



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **Standing Committee on Foreign Affairs and International Development**

---

FAAE • NUMBER 147 • 1st SESSION • 42nd PARLIAMENT

---

**EVIDENCE**

**Monday, June 10, 2019**

—  
**Chair**

**Mr. Michael Levitt**



# Standing Committee on Foreign Affairs and International Development

Monday, June 10, 2019

[Translation]

● (1305)

[English]

**The Chair (Mr. Michael Levitt (York Centre, Lib.)):** Good afternoon, everyone. Welcome to the 147th meeting of the Standing Committee on Foreign Affairs and International Development.

This is a special session on the issue of political prisoners in Russia. Today we are holding a hearing on the human rights situation in Russia following the release of the Perseus Strategies report on the Kremlin's political prisoners. The issue of political prisoners and the continuously deteriorating human rights situation in Russia is one that unites members of this committee from across party lines. A number of us are members of the all-party Raoul Wallenberg caucus on international political prisoners advocacy project, spearheaded by Professor Cotler, who is here with us today. Today's report is close to our hearts, especially after this committee's report and unanimous adoption of Canada's Magnitsky legislation.

Before us today are Vladimir Kara-Murza, chairman of the Boris Nemtsov Foundation for Freedom; the Honourable Irwin Cotler, founding chair of the Raoul Wallenberg Centre for Human Rights; Jared Genser, managing partner of Perseus Strategies; and Natalia Arno, president of the Free Russia Foundation.

Mr. Kara-Murza, welcome back to this committee. If you'd like to proceed with your opening statement, followed by short statements from your colleagues, we'll then move to rounds of questions from the committee members.

**Mr. Vladimir Kara-Murza (Chairman, Boris Nemtsov Foundation for Freedom):** Thank you so much, Mr. Chairman. It is an honour to be back before your committee. Thank you for this opportunity and for holding this very important hearing today.

On December 10, 1975, Oslo City Hall hosted the annual Nobel Peace Prize ceremony. Everything seemed in order except for one detail: The laureate, Andrei Sakharov, was not present, and neither were his four guests of honour. None of them were allowed by the Soviet government to travel.

In his Nobel lecture, which was read out by his wife, Elena Bonner, Sakharov wrote, "...I would ask you to remember that all prisoners of conscience and all political prisoners in my country share with me the honor of the Nobel Prize." He listed 126 names. This was not everyone, but it gave an idea.

Today, according to the Memorial Human Rights Centre, there are 296 political and religious prisoners in Russia. This, too, is not everyone—just those who fit the strict criteria set by the Council of Europe. But it still gives an idea.

[English]

Behind these statistics are real people who are being held in prisons, penal colonies, detention centres and under house arrest, having committed no crime against the law, only having crossed the imposed lines of Vladimir Putin's regime: Oleg Sentsov, a filmmaker from Crimea, who protested against the annexation; Anastasia Shevchenko, a single mother and an activist of the Open Russia movement, who became the first person arrested for belonging to an "undesirable" organization; Alexey Pichugin, the remaining hostage of the Yukos affair, who after 16 years is Russia's longest-serving political prisoner; Oyub Titiev, a human rights activist who has documented the egregious abuses of Ramzan Kadyrov's regime in Chechnya; and, Yuri Dmitriyev, a leader of Memorial in Karelia, who has uncovered mass graves from Stalin-era executions.

These are just five names out of 296, and there's a new one literally in the last two days: Ivan Golunov, one of Russia's best-known investigative journalists, arrested on fabricated drug charges.

In the last four years, the number of political prisoners in Russia has increased sixfold. Their continued incarceration violates not only Russia's constitution but our international obligations under the European Convention on Human Rights, the OSCE Vienna Concluding Document and the International Covenant on Civil and Political Rights, among many others. International bodies, including the European Court of Human Rights and the UN Working Group on Arbitrary Detention, have repeatedly condemned these incarcerations, but appealing to the law is as futile an endeavour in Vladimir Putin's Russia as it was in Leonid Brezhnev's Soviet Union.

The only court that matters is the court of global public opinion. Just as in the 1970s, the best hope, the best defence, for political prisoners in our country is international attention. Back then, prime ministers and presidents of democratic nations put this issue high on the agenda. Prime ministers and presidents, in the summit meetings with leaders of the Soviet Union, would often start by putting the list of political prisoners on the table.

Successive American administrations have successfully negotiated the exchange or release of prominent Soviet prisoners of conscience, including Vladimir Dremlyuga, Vladimir Bukovsky, Alexander Ginzburg and Yuri Orlov. In 1978, Pierre Trudeau, Canadian prime minister, personally handed Brezhnev the legal brief on the case of Anatoly Sharansky, prepared by the man I have the privilege of sharing this table with—Professor Irwin Cotler. Recalled Sharansky: “What was saving us...was the fact that all these important...people” in the west “were supporting us in every speech. They knew our names.”

Nothing of the sort is happening today.

● (1310)

[Translation]

Whatever else western leaders discuss with Mr. Putin, the issue of political prisoners seems to be absent, as if it is normal that, in 2019, a European country is holding hundreds of people in prison for their political or religious beliefs. It is time to break the silence.

[English]

One of the principal documents of the Organization for Security and Co-operation in Europe, OSCE, of which both Canada and Russia are full members, holds that “issues relating to human rights, fundamental freedoms, democracy, and the rule of law are...matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.” Canada should uphold this commitment.

