COUNTER-TERRORISM AND DEMOCRACY TRANSITION IN RUSSIA

By Anna Tabolina

Abstract

The purpose of this essay is to open up East and West dialogues by critically discussing the measures that Russia is undertaking in order to tackle terrorism and to discuss how this impacts upon the provision of security in a nation recently undergoing such relatively rapid change.

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1 Anna Tabolina, Far Eastern State University, Vladivostok, Russian Federation

www.internetjournalofcriminology.com
“Upholding human rights is an essential element for a successful counter-terrorism strategy... In the name of victims of terrorism, let us do whatever we can to spare others from meeting their fate.”

Koffi A. Annan, the Secretary-General of the United Nations : January, 2007

In today’s world, democracies have to face serious dilemmas when confronting acts of violence which fall under the rubric of terrorism. The relationship between terrorism and democracy is a key concern for the international community. Although counterterrorism efforts have greatly raised the profile of democracy as a policy matter, the issue has yet to be clarified. Democracies come in many shapes and sizes, and in varying degrees of maturity and performance, all of which combines to impact issues of democratic governance and counterterrorism efforts on each other in numerous ways. In Russia, a regime of the managing democracy is experiencing a state control increasing over democratic principles of accountability and rights. That makes Russia a provocative test case for Western observers. This article identifies some critical areas of both contention and consensus amidst the fight against terrorism with the democracy transition.

It is not a secret that the United States and Europe are interested in having a strong relationship with Russia because of a need to consolidate efforts in solving the most difficult global problems, such as terrorism, the proliferation of weapons of mass destruction, organized crime, human trafficking, drug trade, global warming, HIV, the peace process in the Middle East, and the energy dialogue. It is critical to have Russia as a partner in dealing with these essential issues. The economy of Russia is growing; civil society is changing; but political institutions are going through transformations which require greater understanding and academic clarification.

Unfortunately, few adults in five European nations hold positive views on Russia’s political system. According to a poll by Harris Interactive published in the Financial Times, fifty nine per cent of respondents believe the Russian Federation is not a democracy. In the Economist’s opinion, the political regime in Russia is becoming an absolute dictatorship.

References:


Russia is being expressed by their media in various ways. Some seem to be unfairly aggressive. Others, particularly academic journals, provide an intelligent, rational approach in understanding - or at least attempting to understand - Russia’s democratic transition process. The description of the situation in the Russian Federation made by the International Herald Tribune is a good example of such approaches. On July 12, 2006, the International Herald Tribune fairly noted that by many measures Russia seems stable (which is a good sign), but its stability has a weak institutional base, therefore, “the future of its political system is less predictable.” In my opinion, this describes the problem accurately without unwarranted negative hyperbole.

After September 11, 2001, Bush and Putin put together their efforts against terrorism, but since then US criticism of Putin’s record on democracy has become a major source of tension. According to Busvine, Bush promised to raise his concerns over freedoms “in a respectful way,” and not to lecture Putin at the meeting of G8 in July 2006. The respectful way of not lecturing the Russian President led Putin to respond: “We certainly would not want to have the same kind of democracy as they have in Iraq, I will tell you quite honestly.”

After conducting research, I discovered there was an opinion that Russians do not take the democracy issues as a priority problem. For instance, Vladimir Simonov, political commentator of the Russian news agency “RIA Novosti”, wrote that it had become a U.S. diplomatic tradition to accuse the Kremlin of disregarding democratic principles before every meeting between George W. Bush and Vladimir Putin. Moscow has learned to view such criticism as an obligatory diplomatic ritual, which should be accepted with understanding and tolerance.

Russian policymakers, concerned about security issues, do not appear to be interested in foreign help for its democratic transformation. Vladimir Putin said: “It is true that we assume that nobody knows better than us how we can strengthen our own nation. But we know for sure that we cannot strengthen our nation without developing democratic institutions, and this is the path that we will certainly take. But certainly, we will do this by ourselves.”

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While researching the Russia Democracy Act, I came across an interesting speech made by U.S. Congressman Lantos which reflects the situation regarding a policy on Russia’s democratic change. Mr. Lantos said: “By targeting assistance to Russian civil society at the grassroots level, and by staying ahead of the development curve, the Russia Democracy Act represents a bold effort to support the agents of democratic change in Russia. I urge the Administration to continue working in this direction, and to develop an even more comprehensive aid strategy with Russia to help fully develop its economic and democratic institutions and to ensure its security.”12 There are optimists in the Capitol.

