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Russia: Kommersant-Vlast Journal Warned about Divulging State Secrets

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[Article by Mikhail Lukin: "The Obvious Becomes Secret" This translation is provided by the National Virtual Translation Center. OSC is not responsible for the editorial standards of this product.]



Photo: RIA-Novosti

Only a year ago, the *Vlast* editorial office could not have imagined that the journal would soon turn out to be an extremist one and even a divulger of state secrets. There is one consolation: *Vlast* has not yet been accused of fascist propaganda. This accusation was leveled against *Novaya gazeta*.

It is not considered very appropriate in polite society to publicly talk about oneself and one's problems. This is specifically why *Vlast* did not inform its readers when it received a warning in December 2009 from the Federal Service for Communications, Information Technology, and Mass Communications Monitoring (Roskomnadzor) for an interview with the

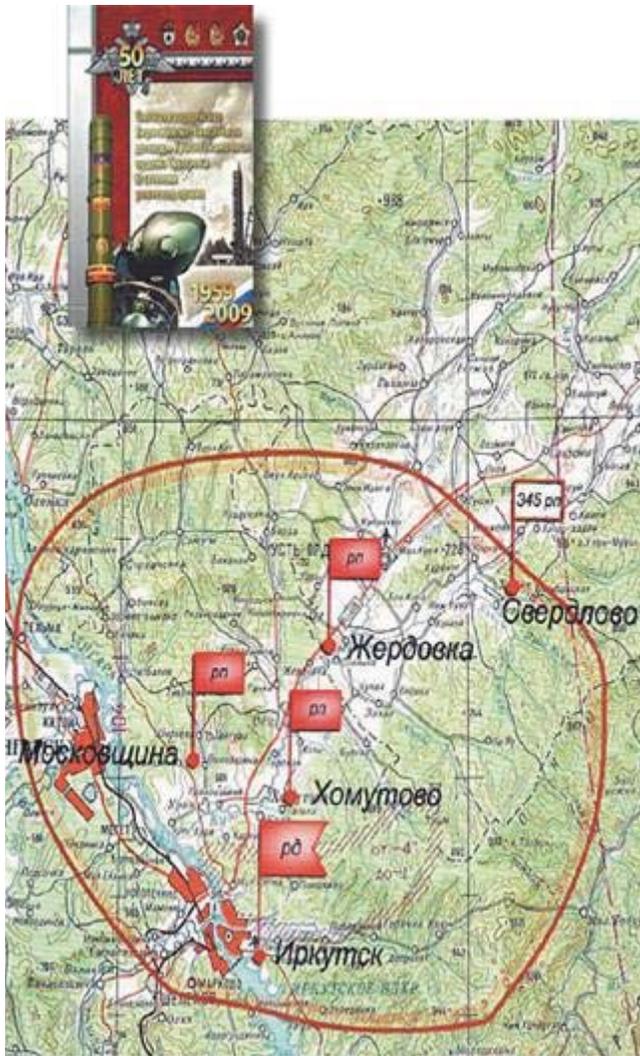
Ingush writer Issa Kodzoyev in which "evidence of extremism" was detected.

In March 2010, the journal was vouchsafed a second warning from Roskomnadzor--this time for divulging state secrets in an article about the Strategic Missile Troops [RVSN]. The editorial office devoted a small note to this event in which it briefly informed its readers about the substance of the charges and stated its desire to challenge the warning in court.

And so, the trial has ended. Last Wednesday, *Vlast* received the decision of the Moscow City Court, which upheld Roskomnadzor's warning. This time, the editorial office believes it possible and even necessary to describe the entire story in detail. And not only because this decision threatens the existence of the journal: according to the law, two warnings, received by a publication within a year's time, provide Roskomnadzor with grounds to go to court with a request to revoke its license, but also because press monitoring activity has now acquired certain grotesque characteristics: the article in *Novaya gazeta* about the danger stemming from fascist organizations operating in the country was considered to be promotion of fascism by that same monitoring agency, for which the newspaper also received a warning, and the Tagansk Moscow Court upheld its legality on 20 September.

