

EXTERNAL

AI Index: EUR 46/22/96

18 April 1996

**Further information (1) on UA 33/96 (EUR 46/09/96, 9 February 1996) - Possible Prisoner of Conscience / Fear of Death Penalty**

**RUSSIAN FEDERATION Alexander Nikitin, aged 43, retired naval officer**

On 27 March, the Constitutional Court of the Russian Federation declared unconstitutional the actions of the Russian Federal Security Services (FSB) which have limited the choice of attorney for Alexander Nikitin, and in principle of any other person charged with revealing state secrets. Subsequently Nikitin was visited in prison by a human rights lawyer from St. Petersburg, Yuri Schmidt. Apparently Nikitin has not yet been allowed visits by his wife.

Amnesty International is concerned about reports of the harassment of other environmental activists in Russia connected with the work of the Bellona Foundation. According to reports on 9 April, Igor Kudrik, head of the Bellona office in Murmansk and co-author with Nikitin of the report on nuclear safety issues within the Russian Northern Fleet, was allegedly threatened by FSB officials with imprisonment, when he refused to answer certain questions during interrogation without his lawyer being present.

Amnesty International continues its investigation into the circumstances of Alexander Nikitin's arrest and the charges brought against him, including studying the environmental report concerning the Northern Fleet, which was released officially by the Bellona Foundation on 18 April in Moscow. The Norwegian group claims that Nikitin had supplied them only with information from open sources, which has already been published in the Russian media. If Nikitin is imprisoned solely on the grounds of his research and his legitimate activities on behalf of the Norwegian environmental group the Bellona Foundation, Amnesty International will consider him to be a prisoner of conscience.

**BACKGROUND INFORMATION**

In a recent article published in the Russian newspaper *Trud* on 23 March ("*An Open Secret: Can Ecological Data be Espionage Data?*"), Alexey Jablov, head of an interministerial commission on ecological safety, and one of the leading experts in the field who has been advising the Russian President, claimed that "*due to environmental problems alone in Russia, a much larger number of people die annually than in all armed conflicts, including the one in Chechnya.*" He also stated that "*Russian law reflects this as the highest priority of the state and prohibits the classification of the information related to the environmental situation, to health, and also to the security of residential areas, enterprises, and citizens. From this point of view, activity intended to find out about radiation contamination or about the danger of such contamination (which, as I understand, is what Nikitin was doing), cannot be secret or espionage.*"

Article 7 of the Law on State Secrets (1993) establishes that information "*on the condition of the environment*" is not subject to classification (and "*persons making a decision to classify the information listed are subject to criminal, administrative or disciplinary actions*"). Article 10 of the Law on Information (1995) provides that: "*It is prohibited to ascribe the following to materials with limited access:...documents which contain information on extraordinary*

*situations, environmental information, and other information necessary to ensure the safe functioning of residential areas and industrial sites..."*

According to Alexey Jablov, the Bellona report contains some tactical and technical data on all types of nuclear submarines based on the Kola peninsula, but the same data, only more detailed, can be found in *Military Vessels in the USSR and Russia* published in 1994 in Yakutia, on the characteristics of the Russian navy.

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

- continue appeals for the release of Alexander Nikitin if he has been detained solely on account of his legitimate activities for the Bellona Foundation.

**APPEALS TO:**

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**Salutation: Dear Director General**

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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 30 May 1996.