

RUSSIAN FEDERATION

Environmental activist Grigory Pasko faces new imprisonment risk

A day before the Military Collegium of Russia's Supreme Court prepares to consider the conviction and sentence of journalist Grigory Pasko who was jailed for peacefully exercising his freedom of expression, Amnesty International urges that his conviction should be quashed.

Grigory Pasko was arrested by Federal Security Service (FSB) officers in November 1997 for treason and espionage, after he exposed the Russian navy's illegal dumping of nuclear waste off the coast of Vladivostok. He was sentenced to three years' imprisonment by the military court in Vladivostok in July 1999, but released from detention under an amnesty.

"Grigory Pasko has already been subjected to 20 months of pre-trial detention, including 10 months of solitary confinement. The continuing actions of military prosecutors against Grigory Pasko amount to judicial persecution," Amnesty International said today.

"By harassing those who expose environmental crimes, the Federal Security Service is demonstrating a perverse and, in the wake of the Chernobyl experience, potentially disastrous misconception of where Russia's national security interests lie," said Amnesty International today. "The authorities' security policy should not run counter to Russia's human rights obligations."

In a media interview given in July 1999, when Vladimir Putin was head of the FSB and the Security Council, he characterized the Russian environmental movement as a Trojan horse for espionage by foreign powers, and called Grigory Pasko a spy. This year President Putin abolished the independent governmental environmental inspection committee.

"The Russian security services' action against international networking by environmental activists threatens to deter Russians from engaging in global civil society," said Amnesty International.

The treatment of Grigory Pasko is part of an emergent pattern of persecution of environmental activists by the Russian authorities. In September 2000 the Supreme Court dismissed an attempt by the Prosecutor General, backed by the FSB, to overturn the acquittal of retired naval officer and former prisoner of conscience Aleksandr Nikitin, whom they similarly charged with treason and espionage for having written about the environmental dangers posed by the decaying nuclear submarines of Russia's Northern Fleet.

For a background briefing on the Grigory Pasko case, please ask for our background document in the press office.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or visit our website at <http://www.amnesty.org> (see the report *Russian Federation: Grigory Pasko, prisoner of conscience*, published 15 February 1999, AI Index EUR 46/07/99)

The appeal hearing will take place at the Military Collegium of Russia's Supreme Court in Moscow, beginning at 10am Tuesday 21 November 2000. The address of the court is Povarskaya ulitsa, 15.

Material in the original Russian language on the case of Grigory Pasko has been compiled on the website www.index.org.ru

Russian non-governmental organizations which are assisting in the defence of Grigory Pasko may be contacted on the following Moscow telephone numbers: The Russian PEN Centre, tel. (+ 7 095) 209 45 89; the Glasnost Defence Foundation, tel. (+ 7 095) 201 44 20.

Background briefing on the Grigory Pasko case

Grigory Pasko, a reporter for *Boyevaya Vakhta* (Battle Watch), the newspaper of the Russian Pacific Fleet, was pronounced guilty of abusing his official position to harm the rights and lawful interests of citizens, organizations or the state (Article 285 of the Criminal Code) on 20 July 1999 at the end of a six-month closed military trial in Vladivostok. 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, yet was immediately released from detention under the terms of a nationwide amnesty. Charges of treason and espionage, for which the prosecution demanded a prison sentence of 12 years with hard labour, 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.

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 officers 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 was accused of passing classified information to Japanese agents. Although officials have admitted that none of the confiscated documents were classified, they claimed 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.