A Hunt for "State Secrets"

Now a bit more detail about state secrets. *Vlast* began to publish military references in 2002 and the first one has already garnered a lot of success. Photocopies of "The Entire Russian Army" (No. 17 of 2002) were sold at Moscow book markets at the book price, and members of the military from the regions wrote letters to the editor with requests to send them a couple of issues for official needs. Respected military journalists and experts, in reviews of the reference, asserted that such material could be obtained only from deep within the Ministry of Defense [MO] and the General Staff, from people with access to strategic documents with the highest security classification. Meanwhile, it was clearly indicated in the reference that all the information was obtained from open sources only. For example, a precise list of places of deployment of all Russian nuclear arsenals was discovered in a study published long ago in large circulation in the United States. However, a criminal case was initiated for divulging state secrets in connection with the publication of "The Entire Russian Army." *Vlast*, with the assistance of material evidence--photocopies of newspaper articles, printouts of web pages, and so on--was then able to prove its deep reverence for state secrets to the investigation and the case was closed. In 2003 and 2005, "The Entire Russian Army" was updated and re-published and both times the story was repeated: a case was initiated, conversations with investigators, and the case was closed.



На иллюстрациях в книге по истории Омской ракетной армии «Гостайны» раскрываются гораздо более детально и наглядно, чем это было сделано в справочнике «Власти»

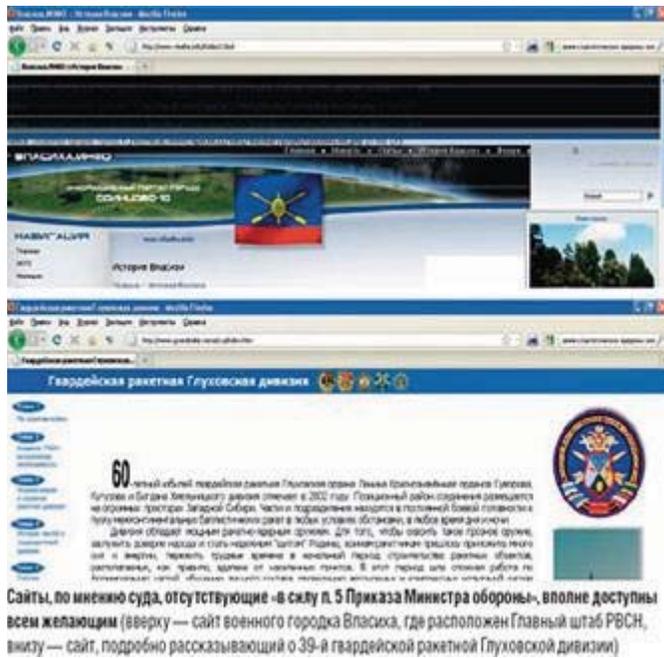
The next four military references: "All Russian Bases" (No. 19 of 2007), "The Entire Russian Fleet" (No.7 of 2008), "All Russian Aviation" (No.33 of 2008), and "The Future Navy of Russia" (No. 29 of 2009) provoked no anxiety in state organizations. But the fifth one (like all the previous ones, it was compiled solely on the basis of public information), again created problems for the journal. Only now, the elements of a crime were replaced with the "elements of a warning," and instead of an investigator, a letter arrived in the editorial office from Roskomnadzor, in which the following was stated: "In the journal, *Kommersant-Vlast*...No. 49 (853) dated 14 December 2009, material by M. Lukin and A. Stukalin was published under the heading 'All About Missile Forces,' containing information about the Strategic Missile Forces of the Russian Federation. According to the conclusion of Russian Ministry of Defense experts, generalized information disclosing the deployment, purpose, actual names, and RVSN combat strength that is not for open declaration in accordance with RF international obligations, meaning that it concerns information constituting state secrets and has the 'Secret' and 'Top Secret' level of secrecy, was contained in this article. Pursuant to Art. 4 of the Russian Federation Law 'On Mass Media,' it is prohibited to use mass media to divulge information constituting a state secret and other secrets especially protected by law. Therefore, the editorial office of *Kommersant-Vlast*, having published M. Lukin's and A. Stukalin's material, 'All About Missile Forces,' which contains information about the development of the Strategic Missile Forces of the Russian Federation, has disseminated information constituting a state secret."

