

Magnitsky and the Mentality of the Siloviki

By [The Moscow Times](#)

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A new conflict broke out between the Interior Ministry and the British hedge fund Hermitage Capital when a Moscow court Wednesday ordered the arrest of Ivan Cherkasov, a Hermitage partner who has lived in Britain since 2006.

The case against Cherkasov was presented in court by Interior Ministry investigator Oleg Silchenko.

Silchenko's involvement in this case is an affront to President Dmitry Medvedev's efforts to attract foreign investors, clean up the police force and protect business from the extortion of "law enforcers."

Silchenko's name first surfaced in 2007, when he led a case against Manana Aslamazyan, then-head of Internews International in Russia. Internews trained more than 15,000 regional journalists.

Aslamazyan was caught after she passed through customs at a Moscow airport with slightly more than the limit of \$10,000, which she did not declare. This minor offense is usually punishable with a small fine, but Silchenko and colleagues turned it into an attack against Internews. The NGO had to close after its financial documents were seized by investigators.

Hermitage alleges that Silchenko is responsible for the death of Sergei Magnitsky, a lawyer who defended the fund. Silchenko purportedly ignored all of Magnitsky's health complaints and pleas for treatment while being held in pretrial detention.

Hermitage claims that Magnitsky was jailed because he exposed an Interior Ministry scheme to defraud the state of \$230 million in returned taxes.

After Magnitsky's death in November 2009 caused a strong public outcry, Medvedev ordered an investigation. The Investigative Committee probe has been dragging on since then.

Interior Minister Rashid Nurgaliyev called Silchenko the ministry's "best investigator" and promoted him to lieutenant colonel last year. Last week, the presidential council on human rights released its preliminary results on the Magnitsky case, saying the criminal charges against him were false.

Meanwhile, Hermitage has created a web site and released three documentaries claiming that the families of the police officers and tax officials they accuse of tax fraud own luxury cars and multimillion-dollar homes in Moscow and abroad. The site claims Silchenko's wife bought a car worth 130 times his monthly salary.

Hermitage claims the latest crackdown on Cherkasov is retribution for its documentaries.

The fact that Silchenko brought charges against Cherkasov makes one thing clear: Britain and other law-abiding countries will never extradite a Hermitage employee who is wanted in Russia.

This was clearly not what the Interior Ministry intended, but trying to understand siloviki logic is always tricky. Perhaps the motive behind Silchenko's attack against Cherkasov was as simple as showing who is the boss.

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