodnya* was closed down and the staff of *Itogi* replaced. Another newspaper that ranked high among "serious" publications is *Nezavisimaya Gazeta*. Its founder and chief editor, Vitaly Tretyakov, had sternly tried to keep the paper independent of both authorities and big business. However, for economic reasons he finally had to allow Berezovsky to acquire a controlling share. Tretyakov regularly published material that did not correspond with Berezovsky's interests and was subsequently removed from his post in June 2001.<sup>25</sup> Despite Tretyakov's removal, the paper has been viewed as an alternative to more Kremlin-loyal organs.

In March 2002 a libel case was brought against Igor Zotov, a deputy chief editor of *Nezavisimaya Gazeta*, in connection with the publication of an article alleging that the chairman of the Moscow City Court and two judges had taken bribes. It was not clear precisely what connection Zotov had to the offending article, given that he runs the paper's literary supplement and thus could scarcely have had much to do with the article. Both the newspaper itself and the international writers' organisation, PEN-Centre, charged that the case was

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<sup>25</sup> *Jamestown Monitor*, 11 June 2001.

politically motivated. They noted that the underlying reason was that Zotov had covered the London showing of Berezovsky's film "Attack on Russia", which alleges that FSB were behind the September 1999 bombings of blocks of flats in Moscow and Volgogradsk.<sup>26</sup> This case shows, as many other have done, that the method used to silence critical media outlets is not to close them down, but rather to intimidate and harass them, with economic or legal levers.

The biweekly newspaper *Novaya Gazeta* has been the most powerful critic of Kremlin policies since 1993. Its journalists have distinguished themselves by their relentless efforts to reveal high-level corruption in state organs and provide the public with an alternative view of what has been going on in Chechnya. This approach has made life dangerous for them. In 2000 two of the paper's journalists were severely beaten, one of them allegedly for having reported critically on activity of the Prosecutor General's Office.<sup>27</sup> Further, in February 2001 Russian Security Forces detained the award-winning *Novaya Gazeta* journalist Anna Politkovskaya in connection with her reporting on Chechnya. Later, in October 2001 following threats made against her life allegedly stemming from the Security Services, Politkovskaya was forced to leave Russia and seek refuge in Austria. She returned to her reporting shortly afterwards, but has been warned that she will lose her Chechnya accreditation, and has been accused by Sergey Yastrzhembsky, the main Kremlin spokesman on issues related to Chechnya, of "behaving badly".<sup>28</sup> She remains under permanent surveillance by the secret police.<sup>29</sup>

In April 2001 the Main Military Prosecutor's Office carried out a search in the flat of *Novaya Gazeta*'s deputy General Director on the basis of criminal investigations into Gusinsky's Media Most. One year later, a new case accusing the Deputy Editor of libel was brought against the paper by Mezhprombank, owned by Sergey Pugachev, who allegedly is the oligarch of the secret services. In June 2002 the property of *Novaya Gazeta* was taken under arrest and the paper was fined for damages of 15 million roubles, an amount more than a hundred times bigger than any previous libel judgement by a Russian court. If the paper had been forced to pay this amount it could not have survived. It is difficult to say who was behind the possible demise of *Novaya Gazeta*. However, its chief editor, Dmitry Muratov, was not in doubt about the underlying reason: "By this act a political command has been carried out to remove an objectionable publication." Igor Yakovenko, secretary general of the Union of Journalists of Russia, noted for his part: "*Novaya Gazeta* was the last independent newspaper on whose pages one could express a point of view which had not been agreed with the position of the Kremlin."<sup>30</sup> However, Mezhprombank, which had filed the libel suit, cancelled its effort to collect the 15 million roubles in damages, and its press service issued a statement saying that the bank did not want to create a "dangerous precedent" that might endanger free speech, although by law it was within its rights in seeking the damage award.<sup>31</sup>

<sup>26</sup> *BBC Monitoring*, 20 March 2002.

<sup>27</sup> One of the journalists later died from the injuries.

<sup>28</sup> *Lenta.ru*, 11 February 2002.

<sup>29</sup> *Index of Censorship*, 19 April, as carried on *Johnson's Russia List*, 21 April 2002.

<sup>30</sup> *Jamestown Chechnya Weekly*, 11 June 2002.

<sup>31</sup> *RFE/RL Newslines*, 24 June 2002.

In spring 2002 the weekly *Obshchaya Gazeta* suspended publication. This newspaper had maintained a reputation for principled liberal criticism from its very beginning in 1991. It had reported critically on the war in Chechnya, on state corruption and on privatisation. It had also served as a rallying point whenever journalists felt that the state was encroaching on the public's right to know, by issuing special editions at critical moments. Again the reason given for suspending publication was "business".<sup>32</sup> Whether there are political interests behind this latest case is difficult to say.

Other papers have not been systematically persecuted, but several have been given "warnings" in the form of various kinds of intimidation, after printing material too critical of the Kremlin.<sup>33</sup>

There have been several alarming cases of suppression of independent journalists. According to the Glasnost Defence Foundation, which registered 88 instances of intimidation of journalists and writers by the authorities in December 1999 alone, the increase in such cases coincided with Putin's rise to power.<sup>34</sup> Some of these instances created public uproar. In a case reminiscent of Soviet times, the journalist Alexander Khinshtein was in January 2000 ordered by the police to go to a psychiatric clinic for testing in connection with a case brought against him by the Interior Ministry. Although the journalist was charged with having obtained a driver's license illegally in 1997, the real motive was probably that Khinshtein had been exposing misdeeds by Boris Berezovsky and had also accused Interior Minister Vladimir Rushailo of protecting Berezovsky.<sup>35</sup>

The Babitsky case is probably the most notorious. Andrey Babitsky was working for Radio Liberty and reporting from the rebel side in Chechnya. He was detained by Russian troops in Chechnya in January 2000, and charged with participating in "illegal armed formations". Later he was handed over to unknown armed Chechens in exchange for Russian prisoners. However, the exchange appeared to have been faked, as the "armed Chechens" were actually collaborators with the Russian security organs. Babitsky was released, but was later found guilty of holding a fake passport and finally amnestied.

Another case is the journalist and environmental activist Gregory Pasko. On 25 December 2001 the Pacific Fleet Court found Pasco guilty of spying for Japan and sentenced him to four years in a high-security prison. The Military Board of the Russian Supreme Court upheld this sentence in June 2002, alleging that Pasko had passed on information to the Japanese media about the Russian Navy's dumping of radioactive waste. However, his defender has insisted that the information Pasko passed on was in the public domain, that the evidence against him

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<sup>32</sup> Robert Coalson "Banditry as Usual?" as carried on *Johnson's Russia List*, 12 June 2002.

<sup>33</sup> For example, in December 2000 *Izvestia*, Russia's largest newspaper, printed several letters from intellectuals criticising Putin's plan to restore the Stalinist-era national anthem. The day after the Kremlin's property management division filed a lawsuit challenging *Izvestia*'s ownership of its main buildings.

<sup>34</sup> *The Times* (London), as carried on *Johnson's Russia List*, 19 February 2000.

<sup>35</sup> *St. Petersburg Times*, as carried on *Johnson's Russia List*, 28 January 2000.

was forged and that the case was initiated in retaliation for Pasko's reports that uncovered environmental abuses by the Russian Navy. Russian and international advocates of free speech have deemed this case an attempt to suppress freedom of the media. Pasko was granted parole on 23 January 2003 after having served two thirds of his sentence term.

There have been many more such cases – those mentioned here are merely the ones that have received broad media attention. Importantly, there has been a recent increase in such cases as compared to the early 1990s. Oleg Panfilov, director of the Center for Journalism in Extreme Situations, has calculated that the number of criminal cases opened against journalists in the past two years exceeds the five-year norm for Boris Yeltsin's period in office.<sup>36</sup>

Concerning who initiated these attempts to limit the influence of independent newspapers and journalists, and accordingly what kind of political system this development reflects, three conclusions can be drawn. Firstly, it is clear that some of these attempts have been initiated by powerful individuals at various levels in the political system – people who feel personally threatened by critique from independent papers and journalists. Hence, the system of the 1990s, where powerful actors not controlled by the President pursued their own interests often using law-enforcement agencies under their influence, can go some way in explaining events.

Secondly, however, the Security Forces seem to have played a growing role in initiating these attempts. Their motivation has often been to control information on the Chechen conflict or other sensitive issues. It has also been suggested that security officers have fabricated cases in order to promote their careers. This development testifies to the growing influence of these forces under Putin. Lastly, it is indeed striking how the newspapers targeted have been the most critical of the Kremlin and of Putin. Together with the fact that journalists in these papers are convinced that the crackdown is directed from the Kremlin, it seems reasonable to suggest that the Russian President has wanted this and has promoted it. This development is one step in the direction of creating a system with greater state control and authority.

### **3.5 The regional press**

The situation does not seem any different on the regional level – if anything, say analysts monitoring the Russian media, it is worse. Local news outlets are constantly being used as tools for the interests of the local elite, and open criticism can have dramatic consequences for journalists. This was illustrated in July 2002 when two local journalists representing media outlets in Tuva and Nenets came under fire after they brought allegations of regional corruption to Putin's attention at a news conference in June. The editor of the first journalist was sacked, accused of financial mismanagement of the outlet; the other journalist had an appeal filed against her with the prosecutor's office to investigate the matter

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<sup>36</sup> *Moscow Times*, 26 November 2002.



and bring charges. Russia's Ombudsman for Human Rights, Oleg Mironov, has several times expressed concern that the regional authorities stifle critical media. He receives many reports of local officials confiscating newspapers and cutting radio stations off the air.<sup>37</sup>

### 3.6 The war in Chechnya and the impact on the free press

As already indicated, the war in Chechnya has had a very negative impact on the freedom of speech in Russia. Indeed, controlling the coverage of this war has been a major motivation behind the curbing of independent TV stations and newspapers. A war usually has this effect in any country, but in the case of Russia and the second Chechen campaign the effect has been particularly strong.