In the illustration in the book on the history of the Omsk Missile Army, "state secrets" are disclosed in more detail than was the case in Vlast's reference.

not able to divulge anything, but if one unobtrusively replaces "divulging information" with "disseminating information," then a pretext for punishment emerges, even if it just squeaks by. But the point, in the end, is not in linguistic tricks--they would only interest narrowly focused specialists. A different issue is much more interesting and important: how can secret and top secret information appear in the press if it is carefully protected and what kind of "open sources" are these to which the journalists refer in their defense?

How "State Secrets" are Protected

The current system of preserving secrecy with respect to actual names and places of deployment of military units developed in the 1920's-1940's. This is how it looks: each unit has its own name, which includes the serial number of the unit, honorifics, designation of combat arms, and type. For example: the 60th Taman Order of the October Revolution Red Banner Division. This name should, according to the military's intentions, be secret and only those people who have a clearance--in other words, officers and soldiers of that unit--as well as higher level command, should know it. It is not allowed to show the Colors of the regiment, on which the name is written, to regular people.



The websites that do not exist, in the opinion of the court, by virtue of par. 5 of the Ministry of Defense Order, completely available for whoever wants them (at top--website of Vlasikha military base, where RVSN General Headquarters is located; at bottom--a website describing the 39th Glukhovsk Guards Missile Division in detail

Union and development of means of communication systems, the system began to fail. Journalists were frequent visitors to missile regiments and would then glowingly describe the complex yet interesting life in the 479th Missile Pomeranian

If one translates this from bureaucratese to the language of common sense, the cited text means the following: initiating a case for divulging state secrets is futile as journalists are not holders of secrets and technically are

In addition to this, every unit has a so-called five-digit number of the military unit--not secret, designated for receipt of mail, contacts with civilian organizations, and so on. It is prohibited, obviously, to divulge the location of the military unit and any information about it.

In the Soviet Union, the system more or less worked, and soldiers would write home: "Mom, I am serving in military unit 12345, everything is fine, and I'll be home soon." Documents with the actual names were processed at headquarters. However, naturally, all the residents of nearby population centers usually knew: over there we have a missile base and armored troops here. But they had neither the need nor the opportunity to pass this information on to someone. When necessary, censors crossed out information that divulged state secrets in newspapers, soldiers' letters, and so on.

The secrecy of Soviet missile deployment locations was the first to break down: pursuant to international treaties of the 1980's, the Americans began to inspect all RVSN bases, counting the silos, launchers, and missiles "by warheads." Later, after the disintegration of the Soviet

Orders of Kutuzov and Bogdan Khmelntiskiy Regiment in their articles. Discharged personnel began to post their album photos on the Internet with these types of captions: "Kolyuna and me near the missile silo; home military unit 12345." Finally, all of these articles and discharged personnel albums became available to the whole world due to computer networks and electronic data bases.

Today, if one digs around in the Internet for a day or so, you can find out almost everything through the military unit number: where the unit is located, what it is called, and to what combat arm it belongs. And if you're lucky, you can find a video on YouTube of the type, "Our commander, a colonel nicknamed Elephant Head, is yelling at the drill field; I took this on my telephone from the second rank."