I would also like to cite this meaningful statement made by Michael McFaul, a Hoover fellow and professor of political science at Stanford University and a senior associate at the Carnegie Moscow Center. He wrote: “We (--) do not fear a strong Russia but instead see a powerful, democratic Russia as potentially a real and serious ally in combating terrorism, preventing proliferation and, yes, even someday promoting democracy”.13

I mentioned the above statements not because I want to say “Russians are bad, Americans are good”. Such an approach would not be appropriate. Russians might need to see that there are many friends out there who believe in Russia. In my opinion, it is very important to understand that Russians are tired of the pressure of negative attitudes in most of the Western media and among politicians, which is not encouraging dialogue between Russia and Western community.

So what is really happening to Russia that makes European and U.S. communities so concerned?

On September 13, 2004, President Vladimir Putin announced that the leaders of Russia’s 89 regions would henceforth be appointed, not elected as they had been for the past decade. The candidates chosen by the President must be approved by the regional legislative body. If the legislative assembly refuses three times, Putin can dissolve it.

Putin also declared that all seats in the State Duma would henceforth be filled from party lists. New restrictive rules are also to be introduced for party registration (a minimum of 50,000 members in place of the previous 10,000).

The reforms were announced a week after the Beslan attack. The battle with international terrorism was named as a reason for these measures. I believe foreign observers as well as Russian people were wondering what the true reasoning for this reform was.

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Rutland (2005) states, that the tragedy merely provided an impetus and a political cover to the final transition into a unitary state. It was possible to suppose that many regional governors were corrupt and tyrannical. Rutland sarcastically notes, but there was not any evidence that elected governors were soft on terrorism.\textsuperscript{14}

Moreover, earlier in 2004, Putin already put some pressure on the civil sector in his state-of-the-nation address by accusing NGOs of working for foreign interests and against the interests of Russia and its citizens. Coupled with “the conviction of academics Igor Sutyagin and Valentin Danilov on charges of espionage, the NGO sector in Russia has been effectively silenced”.\textsuperscript{15}

Law of NGOs was enforced at the end of 2005 by State Duma and signed by President Putin in January 2006. This law increases the Russian government’s oversight of the registration, financing and activities of NGOs in Russia. The enforcement of this law caused protests by Russian human rights defenders. They announced that the law violated the rights of NGOs and limited their ability to function. NGOs have expressed their concerns about the legislation. "We are very disappointed that President Putin has signed this restrictive bill into law, further empowering bureaucrats to close organizations deemed disloyal by the Kremlin," Ann Cooper, Executive Director of the Committee to Protect Journalists, said on January 17\textsuperscript{th} of this year.\textsuperscript{16}

In short, the following has been put forth as the explanation of the necessity of measures taken in Russia: A) Putin inherited an almost ineffective federal system with major economic shortcomings from Boris Yeltsin; B) During his first term, the president ensured the approval of a series of crucial laws on investment, the rights of minority shareholders, and bankruptcy, and slashed taxes and carried through a judicial reform.; C) The regions have hindered the application of the new laws. A group of oligarchs, who had assumed control of the oil and several other sectors of the economy during the Yeltsin rule, forced their will on the state at the regional level; D) The new system of a more centralized management of the regions was proposed in order to stop big business from controlling the authorities and to deprive international terrorism of the opportunity to stage more Beslan-like tragedies.\textsuperscript{17}

Obviously, President Putin's argument for new political reforms is based on his belief that unpredictable quality of liberal democracy could weaken the security of the Russian state


\textsuperscript{15} Jackson, B. P. Democracy in Russia. Retrieved February 18, 2005. From http://www.weeklystandard.com/Content/Public/Articles/0000/0000/005/254ctvvn.asp?pg=2

\textsuperscript{16} Fenner, L. U.S. Urges implementation in manner that keeps law from hindering work of NGOs. From http://usinfo.state.gov/eur/Archive/2006/Jan/19-280131.html

\textsuperscript{17} Simonov, V. Criticism of Russian democracy: who was Rice addressing? April 22, 2005. http://www.en.rian.ru/analysis/20050422/39726602.html
unless he gets the situation under control. In Vladimir Putin's opinion, "The struggle against terrorism is a national task that calls for mobilizing all resources." He says, "It is clear that the unity of the power vertical must be ensured without question." 