[Translation]

Canada should set an example by raising the issue of political prisoners, not in general terms, but with specific names and specific cases in every contact with Russian officials, from top-level summits to ministerial meetings to parliamentary assemblies.

[English]

Ending the shameful practice of political incarceration and releasing those unjustly held should be a prerequisite to any meaningful dialogue with the Kremlin.

Words matter, but there's more Canada can do than speaking out. In October of 2017 this House unanimously passed the Sergei Magnitsky law, which brought much-needed personal accountability to human rights violators by subjecting them to asset freezes and visa bans. It is my hope that Canada will use this law to sanction those responsible for politically motivated imprisonment in Russia, starting with Prosecutor General Yuri Chaika.

Just over a decade after Sakharov's Nobel lecture, nearly all of the prisoners he named were free. This was a result both of the winds of change that swept our country and of the principled position of the democratic world. There will come a day when the current political prisoners are free as well, and when Russia finally puts the shameful legacy of political incarceration behind her. Until that day comes, I hope that our partners and the international community will continue to speak up for justice on behalf of those who are deprived of it at home.

I thank you very much for the opportunity to testify. I look forward to any questions you may have.

**The Chair:** Thank you very much.

Mr. Genser.

**Mr. Jared Genser (Managing Partner, Perseus Strategies):** Good afternoon, Chairman Levitt and distinguished members of the committee. It's a pleasure to be with all of you again here today.

Last month my public interest law firm published this report: “The Kremlin's Political Prisoners: Advancing a Political Agenda By Crushing Dissent”. It's the first comprehensive report on the topic, and it's some 280 pages with 1,700 footnotes. It's also cosponsored by the Raoul Wallenberg Centre for Human Rights, the Free Russia Foundation, the Human Rights Foundation, and the Lantos Foundation for Human Rights and Justice.

I would like to briefly highlight the unique features of the report for you. We have copies for all of you as well.

First, using Memorial's vetted list of prisoners, we've identified eight categories of prisoners held by the Kremlin at the direction of Vladimir Putin, including political opponents, Ukrainian activists and citizens, civil society activists, journalists, religious minorities, ethnic minorities, alleged spies and LGBT persons in Chechnya.

As noted earlier, the number of the Kremlin's political prisoners has increased sixfold in the last four years, from 50 to almost 300 today.

Among this group of prisoners is my client, Alexey Pichugin, the Kremlin's longest-standing political prisoner, who has served more than 16 years on fabricated murder charges. In fact, his arrest was simply a first move by Vladimir Putin against the Yukos oil company. Pichugin remains in jail today because he refuses, as a matter of conscience, to implicate its major shareholders, including Mikhail Khodorkovsky, in crimes that neither he nor they committed.

In the last few days we released an opinion by the United Nations Working Group on Arbitrary Detention, which found that “the discrimination against Mr. Pichugin by the Government on the basis of his association with the Yukos company is the only plausible explanation for his arrest, detention and imprisonment”, and it called for his immediate release.

Second, in our report, we completed the first comprehensive review of the domestic laws used to imprison political opponents of the regime—both laws that are facially invalid as incompatible with international law and those used as pretext—as well as administrative provisions used to threaten, intimidate or harass real or imagined threats to Putin's regime.

Third, we analyzed the wide array of international law violations committed by the Kremlin in imprisoning political prisoners.

Fourth, we looked at the international response and domestic response from media, civil society groups and political parties to the imprisonment of the Kremlin's political prisoners and the playbook for how the Kremlin responds to this criticism.

Fifth, we examined the wide array of ways in which political prisoners have been released both historically and in recent years, including parole pardons, prisoner swaps, amnesties, and reduced sentences and releases for health, among others, as this can provide a road map to see what might be done to help the current crop of political prisoners.

Sixth, we identify across the list of political prisoners the names of judges, prosecutors and investigators in their cases. From there, we identified a group of 16 perpetrators with command or line responsibility for imprisoning political prisoners in Russia. Those responsible at a system-wide level include people like Vladimir Putin; Yury Chaika, the Prosecutor General; and Gennady Kornienko, the director of the Federal Penitentiary Service, among others. Canada has actually already sanctioned four of the eight on our list of those responsible for command responsibility. Those who I mentioned, as well as eight judges, prosecutors and investigators involved in the greatest number of cases, have not yet been sanctioned.

Finally, in our report we present five recommendations for the international community. Each of these recommendations includes more detailed actions, but at a high level these recommended actions fall into the categories of targeted financial sanctions and travel bans on perpetrators; joint actions across multilateral institutions; highlighting the plight of these prisoners; joint civil society efforts; and media engagement.

It is worth briefly focusing on our section on perpetrators. We've advocating for this group of perpetrators to be put onto the global Magnitsky lists, and this is why our report has 1,700 footnotes. We received feedback from many global sanctions offices—including those here in Canada—that, given limited resources, rely exclusively on credible civil society, media, and other reports on human rights abuses in any given country when investigating potential targets to sanction. By presenting a highly organized and meticulously assembled group of sources to verify the evidence that we have presented in our report, we hope this will enable global sanctions offices to have in one place all the information they should require to investigate and verify our claims.