#### 3.6.1 Limitations and disinformation

In contrast to the first Chechen war (1994–96), both Russian and foreign journalists have been unable to report from the second Chechen campaign (1999–?) without taking great risks. From the very beginning of the campaign, numerous journalists have been detained and interrogated when reporting on the war, and some have been accused of being foreign spies. Journalists wanting to report from Chechnya have faced numerous bureaucratic obstacles, such as problems acquiring accreditation for the area. The security structures have restricted access by refusing to offer journalists any protection, or by insisting on escorting journalists to certain locations.

Several incidents have been reported of the security structures confiscating material from journalists. In August 2002 Russian soldiers detained camera crews from the state-owned ORT television and TV Center working in Chechnya and confiscated their cameras, microphones and press passes; in November 2002 the FSB deleted one hour of recording on tapes belonging to a team from the Norwegian State Broadcasting Company (NRK) that had been reporting from refugee camps in Ingushetia. Overall, few foreign journalists have ventured to Chechnya, and almost all Russian reporters now visit only with official escorts and report only what the Kremlin approves.

In addition to the efforts to prevent information about the conflict from reaching the public, some news outlets are being employed to publish disinformation and lies. Oleg Panfilov, director of the Centre for Journalism in Extreme Situations, recalls a whole list of fabricated stories, allegedly often stemming from Sergey Yastrzhembsky or the spokesman for the Russian forces in Chechnya, FSB Colonel Ilya Shabalkin. This disinformation aims to discredit the separatists or conceal the Russian Army's responsibility for controversial incidents, such as the occasional bombing of Georgian territory.<sup>38</sup>

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<sup>37</sup> *AP*, Moscow, 3 May 2002.

<sup>38</sup> *Moscow Times*, 17 October 2002.

### 3.6.2 Legal foundation

Measures taken, as part of the anti-terrorism operation in Chechnya,<sup>39</sup> have also weakened the legal foundation of free speech in Russia. In March 2000, possibly in connection with the detention of Radio Liberty journalist Andrey Babitsky, the Press Ministry stated that the anti-terrorism law as well as the press law would be applied to assess information appearing in Russian media. Amongst other things the anti-terrorism legislation holds that information serving as either "propaganda" or "justification" for terrorism can be banned. On this background the granting of airtime to Chechen field commanders in the Russian media would be regarded as an act of collaboration with terrorism.<sup>40, 41</sup> Russia's spokesman on Chechnya, Sergey Yastrzhembsky, has several times thereafter called for a ban on publishing or broadcasting statements made by Chechen separatists, and various media outlets have received warnings from the Press Ministry after interviewing separatists.

In June 2000 the Russian Security Council approved an "information security doctrine", which Putin signed in September the same year.<sup>42</sup> The doctrine asserted, among other things, that Russian media could be viewed as posing a threat to national security by publishing information deemed "untrue or biased". Further, the doctrine warned that foreign enemies could exploit the media in "information wars" to weaken Russia. Although the doctrine did not include explicit threats to restrict freedom of the press, it was interpreted as part of a trend toward increased state control over the dissemination of information in Russia. A controversy concerning the freedom of press that grew out from the information security doctrine was the news that there was an article market "top secret" for funding mass media in the 2001 federal budget. This was interpreted as a sign that Putin was aiming to make the media a secret institution, although the Press Minister said that the classified budget items were connected to "special propaganda measures" which would be targeted against Chechen terrorists, but not used against the non-state Russian media.<sup>43</sup>

The legal foundations of foreign media outlets operating in Russia have also eroded. In May 2000 the deputy Press Minister Andrey Romanchenko suggested changing the press law to allow broadcasting licences to be withdrawn from foreign media if they, in the opinion of the government, adopt an editorial position hostile to the state.<sup>44</sup> Further, in July 2000 the Russian government issued a document on "international information security". The document stated that countries should have "equal rights to protect their information resources and vital

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<sup>39</sup> In 1998 President Yeltsin adopted a new law on "the war on terrorism"; in accordance with this law the second Chechen war is defined as a counter-terrorism operation.

<sup>40</sup> *Segodnya*, 15 March 2000.

<sup>41</sup> This ban included the elected Chechen president Aslan Maskhadov. Previously the newspapers *Kommersant Daily* and *Novaya Gazeta* had received formal warnings from the Kremlin for publishing interviews with Aslan Maskhadov.

<sup>42</sup> This doctrine was first written in 1997. In April 1997, it was discussed at the Security Council, but after journalists began to protest, the doctrine was put aside until 2000.

<sup>43</sup> *Russian agencies*, 7 September 2000.

<sup>44</sup> *Moscow Times*, 9 June 2000.

structures from illegitimate use or unauthorised information intervention”, and also called on states not to engage in “manipulation of information flows, disinformation and concealment of information with a view to undermining a society’s psychological and spiritual environment and eroding traditional cultural, moral, ethical and aesthetic values”.<sup>45</sup>

In line with the views expressed in this document, Russian officials in 2000 accused Radio Free Europe/Radio Liberty (RFE/RL) of being “hostile to the Russian state” in their coverage of the second war in Chechnya. In April 2002 the Kremlin threatened to close down RFE/RL’s Moscow bureau if it began to broadcast in the Chechen language as planned; on 4 October 2002, Putin cancelled an August 1991 decree that guaranteed the legal and operational status of RFE/RE. Lastly, a government directive, signed 11 October 2002, made it even more difficult for foreign journalists to cover Chechnya. The directive listed organisations, establishments and territories, including “zones where anti-terror operations are being conducted,” that foreign citizen need special permission to enter. Nothing was said of how it was possible to obtain such permission or how long it would last.<sup>46</sup>

### 3.6.3 The October 2002 hostage crisis and its aftermath

The October hostage crisis in Moscow, where a group of heavily armed Chechens held 700 people hostage in a Moscow theatre, triggered a new crackdown on the media. One should bear in mind that this kind of crisis situation, where the lives of many people are at stake, demands sensitivity on the side of the media, and that certain restrictions are legitimate. However, it seems that the measures taken by the Russian authorities exceeded that which was necessary. During the crisis the Press Ministry issued its own instructions concerning actions of the mass media in emergency situations. These included a ban on interviewing terrorists and on publishing confidential information on the Special Forces or information that could help the guerrillas. Accordingly, a whole series of outlets were rebuked during the crisis; NTV was banned from broadcasting comments by Movsar Barajev, the leader of the hostage-takers; Radio Ekho Moskvy was given notice that their website be shut down if they published an interview with one of the hostage-takers, and they were also asked to curtail reporting on the gas that the Special Forces had employed; Moskovia TV was taken off the air during the crisis by the Press Ministry without warning due to “improper coverage”; *Rossiiskaya Gazeta* was given a reprimand for a picture they published showing doctors and a hostage who died from the gas;<sup>47</sup> and the Chechen websites, chechenpress.com and kavkaz.org, disappeared during the crisis.

The amount of secrecy and disinformation surrounding the crisis proved that old habits die hard; the authorities first stated that 45 people had been killed by the hostage-takers, while the actual figure most probably was two; they failed to inform the public and the doctors treating the hostages about which gas had been used during the storming; doctors were not allowed to

<sup>45</sup> *Jamestown Monitor*, 14 July 2000.

<sup>46</sup> *Nezavisimaya Gazeta*, 5 November 2002.

<sup>47</sup> *Gazeta.ru*, 29 October 2002.

talk to the press and relatives were kept out of the hospitals; syringes and bottles of alcohol were planted beside the dead hostage-takers to discredit them.<sup>48</sup> It is also worth noting that the media, in comparison to their conduct during the *Kursk* crisis, were much less willing to criticise the controversial rescue operation. On the contrary, the Russian press, and in particular the state-owned TV channels, praised the storming and seemed eager to toe the government line. This was also evident in their efforts to link the atrocity to international terrorism as Putin had done, even though such linkage was probably weak. The incident illustrated how self-censorship in the Russian media works.

In the aftermath of the hostage crisis, on 1 November FSB officers searched the Russian weekly *Versiya* and confiscated a computer and the paper's server. Although the FSB claimed the search concerned an article published in May, the motive was probably to prevent the publication of an issue entirely devoted to the hostage crisis that contradicted the official version of events on important points.<sup>49</sup> Further, both NTV and TVS have been subjected to pressure for their "anti-Kremlin" position during the crisis. There has been a demand to sack TVS journalists for their stinging post-hostage crisis broadcast.<sup>50</sup> Similarly, chief of the Presidential Administration Alexander Voloshin has pressured Boris Jordan, head of NTV, to sack certain journalists. Moreover, Jordan, who was appointed general director of NTV in 2001, allegedly fell out of favour with Putin after NTV covered the hostage crisis in a fashion deemed too critical. The Russian journalist Yevgenya Albats has presented this as an illustration of Putin's "feudal" mindset. She stresses that Putin interpreted the independent coverage of the crisis as a breach of Jordan's personal loyalty – a loyalty that Jordan, in Putin's eyes, owed the President in return for the position he had been given.<sup>51</sup>

The hostage crisis also triggered calls from the Ministry of Press to evaluate the activities of the media on a more general level and to adopt rules to regulate the behaviour of journalists in crisis situations. The journalist community, fearing a clampdown, met this challenge by starting to work out a code of conduct for their profession. However, work with amendments on the Russian media law had been underway for quite a while, and was accelerated after the hostage crisis. The "Law on Battling Propaganda of Terrorism in Mass Media" was passed in the final reading in the Duma on 1 November and in the Federation Council on 13 November. It included a "ban on publishing any information which could harm the development of antiterrorist operations or jeopardise people's lives", prevented media from "publishing information about techniques, arms, ammunition or explosives used in anti-terror operations" and barred the media from "quoting individuals seen as threatening the conduct of anti-terrorist operations or any remarks judged as propaganda or seen to justify resistance to counter-terrorist operations".<sup>52</sup> This law was so vague and wide that it would make it possible to censor

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<sup>48</sup> Efforts by liberal deputies in the Duma to initiate an official inquiry into the hostage-taking and its aftermath have been quashed by parties loyal to the Kremlin.

