

peace process, and the development and acquisition of weapons of mass destruction.

DETENTION OF ANDREI BABITSKY BY THE GOVERNMENT OF THE RUSSIAN FEDERATION AND FREEDOM OF THE PRESS IN RUSSIA

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 261, submitted earlier by Senators HELMS, BIDEN, ROTH, LOTT, and DODD.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 261) expressing 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.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HELMS. Mr. President, during the past 5 months the Government of Russia has waged a brutal war against Chechnya. The Kremlin's indiscriminate use of force has left countless thousands of innocents dead and hundreds of thousands homeless on the icy plains and in the snow-covered mountains of the Caucasus.

We all have seen the photos of Grozny, a city subjected to a travesty not witnessed in Europe since the siege of Stalingrad and the leveling of Warsaw in World War II. Indeed, what has been done to Grozny surpasses even the havoc Milosevic wrought upon the towns and cities of Bosnia-Herzegovina and Kosovo. It is difficult to believe, but it is true.

In a time when Western Governments have turned a blind eye to this conflict, the ability of journalists to report objectively on the horrors of this war becomes all the more important to the effort to bring an end to this violence and establish a just peace.

Russian President Vladimir Putin appears to recognize this only too well. As a consequence, freedom of the press, a cornerstone of democracy, has become another victim of his government and his war against Chechnya.

Mr. President, the Russian government is today systematically censoring the press and attempting to use it to disseminate misinformation about public events. Journalists in Russia who report on the war and other matters in a manner contradicting the Putin Government do so at great risk. They are subject to intimidation, harassment, detention, and even violence by Russian authorities.

In one recent case, Russian police attempted to arrest a journalist and send him off to a psychiatric hospital, a ghoulish effort reminiscent of Putin's not to distant career in the Soviet KGB.

Nowhere has this suppression of the free press become more blatant and

cruel than in the case of Andrei Babitsky, a ten year veteran journalist of our own Radio Liberty and Radio Free Europe.

Babitsky courageously and objectively covered the 1994-1996 Russo-Chechen war as well as the current conflict. For his accounts of the atrocities committed by Russian military and the resilience of the Chechen resistance, he has paid an extremely high price.

In mid-January, he was seized in Chechnya by Russian forces and detained. That is the last heard from him directly.

The Russian Government's response to inquiries about Babitsky's health and whereabouts have been contradictory and dismissive.

After nearly three weeks of asserting that Babitsky had not been detained, that he was about to be freed—and, indeed, that he had been freed, a Kremlin spokesman summarily announced on February 3 that his government exchanged Babitsky for three Russian prisoners of war held by the Chechen resistance.

Chechen authorities deny that such an exchange ever took place. And, the Kremlin has not provided one iota of credible evidence backing its version of events. Today, the fate of Andrei Babitsky remains unknown. He is a father with a loving and courageous wife and two children. We must pray that Babitsky will return safely to his family.

Mr. President, it is with Andrei Babitsky in mind, I, along with Senator BIDEN, the Majority Leader, and Senator ROTH, send to the desk a resolution concerning the state of freedom of press in Russia. This resolution recounts the facts as we know them in the case of Andrei Babitsky, and it underscores that his detention and disappearance are not isolated incidents but part of the Russian government's broader and systematic repression of the press.

It expresses our belief that—and at that this point I shall read the concluding elements of the pending resolution:

(1) The detention of Andrei Babitsky by the Government of Russia and the misinformation it has issued concerning this matter constitute reprehensible treatment of a civilian in a conflict zone, in violation of the principles set forth in Protocol I to the Geneva Conventions, and demonstrate the [Russian] Government's intolerance toward a free and open press;

(2) The conduct by the Government of Russia leaves it responsible for the safety of Andrei Babitsky;

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

(4) The Government of Russia should provide a full accounting of Mr. Babitsky's detention and the charges he faced; and

(5) The Russian authorities should immediately halt its 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 and regardless of frontiers."