Having represented political prisoners for more than 20 years in my career, I can say from experience that the greatest fear of any political prisoner is to be forgotten. We hope that the Parliament here in Canada will urge the Government of Canada to impose a set of sanctions against the group of perpetrators responsible for imprisoning the Kremlin's political prisoners. Rolling out a set of sanctions for those responsible for the entire system would not only benefit political prisoners in Russia but also send a strong signal to other authoritarian regimes that imprison political prisoners that their systems could be next to be sanctioned.

● (1315)

I know that freeing the Kremlin's political prisoners might, at this moment, seem like an impossible task. It is incumbent on all of us who live in a free society to show the pictures of these prisoners and tell their individual stories, just as we show the pictures of the perpetrators and demand that they be held accountable. It is worth remembering that, as Nelson Mandela said, it always seems impossible until it is done.

Thank you again for the opportunity to testify. I'd be happy to answer questions at the end of our presentations.

**The Chair:** Thank you very much, Mr. Genser.

Ms. Arno.

**Mrs. Natalia Arno (President, Free Russia Foundation):** Thank you very much, Chairman and distinguished members of the committee, for taking the time to hear our testimony regarding a significant and concerning increase in the number of political prisoners held in Putin's Russia today.

We are grateful that you have offered us this hearing to talk about the astonishing, detailed and tragic report we've produced and that you are open to hearing how the Canadian Parliament and Canadian people can act with solidarity and help put an end to my country's national disgrace.

Out of the current 296 political prisoners in Russia, which is a very conservative estimate, more than 220 people were prosecuted for religious beliefs. A large number, more than 40 people, are Ukrainian hostages of the Kremlin. We have filmmaker Oleg Sentsov, torn up inside because he watched his homeland of Crimea be swallowed up by an all-powerful nation-state, reminiscent of the Soviet Union takeover. We have two groups, called "New Greatness" and "Network", consisting of a dozen young people who would just get together and discuss political news. We have a single mom who just wanted to organize a debate. We have a professor who participated in a professional discussion. His colleague died in prison for the same charge. We have a historian devoted to exposing the truth about Russia's past. We have many others. We have people in jail for just simple tweets or Facebook posts.

The seemingly random use of prison sentences isn't really random at all; it's actually the point. If a mom or a filmmaker or a kid playing Pokémon can be jailed, then everyone has to figure that they too can be facing a prison sentence for crossing the Kremlin's world view. Are any of them guilty? It hardly matters. Fear and terror are the point. An atomized society of scared people is much more easily dominated. This is how the Kremlin wants to keep its more than 140 million people under control—by arbitrarily singling out a few hundred people, thus sowing fear in others.

I have an affinity with the prisoners that extends beyond the fact that I personally know many of them and their stories tear at my heart. I myself could have ended up on this list of political prisoners for my pro-democracy work and activity. I could be serving my seventh year in jail. I would be one more name and one more story in this report. My crime? I worked for an American democracy promotion organization. They sought free and fair elections and the same rules for candidates who had different ideas from the regime on how to better run a country. For that, I was given the sad choice of leaving my country and my heritage or facing 20 years in jail for state treason. It was a very easy choice, but the hardest decision of my life.

However, the Russian authorities miscalculated. I am still in the fight. That's why I am here talking to you today. I hope I don't look to you like a dangerous criminal who should be beaten and tortured in a Russian prison. The same for the others who have been politically persecuted; they are nothing more than people who believe in a better Russia. Our report catalogues the number who are in jail today, but behind each number there is a human life, a human story, a human tragedy. The report tells us not only about the categories of prisoners but also about concrete people.

Rather than talking about this report today, it would be much more pleasant to talk about the new documentaries produced by filmmaker Oleg Sentsov, or the new articles written by journalist Igor Rudnikov or the new research conducted by Professor Bobyshev. Instead, we are discussing people's lives and the cruelty of the regime that is destroying these lives. In a civilized world, we shouldn't tolerate that political prisoners exist in the 21st century. We shouldn't tolerate that fair trials are the exception and torture is common and widely spread. We shouldn't tolerate that people who want free and fair elections are in jail and those who falsify them are not. We shouldn't tolerate that those who speak out and want Russia to be free and democratic are in jail but those who impose censorship and conduct propaganda are not. We shouldn't tolerate that the people who dare to criticize the corrupt and criminal Putin regime are in jail but the corrupt officials engaged in criminal affairs inside Russia and beyond are not.

● (1320)

I think you all know that a confident leader such as Putin would see no reason to jail his opponents, and that a leader who claims great popularity should find no need to worry about a single mother, or about two young people who just made two posters and 30 flyers, and purchased a megaphone. They shouldn't be worried about people's tweets and Facebook posts, or those who catch Pokémons and blog about it.

These are the signs of a desperate dictator. I hope you view them the same way.

Again, my colleagues and I are very grateful for your listening to us, and we hope you will consider placing sanctions on those who are directly involved in such gross human rights violations.

Thank you.

**The Chair:** Thank you very much.

Finally, we'll go to Professor Irwin Cotler, please.

[*Translation*]

**Hon. Irwin Cotler (Founding Chair, Raoul Wallenberg Centre for Human Rights):** Thank you, Mr. Chair.

I am very happy to be here and to participate in the common cause that unites us: the pursuit of justice.

