

SENATE RESOLUTION 261—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE DETENTION OF ANDREI BABITSKY BY THE GOVERNMENT OF THE RUSSIAN FEDERATION AND FREEDOM OF THE PRESS IN RUSSIA

Mr. HELMS (for himself, Mr. BIDEN, Mr. ROTH, Mr. LOTT, and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. RES. 261

Whereas Andrei Babitsky, a dedicated and professional journalist for Radio Free Europe/Radio Liberty (RFE/RL) for the last 10 years, reported on the 1994-1996 and the current Russo-Chechen wars;

Whereas on December 27, 1999, the Russian Information Committee (RIC) in Chechnya accused Babitsky of "conspiracy with Chechen rebels" after he broadcast a story that shed unfavorable light on Russian military actions in Chechnya;

Whereas on January 8, 2000, Russian security agents raided Babitsky's apartment in Moscow and confiscated several items and later ordered his wife, Ludmila Babitskaya, to report to a local militia station in Moscow after she attempted to pick up photographs taken by her husband in Chechnya;

Whereas on January 18, 2000, Babitsky was reportedly detained by Russian authorities in Moscow but later reports indicated that he was not formally arrested until January 27, 2000;

Whereas on January 26, 2000, Russian presidential spokesman Sergei Yastrzhembsky said that Babitsky "left Grozny and then disappeared" and declared that Russian security services had no idea as to his whereabouts and that "his security is not guaranteed";

Whereas on January 28, 2000, Russian media officials told RFE/RL that Babitsky would be released with apologies after having been charged with participating in "an illegal armed formation";

Whereas on February 2, 2000, Moscow officials announced that Babitsky would be transferred from Naursky district near Chechnya to Gudermes and then to Moscow where he would then be released on his own recognizance;

Whereas on February 3, 2000, Russian presidential spokesman Sergei Yastrzhembsky said that Russian officials exchanged Babitsky for 3 Russian prisoners of war and on the same day, Vladimir Ustinov, acting Russian prosecutor general, said Babitsky had been released and had gone over to the Chechens on his own accord;

Whereas the Government of the Russian Federation has repeatedly issued contradictory statements on the detention of Andrei Babitsky and provided neither a credible accounting of its detention of Babitsky nor any credible evidence of his well-being;

Whereas United Nations High Commissioner for Human Rights Mary Robinson stated on February 16 that Russian behavior in Chechnya and the detention of Andrei Babitsky appears to violate the Geneva conventions to which Russia is a signatory;

Whereas on February 16, 2000, Russian Human Rights Commissioner Oleg Mironov denounced Moscow's handling of Babitsky as a violation of Russian law and international law and stated that the situation surrounding Babitsky signals "that the same thing may happen to every reporter";

Whereas the Union of Journalists in Russia declared on February 16 that the case of Andrei Babitsky is "not an isolated episode, but almost a turning point in the struggle for a press that serves society and not the authorities" and that "the threat to freedom of speech in Russia has for the first time in the last several years transformed into its open and regular suppression";

Whereas freedom of the press is both a central element of democracy as well as a catalyst for democratic reform;

Whereas the Government of the Russian Federation has repeatedly violated the principles of freedom of the press by subjecting journalists who question or oppose its policies to censorship, intimidation, harassment, incarceration, and violence; by restricting beyond internationally accepted limits their access to information; and by issuing misleading and false information; and

Whereas the Government of the Russian Federation has egregiously restricted the efforts of journalists to report on the indiscriminate brutality of Russia's use of force in Chechnya: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the detention of Andrei Babitsky by the Government of the Russian Federation and the misinformation the Government of the Russian Federation has issued concerning this matter—

(A) constitute reprehensible treatment of a civilian in a conflict zone in violation of the Geneva Conventions and applicable protocols; and

(B) demonstrate the Government of the Russian Federation's intolerance toward a free and open press;

(2) the conduct of the Government of the Russian Federation leaves it responsible for the safety of Andrei Babitsky;

(3) the Government of the Russian Federation should take steps to secure the safe return of RFE/RL reporter Andrei Babitsky to his family;

(4) the Government of the Russian Federation should provide a full accounting of Mr. Babitsky's detention and the charges he may face; and

(5) the Russian authorities should immediately halt their harassment of journalists, foreign and domestic, who cover the war in Chechnya and any other event in the Russian Federation and should fully adhere to the Universal Declaration of Human Rights, which declares in Article 19 that "everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers".

SENATE RESOLUTION 262—ENTITLED THE "PEACEFUL RESOLUTION OF THE CONFLICT IN CHECHNYA"

Mr. WELLSTONE submitted the following resolution; which was considered and agreed to:

S. RES. 262

Whereas the people of Chechnya are exercising the legitimate right of self-defense against the indiscriminate use of force by the Government of the Russian Federation;

Whereas the Government of the Russian Federation has used disproportionate force in the bombings of civilian targets Chechnya which has resulted in the deaths of thousands of innocent civilians and the displacement of well over 250,000 others;

Whereas the Government of the Russian Federation has refused to engage in negotiations with the Chechen resistance toward a just peace and instead has charged Chechen President Aslan Maskhadov with armed mutiny and issued a warrant for his arrest;

Whereas Russian authorities deny access to regions in and around Chechnya by the international community, including officials of the United Nations, Organization for Security Cooperation in Europe and the Council of Europe, and maintain a virtual ban on access to Chechen civilians by media and international humanitarian organizations, including the International Federation of the Red Cross;

Whereas these restrictions severely limited the ability of these organizations to ascertain the extent of the humanitarian crisis and to provide humanitarian relief;

Whereas even limited testimony and general investigation organizations credibly report widespread looting, summary executions, detentions, denial of safe passage to fleeing civilians, torture and rape committed by Russian soldiers;

Whereas there are credible reports of specific atrocities committed by Russian soldiers in Chechnya, including the rampages in Alkhan-Yurt where 17 persons were killed in December 1999 and in the Staropromyslovsky district of Grozny where 44 persons killed in December 1999; and the rapes of Chechnya prisoners in the Chernokosovo detention camp;

Whereas these credible reports indicate clear violations of international human rights standards and law that must be investigated, and those responsible must be held accountable;

Whereas United Nations High Commissioner for Human Rights Mary Robinson proposed on February 20, 2000, the prosecution of Russian military commanders for overseeing "executions, tortures, and rapes"; and

Whereas the Senate expresses its concern over the conflict and humanitarian tragedy in Chechnya, and its desire for a peaceful resolution and durable settlement to the conflict: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Government of the Russian Federation—

(A) immediately cease its military operations in Chechnya and initiate negotiations toward a just peace with the leadership of the Chechnya Government, including President Aslan Maskhadov;

(B) allow into and around Chechnya international missions to monitor and report on the situation there and to investigate alleged atrocities and war crimes;

(C) allow international humanitarian agencies immediate full and unimpeded access to Chechen civilians, including those in refugee, detention and so called "filtration camps" or any other facility where citizens of Chechnya are detained; and

(D) investigate fully the atrocities committed in Chechnya including those alleged in Alkhan-Yurt, and Grozny, and initiate prosecutions against those officers and soldiers accused.

(2) the President of the United States of America—

(A) should promote peace negotiations between the Government of the Russian Federation and the leadership of the Chechen Government, including President Aslan Maskhadov, through third party mediation by the OSCE, United Nations or other appropriate parties;

(B) endorse the call of the United Nations High Commissioner for Human Rights for an