In the study, “Terrorism and globalization,” Valentina Fedotova made the interesting observation that security, like water and electricity, is becoming one of the consumer’s products, provided by a society. According to the statistics, 80% of the Russian population is fearful of a terrorist attack. At the FSB web site, Nikolai Patrushev, FSB director and head of the National Counterterrorist Committee, provides information on a variety of terrorist organizations, including a group called “Brothers-Muslims,” which functions in 49 regions of Russia, has cells in 50 countries, and is connected to other international terrorist organizations. All of this leaves the impression of a genuine threat, especially after the serial terrorists’ attacks in Russia, which included the killing of children in Beslan’s school. People do not want their children to be murdered by terrorists, and this fear, in the minds (and hearts) of the majority of Russians, justifies any measures in the service of terrorism prevention. A lot of people support everything that the government is doing because the want to feel secure more than they want their rights. And the government is acting in the name of security.

Human nature carries a universal fear of death. This compels us to choose safety and, consequently, when required to make a choice, life over civil rights. Adults in the United States are split on the way the fight against terrorism should affect their personal lives, according to a poll by Bloomberg and the Los Angeles Times. Forty-eight percent of respondents think Americans should be willing to give up some of their civil liberties so the government can keep the country safe from terrorism, while forty four per cent disagree. Last December, U.S. president George W. Bush defended a secret domestic electronic surveillance program that includes the wiretapping of the telephone calls and e-mails of Americans suspected of having terrorist ties. The president’s remarks came in response to media reports that, since 2002, Bush authorized the National Security Agency to operate this program without any judicial oversight. Forty-nine percent of respondents think this practice is acceptable, while 48 percent deem it unacceptable.

18 Терроризм в России. 10 августа 2006. From www.anti-terror.ru/personal/map/


20 Валентина Федотова. Терроризм и глобализация. From www.politnauka.org/library/konflikt/fedotova.html

21 Симоненко А. Знать врага в лицо.Московская правда. 17 июля 2006.

22 Патрушев, Н. Борьба с международным терроризмом: необходимо объединить усилия. From www.fsb.ru/smi/leaders/patrush2.html - 19k


www.internetjournalofcriminology.com
Let’s be honest with ourselves and admit that terrorism can create permissive majorities that may allow repression. It is becoming clear there is an essential problem of humanity development prospects. Terrorism makes it necessary to question the limits on democracy promotion. Here, I would like to stress that these limits need to be seriously thought through and discussed. Russia’s policy with its NGOs scandal is an example of change without thought, without reflection, or challenge.

The problem of limiting the civil rights for security reasons is critical for developed democracies as well as for transitional. Russia is not the only country that has to face this problem. September 11, 2001, marked a momentous and tragic event in U.S. history. It evoked a flood of patriotic fervor and an instant fear that Americans now were vulnerable to international terrorism. Capitalizing on these fears, the executive and legislative branches of the U.S. government quickly enacted measures purported to counteract terrorism or terrorist threats. One of the principal results of this activity was an act titled “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001,” or, the USA PATRIOT Act, passed and signed into law by President Bush on October 26, 2001. The USA PATRIOT Act is one of the most sweeping acts in modern American history because of its potential impact on the civil liberties of U.S. citizens and non-U.S. citizens residing in the United States.24 European democracies have also been challenged by terrorism. Judith Large (2005), a Swedish researcher and Senior Programme Advisor of The International Institute for Democracy and Electoral Assistance, writes that the UK, after relative success in dealing with terrorist bombing and killing during the trouble in Northern Ireland, passed new legislation in 2001 (the Anti-Terrorism Crime and Security Act) leading to indefinite detention without trial measures for non-nationals suspected of being capable of, or implicated with terrorist acts. Later, it was proposed to extend the power of detention without trial to all Britons as well as foreigners.25 How should we know that we are not shaving (or even slicing!) away too much? Somehow we all need to figure out how to balance our democratic values and safety issues.