[*English*]

I'm delighted to be here with representatives of the global coalition to free the Kremlin's political prisoners and the launch of the first-ever landmark report on this matter. Now while we know of Russia's external aggression—in Ukraine, Crimea and Venezuela—we are largely unaware of the domestic repression that is taking place as we meet, which includes the criminalization of fundamental freedoms of religion, expression, assembly, association and political participation; the persecution and prosecution of the leaders of Russia's courageous civil society, political activists, journalists, human rights defenders, Ukrainians, religious leaders, the LGBTQ community and the like; the sixfold increase in the number of political prisoners, from 50 to 296, in just the last four years; and finally, the culture of impunity, wherein the very architects of repression named in the report are not only not held accountable for their criminality, but have even, in some cases, been rewarded for it.

May I conclude, therefore, with a number of recommendations for this body? For reasons of time, I'll do so in a series of one-liners.

Number one, combat the culture of criminality and impunity by imposing Magnitsky sanctions on the architects of repression detailed and documented in our report. I remind you that Boris Nemtsov, the courageous leader of Russian democracy who came to Canada before this committee and supported Magnitsky sanctions, and who was ultimately assassinated in Russia, always spoke of Magnitsky sanctions as being the most pro-Russian legislation one could enact because such legislation was on behalf of the Russian people.

Two, take the lead in multilateral engagement, whether at the UN, the OSCE, the G20 or the like.

Three, hold Russia to account for its breach of its international treaty violations, treaties that Canada is a state party to with Russia, and thus of its violation of its obligations made to us.

Four, take up the case and cause of the Kremlin's political prisoners, something that I've been doing for the last 40 years, having been inspired by them. It began with Anatoly Sharansky's release after eight and a half years; continued with Vladimir Nikitin, the environmental activist who was the last political prisoner before the Putin regime, but interestingly enough, was imprisoned by Putin, who was then the head of the FSB, or the former KGB; and finally, right now, Anastasia Shevchenko, one of the most recent courageous Russian political prisoners, whose case I have the honour to take up as her international legal counsel.

Let us also remember that even if we don't succeed immediately in bringing about their release, what experience has shown is that our actions will help to relieve their conditions in detention, the torture and other inflictions they may be suffering.

Five, support the courageous Russian civil society. Let them know that they are not alone.

Finally, as we approach the 40th anniversary of the Helsinki Final Act, whose organizing theme in principle seven was the right to know and act upon their rights, those who undertook to know and act upon their rights in Russia are now languishing in prison. As a leading sponsor of the Helsinki Final Act, we have an obligation to hold the Kremlin leadership accountable.

As Vladimir said, "It is time to break the silence" and to do so in the pursuit of justice.

Thank you, Mr. Chair.

•(1325)

**The Chair:** Thank you very much, Professor Cotler.

Thank you to all of you for your powerful statements here before us this afternoon.

With that, we'll go straight into the first round of questions. We will begin with MP Genuis, please.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you, Mr. Chair.

Thank you to the witnesses for your testimony today. More importantly, thank you for your courage and ongoing advocacy in the face of great difficulty.

Before I get into questions, Mr. Chair, I want to give the committee notice that this week I intend to move motions with respect to the independent investigation of allegations of genocide against Tamils in Sri Lanka at the end of the civil war, and also a motion with respect to the listing of the IRGC as a terrorist entity under the Criminal Code. I wanted to give the committee information about that.

Back to the testimony here, there are two questions I want to ask. I'll put those out there and let whoever wants to respond to do so. We can go through them that way.

The first question is for Mr. Kara-Murza. You spoke about "political and religious prisoners", which is different terminology from what we sometimes use in this area.

Can you share a bit more with the committee about the anatomy of religious persecution in Russia, the co-opting of the Orthodox Church and the challenges faced by religious minorities such as Muslims, evangelical Christians and others, and how that should work its way out in our specific response to those issues?

Secondly, on the issue of Magnitsky sanctions, it's clearly an important tool in the government's tool box, but it is only as good as it is used. Some points were made about the people we need to add to our sanctions list.

I'd like to hear your thoughts more broadly at a policy level.

What can we do as Parliament to ensure that this tool is used more often? There are some terrible human rights abusers in the world, none of whom have been listed yet under the Magnitsky act, and there's clearly a need for more people to be listed.

Is there a change in mechanism that can strengthen our use of that tool? Are there things that we can do as Parliament to more effectively ensure that the minister or the government of the day isn't, let's say, holding off on sanctioning people who should be sanctioned?

•(1330)

**Mr. Vladimir Kara-Murza:** On the first question on religious prisoners, most of the people—and, as Natalia mentioned, it's more than 200 out of 296 people—are there as religious rather than political prisoners. The vast majority of those are either adherents of a Muslim organization called Hizb-ut-Tahrir, which is a radical but peaceful Islamic movement, or, increasingly, adherents of the Jehovah's Witnesses congregations. One of the latest political prisoners is actually a Danish citizen by the name of Mr. Christensen, who is one of the leaders of the Jehovah's Witness congregation in the city of Oryol.

You're right, that is a relatively new term in our discourse, but, of course, as part of the Helsinki Final Act commitments and other OSCE commitments, not to mention the European Convention on Human Rights, freedom of religion is one of those obligations that the Russian government has undertaken, and in the case of these religious prisoners, that obligation is clearly being violated.

