

AN INQUIRY INTO HUMAN RIGHTS IN RUSSIA
Written evidence submitted by Mikhail Khodorkovsky, Founder, Open Russia

I am submitting evidence to the Conservative Party Human Rights Commission because I believe that my experiences at the hands of the people who have usurped power in Russia, and my subsequent commitment to supporting Russian civil society and holding those in power to account for their crimes, can help to provide an insight into the inner workings of the current Kremlin regime, as well as indicate a more productive pathway to improving relations between the UK and Russia.

I have been personally acquainted with Vladimir Putin since 1999 and I know a significant number of his professional milieu on a personal level. At the same time I know personally how the Russian state apparatus functions from the inside, as well as Russia's criminal community, taking into account my 10 years spent in prison.

Moreover, over the past few years I have continued to work with my friends and acquaintances in Russia on a daily basis, as well as continuing to communicate through social media with a wide range of followers from whom I also receive information.

I can say with confidence that the impression of Russia as an anti-Western ideological monolith is fundamentally mistaken. Russian society has a complex and sometimes contradictory set of ideas about the outside world. These ideas are largely shaped by Kremlin propaganda, however people in general are largely concerned with their own personal problems and interests, and the question of relations with the West hardly finds a place in their top-ten list of priorities.

Fewer than 6% of Russians travel outside the borders of Russia, Ukraine, Belarus and Kazakhstan throughout the course of their lives. For obvious reasons Russians do not require other people's territories or natural resources and are not prepared to pay for them with their lives.

At the same time, if we talk about the Russian government itself, then the idea that it is a uniquely corrupt source of evil is also a fundamentally misguided view. In Russia there are approximately 1,5 million civil servants and around 900,000 police officers. Most of them are concerned with doing their job, which is necessary to society. Take for example the Russian judicial system, the sphere around which the most complaints arise. To begin with one must understand that in the British sense of the word "justice system", there is no such institution in Russia at all.

In practice, people do not have access to independent jury trials (just 1 in 50,000 cases), meanwhile jury verdicts are dropped three times more frequently than indictments and there is reason to suspect that FSB agents have the ability to not only to dissolve 'objectionable' decisions, but are also able to influence the jury through threats and manipulation. Judges are practically appointed to and removed from their posts by the personnel department of the presidential administration, which is always supervised by a member of Putin's inner circle.

Court cases are distributed by the chairmen of the courts, to whom the judges are accountable for their work. This person is also responsible for distributing bonuses and promotions. Therefore the court is in fact not a court, rather a subdivision of the executive which oversees the work of the investigation and determines the punishment.

At the same time the courts deal with approximately 1,000,000 criminal cases a year, of which around 1,000 are cases that cause the most criticism (for instance crimes deemed to be of an 'extremist' nature), as well as cases of light to medium gravity (such as robbery, theft or the sale of drugs) which are rarely used to pursue political ends, and total around 700,000. There are almost 14,8 million civil cases, almost half which are related to nonpayment of utility bills. In other words, just ordinary cases.

Administrative cases — which are frequently used against participants in demonstrations — total around 7,2 million. At the same time cases which are quite obviously political in nature (for instance participating in political demonstrations) number less than 10,000, and taking into account the regions, can hardly be more than 100,000.

Therefore we can say with confidence that 90-95% of judges — although they are in fact not judges in the usual sense of the word, so we can simply call them civil servants — for the most part are just doing their job and have a very limited connection with the crimes of the regime.

Who is it that's turning the country into a monster in the eyes of the international community and even in the eyes of its own citizens? Who is it that is killing their political opponents and committing acts of aggression abroad? Who is it that's been raiding the Federal Budget for the last 20 years?

I can say with confidence that in this case we are talking about approximately 100 core beneficiaries of the regime and a few thousand of their accomplices. This is a real organised crime group that is even conscious of its own criminal nature, and of its genesis in the criminal underworld of St. Petersburg. We also should not forget about the analogous criminal groups that fall under the Kremlin's criminal jurisdiction and have been localised throughout Russia's many regions, as is the case in Chechnya and Kemerovo, for instance.