As a result, people advocating for the preservation of this non-functioning system are themselves, it seems, doing a lot to disclose state secrets. After all, they are continuing to use a certain code--the numbers of military units --which has long been known to the whole world. To continue using it is to knowingly declassify information encrypted by this code (actual names).

Where to Find "State Secrets"

In order to better understand the sources of information in the reference devoted to the RVSN, "All About Missile Forces" (the names of missile armies, divisions, and regiments, other units with an indication of their weaponry, deployment, and commanders, and military characteristics of missiles), it is necessary to briefly describe the use of information resources and the techniques of working with them as it was being prepared.

First of all, they include the mass media electronic library Integrum (www.integrum.ru). It contains publications of Russian language newspapers, journals, and information agencies. There are now approximately 400 million documents in the library (starting with the end of the 1980's), and more than 50,000 new ones are added daily.

The usual technique of working with this library is to conduct a search query. For example, after formulating a query in certain special language, it is possible to receive all publications in which the word "missile" and its forms are contained in the same sentence with the word "regiment" and its forms. The chronological scope of the search may be limited, obtaining documents for a certain day, month, or year. One may limit the group of sources, conducting a search only of information agencies or only of the newspaper *Krasnaya zvezda*.

Secondly, there are official websites of various departments and military units. For example, on the RF Ministry of Defense website (www.mil.ru), there is even a special section devoted to the Strategic Missile Troops (<http://www.mil.ru/848/1045/1275/index.shtml>), with a regularly updated newsfeed.

Thirdly, these are books about the history of the RVSN and their units and formations. In recent years, many such publications have come out, prepared, as a rule, with the participation of officials. Ones such as the *Military Encyclopedic Dictionary of Strategic Missile Troops*, for example. Dedicated to the 4-year anniversary of the RVSN (edited by three RVSN commanders--I.D. Sergeyev, V.N. Yakovlev, and N.Ye. Solovtsov; Igor Sergeyev, as is known, completed his military career as Minister of Defense), *Vladimir Strategic Missile* (Vladimir: Arkaim 2006; Lieutenant General V.G. Gagarin, the then commander of this Missile Army, is on the editorial committee), *Omsk Guards Berislavsk-Khingana Twice*

Red Banner Order of Suvorov 2nd Degree Missile Army (Omsk: KAN Printing Center, 2009; under the general editorship of Guards Lieutenant General G.N. Privalov, the commander of this Missile Army), *The 62nd Red Banner Missile Division* (Uzhur: RPK [Advertising and Production Complex] Omega Print, 2010; under the general editorship of Colonel Yu.G. Kashlev, the division commander,). Even narrower specialty publications exist, including *Service of the Chief of Strategic Missile Troops Aviation* (M: Poligon-press, 2006).

It should be emphasized that all of these books, although they were published with a small circulation, are in no way secret, do not have the marking "for official use," for example, and are completely available for unrestricted sale to ordinary Russian citizens and even foreigners.

Fourthly, there are Internet search systems. Mainly we used Google (www.google.ru), Nigma (www.nigma.ru), Yandex (www.yandex.ru), and social networks, primarily Odnoklassniki.ru (www.odnoklassniki.ru).

Who Divulges "State Secrets"

Upon acquiring an idea about open sources of information, it is possible to discuss how information, which according to Ministry of Defense experts is a state secret, ends up there. It turns out that the President of Russia, the Minister of Defense, the RVSN Commander-in-Chief, the commanders of missile armies, the governors of various regions, and *Krasnaya zvezda* journalists number among the divulgers of information about deployment and actual names.

The general structure of the RVSN is set forth on the Ministry of Defense website (<http://www.mil.ru/848/1045/1275/11907/index.shtml>). Missile armies, training ranges, NII [scientific research institutes], and training centers, with numbers and garrisons, are mentioned there. Of course, this list is very general and it was necessary to search for more complete information for the reference. Let's begin with a simple example of where *Vlast* obtained information about the supposedly secret 10th RVSN Test Range in the Kazakhstan city of Sary-Shagan (also known as Priozersk), the commander of which is Colonel Pavel Myrcha. How did we find out the "secret" number of this test range, its affiliation with the Strategic Missile Troops, and the surname of the "secret" commander?