<sup>49</sup> *RFE/RL* 4 November 2002.

<sup>50</sup> *Rossiiskie Vesti*, 13 November 2002 and *Washington Post*, 22 November 2002.

<sup>51</sup> *Novaya Gazeta*, 16–18 December 2002:5.

<sup>52</sup> *Reuters*, Moscow, 1 November 2002.

any criticism of the authorities and information on failure during anti-terror operations. It would also make it possible to censor any information on Chechnya.

Although the Kremlin is deemed to have initiated the amendments, President Putin vetoed the law on 25 November 2002, after receiving a protest letter signed by the entire journalist community and backed by Press Minister Lesin. Putin expressed that there is a “need to strike a finer balance between curbs and fully informing society about the actions of the state so that the state does not start seeing itself as infallible”.<sup>53</sup> There is an implicit understanding within the journalist community that they have imposed self-regulation in exchange for the veto, and the parliament is now going to rework the bill in cooperation with the journalists’ associations.

*Who forges this development of increasing control and why?*

The defeat in 1996 and the signing of the Khasavyurt agreement was a great humiliation for the Russian armed forces. The second Chechen campaign was seen as an opportunity to restore prestige, so the Russian armed forces have had a strong interest in suppressing criticism and negative coverage of this war. They have been pressing for strict control over the media, at times arguing that foreign countries are financing Russian media to lobby for the Chechen cause and that this could destabilise the situation in the country.<sup>54</sup> This specific interest tied to the second Chechen campaign comes on top of a more general trend that has developed after 1991. In Soviet times the military was prestigious and always protected by propaganda. After 1991 the military has decayed, lost prestige and moreover been deprived of the “protection” that propaganda gave. Growing secrecy and efforts to curb journalists who report independently on the military can thus be seen as self-protection measures adopted by the military.<sup>55</sup>

Partly owing to Putin’s own background in the FSB, the Security Forces have played a more prominent role in the second war as compared to the first. The FSB had failed to prevent the spread of chaos and crime in Chechnya after 1996, so it has also been in their interest to portray the second campaign as a success. Moreover, the FSB have a deeply ingrained culture of secrecy. They have clearly been a driving force behind curbing independent coverage of the Chechen conflict. It is beyond doubt that the Russian security and armed forces have increased their influence on media policy in this second Chechen war. Further, in many cases representatives of the security or armed forces have acted independently to influence and restrict information – sometimes putting the President in an awkward position as a result.

With the October 2002 hostage crisis in Moscow, the Chechen conflict moved to the heart of Russia, creating a new feeling of urgency and fear. Together with tension around the terrorist threat in world politics in general, the event has contributed to a *securitisation* of the media

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<sup>53</sup> *Reuters*, Moscow, 25 November 2002.

<sup>54</sup> *Jamestown Monitor*, 4 February 2000.

<sup>55</sup> A recent book, *Contemporary Russian Defence Journalism*, compiled by Russian defence experts and journalists, reportedly describes how defence journalists are facing a growing wave of secrecy, censorship and persecution and that many defence reporters have moved on to other topics or quit journalism altogether in the past 18 months due to the hassle of covering the military (*Moscow Times*, “Book: It’s harder to Report on the Army” by Lyuba Pronina, 15 January 2003).

policy: increasingly, freedom of the press is perceived through the prism of state security and hence subordinated to security interests. It also implies wider acceptance for arguments from the security structures, demanding a greater degree of secrecy and control. As noted, this trend developed from the start of the second Chechen campaign, but has been gathering momentum with incidents such as the hostage crisis.

Even if the increasing control over media coverage of the Chechen campaign can be ascribed partly to the growing influence of security and armed forces, the trend also seems to be a result of a conscious strategy pursued by the President. One sign of his intent to “manage” information on the war came when Putin appointed a special spokesman on Chechnya, Sergey Yastrzhembsky. Furthermore, the intent to “mould” media coverage to make it conducive to winning the war has even been explicitly stated by the Kremlin.<sup>56</sup> The various legal measures adopted, such as the Security Information Doctrine, have been initiated by the President’s inner circle (the Press Ministry, Sergey Yastrzhembsky, the Security Council) and all approved by Putin himself.

Putin’s veto on the “Law on Battling Propaganda of Terrorism in Mass Media” breaks with this pattern. Some have interpreted this as a sign that Putin and Press Minister Lesin have started to learn what freedom of the press is about.<sup>57</sup> Others have seen it as a big scheme which allowed Putin to win media’s obedience while looking like a defender of free speech.<sup>58</sup> Even if one does not believe there was such a deliberate scheme, events clearly enhanced Putin’s power over the journalist community, who have been drawn into closer relations of loyal cooperation as a consequence of the crisis. The Media Industrial Committee, established in 2002 and made up of managers who work for state-controlled media or are sympathetic to Putin’s administration, has been a key player in working out the new media law. Chief editor at Ekho Moskvyy, Alexei Venediktov, who has felt obliged to join the group working on the new law, expressed his situation in these terms: “I’m against having a new law, but one will be adopted anyway, with or without me.”<sup>59</sup>

On the question of motivation, one has to take into account the importance of winning the war in Chechnya for Putin as president. His election campaign was crafted upon promises to restore law and order, so a swift campaign in the breakaway republic would be a symbol that he as president could deliver on his promises. He has therefore had a very strong interest in influencing the media to portray the campaign as a success. Although Putin’s popularity rates are historically high and rest on other successes than the war in Chechnya, he still would have a lot to lose from images of a failed campaign. As such the hostage crisis was a hard test. At a time when the authorities were claiming that they were in control of the situation and that things were returning to normal in Chechnya, forty guerrillas managed to make their way to

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<sup>56</sup> In January 2000 Kremlin spokesman on Chechnya Sergei Yastrzhembsky stated in connection with the war: “when the nation mobilises its forces to achieve some task, that imposes obligations on every one, including the media.” In general, official statements have made it clear that any criticism of the campaign is equated with a “lack of patriotism” (*Moscow Times*, 28 January 2000, as carried on *Johnson’s Russia List*.)

<sup>57</sup> *BBC Monitoring*; Andrey Cherkizov on TVS, Moscow, in Russian 0423 hrs GMT, 13 January 2003.

<sup>58</sup> *The Economist*, 11–17 January 2003, “Press Freedom in Russia: Reading and Running Between Lines”

<sup>59</sup> *Ibid.*

Moscow and threaten the security of hundreds of Russians. It was of vital importance for Putin that the rescue operation should be described as a success, even at the expense of curbing the media. The same can be said for the Security Forces, who were to blame for the obvious lack of internal security that the events uncovered.

Despite the indubitable importance of the instrumental motivation in explaining the events, one should not underestimate as a motivation the fear of losing many lives and therefore having to adopt necessary security measures, including restrictions on the press, in crisis situations. Again, the argument is that the measures taken seem to exceed what was necessary, and that such situations are used to extend control. The measures taken to control the media in a crisis situation do not cease once the crisis is over.

### **3.7 Preliminary conclusion**

The general picture appears to be one of less diversity of opinion and freedom of speech in Russia under Putin. There is no independent nationwide television channel left, and the most critical and outspoken newspapers are being harassed. Further, there is uncertainty concerning the legal foundation of freedom of the press in Russia. True, openness and debate about many political issues remain, but in general it has become more difficult to express critical views of those in power and alternative views of their policies, such as the war in Chechnya. The atmosphere has been such that many journalists have begun practising self-censorship to avoid trouble. This mechanism of restricting free speech is in fact not so different from the one that operated in the Soviet Union, although on a different scale. The subservience of media outlets to the state was then largely “self-activating”: journalists and editors for the most part enforced the rules on acceptable content themselves, and direct intervention in media operations by censors was rare.<sup>60</sup>

Although in 2002 there were fewer incidents of direct intervention, and Putin did veto a very restrictive law, this type of self-censorship has increased. After the series of open attacks on independent media outlets in 2000 and 2001, the journalist community seems to have chosen a position of loyal cooperation. Parallel with these new trends under Putin, practices from the 1990s remain in place. Many media outlets are still linked to business interests and used in local disputes between shady businessmen. The murders of independent journalists in Russia are ordered not by the Kremlin as part of a strategy, but probably by businessmen or politicians who feel threatened by those who are investigating corruption and organised crime.

One should not draw categorical conclusions about the kind of political system that is emerging in Russia under Putin solely on the basis of developments on the media scene. However, there seems to be some support for the claim that a system characterised by weak control from the top, strong oligarchs and ad hoc actions by actors further down in the system is giving way to a system of stronger top-down control and an enhanced role for the power

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<sup>60</sup> *Transitions Online*, 2 August 2002, “Logical Thinkers” by Laura Belin.

structures (security and military forces). Accordingly, the limitations on freedom of the press over the past three years can be partly ascribed to the Russian President. The President has not ordered every attack on the free press – but there has been an understanding that these restrictions were desirable, and state-owned firms, courts and law enforcement agencies have been given a free hand to act on this understanding.

