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Putin Classifying Troop Losses Proves They're in Ukraine – Analysts

By Ivan Nechepurenko

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Military servicemen who are killed, injured or go missing can be considered military losses, meaning their relatives will be forced to keep information about their deaths a secret, lawyers said Thursday.

Legal amendments introduced Thursday that classify as state secrets any losses sustained during peacetime special operations are further confirmation of Russia's direct involvement in the Ukraine conflict, legal and military experts told The Moscow Times.

The amendments, signed by President Vladimir Putin, make "information disclosing the loss of personnel ... during special operations in peacetime" a classified state secret.

Putin has repeatedly denied any involvement of Russian troops in the armed conflict in eastern Ukraine. Asked to explain Putin's move Thursday, his spokesman Dmitry Peskov had no immediate comment, Reuters reported.

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meaning their relatives will be forced to keep information about their deaths a secret, lawyers said Thursday.

"Even a death notification sent to parents or other relatives [of a soldier] can be considered a secret under this decree," Ivan Pavlov, a leading lawyer in the field of government transparency who has successfully defended treason suspects, told The Moscow Times.

The federal list of what constitutes a state secret can be accessed publicly, but government agencies also compile their own lists that are themselves usually classified. Moreover, what the Defense Ministry classifies as a secret could be considered open information by the Interior Ministry, Pavlov said.

"If a citizen, for instance a journalist, obtains information that is considered a state secret, they face prison. The problem is that they might not even know it was a state secret," said Pavlov, who successfully defended Alexander Nikitin, a former nuclear inspector who was accused in the 1990s of espionage for raising the alarm about the dangers posed by decaying nuclear submarines.

Truth and Consequences

Since the conflict in eastern Ukraine broke out following a popular uprising that toppled the former pro-Russian president Viktor Yanukovych last year, many journalists have investigated reports of Russian troops fighting — and dying — there. The Kremlin denies there are Russian soldiers fighting on the side of pro-Russian rebels in Ukraine.

Last August the Pskovskaya Guberniya newspaper published a series of articles alleging that secret funerals had been held for paratroopers from a local regiment believed to have been killed fighting in Ukraine. One of the newspaper's main writers, Lev Shlosberg, was severely beaten by three unidentified men shortly afterwards.

Leading Russian opposition politician Boris Nemtsov was also working on a report about alleged Russian troop losses in Ukraine at the time of his murder in central Moscow in February.

Other journalists and human rights groups have attempted to find proof that the Russian army is directly involved in helping pro-Russian insurgents in Ukraine.

The St. Petersburg branch of the Soldiers' Mothers Committee — an organization that campaigns to defend the rights of soldiers and their families — sent around 30 requests for information to military units that soldiers' families and media reports have identified as suffering losses in 2014.

Only one unit responded in full, according to the NGO's spokesman Alexander Peredruk.

"The main consequence of this law is that it will basically be impossible to obtain information," Peredruk said in a phone interview with The Moscow Times.

"We won't know what the statistics are, but the truth is, we didn't know before either," he said.

After Russia's five-day war with Georgia in South Ossetia, which was referred to as a special operation, the General Staff announced that it had lost 74 servicemen there.

According to Alexander Khramchikhin, deputy director of the Institute for Political and Military Analysis think tank, there is no internationally accepted norm for classifying special military operations.

"Each country handles these questions its own way; for many this is not an issue. In the United States, such operations are completely classified," he told The Moscow Times in a phone interview.

Ordinary Victims

The key point of the legal amendments is that ordinary people will suffer as a result of them, said Grigory Pasko, a military journalist and director of the Moscow-based Foundation for Investigative Journalism.

"The main victims of this decree are parents and relatives and also soldiers themselves who have gone missing or were killed in combat," he said.

A former officer of the Russian Navy, Pasko served a prison term for espionage in connection with research he did for a report on environmental issues in the Sea of Japan.

Pasko said the Russian state already has all the necessary means to protect its secrets. The high treason article of the Russian Criminal Code says that in addition to espionage and disclosure of state secrets, "any other assistance rendered to a foreign state, a foreign organization or their representatives in hostile activities to the detriment of the external security of the Russian Federation" shall be punishable by up to 20 years in prison.

Svetlana Davydova, a mother of seven, was detained in January on suspicion of high treason over a phone call she made to the Ukrainian Embassy in which she warned that Russian troops might have been deployed to eastern Ukraine. She was released and the charges dropped in February.

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