The members of this criminal community occupy positions of importance in the state (for instance Putin himself, or the Attorney General Yury Chaika), as well as occupying positions in state corporations (for instance Igor Sechin, Yury Kovalchuk and Arkady Rotenburg).

Their accomplices (in some instances actually a part of the criminal community, and in other instances living in fear of it) are more or less concentrated around the Presidential Administration and around the central apparatus of the FSB. However, some members of this group belong to state-owned companies, the propaganda wing of state TV channels and some operate out of private companies, such as the infamous "troll factory".

One of the distinguishing features of the members of this organised crime group is the pursuit of gigantic non-market profits. If there are significant sums of unregulated budgetary money available for the core beneficiaries of the regime (in the region of hundreds of million of rubles), then for the regime's criminal accomplices the corruption rent they are able to extract from these resources is ten or more times higher than the average income of a civil servant or their colleagues in state-owned companies.

Our socio-political movement Open Russia is one of the few Russian opposition structures that is not under the control of the Kremlin. We are represented in scores of Russian regions and we are involved in political education, defence of human rights and support for young opposition politicians. Our goal is to transition the country towards a parliamentary democracy. We are not officially registered, since the Kremlin is actively blocking and suppressing the opportunity for independent organisations to operate.

A couple of years ago I set up an organisation called Otkrytaya Rossiya (or Open Russia, and recently renamed) here in London with a similar name in order to work with the city's Russian diaspora. This is a totally separate organisation and is unconnected to the Open Russia movement. Contrary to the fact that the Russian law on "undesirable" organizations applies only to foreign entities, the Russian movement Open Russia was completely unlawfully declared "undesirable" by the Russian authorities. As a result, people can now be threatened with up to 6 years in prison for being associated with the movement.

Dozens of our activists have been through court cases, raids, arrests and various administrative punishments for their association with Open Russia. Websites connected with Open Russia have been repeatedly blocked in Russia upon the unlawful order of the Attorney General's office, as well as the landlords of the site's editorial offices subjected to forceful pressure to evict our team.

Nevertheless, more than a thousand of our activists and a far wider range of supporters continue to engage in social and political activity. We acted as announcers and organisers during a recent nationwide opposition demonstration, as well as providing legal and moral assistance to the hundreds that were violently detained for their peaceful participation. Our media outlets covered the protests, and one of our journalists was badly injured by the police in the process.

In the current situation I do not see any benefit from the interaction of British organisations and politicians with representatives of the Kremlin organised crime group; for instance so-called MPs who appear as representatives of fake NGOs and propaganda outfits. These people are not independent societal or political actors; they receive money for diverting attention on the international stage and for recruiting agents abroad. In contrast, the right thing to do would be to establish working relationships and contacts with independent Russian politicians, public figures and organisers, as well as focusing on regional activists and their organisational structures.

These people especially need support. Not only financial, but psychological and moral support. We need to promote educational courses, conferences and meetings with reputable people. We need to help these people overcome the feeling of isolation and uselessness which the Kremlin is successfully instilling in them.

In addition to the above, I and my colleagues are busy with another project. We have called the project "The Dossier Center" and it was set up in order to combat the Kremlin criminal group's attempts to conceal information about its crimes both from Russian society and the international community.

In order to achieve this, special laws have been adopted in Russia that allow for information unfavourable to the Kremlin to be removed from the public eye. For our part, we believe that the fight against this organised crime group should not be based on sweeping sanctions that harm ordinary people; sanctions that are easily circumvented by powerful criminals. Such a fight should be based on investigations into specific officials and their individual corruption, crimes and acts of war as well as establishing their connection with third-parties who act as custodians of criminally-acquired funds and carry out criminal assignments. This is what we are currently doing.

In my opinion, British law enforcement agencies would also benefit from being involved in this, in areas where there is suspicion of violations of British and European law in the form of corruption and the laundering of money, rather than relying on journalistic investigations, as journalists do not have access to the necessary investigative powers.

There's no time to wait while a whole range of social issues in the United Kingdom are being stirred up with the aid of laundered money and corrupt representatives of the Kremlin political elite.

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