Indeed, the influx of former KGB employees into political positions of power and the strengthening of this agency under Putin seems to be one reason for the increase in control over media.<sup>61</sup> The targeted tax audits, indictments, lawsuits and arrests, which together amount to a highly selective application of justice to silence public criticism of the Kremlin, indicate that top figures in the judiciary have wanted to limit freedom of the press, or at least have been willing to give in to pressure. The fact that the Supreme Arbitration Court ordered the liquidation of TV-6 on the basis of a law that the Duma had repealed one year earlier is telling.<sup>62</sup>

The instrumental account goes a long way in explaining the curtailment of freedom of the press in Russia. Firstly, attempts to manipulate or limit freedom of the press have been motivated by political aspirations such as winning elections (in 1999 and 2000). Secondly, President Putin's political project has been to restore the state's prestige, enhance its power and curb the influence of the oligarchs. In Putin's war with the oligarchs the media proved the most important arena. By putting restraints on criticism of the state and incapacitating the two independent television channels, Putin achieved his goals. Thirdly, curtailing the press has been a rational instrument to help win the war in Chechnya. Restricting information on the war in Chechnya has been rational not only for Putin as President, but also for the military and security forces. Fourthly, controlling the media has been deemed a suitable instrument to deal with a growing terrorist threat. In part infringements on the press in Russia reflects the dilemma that order and security acquire supremacy over civil liberties in situations where chaos and crises prevail.

Taking this instrumental account as the point of departure, one could expect the restrictions on freedom of the press to be a temporary evil. However, I have made at least four observations that make it unlikely that the regime on its own initiative will open up for more diversity once the oligarchs' powers are reduced and the war is over. These observations testify to the relevance of the normative account when explaining the lack of freedom of press in Russia.

First, many in the Russian elite have no or few normative barriers that would prevent them from curbing the freedom of press for instrumental reasons such as winning an election, a war, etc. Crisis situations such as the *Kursk* tragedy of August 2000 and the Moscow hostage drama in October 2002 have revealed the knee-jerk reaction of the state organs. Both these crises triggered efforts to cut information, curb criticism and shape the image of events so as to

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<sup>61</sup> Aleksandr Zhdanovich, FSB PR Centre Chief, has said "FSB will fight everything that threatens Russia's interests, including the world of the media" (*Jamestown Monitor*, 14 May 2001). Zhdanovich was in June 2002 appointed deputy director of the VGTRK, the state broadcasting company.

<sup>62</sup> *Moscow Times*, 15 January 2002.



favour the actions of the authorities. Second, limitations on the freedom of press stay in place after the instrumental rationale for them is gone. Third, limitations have often gone much further than rationally necessary to deal with the immediate problem.

Fourth, the Russian elite does not seem to have internalised the norm “freedom of speech” in their understanding. President Putin has constantly been “talking the talk” – i.e. with every new event that has infringed on the freedom of press he has reiterated assurances that he is committed to democracy and a free press in Russia, as have members of the government.<sup>63</sup> However, judging by closer scrutiny of his words, Putin seems to have a limited understanding of freedom of the press and what it implies. He has repeatedly criticised the independent press for being critical, something Yeltsin never did. Even Putin’s statements on how important a free press is have at times shown a lack of understanding for the norm – pluralism of opinions and critique has been equated with chaos and weakness and perceived as a threat to the strength of the state; the obligation to support the state (the president) and agitate for the state’s standpoints seems to be part of the conception of a free press.<sup>64</sup> These perceptions seem deep-rooted in the President and many of his closest allies in the “Chekist group”<sup>65</sup>, who have all made their careers in the Russian Secret Services where tradition of secrecy and lack of openness run strong.<sup>66</sup>

Thus, although the old Soviet-era system of control no longer is in place, some of the habits and mindsets produced by this system persist. This political culture does contribute to explain why freedom of the press has deteriorated in Russia.

Looking towards the future, one can expect the regime’s semi-authoritarian relations to the press to continue. Firstly, new elections are coming up posing new temptations to control the media. Secondly, Russia will continue to face grave problems of order and security in the near future. Hence, less importance will be attached to civil liberties. Thirdly, in this situation, the influence of the Security Forces in Russia will not decrease. Fourthly, the political culture of

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<sup>63</sup> In connection with the Doctrine on Information, Security Council Secretary Sergei Ivanov several times stressed that he firmly believed in the freedom of speech.

<sup>64</sup> Putin’s perception of “a free press” was vividly illustrated in his first State of the Nation speech in 2000, in which he did not seem to accept that a free press might include criticism of the state. Criticism was characterised as anti-state activity and deemed as undermining the state. Chief editor at the radio station Ekho Moskvy, Alexei Venediktov, was told directly at a meeting with Putin that “your job is to support the state”(Anne Applebaum, 11 April, as carried on *Johnson’s Russia List*.) Moreover, in the Babitsky case the Russian President unleashed a personal attack on the journalist, calling him “a traitor” and “a criminal”. Presidential aide Sergei Yastrzhembsky has recently suggested creating special training centres in the seven federal districts to train “state-minded journalists” so that they can convey state information “correctly” (*Izvestia*, 3 October 2002).

<sup>65</sup> “Chekist group” is a label used for a group of people with background in the security services, often from Petersburg, who have been placed in high positions under Putin. The other group in Putin’s inner circle is made up of liberal economists. They, however, seem to concentrate their efforts on the economy and have had little impact on policy towards the media.

<sup>66</sup> Interior Minister Boris Gryzlov, addressing a conference on mass media in December 2002, said: “given the terrorist threat the regional media faced increasingly high social responsibilities, such as helping the state establish a safer society.” He also lashed out at the media for criticising policies carried out by the Interior Ministry, accused outlets of attempting to destabilise the situation in the country and claimed that “media should pay special attention to the fact that they must serve our society and our society needs security” (*Gazeta.ru*, 2 December 2002).

the Russian elite will not change over night, nor does Putin appear to have political challengers who put civil liberties on top of their priority list.

There seems to be a mismatch between the closer relationship between Russia and the West on the international arena, and the deterioration of liberal democratic norms in Russia under Putin. The prospects for a security community between Russia and the West are therefore not as bright as they might seem. Liberal democratic norms – including freedom of expression – are, in themselves and through the kind of interaction they produce, at the core of the Western identity. Russia’s failure to develop a higher standard on these values will hamper trust and communication – conditions crucial to the development of a security community. Norm change in Russia will, according to the model developed by Risse, Ropp and Sikkink, depend largely on the pressure that the domestic opposition, Western states, organisations and INGOs can level at the norm-violating regime. Let us turn to the roles of these actors before drawing any final conclusions on the future of press freedom in Russia.

#### **4 DOMESTIC OPPOSITION TO THE ENCROACHMENT ON FREEDOM OF THE PRESS**

Despite the above conclusions, a free press has been one of the main achievements of independent Russia. After ten years of experience with this right, Russian society is unlikely to relinquish it without protest. In Risse, Ropp and Sikkink’s theory on how norms change, the domestic advocacy network plays a pivotal role. In the crucial phase of “tactical concessions” they predict that a process of social mobilisation will take place in the norm-violating country, and that human rights claims will be the main principled idea around which an opposition coalition can be formed.

The events of recent years have only to a limited extent indicated that such a development is taking place in Russia. This study suggests that in Russia a small network of advocates is developing that will oppose encroachment on freedom of the press. The network is made up of representatives from the journalist community and human rights organisations, but also of individuals in the political, economic and intellectual elite. However, these advocates do not have an easy time in Russia, and many of them complain that their space is becoming smaller and that their voices are being silenced. In the following I will shed some light on how the press-freedom advocacy network has developed in Russia, and suggest reasons for its weakness.

##### **4.1 The journalist community, rights groups and advocates of freedom of the press**

In the newly independent Russia, TV stations and papers have been owned by influential people and used as instruments for their particular interests. The journalist community has often found itself been split into different camps waging war against each other. This largely explains the meagre collective resistance in the journalist community to the crackdown on independent media.

Still, in the face of growing limits to the freedom of expression in Russia, part of the journalist community has constituted a buffer against this infringement. As early as in August 1999, the editors of more than a dozen prominent Russian publications in an open letter accused the Kremlin administration of pressuring the media, and warned that there was a need to protect freedom of expression in the run-up to the elections.<sup>67</sup> The Khinshtein case gave another illustration. Although Khinshtein enjoyed little respect in the journalistic community because many saw him as a scandalmonger, the attempt to take the journalist to a psychiatric hospital caused many journalist colleagues to sound the alarm. The Glasnost Defence Foundation, Russia's chief watchdog of media freedom, and the Russian PEN-Center immediately reacted. Khinshtein managed to avoid arrest also because his lawyer called a TV team.<sup>68</sup>

Also the Babitsky case created an uproar in the journalistic community.<sup>69</sup> Over thirty media organisations joined together to publish a special black and white edition of *Obshchaya Gazeta*, which has been published only when Russia's freedom of the press appears endangered.<sup>70</sup> On the front page the leaders of the Russian Union of Journalists stated: "A threat to freedom of speech in Russia has for the first time in the last several years been transformed into its open and regular suppression".<sup>71</sup> In addition to the journalist community, organisations such as the Moscow Helsinki Group, Memorial, the Committee for Soldiers' Mothers and the Glasnost Defence Foundation reacted swiftly. Few from the political elite reacted, but parliamentarians from the Yabloko Party and the Human Rights ombudsman Oleg Mironov did. Although it is difficult to judge why Putin intervened personally to release Babitsky, this outcry may have been a contributing factor. Further, when the trial against Babitsky, then accused of carrying false identity documents, came up in September 2000, the media community closely monitored the trial and Babitsky was acquitted.