No principle lies deeper in the heart of democracy than the right to free speech. And the embodiment of that principle is a free press. Not only is freedom of the press a cornerstone of democracy, it is a key catalyst of democratic reform. Russia will not become a democracy if the Kremlin continues to repress, intimidate, harass, and brutalize those journalists who do not share its point view. Our ability to help Russia evolve into a democracy cannot be effective if we ignore such systematic repression of the press.

I call upon my colleagues to join me in supporting this resolution.

Allow me to close on one point related to the disappearance of Andrei Babitsky, freedom of the press in Russia and the relationship between Washington and Moscow.

It has become public knowledge that some in these two capitals contemplate a summit meeting in the near future between President Clinton and President Vladimir Putin. If our government is serious about determining the facts surrounding Andrei Babitsky's fate, if our government is serious about protecting other journalists from such abuse, and if our government is serious about promoting democratic reform in Russia, the administration will promptly dismiss such proposed summits until Putin has provided a full and credible accounting of Babitsky's detention and his current whereabouts.

It is premature to consider summit meetings at a time when the Russian government remains contemptuously dismissive of Babitsky and our concerns about his safety, not to mention the international community's call for a just peace in Chechnya.

The administration has repeatedly stated that the Kremlin will isolate itself through its barbaric conduct in Chechnya. Now is the time for the administration to live up to its own words.

Mr. BIDEN. Mr. President, I am pleased to join the chairman of the Foreign Relations Committee, Senator HELMS, in supporting a resolution regarding Andrei Babitsky, a reporter for Radio Liberty, who has been missing in Russia since January.

Mr. Babitsky is a veteran reporter for Radio Liberty, the U.S.-funded radio broadcasting organization based in Prague. He has reported on Russia for over a decade, and reported on the Russo-Chechen war from 1994 to 1996 and over the past several months.

In mid-January, Mr. Babitsky disappeared in Chechnya. Since then, Russian officials have issued contradictory statements about Mr. Babitsky's whereabouts and well-being. On January 26, a Russian presidential spokesman stated that Babitsky "left Grozny and then disappeared," and that Russian officials had no knowledge of his

whereabouts. Two days later, Russian authorities acknowledged to officials from Radio Free Europe/Radio Liberty that Mr. Babitsky had been detained, but that he would soon be released. Just a few days after that, Russian officials stated that, instead of being released, Mr. Babitsky had been handed to Chechen rebels in exchange for three Russian prisoners of war.

It is now late February. Mr. Babitsky still has not been heard from, and the Russian government has yet to provide a credible accounting of his whereabouts.

The actions and statements of the Government of the Russian Federation are deeply troubling, not only because of what they may mean for Mr. Babitsky's well-being, but for what they may portend about the freedom of the press in Russia today. Mr. Babitsky is a journalist, working for an American-supported news organization. His detention by the Russian authorities, and his reported exchange with the Chechens, violates fundamental norms embodied in the Geneva Conventions and applicable protocols. Equally troubling, the detention and mistreatment of a working journalist is a chilling indication that the Government of the Russian Federation is not committed to a fundamental human right: freedom of the press. These are not just the words of one United States Senator. In Russia itself, a leading journalists' union has stated that the Babitsky case is "not an isolated episode, but almost a turning point in the struggle for a press that serves society and not the authorities."

Several weeks ago, the chairman and I wrote to Acting President Putin and urged Mr. Babitsky's release. Several other senators and members of the other body have expressed similar views. Additionally, the Secretary of State has raised this matter with senior Russian officials. In Russia, Europe and the United States, there has been universal condemnation of the Russian Government for its actions in this matter.

Today we have decided to call additional attention to Mr. Babitsky's plight by introducing this sense of the Senate resolution, which criticizes the Government of the Russian Federation for its actions in the Babitsky matter and calls on Moscow to provide a full accounting of his detention.

I hope it will get the attention of the Russian Government. I hope it will help lead to the truth about the whereabouts of Mr. Babitsky. I urge my colleagues to support it.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 261) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

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".

PEACEFUL RESOLUTION OF THE
CONFLICT IN CHECHNYA

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 262, introduced earlier today by Senator WELLSTONE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 262) entitled "Peaceful Resolution of the Conflict in Chechnya."

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 262) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

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;