



PUBLIC

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Health concern/Prisoner of conscience

18 January 1999

RUSSIAN FEDERATION Grigory PASKO, 37, naval officer and journalist

Grigory Pasko will face charges of espionage and revealing state secrets (Article 275 of the Criminal Code) in a closed military trial beginning on 21 January 1999 in Vladivostok. If found guilty, he faces up to 20 years' imprisonment. After careful investigation into the case, Amnesty International has concluded that he is being held solely for the peaceful exercise of his right to freedom of expression, and considers him a prisoner of conscience.

Grigory Pasko, a military reporter for *Boyevaya Vakhta* (Battle Watch), the newspaper of the Russian Pacific Fleet, is now in solitary confinement in a pre-trial detention centre in Vladivostok. His lawyer says his health has deteriorated in detention, and he may have tuberculosis, but he has not been given proper medical treatment. Furthermore, the Federal Security Services (FSB) have classified the case a state secret, making it difficult for Grigory Pasko's lawyers to mount a proper defence. A court hearing scheduled for October 1998 was postponed.

In 1993 Grigory Pasko 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 Vakhta* 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.

Grigory Pasko was arrested in November 1997 by FSB agents at Vladivostok airport when he returned from an officially sanctioned trip to Japan to research a story about Russian sailors in Japan during World War II. FSB officers also searched his apartment and confiscated documents he had gathered for his investigation. He is accused of passing classified information to Japanese agents. Although officials have admitted that none of the confiscated documents were classified, they claim that taken as a whole, the series of articles and TV programmes, published and aired over three years, posed a threat to national security.

In fact it is a violation of the Russian Constitution (Articles 41 and 42), and a crime under the Russian Criminal Code (Article 237) punishable by up to five years' imprisonment, to withhold information on the condition of the environment or on incidents or catastrophes that endanger human life - precisely the kind of information Grigory Pasko revealed.

BACKGROUND INFORMATION

The Russian Federation, like all governments, has the right to restrict freedom of expression to protect certain legitimate national security interests, but this right is limited by Russian and international law. Article 7 of the Russian Federal Law on State Secrets, adopted in 1993, states that no information on the conditions of the environment or on extraordinary incidents and catastrophes that endanger human life and health may be classified as state secrets. The 1995

Federal Law on Information, Information Handling and Protection of Information, Article 10, makes similar provisions. One week before his arrest, Grigory Pasko published an article criticising amendments to the Law on State Secrets, which classified as secret any information regarding nuclear installations with military significance. This very broad definition made it too easy for officials to claim the protection of state secrecy. It is under these amendments to the law that he is now being held on espionage charges.

RECOMMENDED ACTION: Please send faxes/express/airmail letters in Russian or your own language:

- acknowledging the right of states to restrict freedom of expression to protect national security, within the limits of national and international law, but stating that the information released by Grigory Pasko did not constitute a threat to Russian national security;
- calling for the immediate and unconditional release of Grigory Pasko as a prisoner of conscience held solely for the peaceful exercise of his right to freedom of expression as guaranteed under Russian and international law;
- expressing concern about Grigory Pasko's health and calling on the authorities to ensure that he is well treated and receives adequate medical attention;
- expressing concern that Grigory Pasko is being held in solitary confinement, which amounts to cruel, inhuman and degrading treatment, and calling on the authorities to investigate his treatment in detention;
- reminding the government of the Russian Federation of its commitment to the Universal Declaration of Human Rights, in particular Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

APPEALS TO:

Military Procurator of the Pacific Fleet, General-Major Valery Suchkov
 Rossiyskaya Federatsiya, Primorsky Krai, Vladivostok
 Voennaya prokuratura Tihookeanskogo Flota,
 Voennomu Prokuroru General-Mayoru SUCHKOVU V.

Faxes: +74232 22 79 33; +74232 41 41 05

Salutation: Dear Military Procurator

Procurator General of the Russian Federation, Yuriy Skuratov
 Rossiyskaya Federatsiya, 103793 g.Moskva K-31, ul. Dimitrovka, 15a
 Prokuratura Rossiyskoy Federatsii, Generalnomu prokuroru Skuratovu Yu.

Faxes: +7095 925 1879; +7095 292 88 48

Salutation: Dear Procurator General

President of the Russian Federation, Boris Yeltsin
 Rossiyskaya Federatsiya, g. Moskva, Kreml
 Prezidentu Rossiyskoy Federatsii Yeltsinu B.N

Faxes: +7095 206 51 73

Salutation: Dear President

COPIES TO:

Director General of the Russian Federal Security Service, Vladimir Putin
 Rossiyskaya Federatsiya, g. Moskva
 Federalnaya Sluzhba bezopasnosti Rossiyskoy Federatsii
 Generalnomu direktoru PUTINU V.

Faxes: +7095 975 24 70; +7095 975 270

Salutation: Dear Director General

Head of the Department of the Federal Security Service for the Pacific Fleet,
Nikolay Sotskov

Rossiyskaya Federatsiya, Primorsky Krai, Vladivostok
Federalnaya Sluzhba Bezopasnosti Tihookeanskogo Flota
Kapitanu I-ogo ranga SOTSKOVU N.

Faxes: +74232 42 27 34

Salutation: Dear Head of Department

Foreign Minister of the Russian Federation, Igor Ivanov
Rossiyskaya Federatsiya, g. Moskva 121200, Smolenskaya-Sennaya pl., 32/34
Ministerstvo inostrannykh del RF, Ministru IVANOVU I.

Faxes: + 7095 230 21 30

Salutation: Dear Minister

and to diplomatic representatives of the Russian Federation accredited to your
country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or
your section office, if sending appeals after 1 March 1999.

"Everyone has the right to freedom of opinion and expression."

Article 19, Universal Declaration of Human Rights

Visit the Amnesty International UDHR campaign website on <http://www.amnesty.excite.com>