In the Pasko case a wider group was engaged. Dozens of protesters took to the streets when Gregory Pasko was jailed in Vladivostok in January 2001. Apart from the Glasnost Defence Foundation and the All-Russian Movement for Human Rights, prominent lawmakers such as Yabloko leader Grigory Yavlinsky; head of the Union of Right Forces (SPS), Boris Nemtsov; and even the head of the Russian Federation Council, Sergey Mironov appealed directly to the Supreme Court chairman to reconsider the case.<sup>72</sup> When Anna Politkovskaya was detained in February 2001, the considerable attention from the Russian media and the various rights groups probably triggered her quick release. The continued focus on her person by rights groups has undoubtedly secured her continued journalistic activity, although her path has been far from easy.

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<sup>67</sup> *Jamestown Monitor*, 3 August 1999.

<sup>68</sup> *The Independent*, 21 January 2000, as carried on *Johnson's Russia List*.

<sup>69</sup> The journalist community was not unison in their reaction to the Babitsky case. Although most reacted negatively to his detention, quite a few criticised Babitsky for taking the side of the rebels in Chechnya. Furthermore, some of the most influential newspapers in Russia did not take part in the protest.

<sup>70</sup> Such a special edition appeared first in 1991 in connection with the attempted coup against Soviet President Mikhail Gorbachev.

<sup>71</sup> *St. Petersburg Times*, 18 February 2000.

<sup>72</sup> *AP*, Moscow, 10 July 2002.

The Media Most affair was an alarming sign that the state was intervening against society, to achieve political ends. However the loud protests at the first raid of Media Most in May 2000 showed that Russian society would not stand by and allow the state to encroach on its rights. The raid of Media Most and the arrest of Gusinsky were followed by massive protest from various rights organisations, the government Ombudsman for Human Rights and nearly the entire journalist community of Russia. This time 62 publications endorsed the special edition of *Obshchaya Gazeta*.<sup>73</sup> Moreover, the cream of the Russian business elite protested, as did a wide range of prominent Russian politicians not only from Yabloko and the SPS but also from the Fatherland All-Russia Party and the Communist Party. It is fair to say, though, that many may have protested more out of fear that their own interests could be harmed than out of fear for the destiny of the free press in Russia. They may have been troubled more by the way things were done (raiding and jailing) than by the fate of Gusinsky and Media Most.

The jailing of Gusinsky spurred the creation of a new media-monitoring group, headed by Mikhail Gorbachev, to assist the development of non-state-owned mass media and the protection thereof.<sup>74</sup> This media-monitoring group was used to pressure the state as the Media Most battle developed, and Gorbachev met several times with Putin. Although he clearly failed to convince Putin of the need to spare Media Most, the pressure levelled from these advocacy groups, together with the broad societal protest, might explain why the process was protracted, and why many attempts to take control over NTV, such as the first arrest of Gusinsky and the protocol 6 affair, were later abandoned.

The final battle for NTV in spring 2001 again brought loud protests as 10,000 Muscovites took to the streets.<sup>75</sup> Nearly 160 newspapers and other media organisations placed their logos in support of NTV in the special edition of *Obshchaya Gazeta*. Still, the edition contained only a few protest letters from public organisations and some articles by journalists from *Obshchaya Gazeta* and *Novaya Gazeta*, as well as a dozen pieces by Russian intellectuals.<sup>76</sup> The final development of the crisis also proved that the journalist community was split: some NTV journalists started to jump ship and exchange bitter “open letters” in the press with their former colleagues.<sup>77</sup> When push came to shove much of the media community was ready to fall in with the regime – whether out of competitive interests, envy or an instinct for self-preservation.<sup>78</sup> Further, the Duma refused to focus on the problem or put pressure on the Kremlin. Politicians from the SPS toned down support for NTV and some, among them Anatoly Chubais, openly sided with Gazprom. Lastly, polls showed that most Russians were

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<sup>73</sup> Among the groups and organisations that actively protested were: Union of Russian Journalists and their watchdog organisation Centre for Journalism in Extreme Situations, the For Human Rights Organisation, Institute for Humane Communication, the Glasnost Defence Foundation, Memorial, the Gorbachev Foundation and the National Association of Broadcasters.

<sup>74</sup> *Gazeta.ru*, 17 May 2000.

<sup>75</sup> The demonstration was held on 7 April and similar demonstrations took place in other major Russian cities the following day. In St. Petersburg more than 4,000 people gathered; elsewhere, the numbers were insignificant.

<sup>76</sup> *Moscow Times*, 10 April 2001.

<sup>77</sup> *Jamestown Monitor*, 10 April 2001.

<sup>78</sup> One clear example was that 85 TV-6 staffers signed an open letter opposing the hiring of the ousted NTV journalists at their station (*Jamestown Monitor*, 18 April 2001).

indifferent to NTV.<sup>79</sup> Thus, there was a societal buffer against the dismemberment of NTV, but it was eventually limited to a rather small group of liberal politicians and intellectuals, some rights organisations and a divided collective of journalists.

This picture of a rather weak advocacy network for freedom of the press was even more evident in the TV-6 affair. The rally organised to protest the closure of TV-6 gathered only 80 people in downtown Moscow. A handful of liberal politicians, mostly from Yabloko and the SPS parties, together with the usual human rights and press-freedom activists and organisations, were the only ones to voice consistent criticism. Although this same group of politicians and activists continued its criticism, warning against the establishment of a “managed democracy” in Russia during 2002, they have remained a marginal group in the broader political landscape. Indeed, the prize for “Openness to the press” awarded to Putin by the Moscow Union of Journalists in January 2002 proved the how split the journalist community itself is on this issue.<sup>80</sup>

In the aftermath of the Moscow hostage crisis, the advocacy network and their arguments for freedom of the press have lost some of their moral authority and appeal. With immediate security challenges moving to the top of the agenda, it has become immoral/illegitimate to keep pressuring for freedom of the press, because openness and information are considered to increase the security threat. Accordingly, even the obvious infringements on freedom of the press that occurred after the Moscow events have not met with strong opposition from a growing advocacy network. One illustrative example is that Yavlinsky, who had been voicing consistent criticism on this issue, decided to defend the measures taken by the authorities. In turn, this has earned him a new and better relationship to President Putin.

*Why is the advocacy network for freedom of the press weak?*

It seems reasonable to conclude that there exists an advocacy network willing to defend the freedom of speech in Russia. This network is made up of journalists, rights organisations and a cluster of prominent figures, including Mikhail Gorbachev, human rights ombudsman Oleg Mironov, Grigory Yavlinsky, Boris Nemtsov and former dissidents Sergey Kovalyov and Yelena Bonner. However, this advocacy network has not been gradually strengthened, nor have human rights been the main principled idea around which an opposition coalition is formed – as Risse *et al.* expect in the phase of “tactical concessions”. On the contrary it may seem that the press-freedom advocacy network and their cause are losing terrain. Opposition and pressure from this advocacy network might have contributed to rule out the alternative of outright closure of oppositional outlets, if the Kremlin had wanted that. Further, it may have protracted the process of closing down NTV and protected targeted journalists so that they in some cases could continue their work.<sup>81</sup> However, the actual impact of this network on the authorities’ actions seems to be limited.

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<sup>79</sup> Poll conducted by the Russian Public Opinion Foundation, 19 April 2001.

<sup>80</sup> President Putin was nominated for his “sincere aspiration to inform each Russian citizen about reforms being carried out within the state”.

<sup>81</sup> That interest groups can constitute a buffer against the state infringement on the rights of society was further illustrated when the government wanted to introduce control over the Internet. Draft decrees prepared in

One reason is that this advocacy network has not had access to political decision-makers. Advocacy groups have kept on sending protest letters to government officials, but these are probably never read and no answers are ever given.<sup>82</sup> Further, government representatives and Duma deputies – apart from Grigory Yavlinsky, Boris Nemtsov, Oleg Mironov and a few others – seldom take part in national NGO conferences on rights issues.<sup>83</sup> The government media have sought to tone down the various events arranged by the network.<sup>84</sup>

At the same time, the authorities have attempted to create an alternative network more under their own control, into which they can co-opt the journalist community. In late 2000 the authorities set up their own tame GONGO (Government Organised Non-Governmental Organisation) for journalists, the new “Media Union”, to supplant the independent Russian Union of Journalists. Further, in an attempt to open a dialogue with civil society, Putin held a meeting with handpicked NGOs in June 2001. At this meeting, plans were made for a Civic Forum in November 2001, in which a wide range of NGOs and government officials were to take part. Initially, the government controlled the selection of NGOs to attend the forum, and many interpreted the forum as a measure taken to put Russian civil society under government control. Eventually, however, some of the most critical NGOs were included and set conditions for the forum that prevented such a development.<sup>85</sup>

Then the Moscow hostage crisis of October 2002 brought the journalist community into closer cooperation with, and many would say under the control of, the government. They are now working together with the authorities on amendments to the press law, although few journalists actually want such amendments. They have also, on the request of the Press Minister, taken it upon themselves to prepare a set of ethical guidelines for the journalist profession. A recent event that clearly can be interpreted as a sign that the authorities are aiming to co-opt the journalist community is “The 2<sup>nd</sup> All-Russian Conference of Regional Mass Media”, hosted by the pro-Kremlin United Russia Party and attended by 700 chief editors from regional outlets. Chairman of the General Council of the United Russia Party Alexander Bespalov stated in his opening address: “the party is seeking the support of regional journalists to win the upcoming elections, and to that end is set to render financial assistance to the regional press.”

