

U.S. Crab Mogul Fears Magnitsky's Fate

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Arkady Gontmakher is not recommending working in Russia to anyone. **Igor Tabakov**

Arkady Gontmakher, a U.S. seafood mogul under investigation in Russia for money laundering, doubts he will last long enough to see the end of his case.

"I have suffered repeated heart attacks, and I don't know for how long my heart will last," he told The Moscow Times on Tuesday.

Gontmakher, 53, looked tired and tense during the interview in a hotel in Moscow. The businessman, who is forbidden to leave Russia, came to the capital for a medical checkup to decide whether he needs heart surgery.

He had no health problems to speak of when the case against him was opened in 2007, but now his lawyer expresses fears that Gontmakher may go the way of Sergei Magnitsky, a lawyer for Hermitage Capital who died in 2009 of health problems he developed when placed in pretrial detention on murky charges.

Gontmakher, a Soviet-born U.S. citizen, spent three years in detention himself on accusations of heading a criminal syndicate involved in illegal crab fishing.

He was cleared of all charges in December, but prosecutors wasted no time opening a new case against him.

Gontmakher said by hounding him, investigators are simply trying to simulate antipoaching activity instead of really addressing the rampant problem of overfishing.

Up to 50 percent of all crab caught in Russian waters may be obtained illegally, Alexander Duplyakov, president of the Far Eastern Crab Fishers Association, said in August. He cited July statistics that indicated 16,500 tons of crabs were officially caught, but twice that amount was sold abroad.

Duplyakov identified corruption and insufficient regulation as the reasons for widespread poaching, the local newspaper Kamchatsky Krai [reported](#).

Gontmakher's own company, Global Fishing Inc., based in Bellevue, Washington, was the largest importer of the Russian crab in the United States, with sales reaching \$148 million in 2006.

But investigators accused his Russian partners, Abdel Aziz and Alexander Suslov, of exceeding their fishing quotas by more than three times in 2007 and selling the illegally obtained crabs worth \$58 million to Gontmakher via a Korean intermediary, Global Star Fishing.

Gontmakher maintained his innocence, saying he had been only selling crabs that he has purchased in Korea. "The crabs were cleared by customs, and I was sure that they were of the right quality," he said.

A jury took his side, clearing Gontmakher along with Aziz and Suslov of all charges weeks before the New Year, which allowed him to leave detention.

Oddly enough, even though a senior Interior Ministry official overseeing the case said in 2008 that the Federal Border Service was also involved in illegal fishing operations by providing escort to poaching trawlers, no service officials were brought to court over the case.

Instead, Gontmakher was charged again soon after his release, now with money laundering, and prosecutors also appealed the acquittal last week.

Spokeswoman for the Interior Ministry's Investigative Committee, Natalia Dudukina, told The Moscow Times on Monday that investigators working on Gontmakher's case "have done a colossal job" that included trips to the United States and Korea.

Committee head Alexei Anichin said last week that it was too early to speak about the results of the new investigation into Gontmakher.

Gontmakher's lawyer, Vladimir Odyagailo, said the new case against his client is built on the same evidence that investigators have already presented in the previous trial.

"Instead of offering an apology to him, authorities are trying to take revenge on him," said

Odyagailo, who also attended Gontmakher's interview on Tuesday.

The new case means that Gontmakher can be placed in custody again, possibly dying there like Hermitage's Magnitsky, who critics say was intentionally denied medical help when in detention.

"I don't want to attain the same kind of renown as Magnitsky's lawyer," Odyagailo said bitterly.

The committee's Anichin and Dudukina have already made the blacklist of 60 Russian officials who may be banned entry to Western countries over Magnitsky's death. Separate bans are currently being considered by Canada, the European Union and the United States, which will hardly be happy if its citizen dies in a Russian prison.

The U.S. embassy in Moscow has followed Gontmakher's case and provided him counseling while he was in detention, a senior consulate official told The Moscow Times on the customary condition of anonymity.

The businessman's wife, Yelena, said U.S. Secretary of State Hillary Clinton raised the issue during one of the meetings with her Russian counterpart, Foreign Minister Sergei Lavrov, but the embassy source could not confirm or deny the report.

Gontmakher said his heart problems developed while he was being kept under lock and key.

The Petropavlovsk-Kamchatsky branch of the Federal Prison Service said in November in a memo, a copy of which was obtained by The Moscow Times, that Gontmakher's heart problems had become chronic over the last few months.

An ambulance had to be called several times during his detention and trial, the memo said. He was also twice hospitalized after release, including on New Year's Eve.

"I was a healthy man, and they made a disabled person," Gontmakher said.

His U.S. cardiologist, Robin R. Maidan, and medics at a Petropavlovsk-Kamchatsky hospital advised heart surgery — but the businessman said he is afraid to undergo the procedure in Russia.

The doubt has nothing to do with the professional skills of Russian doctors — Gontmakher said it is the officials he is afraid of.

"Who can guarantee that an operation can be carried out successfully under such police pressure?" he said, adding that officials may also act against him while he is weakened by the surgery.

Gontmakher said that he has lost a "huge amount" of money while he was under arrest, but has no plans to seek damages from the Russian Federation and just wants to get back to the United States.

But his story alone is capable of doing damage to the country's reputation, it seems.

He would not continue to work in Russia, Gontmakher said — and he "wouldn't advise that to anyone, either."

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