The very important second part of your question is on the Magnitsky act. I have been involved in this work now for almost a decade, starting in the U.S., then in Canada, then in several countries of the European Union. We always find the same model when it relates to the Magnitsky legislation. I think it would be fair to say this was a model that applied at least partially here in Canada too, where you have the executive branch, the government and diplomatic service, which are initially very much opposed to this principle. *Realpolitik* is not a new concept. It's a resilient one. It's been around for a long time, so it's perhaps not surprising that it still retains some of its strength. However, in every one of the six countries that have the Magnitsky legislation on the books—certainly including Canada—we found that a principled cross-party support for parliamentarians in the end overcame that resistance and made sure that the legislation was adopted and is being implemented. As you rightly pointed out in your question, those are two different things. For example, one of the six countries where the Magnitsky legislation exists, the United Kingdom, has had it now for one year, since June 2018, and the total number of people sanctioned under the Magnitsky legislation in the U.K. is precisely zero.

One of the things we're increasingly seeing happen over there in Britain is that there is pressure from Parliament. Also, on what it took initially to move the process ahead in the United States, I'll give you just one example. General Alexander Bastrykin, who is a top law enforcement official in the Putin regime, the chairman of the Russian investigative committee, is personally responsible for all the politically motivated prosecutions of recent years, like those in the Yukos affair, the Bolotnaya affair, the Navalny case and all the other ones. As well, a few years ago he personally—we're talking about the highest law enforcement official in Putin's government—took a leading independent journalist in Russia called Sergei Sokolov from Novaya Gazeta into a forest near Moscow. He walked him out of the car and took him into the forest and said to him, "If your newspaper continues to publish what you publish, I'm going to kill you. I'm going to bury you right here in this forest, and by the way, guess who is going to investigate? That will be the chairman of the investigation committee." This is not in dispute, by the way. This is not "allegedly" or "admittedly". He admitted he had done this.

He also said "sorry" the next week. I don't think that quite cuts it as taking responsibility by a senior government official who threatens to murder a journalist.

It took several years and a lot of pressure from the United States Congress, from both major political parties, to finally convince the United States government to sanction this individual. He was sanctioned in the year 2017. He was also sanctioned in Canada, straight away, by the way. In October 2017, you passed the law, and, I believe, in November was the first batch of the Magnitsky resignations, and General Bastrykin was on that list. So I actually find myself in the rare position of sitting in the Parliament of a country which instead of criticizing I would like to commend. Whenever I go now to other western European parliaments to talk about the need for Magnitsky legislation there, I always use Canada as an example of a country that both has passed the law unanimously and is implementing it.

Of course, there is always more to do, and those people we are talking about today, starting with Prosecutor General Yuri Chaika, I think are very obvious, glaring omissions. In fact, it is mind-boggling but Chaika, who has been either the justice minister or the prosecutor general for the entire 20 years of Vladimir Putin's rule, and as such has been responsible for some of the most egregious cases of politically motivated prosecution, has so far not been sanctioned by any of the six countries where the Magnitsky law exists, including Canada.

I think it would be important to have parliamentary pressure on the government here in Canada to sanction those people who are responsible for politically motivated prosecutions as well as those who are responsible for politically motivated assassinations.

• (1335)

Three weeks ago, the United States government took a very important step of sanctioning under their Magnitsky law a key organizer in the assassination of Russian opposition leader Boris Nemtsov: a Russian interior ministry official named Ruslan Geremeyev.

Lithuania and the United States are two countries that have sanctioned this individual so far, and I think it would be very

powerful and very important if Canada did the same. There is no more gross human rights abuse than the murder of somebody who dedicated his life to stand up for freedom, democracy and the rule of law.

Because we are witnessing for more than four years now a very high-level cover-up in Russia when it comes to anything related to bringing the organizers and masterminds of the assassination of Boris Nemtsov to justice, we are hoping that those countries that have the Magnitsky law use it to end the impunity for those people. After all, that's what the Magnitsky law was intended to do: end the impunity for those who are shielded and protected, those human rights abusers who are shielded and protected by their governments.

**The Chair:** Thank you very much.

We shall now move to MP Wrzesnewskyj, please.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Thank you, Chair.

Welcome once again, Mr. Kara-Murza, to the foreign affairs committee.

You referenced Mr. Sakharov and the 126 prisoners of conscience during the Soviet period. Very few of those individuals are still living; very few of them are still with us.

One individual who spent 15 years between 1966 and 1986 in the gulag system appeared before our committee three weeks ago: the iconic Mustafa Dzhemilev. He spent 15 years in the gulag for demanding the right of return of the Crimean Tatars to their ancestral homeland.

In his testimony before the committee three weeks ago, virtually on the 75th anniversary of the *Sürgünlik*, he asked that Canada's Parliament recognize what happened to the Crimean Tatars under Stalin as a genocide.

Mr. Kara-Murza, would you agree that what happened to the Crimean Tatars was in fact a genocide?

**Mr. Vladimir Kara-Murza:** Mustafa Dzhemilev is somebody who I admire immensely as one of the legends and the pillars of the human rights movement in the Soviet Union.

By the way, Andrei Sakharov himself, as you know well, has been engaged in the movement for the restoration of the rights of the Crimean Tatar people, which was the last ethnic group in the Soviet Union to have their rights restored, to be officially rehabilitated. It took until 1989. Most of the rehabilitations took place in the fifties, and most of the deported nations, including those from the Baltic States, were allowed to return under Khrushchev in the fifties. That was not the case for the Crimean Tatars. They were the last ones to have justice restored to them, and now, of course, we're seeing that justice denied again.