In the newspaper, *Krasnaya zvezda* (an official agency of the Ministry of Defense), (issue No. 133), an article titled "Unknown Test Range" was published on 27 July 2006. Any spy (or equally, an ordinary citizen), upon reading this article, could pass on to the Center (or share with his wife) the following phrases from this text: "The Sary-Shagan Test Range has always been secret for reasons now clear to the reader. It is unknown even now... The 10th State Test Range has become part of the Strategic Missile Troops. Since 1998, when this took place, the test range has held a well-deserved place in the new structure and takes an active part in testing pilot and experimental models of missile technology." A map with directions showing where exactly the "secret facility" is located is also provided in the article.

If one then types the simple query "Sary-Shagan Test Range commander" into the search engine Nigma, and presses the "Find!" key, a link is immediately found to a report by the Kazinform agency dated 16 July 2009 (<http://www.zakon.kz/140832-chetyre-cheloveka-nagrazhdeny.html>) under the heading: "Four people decorated by the RK [Republic of Kazakhstan] MChS [Ministry for Civil Defense, Emergencies and Disaster Response] for assistance in conducting search operations on Lake Balkhash," which states: "...letters of thanks...were received...by RF MO Colonel Pavel Myrcha, the Sary-Shagan Test Range commander,..." We considered that this six-month old report merited our confidence and the

"secret" surname of the "secret" colonel wound up in the journal.

If one moves from test centers to combat units, here the list of divulgers of state secrets is impressive.

One of the sources of "state secrets" for *Vlast* was the official website of the RF President and Commander-in-Chief, who on 25 July 2007 published a list of senior officers who were present "at a festive event on the occasion of their appointment to higher-ranking positions and the awarding of top military (special) ranks (<http://archive.kremlin.ru/text/docs/2007/07/138487.shtml>). In the list, among others, is "Zubkov, Aleksandr Yuriyevich, major general and commander of the 62nd Missile Division." One wonders whether Ministry of Defense experts wrote a letter to the individuals responsible for the President's website, pointing out the prohibition on disclosure. If they didn't write one, then why not? And if they did write one, then why is the "secret" number of the missile division and its "secret" commander still on the website?

None other than the 2003 Minister of Defense and current Vice Premier, Sergey Ivanov, disclosed the "secret" number of the 687th Missile Regiment of the 60th Missile Division in the ZATO [closed administrative territorial entity] of Svetlyy, Saratov Oblast. And he made the disclosure in clearly aggravating circumstances, during a public speech to then Supreme Commander-in-Chief, Vladimir Putin. As the state information agency ITAR-TASS reported on 22 December 2003, "Minister of Defense Sergey Ivanov informed the President of Russia about plans for future improvements of strategic nuclear forces... Ivanov stated that the new 687th regiment of the 60th Division of the Strategic Missile Forces is 'fully combat ready'" In other words, in addition to the secret numbers of the regiment and division, the Minister of Defense, with the help of associates from the official information agency, divulged the level of combat readiness of the missile unit to spies all over the world.

Bureaucrats of lesser rank facilitate disclosure as well. Here we have the president of the Republic of Mariy El traveling to a missile division located in his region in September 2000, and the correspondents of Regions.ru Agency, who were present for this, inform readers: "The President of the republic visited the Kiev-Zhitomir Strategic Missile Division... The head of the republic and commander of the army was present at the training exercises of the 290th Missile Regiment, where he became acquainted with the operations of the tactical control center and the combat crews..." This is how the number of the missile regiment turned up in the *Vlast* reference.