It is hard to disagree that the development of stable democracy reduces the risk of terrorism developing into a critical problem. Democratic states are the most stable and prosperous; they control economic and military resources. But democracy is not a magic tool for terrorism prevention. The International forum, “Democracy and Terrorism,” which was held in March 2005, in Madrid, concluded that “saying 'yes' to democracy, unfortunately, does not mean saying 'no' to terrorism.” 26

24 Cornehs, J. The USA PATRIOT ACT. From http://www.omnicenter.org/justicecollection/patriotact.htm#usapatriotact

25 Large, J. Democracy and terrorism: The impact of anti. From www.english.safe-democracy.org/contribute/democracy-and-terrorism-the-impact-of-the-anti... -

According to Nodia (2005), the historical record shows that consolidate democracies are not immune to internal terrorism. Examples include the wave of left-wing terrorism in Germany, Italy and Japan in the 1970s, and sustained campaigns of ethnic and sectarian terrorism in Spain and North Ireland.\(^ {27}\)

In the article for the September/October issue of Foreign Affairs, F. Gregory Gause III, Associate Professor of political science at the University of Vermont and Director of its Middle East studies program, noted, “although what is known about terrorism is admittedly incomplete, the data available do not show a strong relationship between democracy and an absence of or a reduction in terrorism….there is, in other words, no solid empirical evidence for a strong link between democracy, or any other regime type, and terrorism, in either a positive or a negative direction”.\(^ {28}\)

Mr. Gause argues those who assert that democracy will reduce terrorism presumably believe that potential terrorists and terrorist sympathizers, given the opportunity to participate openly in competitive politics and have their voices heard in the public square, will not resort to violence to achieve their goals. But it is just as logical to assume that terrorists, who rarely represent political agendas that could mobilize electoral majorities, would reject the very principles of majority rule and minority rights on which liberal democracy is based. He questions: if terrorists could not achieve their goals through democratic politics, why would they privilege the democratic process over those goals? According to Professor Gause, terrorists and potential terrorists are more likely to attack democracy if it did not produce their desired results.\(^ {29}\) He writes, when it works, liberal democracy is the best form of government. But there is no evidence that it reduces or prevents terrorism.\(^ {30}\)

“Democracies are not immune to terrorism. In some democracies, some ethnic or religious groups are unable or unwilling to grasp the benefits of freedom otherwise available in the society”, explains The US National Strategy for Combating Terrorism, issued in September 2006.\(^ {31}\)


For many, it was very disappointing to hear about political changes in Russia. They got an impression that new democratic Russia appeared to back up. A repressive political reform which was announced as a counter-terrorism measure was not clear enough regarding the real dramatic change process which the Russian Federation is going through. The justification of the reform given by authorities of the Russian Federation is very hard to be heard under pressure of criticism of the Western communities. Increasing the President’s power is taken as a threat to a new democratic transformation of Russia. I am positive that Russian people do not want to return back to their communist’s past. Many have learned so many brutal lessons of that history even during their own life time. Russian people are skeptical, yet very patient and are looking forward to living a “normal” life with stability and prosperity. Transition is painful for a population process. The politically minded population wants to provide Russia with the retention of its dignity and power. Russians want to see Russia strong. Democratic transition is called “transition” for a reason. The Russian Federation is between point A (in the past) where it was a socialist state but strong and point B (in the future) where Russia will be a strong state with a democratic regime.

In the study “Democracy promotion”, Gnia Nodia notes: “Even if we believe that strong, consolidated democratic regimes make it less likely for terrorism to turn into an overwhelming unmanageable problem, the combination of weak or failing states and democratic or semi authoritarian rule have turned out to be a dangerous breeding ground for terrorist networks.” Interestingly, the historical research led Ghia Nodia, a Chairman of the Caucasian Institute for Peace, Democracy and Development (Republic of Georgia), to the conclusion that whereas strongly repressive or totalitarian regimes possess clear advantages in fighting terrorist groups, weak states are to be found less among the numerous countries in the middle. In these countries, the process of democratization may turn out to be destabilizing, thus creating opportunities for terrorists to make a political gain.

