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FSB vs. environmental activist Grigory Pasko - punishment without a crime

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Just before a new trial opens in Vladivostok against the journalist, environmental activist and human rights defender Grigory Pasko, Amnesty International urges that all charges against him are dropped and he is fully acquitted.

Grigory Pasko faces up to 20 years' imprisonment for treason and espionage because he reported on the Russian navy's illegal dumping of nuclear waste off the coast of Vladivostok. He informed the public about the dangers of such acts to human life and health in full compliance with Russian law and therefore should not be prosecuted at all.

A Grigory Pasko peacefully exercised his fundamental right to freedom of expression and should not have been imprisoned, tried and sentenced in the first place, said Amnesty International today. The organization has closely observed the case since it started in 1997 and adopted Grigory Pasko as a prisoner of conscience while he was subjected to 20 months of pretrial detention.

A Withholding information about the condition of the environment or on incidents or catastrophes which endanger human life -- precisely the kind of information Grigory Pasko revealed -- violates the Russian Constitution. This is a crime under the Russian Criminal Code punishable by up to five years' imprisonment, the organization pointed out.

It is therefore profoundly ironic that charges remain against a man who was not only wrongly imprisoned, but who initially only aimed to alert the world to a potential environmental disaster, @ Amnesty International added.

The treatment of Grigory Pasko is part of an established pattern of persecution of environmental activists by the Russian Federal Security Services (FSB). In a media interview given in July 1999, when Vladimir Putin was head of the FSB, he characterized the Russian environmental movement as a Trojan horse for espionage by foreign powers, and called Grigory Pasko a spy.

The Russian security services' actions against anybody who dares speak out about environmental crimes is a sign of a wider crackdown on civil liberties and an attempt to control civil society, @ Amnesty International said.

Background

In 1993 Grigory Pasko, a reporter for *Boyevaya Vakhata* (Battle Watch), the newspaper of the Russian Pacific Fleet, filmed a Russian navy tanker dumping radioactive waste in the Sea of Japan. This film, *Extra-dangerous Zone*, was later shown by the Japanese TV station *Nippon Hoso Kyokai* (NHK), Japan Broadcasting Corporation, and by a TV station in Primorsky Krai, in far eastern Russia. In this film and a series of articles printed in the military newspaper *Boyevaya Vakhata* and the Japanese daily newspaper *Asahi Shimbun*, Grigory Pasko showed the threat to the environment caused by accidents in Russia's decaying nuclear submarine fleet. According to the articles and the broadcast, because of a shortage of money and high level corruption in the Pacific Fleet, the Russian navy had illegally dumped liquid and solid nuclear waste off the coast of Vladivostok, endangering the health of the population in the coastal areas of the Russian Federation, Japan and other countries.

In November 1997 Grigory Pasko was arrested by the FSB and at the end of a six-month closed military trial in 1999 pronounced guilty of abusing his official position. Amnesty International expressed serious concerns about the fairness of the trial, and about the impartiality and independence of the court. Grigory Pasko was sentenced to three years' imprisonment, but was immediately released from detention under the terms of a nationwide amnesty. Charges of treason and espionage, for which the prosecution demanded a sentence of 12 years in a labour camp, were dismissed by the court.

Grigory Pasko appealed against the conviction and sentence, arguing that the prosecution failed to demonstrate that he had committed any crime. Moreover, as the military court acknowledged, the prosecution case relied on a multitude of misrepresentations of the

materials of the case. Furthermore, the court determined that the military prosecutors presented evidence that was falsified.

For their part, military prosecutors appealed against the dismissal of the treason charges. The military prosecutor of the Pacific Fleet submitted a supplementary appeal on 29 August 2000 protesting “the unfair leniency of the sentence”, calling for it to be annulled and for the case to be tried anew at the Vladivostok military court. This would give military prosecutors the opportunity, once again, to commit Grigory Pasko to a long period of pre-trial detention.

The new trial follows a verdict of the Russian Supreme Court=s Military Collegium, which decided in November 2000 that the former decision taken in July 1999 by the Military Court of the Pacific Fleet in Vladivostok did not correspond to the materials and facts of the case, and therefore sent the case back for a new trial in Vladivostok.