Yes, to answer your question, I think it would be very important to make such a recognition. I think one of the greatest mistakes that the democratic government in Russia made in the early 1990s was to fail or refuse to conduct a full-scale trial or a truth commission, whatever you want to call it, against the crimes of the totalitarian Communist regime. I think there will still come a time when we do this, because without turning fully the page on the totalitarian past, it is not possible to move forward.

It's very important to remember that the Stalin regime has been involved in mass crimes committed against so many nations and so many ethnic groups living in the Soviet Union, beginning, of course, with the Russian people. Numerically, the biggest victims of the Stalin regime were the Russian people. I think it's important to remember that.

While this recognition for now is lacking domestically, I think it's important that democratic nations and international communities step in to express that solidarity in such a form.

**Mr. Borys Wrzesnewskij:** Thank you, Mr. Kara-Murza.

Chair, I'd like to give a notice of motion:

That, pursuant to Standing Order 108(2), and based upon the witness testimony of Mr. Mustafa Dzhemilev on May 16, 2019, and of Mr. Vladimir Kara-Murza on June 10, 2019, the Standing Committee on Foreign Affairs and International Development immediately report to the House the following:

(1) That, in support of the historic truth and as requested by Mustafa Dzhemilev, the Crimean Tatar deportation of 1944 be recognized as a genocide perpetrated by Soviet dictator Stalin, and that May 18 be designated a day of remembrance for the Crimean Tatar deportation (Sürgünlik).

I have it translated into French as well.

• (1340)

**The Chair:** Thank you.

You still have two minutes left.

**Mr. Borys Wrzesnewskij:** Thank you.

Mr. Kara-Murza, this is perhaps a difficult question because you yourself have been targeted for assassination. Thank goodness you survived. Many of us knew your very good friend Boris Nemtsov. Mr. Cotler knew him personally as well.

Today we're talking about the 296 political prisoners currently incarcerated in Russia by the Kremlin. How many people have gotten away, literally, with the murder of some of the best sons and daughters of the Russian people? How many people are no longer with us? Do you have a list, or is there a list that's been prepared for sanction under the Magnitsky? You referenced one of the assassins involved in the Boris Nemtsov assassination. Is there a list of all of those involved in the assassination of human rights figures, journalists and democratic rights figures in Russia?

**Mr. Vladimir Kara-Murza:** Mr. Wrzesnewskij, thank you for bringing focus to this issue.

While our main topic of discussion today is political prisoners, I think it's important to remember that there is a price even higher than long-term imprisonment to be paid by people who dare to stand up for truth and justice in Russia and who dare to stand up against the Putin regime.

Boris Nemtsov, who was a dear and close friend of mine and who was the most prominent, the most effective and the most powerful leader of the Russian democratic opposition, paid that price on the evening of February 27, 2015, when he was gunned down on the bridge literally in front of the Kremlin.

What we have been seeing in these nearly four and a half years that have passed since that wretched night is a top-level cover-up orchestrated by the Putin regime in relation to those who had organized and masterminded this assassination, the most high-profile political assassination in the modern history of Russia. Beyond the immediate perpetrators who were arrested and sentenced to prison, nobody else has faced any sort of accountability or justice.

The man I referred to a few minutes ago, Russian interior ministry Major Ruslan Geremeyev, is a key enforcer and key handler for Ramzan Kadyrov, the Kremlin-appointed leader in Chechnya. On two different occasions, Russian investigators have tried to indict him as an organizer in the assassination because there was more than enough evidence, and on both of those occasions General Alexander Bastrykin, whom I referred to earlier, the chief of the Russian investigative committee, personally intervened to ban investigators from doing so.

One of the most astonishing things about the Nemtsov case is that we pretty much know the name of every single person who has been involved in the assassination, at least to a certain level; I am convinced that it goes higher. At least to a certain very high level, we know those names, and those names have been voiced during the investigation and trial.

The lawyers representing the Nemtsov family and Zhanna Nemtsova, whom you know personally, Mr. Nemtsov's daughter, have repeatedly intervened to get the Russian authorities to question these people. Every single time, their appeals were rejected. Key evidence was withheld. Key persons of interest were not questioned.

**The Chair:** Thank you, Mr. Kara-Murza.

**Mr. Vladimir Kara-Murza:** Just to directly answer Mr. Wrzesnewskij's question, I think it's important to put on the record some of those names because these names are known: Ramzan Kadyrov, the head of the Chechen Republic; General Viktor Zolotov, the commander of Vladimir Putin's National Guard; Adam Delimkhanov, a member of the Russian state *duma* for a united Russia, Vladimir Putin's party; and, of course, Major Ruslan Geremeyev, whom I mentioned already.

In the absence of justice and accountability at home, it will be very important if those countries that have the Magnitsky legislation, including Canada, move to impose targeted sanctions on these individuals.

• (1345)

**The Chair:** Thank you very much.

MP Caron, please.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Good afternoon. Thank you very much for these very powerful presentations.

I think the committee has already demonstrated that it is very concerned about the human rights situation in Russia and elsewhere.

I would like to tackle an aspect that has not yet been addressed. I don't know whether Mr. Kara-Murza or Ms. Arno is in the best position to answer. It's about the rights of LGBTQ people.

We know the situation in Chechnya, which experienced a wave of repression, arrests, abductions, murders and torture in 2017. In 2019, there was a new wave that seems to have attracted little attention despite everything, but which still exists.