I strongly agree. In the days of the totalitarian Union of the Soviet Socialist Republics, there was never any question about the possibility of a terrorist attack in the country. Soviet people learned of terrorists from news regarding international events. After the collapse of the USSR, internal and international terrorism has become a priority agenda for the transforming society in Russia.

According to Ghia Nodia, a question raised in this respect is whether terrorism in transitional periods is a consequence of unresolved grievances or of state weakness. If it is the latter, then strengthening the state’s capacity to deal with terrorism, while insisting on ethical standards of conduct by police and security forces, is essential. Remembering

33 Nodia, G. Democracy promotion.
Russia’s positive historical experience, President Putin has chosen the strengthening of the state and centralization of the president’s power as a security tool.

As for unresolved grievances, they tend to increase in new democratic environment of free choices and more opportunities during a transition process. I agree with Fukuyama (1995) who states that transitioning to democracy, regimes become vulnerable to internal conflicts that organized criminal and terrorists groups exploit. In transition democracies different power centers are competing for supremacy, which can easily erupt into conflict. Francis Fukuyama claims that it is not the mere existence of democratic institutions that will secure the fate of transitioning democracies; rather, it will be in the critical realms of civil society and culture that will determine successful transitions.

Judith Large (2005), a Senior Programme Advisor of The International Institute for Democracy and Electoral Assistance (Stockholm, Sweden), fairly notes “For states in transition from other forms of government, from war or collapse, the liberal model will seem a tall order.”

Complications with NGO in Russia carry the security background that is also affected by a transition process. Recently, I spoke about foreign NGOs to my former colleague, who is a government clerk in Russia. She believes that every foreign presence should be scanned on security issues. I get an impression that there is a security obsession connected to the negative attitude regarding foreign support. But who is not obsessed with security today? As proven, an international terrorist group can often easily take advantages of the products of globalization and democratic institutions such as charities. Governments and legislative bodies follow the requirements of the International Law and adapt their legislation regarding control for the NGOs funding and functioning. It is a tough time for NGOs. Russian Law known as Law of NGO, is obviously repressive, far from perfect on organizational issues, and creates irrational bureaucratic obstacles for non-governmental organizations to do their worthwhile work. This law puts serious changes into the current legislative acts; it receives a lot criticism as well as support.

Now Russian NGOs are under extra pressure. They appear to be weak and depend on foreign money. Lisa McIntosh Sundstrom (2002) writes about women’s NGOs in Russia, “foreign funding is number one source of financial resources from Western donors, and many would be much weaker or would have disappeared without such support,


37 Large, J. Democracy and terrorism: The impact of anti. From www.english.safe-democracy.org/contribute/democracy-and-terrorism-the-impact-of-the-anti... -
dependence on Western money brings other danger for NGO development. Russians do not consider foreign funding as sincere help from others; they believe that the person who pays the money calls the tune. On some points, they may not be wrong- Lisa McIntosh Sundstrom (2002, p.222) describes the relationship between Russian NGOs and their foreign donors: “Foreign donors most often offer grants for NGOs to fulfill particular projects and programs delineated by them, rather than proposed by Russian NGOs themselves. American donors, the largest donors to NGOs in Russia, are especially inclined to work using this top-down rather than demand driving strategy.”

This gives the impression that foreigners there are for their own interests. Furthermore, the British spy scandal occurred during an already difficult time for NGOs in Russia. Stereotypes about foreigners pursuing their interests in Russia played a large role in destroying the NGO reputation in Russia.

“One key purpose of the new legislation was to prevent NGOs – especially those receiving foreign funding – from engaging in so-called political activities, a purpose not spelled out or defined in the legislation,” Felice D. Gaer, chair of the United States Commission on International Religious Freedom explained. She linked the NGO legislation to the Russian government’s challenging of international human rights institutions and its claim that foreign funding of Russian human rights organizations constitutes illegitimate interference in Russia’s internal affairs.