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December 1999 aimed at regulating the registration of Internet addresses for Russian websites, qualifying them as “mass media”, subject to licensing. However, at a meeting of Internet specialists, site holders and President Putin the former managed to convince Putin that it was impossible to control the Internet without cutting off Russian computers from the rest of the world. The decrees were not issued. Instead, an expert council of Internet professionals was created, and Putin assured them that the government, if faced with a choice between maintaining freedom of access or regulating, would choose freedom (*RFE/RL*, 7 February 2000).

<sup>82</sup> *The Russian Journal*, 13–19 January 2001

<sup>83</sup> When the Gorbachev Foundation and the Glasnost Defence Foundation in June 2001 organised a conference on the fate of glasnost in Russia, several Kremlin representatives, including Media Minister Lesin, were invited. There had even been talks with Lesin and the Presidential administration three months before the conference. However, not one Kremlin representative turned up; the officials either declined the invitation or simply did not reply (*The Russian Journal*, 8–14 June 2001.)

<sup>84</sup> *Moscow Times*, 22 January 2001 and *Ford Foundation Report*, Winter 2001 as carried on *Johnson's Russia List*, 17 March 2001.

<sup>85</sup> “Civic Activists Storm the Kremlin”, by Andrei Zolotov Jr., *Moscow Times*, 22 November 2001

Conferences like these, he said, are to become regular in order to establish a “dialogue between the media and the party”.<sup>86</sup>

The authorities’ reluctance to give the advocacy network access and attempts to create an alternative network under their control cannot be understood without reference to Russian political culture. The total lack of civil society–state relations that characterised the Soviet totalitarian system created customs and beliefs still in force in Russia today. For example the Russian conception of state power leaves little room for an independent civil society. The fact that former dissidents are prominent in the advocacy network may give it credibility in the West – but not in Russia, where the dissidents’ relation to the state has never been one of dialogue, but rather animosity. For this reason, most politicians and state officials view the work of the advocacy network as anti-state activity. On their side many members of the advocacy network view state officials and politicians with such distrust as to have no desire to communicate or cooperate with them.

Thus it seems that Risse *et al.*’s model does not quite capture the impact of the “local” Russian heritage. In addition, the prominence of security issues in today’s Russia has limited the appeal and relevance of rights issues, and thereby also the influence of press-freedom advocacy networks. Lastly, as the next part will show, the weakness of advocacy networks for freedom of the press in Russia can also be attributed to how little importance the Russian people seem to attach to this norm.

## 4.2 The Russian public

The model of Risse *et al.* suggests that social mobilisation in defence of human rights norms can be expected in norm-violating states once tactical concessions have been made. However, rights issues do not seem to hold much appeal to the ordinary Russian. For example, a call in August 2000 by prominent Russian intellectuals and artists to establish a new public political movement in the face of what they called “growing authoritarianism” in Russia failed to generate any noteworthy response. Although the dismantling of the independent NTV caused 10,000 people to demonstrate in Moscow, this is a small number compared to the tens of thousands of Czechs who marched and protested for one whole month to save their country’s national television from the politicians. Russian opinion polls show that most Russians (56%) deem democratic procedures, such as freedom of the press, important for the organisation of society in principle. However, 73.1% of them see these procedures as an empty shell (*pustaya vidimost*) in Russia, believing that whatever happens “the rich and the powerful rule in Russia”. Accordingly they support the idea that a strong personality is needed to create order in society.

How can we explain this apparent contradiction between a commitment to democratic values as principles and the call for a strong hand in the particular Russian situation? First of all it is due to the particularly Russian style of democracy that developed since 1991, where wealthy

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<sup>86</sup> *Gazeta.ru*, 2 December 2002.

oligarchs seem to influence policies more than the electorate does. Secondly, the Russian population does not seem to find today's democratic system an adequate instrument for dealing with this problem.<sup>87</sup> This logic can also explain why there was only limited protest against the dismemberment of the nationwide television channels NTV and TV6.<sup>88</sup> The dismemberment of these channels was accepted because they were associated with the fall of two major oligarchs.

Hence, although Russians in principle support freedom of the press, and half of them feel that this freedom is threatened, they do not see a lack of freedom of the press as a key problem, and they are unlikely to take to the streets to defend this right. In a society like Russia today, where most people still are relatively poor, they care more about material goods than "spiritual" goods, such as freedom of the press. Accordingly, in a poll conducted by sociologists from the Russian Academy of Sciences in February 2000, 53.3% mentioned the ample supply of goods in Russian stores as the main benefit of post-Soviet reform, while only 27.7% mentioned free speech.<sup>89</sup>

It is also worth noting that although more than half of those surveyed answered that they would oppose restrictions on the freedom of press, other opinion polls have shown a growing number in favour of government censorship of the media.<sup>90</sup> The support for censorship must again be interpreted on the background of the recent misuse of the media by political and economic actors to further their own interests, e.g. through smear campaigns.<sup>91</sup> Also, the journalist profession has lost credibility because of lack of regard for moral and ethical principles in their work. The fact that anyone who has the money can buy himself an article in nearly any Russian paper is widely known, and deprecated.<sup>92</sup> Lastly, the increasing support for censorship in Russia must be attributed to a growing awareness of security issues. More and more people feel sympathetic to the argument that some degree of censorship is necessary for protection from the terrorist threat.

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<sup>87</sup> *Rossia na rubezhe vekov* (2000: 31–32) Moscow: Russian Independent Institute of Social and National Problems and Russian Political Encyclopaedia.

<sup>88</sup> A poll conducted by The Public Opinion Foundation in connection with the closure of TV–6 showed that 63% of those surveyed were not interested in the following the fate of NTV (*Interfax*, 24 January 2002).

<sup>89</sup> *AFP*, Moscow, 12 February 2002.

<sup>90</sup> Polls conducted by Public Opinion Foundation in June 2000 showed that every second Russian would oppose restrictions on freedom of speech, and that 23% would welcome it. Other surveys conducted by the same foundation showed that the percentage of Russians convinced of the need for government censorship of mass media had increased from 49 % in November 2000 to 57% by March 2001 ([www.fom.ru](http://www.fom.ru), 14 June 2000 and 22 March 2001.) A poll conducted after the Moscow hostage crisis of October 2002 showed that only 22% spoke against censorship of the media and that 47% of the respondents considered restrictions for the media necessary (survey conducted by the Public Opinion Foundation among 1,500 city dwellers and villagers; quoted in *Izvestia* 25 November 2002).

<sup>91</sup> Russian scepticism to media outlets is high. In a poll conducted by ROMIR 52.4% said they did not trust the mass media ([www.romir.ru](http://www.romir.ru) January, 2002.)

<sup>92</sup> This has been given as the prime reason for the growing distrust of the mass media among Russians (*Rossiskoe obzhestvo I radikalnye reformy*, V.K. Levashova, ed. Moscow: Academia, 2001: 779)



## 5 EXTERNAL PRESSURE

### 5.1 Western powers

Taking Risse *et al.*'s model as a point of departure, we can say that the development of free speech in Russia can be expected to depend also on that country's interactions with the West. Putin has claimed that Russia belongs to the "civilised Western world". He is therefore "aspiring to membership in a valued international grouping", as mentioned in the "spiral model". In such a situation, we may expect that the more Russia engages with Western leaders and organisations, the more will Russia be subject to pressure and influence on issues such as freedom of speech. Let us see how Western states have responded to increasing pressure on the independent press in Russia, to find out whether this has been the case.

At the height of the scandal in February 2000, a series of high-profile Western visitors to Moscow demanded news of Babitsky's whereabouts and his immediate release. However, Western leaders were also apologetic. For example, the British Foreign Minister, Robin Cook, claimed that the detained Babitsky was OK because he was "with civilians in the mountains".<sup>93</sup> These ambiguous signals from Western statesmen in response to the first conspicuous attack on independent journalists in Russia under Putin were to become a pattern in the events that followed.

Although top US officials expressed concern about accusations that the Kremlin was cracking down on the media prior to the presidential election in March 2000, Western states were careful not to alienate Putin by criticising him, hoping he would "adapt once elected".<sup>94</sup> During British Prime Minister Tony Blair's visit to Moscow in March 2000 he was so lenient that his behaviour was subject to criticism in the Western press. Despite clear signs that the media were being manipulated to forge the election of Putin as president, and that the Chechen campaign was producing gross human rights violations, Blair did not convey much worry about these developments. Rather, he stated: "Putin's Russia is a strong, law-governed, democratic and liberal country."<sup>95</sup>

Similarly, US President Bill Clinton stated in April 2000 that Putin was "a person the United States could do business with". The West was happy about the fact that Putin wanted to create a strong state – a stronger Russian state could enforce law and order (making life easier for foreign investors), reform the economy and safeguard nuclear stockpiles. This was seen as more important than worries about Putin's lack of understanding for liberal democratic values.<sup>96</sup> Hence, prominent Western analysts, although warning of Putin's authoritarian

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<sup>93</sup> *Moscow Times*, 26 February 2000.

<sup>94</sup> *AFP*, 16 March 2000 as carried on *Johnson's Russia List*.

<sup>95</sup> *Itar-Tass* 13 March 2000.