First, is Russia simply turning a blind eye to those acts, events and tragedies in Chechnya, or is it not in a position to do something about it?

Second, what is the human rights situation of the LGBTQ community in the rest of Russia? Are you seeing the same type of repression?

[English]

**Mrs. Natalia Arno:** It's a hard question.

Very often, the Kremlin tries not to put people in jail for direct political articles. Yes, there are so-called political articles...like extremism, more terrorism, more espionage, treason and things like that. In case of the LGBT they try not to put them in jail for that. They also try to plant drugs or weapons, or to charge them with some other crime or try to force them out of the country. This is one of the consequences of the Putin regime. They deprive some people of life like Boris Nemtsov, Anna Politkovskaya, Natalia Estemirova and many others. They deprive others of freedom and have at least 296 political prisoners. Many more they deprive of their motherland like me and all those people from the LGBT communities who had to flee from Russia if they were not put in jail for some other trumped-up charges.

[Translation]

**Mr. Guy Caron:** Do you want to add anything, Mr. Kara-Murza?

**Mr. Vladimir Kara-Murza:** Yes, thank you very much for your question.

As you know, there have been two wars against Chechnya with the official goal of making it part of the Russian Federation. From a legal point of view, Ramzan Kadyrov's Chechnya is not part of the Russian Federation right now.

Under Vladimir Putin's regime, the human rights situation in Russia is quite terrible. There is media censorship, rigging of elections, violations of freedom of assembly, political prisoners and all the rest. However, in the case of Chechnya and Ramzan Kadyrov, it is as if we were on another planet. It is a medieval regime. People are tortured, murdered or abducted almost every day.

It's important to remember that Mr. Kadyrov's opponents are regularly killed, not only in Chechnya, but also in Moscow, Vienna, Dubai and almost everywhere in the world, because he acts with complete impunity. As we have already said today, Ramzan Kadyrov's relatives organized the murder of Russian opposition leader Boris Nemtsov. So it's very important that international action be taken against Mr. Kadyrov and his relatives.

As you know, he is already subject to Canadian sanctions under the Sergei Magnitsky law. He has already been sanctioned by the United States and a number of European Union countries. Sometimes he laughs about it, because he has no bank accounts, no interest or money in the west. Perhaps he's right. However, three months ago, on March 12 of this year, the United States House of Representatives passed resolution H. Res. 156, which mandates the U.S. government to investigate Mr. Kadyrov's assets in countries in the Middle East, such as Saudi Arabia and the United Arab Emirates. Mr. Kadyrov has many assets in those countries, and he did not laugh when that resolution was adopted.

It is therefore very important that western countries such as Canada talk about Mr. Kadyrov's interests abroad, even if they are not in the west. He has many interests in many countries, and I think the issue must be addressed.

• (1350)

**Mr. Guy Caron:** Thank you very much.

I now have a quick question for Mr. Cotler.

We know about the violated rights of the LGBTQ community. How would you rate Canada's response to this specific issue?

In particular, have you seen any movement in terms of receiving refugees? I imagine that the persecution they are facing must prompt many members of this community to move abroad to protect themselves.

**Hon. Irwin Cotler:** This is a major issue for the LGBTQ community. The problem is that the members of this community are not recognized as political prisoners. Actually, they themselves are not comfortable seeking that recognition, because the persecution they are already facing could worsen if they are recognized as such. However, we can give them their recognition. It can be done through our Sergei Magnitsky law, as Mr. Kara-Murza mentioned.

In terms of this piece of legislation, I would like to briefly point out that we have imposed sanctions on 140 leaders from Venezuela, including Mr. Maduro, 17 people from Saudi Arabia and others from Sudan. As for the sanctions imposed on Russia, the most significant ones are aimed at the prosecutor general, the Minister of Justice, the Minister of the Interior, the chief of prisons and those involved in Mr. Nemtsov's assassination.

[English]

**The Chair:** Thank you very much.

We will now move to MP Saini, please.

**Mr. Raj Saini (Kitchener Centre, Lib.):** Good afternoon to you all. Thank you very much for coming.

Mr. Kara-Murza, I want to start with you. Something happened last month in Europe that a lot of people may not know about. If we go back a little bit in history, we know that the Russian Federation applied to join the Council of Europe in 1992. In 1996, that request was granted. As you're also aware, the European Court of Human Rights is the last place of recourse for those citizens in Russia who don't have recourse through their own courts, especially for politically sensitive cases. We know that in 2015, Mr. Putin signed a law allowing the Russian government to ignore rulings from the ECHR. We know that in June 2017, the Russian government stopped paying its contributions to the Council of Europe. That was a sizable amount, as you can appreciate—almost 7% of their budget.

We also know that last month, a meeting was held where 47 nations decided to allow Russia to continue on in the Council of Europe. France and Germany were two countries that were really behind that proposal. Knowing the history of what Russia has done, is this not a further setback of human rights in Russia? Also, 47 European nations have in some ways indirectly supported that.

**Mr. Vladimir Kara-Murza:** I will answer it in two different ways because there are two sides to this story. For those of us from the Russian democratic opposition and from Russian civil society, whenever we meet our western friends and counterparts, we always emphasize that it's important to differentiate between the regime and the people in Russia. The Kremlin does not equate to Russia; they are two different things. It's in that spirit that I will answer your question in two different ways.