Personally, I believe it is a time for the U.S. Government to rethink their strategy regarding the democracy in Russia. In my opinion, the future of democracy has much more to do with education than financial and economical issues. Funding Russian NGO’s helps them to function. Education is to help them to learn NGO’s mission, methods of functioning, and civil ways of raising money for funding their activities - which help consolidation of the citizens toward improving the civil society. Even a small amount of money donated for charity makes a person feel involved in non-governmental organization activities and, consequently, in a democratization process. Foreign money, obviously, does not make Russians feel this way. At the conference entitled “Russia and ATR: security problems, migration and crimes” (July, 3, 2006) which was held by Vladivostok Center for the Study of Organized Crime in Vladivostok, Russia, at which I was honored to participate, Russian scientists and educators stressed that education is great tool to help solve many critical problems - such as organized crime, terrorism, and other crimes combined with security issues that are beneficial for the Russian community

40 Новости. Радио станция Эхо Москвы. Retrieved 07.08.2006. From www.e2.echo.raty.ru
as well as Western. Education and the training of citizens, including exchange programs, is a crucial part of the creation of political culture, development of a workable democracy and mutual understanding.

NGO repression is one of those mistakes which happen to be made in a transition period while the government and population are trying to find the right way to another level of governance, especially under pressure of terrorism threat. Democratization takes time. People need to learn about the responsibilities that come with empowerment. I want to believe that the repression of NGOs is a temporary thing and that the Russian people will figure out a way to fairly balance liberty and safety. I think that people who work in non-governmental organizations, domestic and international, do a noble job for people around the globe, including Russia, and that they deserve respect and support.

As a transitional democracy, Russia has been trying to learn from European and American experiences in counter-terrorism, adapting some measures used by civilized societies. For instance, Russian government applies amnesty as a tool in decreasing the number of terrorists, something that has already worked in solving the North Ireland problem in Great Britain. The Russian newspaper Kommersant reported on July 31, 2006, Nikolai Patrushev, FSB Director and Head of the National Counterterrorist Committee, prolonged the deadline for the voluntary disarmament of Chechen militants to September 30. By that time, the lower house of Russia's parliament should adopt a statement on a full-scale amnesty for members of illegal armed groups not involved in grave crimes.42

Australian experiences can also be helpful for Russian and Western politicians. Professor George Williams, a law lecturer at the University of New South Wales, in his March 2005 submission to Government, analyzed the relationship between democracy and terrorism and expressed concerns about both the need for special governmental powers and the nature of the powers themselves. He points out that there is a danger that these exceptional emergency powers, adopted in response to a specific threat, may become regularized or normalized as a permanent feature of Australia’s legal landscape. Mr. Williams stresses that it is vital to view these powers as temporary exceptional measures so that they do not serve as a precedent for the adoption of more invasive powers in the future, or make it easier to justify other exceptional powers in less exceptional circumstances.43 I agree with Professor George Williams that the strengthening of power might be accepted by a society under the fears and pressure of a terrorist threat, but only as a temporary measure.

Vladimir Putin bases his argument for power centralization on an unpredictable quality of liberal democracy. I have already mentioned some empirical studies on the troubles and conflicts which transition democracies go through. The unpredictable quality of liberal democracy is not a fiction. Democracy brought new opportunities to the Russian


43 Wanda Fish. When Terrorism Outlaws Democracy. From http://www.eftel.com/~cleverfish

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community and, unfortunately, it also opened doors of power for people of uncertain backgrounds and intentions. The governmental machine is heavily corrupted and still slow to follow economic and social transformation. Children murdered by terrorists came to the top of the agenda. Trying to figure a way out, Putin decided to increase presidential power for security purposes with an aim to prevent the country from ‘falling apart’.

The most important question that follows is to ask: “What is an unacceptable level of unpredictability in centralized power?” Because there is a particular type of unpredictable quality to centralized power. That such a situation can exist, Russians know from their own history.

Russia is entering a critical political phase, with parliamentary elections in 2007 and presidential elections in 2008. President Vladimir Putin is due to step down. Looking to the future I fear that supreme governmental powers given to one person permanently will not help those who give it; since too much depends on the stamina and intellectual ability of just one individual.

According to The United Nations Global Counter-Terrorism Strategy, effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing. That the promotion of human rights for all and the rule of law are essential components of the Counter-terrorism Strategy was stressed by The United Nations. All anti-terrorism efforts taken by President Putin and the government of the Russian Federation must foster a balanced strategy in combating terrorism. Although much has been done to fight terrorism in Russia, there continue to be challenges ahead.

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