<sup>96</sup> US Secretary of State Madeleine Albright expressed some concern when stating that they would be "watching Putin after the election". However, her main argument was that one should not prejudge Putin, and that he had shown interest in serious economic reform and discussions about arms control and non-proliferation issues (*AFP*, 26 March 2000).

tendencies, professed that Putin's victory would create favourable conditions for broadening Moscow's cooperation with the West.<sup>97</sup>

However, the Gusinsky arrest in June 2000 *was* followed by a wave of criticism in the West – from the US President and members of Congress, from European heads of states, from Western press-freedom watchdogs and from organisations such as the OSCE and the European Bank of Reconstruction and Development.<sup>98</sup> The arrest was carried out during Putin's weeklong tour in Europe. Putin claimed that he knew nothing about it, but he had to face massive critical questioning both in Spain and in Germany and seemed embarrassed by the affair. Although the German government downplayed criticism of the arrest of Gusinsky so as to ease the way toward improving ties with the new Putin regime, German concern over this issue was mentioned in the talks between the two heads of state. Putin retreated and said publicly in Berlin that the arrest had been “excessive”. The following day Gusinsky was released. Schroeder's foreign policy advisor, Michael Steiner, claimed that Schroeder had played a key role in winning Gusinsky's release.<sup>99</sup> This incident indicated that closer and more frequent contact with the West might make Russian leaders more vulnerable to criticism and perhaps more susceptible to Western values. Although Putin might have retreated on the arrest of Gusinsky simply to avoid losing face in the West, the circumstance of being in Europe at the time of the arrest and experiencing the outcry clearly showed to him that this kind of “behaviour” would not be accepted in the Western club.

However, the Western states quickly resumed their general inclination to continue engaging rather than alienating Russia by criticising norm-violation. Shortly after Gusinsky was arrested, in July 2000, Putin attended the Group of Eight summit and impressed the Western heads of state with his performance. After these talks it was suggested that Russia become a full member of the G7 – that the group would become G8.<sup>100</sup> Further, the European Bank of Reconstruction and Development, which had criticised the arrest of Gusinsky in June 2000, only a few months later, and while Gazprom was about to swallow up NTV, approved a \$250 million loan to the oil giant – without requiring any commitment about leaving the free press alone.<sup>101</sup>

In April 2001 –at the time the NTV journalists were finally ousted – German Chancellor Gerhard Schroeder went to Russia to meet with Putin. It was said in advance that he would use the occasion to voice Western concern over freedom of the press in Russia. Schroeder did also, in a clear sign of support, give an interview to the Media Most radio station Ekho Moskvyy a week before the summit. However, the issue of freedom of the press received only muted

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<sup>97</sup> *Itar-Tass*, 14 March 2000, at an international seminar held at the National Press Club in Washington, DC.

<sup>98</sup> A delegation from the US–Russia Business Council even postponed a trip to Moscow because of the arrest. Moreover, the US Committee on Security and Cooperation in Europe arranged a hearing on human rights abuses in Russia where prominent Congressmen, academics, members of the OSCE Parliamentary Assembly and the Helsinki Committee took part. The hearing was held in advance of Clinton's visit to Russia in June 2000 (*Jamestown Monitor*, 15 June 2000).

<sup>99</sup> *Reuters*, 17 June 2000, as carried on *Johnson's Russia List*.

<sup>100</sup> *Reuters*, 22 July 2001.

<sup>101</sup> *Moscow Times*, 11 August 2000.

expression in Schroeder's public comments at the summit, and he sidestepped direct criticism of President Putin on the matter. The two apparently discussed the issue at length in private consultations, but when Schroeder expressed concern over NTV, the Russian president had disassociated himself from the events and countered that the whole affair was strictly business.<sup>102</sup> One reason for the muted criticism and the lack of any concrete measures against Russia for the NTV affair is probably that Gazprom supplies Germany and other Western countries with energy. Moreover, it seems that, when meeting Putin face to face, Western statesmen generally feel uneasy about voicing direct criticism.

In 2001 the new US administration signalled that it would be tough with Russia on questions concerning democracy and freedom of speech. The NTV issue was several times criticised directly by Secretary of State Colin Powell and State Department officials. The US administration even tried to influence the Kremlin to let CNN founder Ted Turner buy a 25% stake in NTV, so as to ensure NTV continued independence.<sup>103</sup> Gazprom-Media chief Alfred Kokh met with the US National Security Council to convince the US side that there was no threat to the freedom of speech in Russia. Instead he was forced to fight off tough questions from members of Congress and security officials.<sup>104</sup> When NTV, *Sevodnya* and *Itogi* finally came down, US State Department Spokesman Richard Boucher issued a row of unusually clear statements saying that the USA was "extremely troubled" by the events, that the takeover was considered to be politically motivated and that his administration condemned the Russian government's handling of the case.<sup>105</sup> The Russian Foreign Ministry dismissed these accusations as "totally unfounded and concocted", reiterating that the matters were purely financial, not political.<sup>106</sup>

However, as the time approached for the first meeting between President Bush and President Putin in Slovenia June 2001, it became clear that promoting values like democracy and freedom of press would not have first priority on the US side. Although the State Department had stated that Bush would forcefully raise the issue of Russia's human rights record, this did not happen. The meeting in Slovenia was characterised by exchanges of compliments and the start of an amicable relationship between the two heads of state, Bush stating afterwards that he was "able to get a sense of his (Putin's) soul; a man deeply committed to his country and the best interests of his country".<sup>107</sup> The talks concentrated on the new National Missile Defence, on prospects for a strategic partnership between Russia and the USA within a new security framework, and on economic affairs, with Bush promising to work for Russia's admission to the WTO. Freedom of the press and Chechnya were apparently discussed, but there was no signal that these were key issues for the USA, or that improvement in these areas was a condition for closer cooperation.<sup>108</sup>

<sup>102</sup> *AFP*, St. Petersburg, 10 April 2001.

<sup>103</sup> *Washington Post*, 10 February 2001.

<sup>104</sup> *Moscow Times*, 14 March 2001.

<sup>105</sup> *Washington Times*, 19 April 2001.

<sup>106</sup> *RIA*, Moscow, 19 April 2001.

<sup>107</sup> *U.S. Newswire*, 16 June 2001.

<sup>108</sup> Excerpts from *NBC News*, 17 June 2001, as carried on *Johnson's Russia List*.

After the events of 11 September 2001, the Western countries, the USA in particular, have become far more reluctant to pressure or criticise Putin on internal democratic developments in Russia, and the issue of freedom of the press has all but vanished. After Putin chose to align Russia with the West in the war against terrorism, the Western countries have not been interested in pushing these questions, for fear of losing Russia's support. This has reinforced the strategy of engaging Russia and avoiding any criticism.

One illustration of this strategy was the launching, at the November 2001 Putin–Bush summit, of a “Russian–American Media Entrepreneurship Dialogue” to help develop a competitive media sector operating on a sound financial basis. A few months later when TV–6 was closed down, criticism from the United States was muted. In general, the event received much less attention from the West than the dismemberment of NTV had. Moreover, the little criticism that was levelled was countered by Russian accusations that the West was meddling in internal affairs and applying double standards. Such incidents convinced the Western states that this type of criticism would be detrimental to the new Russia–West relations.

When the US ambassador to Russia, Alexander Vershbow, met with Federation Council Speaker Sergey Mironov in February 2002 he agreed that there was “more economics than politics” in the story of the TV–6 channel.<sup>109</sup> At the summit between Bush and Putin in May 2002 the problems of democratisation in Russia, including freedom of the press, were not an issue at all. Similarly, the US response to the handling of the Moscow hostage crisis was one of support. During his visit to St Petersburg after the NATO summit in November 2002, Bush expressed full understanding for the “very tough decisions” that the Russian President had had to make. The US President offered no comment on the restrictions to freedom of the press that the crisis had triggered.

## 5.2 International organisations and international NGOs

The OSCE has monitored the state of freedom of the press in Russia continuously, expressing concern over events that have threatened the freedom of the press in Russia.<sup>110</sup> Likewise the Council of Europe, which has issued reports on the plight of journalists in Russia and angry statements in connection with the NTV process. These organisations have continued to express concern that Russia is not living up to its commitments in terms of freedom of the press also after 11 September 2001.<sup>111</sup> However, apart from this kind of “shaming”, these organisations have few levers at their disposal. The one lever they do have – expulsion – has not been put to

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<sup>109</sup> *Itar-Tass*, Moscow, 6 February 2002.

<sup>110</sup> It has also sought to influence Western governments to put more pressure on Russia. For example, before President Bush's first meeting with President Putin in June 2001 the US Commission on Security and Cooperation in Europe organised a broad hearing on human rights, including freedom of the press, in Russia. At the hearing the State Department top Russia officer promised that President Bush would raise the issue forcefully with President Putin at the upcoming summit (*Washington Times*, 6 June 2001).

<sup>111</sup> For example the OSCE media watchdog expressed concern over pressure on the Russian media after the Moscow hostage crisis and appealed to the Russian government adhere to its commitments to freedom of the media (Press Release, 3 November, 2002 at <http://www.osce.org/>).

use. Russia has not been suspended from the Council of Europe over media suppression, as it was over human rights abuses in Chechnya.

In general, even though these organisations have as their primary task to work for human rights, they seem to have played at most a limited role in advocating freedom of the press in Russia. The reason is that they, in contrast to NGOs, reflect the interests of their member-states. Thus the lack of will on the part of Western states to take Russia to task for human rights abuses has been reflected in the work of these organisations. Moreover, these organisations' moral shaming has had limited impact on Russian authorities because the representatives of Western states have been sending out opposite signals.