First, I think it would be a catastrophe if Russia were to be ejected from the Council of Europe. As you said correctly, as a Russian citizen, the closest place I have to find justice is at the European Court of Human Rights in Strasbourg. I have that right because I'm a citizen of a Council of Europe member state.

We also have the legal protections of the European Convention on Human Rights. The Putin regime, as I don't need to tell you, is ignoring the decisions of the European court and also violating key obligations under the European convention, but that's not a reason to deprive us of them at all. As somebody who has a case before the European Court of Human Rights, I can tell you it is very important.

Many prominent opponents of the Kremlin have won their cases at the European Court of Human Rights. That includes the late Boris Nemtsov, Aleksei Navalny, Mikhail Khodorkovsky and many others, including some political prisoners like Alexey Pichugin, who has two European Court of Human Rights cases against him. That's important, first of all because nothing is permanent, and Mr. Putin and his regime are not forever. When things change, those decisions will of course be implemented.

Second, I cannot tell you how important it is to know that the law is on our side, and not because that's what we think but because there is a decision from the highest court of law in Europe telling us that is the case. Frankly, I think there could be nothing worse than ejecting Russia from the Council of Europe and leaving 140 million people without the protections of the European convention and the European Court of Human Rights.

The second part of my answer would be that I think that the decision to restore the full rights of the so-called parliamentary delegation of Russia to the Parliamentary Assembly of the Council

of Europe is a very flawed decision. For many years—long before Crimea by the way—many of us have been advocating for the suspension of the voting rights of the so-called Russian delegation at the Parliamentary Assembly, not because they represent Russia but because they do not represent Russia.

Astonishingly, if you read the reports from the Council of Europe itself going back two decades, you will find that every single national election in Russia since the year 2003 has been ruled as neither free nor fair nor democratic by the Council of Europe itself. The last time we had something close to a free and fair election was in 2000, almost 20 years ago. On the one hand, the Council of Europe has said that the elections are not free or fair. On the other hand, they have accepted the results of those fake elections and those representatives “elected” in them as the bona fide representatives of the Russian people. To me there's no logic to this.

On a more specific note, in two weeks' time, the Parliamentary Assembly of the Council of Europe will hold its summer session in Strasbourg. That will be the session where the Russian delegation will most likely return and take up their seats again. That will also be the session where a parliamentarian from Lithuania, Emanuelis Zingeris, who's the Council of Europe special rapporteur on the case of Boris Nemtsov's assassination and the investigation into it, will be presenting his report on the Nemtsov case, which he has spent the last two years preparing.

The Russian delegation has refused any kind of co-operation with this report. They have forbidden him to enter the country. They have ignored his requests, his phone calls and his messages, and when he physically went to a post office and sent a letter to the Russian Parliament, the letter was returned to him with a stamp from the Russian postal office reading “unknown address.” I'm not making this up. That's going to be in the Council of Europe report.

I think that condition number one, before even talking about the return of the Russian delegation to the Council of Europe Parliamentary Assembly, will be the full and unequivocal co-operation with the Zingeris report on the Boris Nemtsov case. Unfortunately, that is not happening.

• (1355)

**Mr. Raj Saini:** Thank you very much.

I will share my remaining time with MP Wrzesnewskyj.

**The Chair:** It's just a very short amount of time.

**Mr. Borys Wrzesnewskyj:** Let me get right at it.

We heard three weeks ago about the slow ethnocide of the Crimean Tatars within occupied Crimea, but what many people in the west don't realize is that the Russian Federation has many autonomous republics with indigenous peoples of Russia. Today, many of those peoples, those indigenous peoples of Russia, are facing sequential arrests and lengthy prison sentences. In certain cases, some are incarcerated in psychiatric asylums. I was hoping that perhaps we could raise the issue of the arrests of those who stand up for indigenous rights of the indigenous peoples of Russia.

You previously read into the record the names of those involved in the assassination of Boris Nemtsov, but Mr. Genser made it quite clear that there's nothing worse than being arrested and being forgotten. I thought it important to read some of those names into the record. However, I'm willing to table those names because I can see that the chair is limited in the amount of time he can provide me.

So, thank you, but perhaps you can comment on the current situation of the indigenous peoples, such as those in the Republic of Tatarstan, Bashkortostan, Ingushetia, etc.

• (1400)

**The Chair:** Mr. Kara-Murza, can I have just one minute of a response to that? I see that we're out of time

**Mr. Vladimir Kara-Murza:** Very quickly, you're absolutely right. There is a relatively new clause in the Russian criminal code that officially penalizes "separatist tendencies".

If, for example, one of the Russian regions were to try to do what Putin did in Crimea in 2014, the so-called referendum, the people who would organize it would all be liable for criminal prosecution under current Russian law. And, yes, there are many people in the regions, including many representatives of Russia's indigenous ethnic groups, who are particularly prosecuted and persecuted.

I think it's also important to state that, in this sense at least, the Putin regime is an equal opportunities persecutor. If you look at the list of political prisoners in Russia, you will find representatives of many ethnic groups, many different religions, many different social walks of life. But of course still, just as in Stalin's time, numerically the largest group of them are the Russian people themselves.

**The Chair:** Thank you very much.

With that, we shall adjourn.

---







Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the House of Commons website at the following address: <http://www.ourcommons.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : <http://www.noscommunes.ca>