And then we have Ye. Golovkin, a deputy of the Kaluga Oblast legislative assembly, writing a report about his work in January 2003, where he also divulges a state secret: "We are assisted by the glorious Kozelsk Division of the Strategic Missile Troops, in which our oblast sponsors the 168th Kaluga Missile Regiment." And he is not writing this report for the CIA, as some uninformed people might think, but to the newspaper *Kozelsk* (No. 006 (9588) dated 14 January 2003).

The maps (like lots of other information) published in books on RVSN history are also splendid. *Vlast* is nowhere near divulging state secrets well-known to everyone to such an extent.

In the book noted above, *Omsk Guards...Missile Army*, a topographical map is included in which the exact locations of missile regiments of the 29th Vitebsk Guards Missile Division are indicated. *Vlast* limited itself in the reference to the information that the division itself is located in the Irkutsk residential district of Zelyenyy Gorod. Incidentally, information about the location of the division was obtained from the official website of the state mass media --GTRK [State Television

and Radio Broadcasting Company] Irkutsk, which stated: "In the Zelyenny residential district in Irkutsk, where the missile division is based, all staff form up on the drill field" (<http://vesti/irk.ru/gorod/2003/12/17/14371/>).

In the book, flags mark not only the location of division headquarters, but also the population centers where three of its active missile regiments are garrisoned: Zherdovka, Khomutova, and Moskovshchina. The eliminated regiment in the settlement of Sverdlovo is marked by a special flag, and its number is indicated on that same map (secret, apparently)--345. And remember, that the book is published under the general editorship of Guards Lieutenant General Gennadiy Privalov, the commander of the 33rd Missile Army. He occupied this post from July 2006 and left it in the summer of 2010.

In order that *Vlast* not receive another warning for divulging supposedly secret information, we will note that the information about the just-noted personnel transfers in the 33d Missile Army leadership was taken from an ITAR-TASS report dated 20 September 2010. The source of the information was an official RVSN spokesman, Colonel Vadim Koval. That same report clarifies that the new Army commander is Major General Aleksandr Ponomarenko.

In general, if one were to follow the logic of Ministry of Defense experts, spies have become ensconced at all levels of power, and their accomplices in all possible mass media. Nevertheless, they, and following them, Roskomnadzor as well, saw a threat to state secrecy specifically in the publication *Vlast* article. This inexplicable selectivity appeared unfair to the editorial office, and the sleight-of-hand with "divulging information" and "disseminating information" noted above became grounds for filing suit to find the warning unlawful. Information sources for all the published information were provided to the court, but this turned out to be insufficient. The court upheld the warning. Justifying its decision, it stated in part that "there is no information on the Russian Federation Ministry of Defense (www.mil.ru) website which reveals the effective combat strength of the Strategic Missile Troops with indications of their weaponry and places of deployment," that "the reference of the applicant to the Internet website of the missile divisions themselves is unfounded as there are no such websites by virtue of par. 5 of Order No. 120 of the Russian Federation Ministry of Defense of 2006", and that "the fact of the information being published in open sources does not in any way impact on its level of secrecy." The court especially elegantly parried the idea set forth in the lawsuit that the absence of a criminal case on disclosure suggests the absence of the disclosure itself while the absence of disclosure suggests the absence of a violation of the Law on Mass Media, stating that the conclusions of the applicant "are unsound, based on a different interpretation of the law."

The story could have ended with this and a victory over "fascism-promoting news reporters" and "secret journalists" could have been celebrated with the state structures; however, *Vlast* decided to appeal the Moscow City Court decision to the Supreme Court. The results of the new review will be provided to journal readers without fail.

<http://www.kommersant.ru/doc.aspx?DocsID=1524798>

[Description of Source: Moscow Kommersant-Vlast Online in Russian -- Website of prominent weekly news magazine published by Kommersant publishing house now reportedly owned by Alisher Usmanov, coowner of Metalloinvest and head of Gazprom subsidiary Gazprominvestkholding; URL: <http://kommersant.ru/vlast.aspx>]

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