Concerning international NGOs, Western press watchdogs have followed developments closely and have continuously warned that freedom of the press is deteriorating in Russia.<sup>112</sup> These groups have tried to put the question of freedom of the press in Russia on the agenda every time there has been a summit between Western leaders and President Putin, so as to pressure Western statesmen to criticise Russian policies.<sup>113</sup> They have also sought to influence international organisations to put pressure to bear on Russia.<sup>114</sup> The pressure from NGOs clearly has had some impact on the Western states, and the dialogue between INGOs and government representatives in the West is far more substantial than in Russia. However, when comparing the record of Western states' pressure on Russia to the amount of work being done by INGOs to convince the West of the need for such pressure, one has to conclude that the influence of INGOs is overrated. Even if INGOs and Western governments may express the same commitment to norms such as freedom of the press, Western governments have many other interests to consider in their dealings with Russia.

The INGOs and international organisations probably play as important a role in supporting the Russian advocacy network for freedom of the press. The importance of this connection can be seen from the various cases involving independent journalists. In the Khinshtein case the OSCE representative on freedom of the press wrote a letter of protest to Sergei Ivanov. The OSCE also monitored the Babitsky case closely, and Babitsky was awarded the OSCE Parliamentary Assembly's journalism prize in 2000. Grigory Pasko has received support from the New York-based Committee to Protect Journalists, the Norwegian environmental

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<sup>112</sup> Examples are the Russian Press Freedom Support Group, made up of six Western press-freedom advocacy groups; the International Federation of Journalists; the New York-based Human Rights Watch, which quickly directed attention to the Babitsky case and has continuously stirred attention around the deteriorating situation of journalists in Russia; the Vienna-based International Press Institute, which monitored the Media Most events, condemning the Russian state's actions; the Paris-based Reporters sans Frontiers; the International PEN association and the Committee to Protect Journalists, who counted Putin among the Ten Worst Enemies of the Press in 2001.

<sup>113</sup> One example is the broad hearing on human rights abuses – “The Putin Path; Are Human Rights in Retreat?” – arranged by the Helsinki Committee in advance of Clinton's visit to Moscow in June 2000. Similarly, Reporters sans Frontiers and Human Rights Watch in a joint letter informed French President Jacques Chirac of the plight of Russian journalists before Putin's visit in October 2000, and reminded Chirac of his responsibility to address this question in his meetings with Putin (*Reuters*, Paris, 27 October 2000).

<sup>114</sup> The head of UNESCO wrote to President Putin expressing concern over media freedoms after media professionals and press watchdog groups had warned UNESCO of the situation in Russia (*Reuters*, 18 January 2001).

watchdog Bellona and Amnesty International. Through the work of INGOs such as the International Pen Club, the Helsinki Foundation and the British Index of Censorship, Anna Politkovskaya has become a well-known figure. An audience in the West has been following the Russian government's treatment of her through this connection to the Western advocacy network, and this has given her some protection. Despite muted criticism from Western states over the media crackdown after the Moscow hostage crisis, various INGOs and international organisations reacted swiftly.<sup>115</sup> This moral pressure may have been a contributing factor to Putin's veto of the new media law.

Hence, the INGOs have been able to provide the domestic press-freedom advocacy network with some valuable support, in some cases influencing the Russian authorities directly. INGOs "amplify" critical cases to the Western audience. However, this kind of alarm does not reverberate back into Russia to the extent suggested by Risse *et al*'s model, because Western state powers often hesitate to support the claims made by INGOs. Moreover, the Russian authorities tend to write off criticism from INGOs as "anti-Russian activity", in the same way as they see the domestic advocacy network as being "anti-state".

## 6 CONCLUSION

The model presented by Risse, Ropp and Sikkink depicts a situation where a norm-violating country gradually adopts new norms in the face of growing domestic and transnational pressure. This does not quite match the character of domestic and transnational response to infringements on freedom of the press in Russia since Putin came to power. Russian authorities have made certain tactical concessions in press freedom issues, and the domestic advocacy network for freedom of the press has put a certain amount of pressure to bear. However, this network has not become a major actor on the Russian political scene. Human rights claims like freedom of the press are not the "main principled idea around which an opposition coalition is formed".

In the specific case of press freedom this is connected to practises in the media that have delegitimised the very notion of this norm. Further, Russian authorities have, in a process of re-erecting state power, actively sought to limit the network's access and influence. With security issues moving to centre stage in Russia, human rights norms such as freedom of the press acquire a secondary status. This, together with the limited importance that the Russian public accords this norm, explains why the advocacy network for freedom of the press has not been growing in force. Moreover, "the boomerang effect" indicated by Risse *et al.* hinges on the support that such a domestic network receives from the Western powers, organisations and INGOs.

We must conclude that the Western states only sporadically or half-heartedly put pressure on Russia to adopt key democratic values such as freedom of the press. Although Russia is a

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<sup>115</sup> "Media watchdog urges Putin to stop pressure on media covering Chechnya", *AFP*, 24 November 2002 and International Federation of Journalists press release, 7 November 2002, as carried on *Johnson's Russia List*.

signatory to all central human rights treaties and now seems to be “aspiring to membership in a valued international grouping” – the Western club – there has been no material pressure and only limited moral pressure to make Russia adhere. One key explanation is that the West has invested so much in the Russian democracy that was established in 1991. Western leaders chose to support the Yeltsin regime, almost unconditionally, for fear of the alternative. This kind of alliance did not encourage pressure or criticism of human rights violations in Russia. A similar logic is evident in the relations of Western leaders to the Putin regime. It is significant that Putin launched a campaign of closer links to the West consisting of visits, suggestions of new cooperation and new economic programmes, at the same time as he set about limiting liberal values in Russia. Putin’s overtures to the Western states have made it more difficult and less interesting for them to come with criticism. Moreover, it is not only Putin who has deemed “order” necessary to put Russia back on track. A stronger Russian state – which was Putin’s argument for eliminating Gusinsky and Berezovsky – is also something the West wants. A stronger Russian state is seen as a state that is able to sign international agreements, create a stable investment climate and control organised crime and loose nuclear weapons.

On the whole, Risse *et al*’s model has proved a very useful tool when analysing the Russian case. However, the model seems to take for granted the prominence of norms when the West deals with other norm-violating states. The Western states do not consistently press the norm-agenda. In its dealings with Russia, the West has clearly given priority to securing short-term economic and security interests, rather than the promotion of democratic values in Russia. Further, it seems reasonable to argue that it is more difficult for Western states to press the norm agenda when they are dealing with big and powerful states such as Russia.

After the events of 11 September, this tendency has become particularly evident. The common war on terrorism has limited the willingness of the Western states, especially the USA, to pressure Russia on democracy issues. This testifies to the general rule that when security issues dominate the international agenda, human rights issues become second priority, also for the Western powers. Thus, even though INGOs have worked hard to “amplify” infringements on press freedom in Russia, the “boomerang” pattern of influence has been limited because Western states do not automatically translate this concern into moral and material pressure to ensure that Russia follows agreed norms. Further, this lack of Western support for the human rights agenda has contributed to disempower the domestic advocacy network in Russia.

Hence, Risse *et al.*’s description of a situation where “norm violating governments, faced with a fully mobilised domestic opposition linked up with transnational networks for whom human rights have achieved consensual status, no longer have many choices,”<sup>116</sup> fits the Russian case only to a limited degree. Because of the limited “boomerang effect” the Russian leadership feels that there are other choices than norm-conformity – that it is possible to cooperate more closely with the West without adopting liberal-democratic norms.

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<sup>116</sup> Risse, Ropp and Sikkink (1999:28.)

This said, there are some signs of a process that might lead to norm change. The domestic advocacy network for freedom of the press is weak, but a group of Russian rights organisations, activists and part of the journalist community (albeit not the impoverished population), are fighting for this norm. Moreover, some political actors have a vested interest in a free press and might seek to protect this norm, even if not motivated by democratic conviction. It is not clear either who will influence whom in the new “dialogues” that have been launched as part of the authorities’ attempts to co-opt the advocacy network. It might be that the advocacy network can succeed in convincing the authorities of some of their arguments. Another factor is technological development. Attempts at controlling the Internet sector have failed, and this medium is growing rapidly in Russia. Similarly, links have been established between the domestic advocacy network and the INGOs, and their expansion will prove difficult to control in a situation where Russia is seeking closer cooperation with the West.

Even if the pressure from Western statesmen on matters of freedom of the press has been sporadic, it has forced the Russian political elite onto the defence, as clear from statements and actions like the launch of a programme to promote a positive image of Russia in the United States to counter negative publicity about freedom of speech.<sup>117</sup> The Russian political elite has started to argue, and they are adopting the language that accompanies the norm press freedom. Although, this norm is far from internalised (as actions have shown), the repeated statements by Russian politicians that they are committed to this norm indicates that they might be coming to accept its validity. Another sign that closer interaction with the West with time could produce greater Russian norm-conformity are minor concessions and retreats, such as Gusinsky’s release from prison or Putin’s decision to veto the controversial amendments to the media law in November 2002. If Russia’s desire to join the Western club remains strong, and if the West can signal more clearly that democratisation is a condition for integration, we could see a change in direction of greater conformity to the norm of press freedom in Russia.

On the more general level and concerning the prospects for a future Russia–West security community, this report has indicated an obvious mismatch between growing cooperation and institutional integration between Russia and the West on the one hand, and on the other the deterioration of Western liberal democratic norms in Russia under Putin. Western responsiveness toward the interests and needs of Russia is a key prerequisite for the development of such a security community. However, when the West closes its eyes to anti-democratic developments in Russia, this is a response that destroys the prospects for the second key prerequisite of a security community: *common norms*.

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<sup>117</sup> This campaign was launched by Media Minister Lesin in February 2001.



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