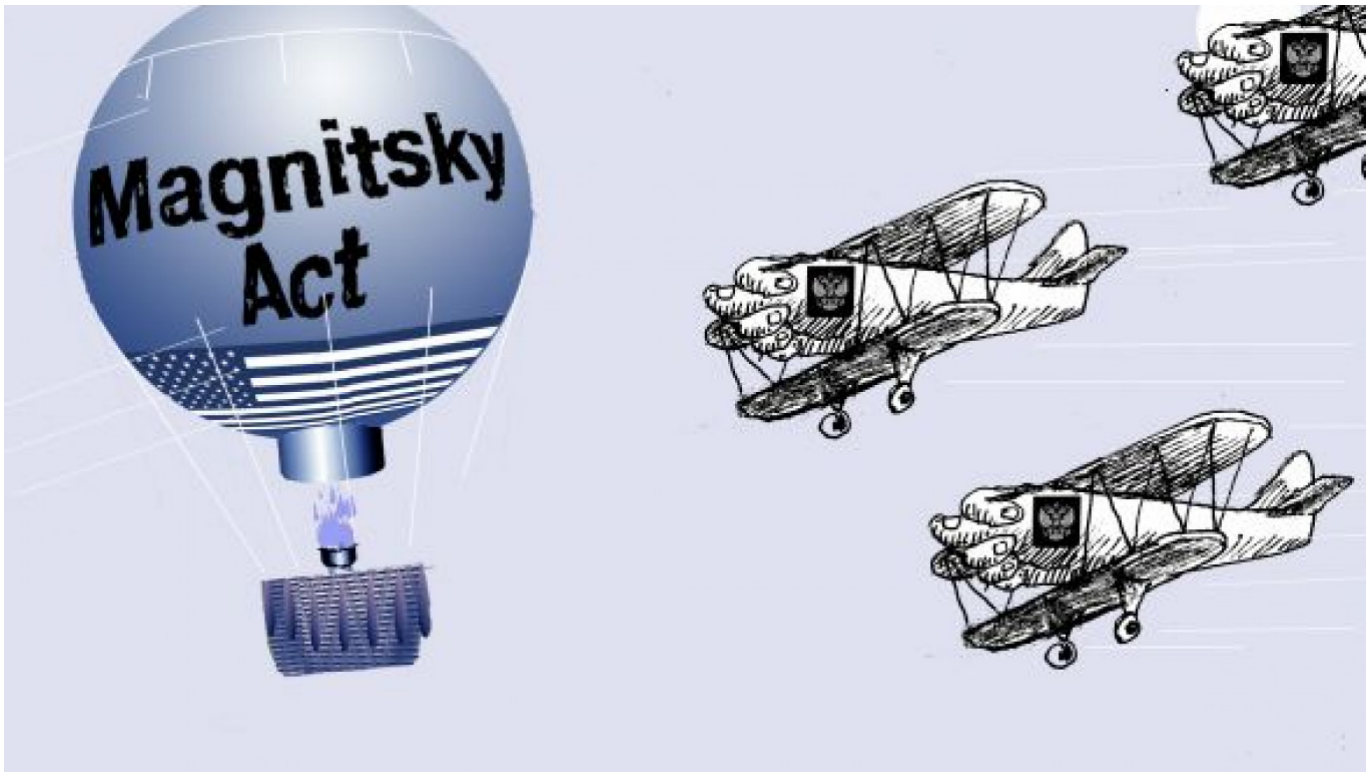
The Moscow Times
30 YEARS
INDEPENDENT NEWS FROM RUSSIA

Our Answer to Magnitsky

By Michael Bohm

July 03, 2011



"Our answer to Chamberlain."

This Soviet slogan originated in the late 1920s as a government protest against British Foreign Minister Austen Chamberlain, who was outspoken in his criticism of the Soviet policy toward China. But instead of addressing the arguments raised by Chamberlain, the Kremlin responded with the only weapon they had: a massive propaganda campaign that included military threats aimed at Britain. The expression later took on the broader meaning of basically "Go fly a kite!" when the Kremlin had nothing else to say in response to criticism from the West.

"Our answer to Chamberlain" is the best way to describe the bill introduced by the Foreign Ministry and United Russia (and supported by the other three parties in the State Duma) that would blacklist foreign bureaucrats and public officials who have allegedly violated the rights of Russian citizens located abroad. Foreigners who end up on the list would be barred from entering Russia and prevented from conducting business deals, and whatever assets they hold in Russian banks would be frozen.

“The situation around the Magnitsky list was the starting point for this bill,” Igor Lebedev, leader of the Liberal Democratic Party’s faction in the Duma, told Kommersant last week.

Lebedev was referring to the Magnitsky bill being considered in the U.S. Congress that, if passed, would impose visa restrictions and freeze the U.S. assets of 60 Russian officials linked to the prosecution and death of lawyer Sergei Magnitsky in a Moscow pretrial detention center. Magnitsky was arrested on charges of organizing a $230 million tax fraud scheme for Hermitage Capital after he accused officials from the Interior Ministry of organizing the $230 million tax fraud themselves.

Backers of the Russian blacklist bill point to the U.S. arrest of businessman Viktor Bout in an arms smuggling investigation as a prime example of why “abusive foreign officials” — presumably from the U.S. State Department, Justice Department and even the White House — need to be blacklisted.

The Bout case is a peculiar casus belli — and an even more peculiar Russian answer to the Magnitsky bill. The Foreign Ministry and Duma’s logic would make sense if, for example, U.S. investigators and prosecutors in the Bout case had sent masked SWAT units to raid one of Bout’s subsidiaries in the United States, seized the company’s seals and, in collaboration with U.S. tax authorities, fraudulently claimed $230 million in tax rebates.

The analogy would also work if U.S. investigators and prosecutors who profited from the raid on Bout’s company had organized a campaign to pressure Bout to keep silent by holding him in inhumane, squalid conditions in pretrial detention and denying him medical treatment for a critical illness, from which he later died in prison. Then, because of pressure from senior officials in the U.S. government, no criminal charges were filed against the perpetrators — who had become remarkably wealthy since the raid on Bout’s company, despite their modest government salaries. What’s more, they were given promotions and awards for outstanding public service.

Since the 1920s, the Kremlin has been fond of these “answers to Chamberlain” in a clumsy, infantile attempt to divert attention away from its own abuse of power. For example, recall the U.S. campaign to free Soviet dissidents in the early 1970s. The Soviet Union’s answer was a massive propaganda campaign to free the United States’ own “most-persecuted dissident” — U.S. Communist and social activist Angela Davis.

Soviets, poking fun at this ridiculous habit, used to joke that in response to every criticism voiced by a U.S. government official, the Kremlin would repeat the stock answer: “Look who’s talking! You still lynch blacks in the United States!”

These “answers to Chamberlain” didn’t stop after the Soviet collapse. In 2005, for example, then-President Vladimir Putin, in response to a French journalist’s question about the Yukos affair, answered that Russia’s criminal case against Yukos doesn’t differ from the U.S. case against Enron.

Another example was when Putin was asked during his call-in show in December about the fairness of the long prison sentence handed to former Yukos CEO Mikhail Khodorkovsky. Putin, who answered only half-jokingly that Russia’s judicial system is the “most humane in the world,” compared Khodorkovsky’s “liberal sentence” to the 150-year sentence that

Bernard Madoff, the U.S. mastermind of the largest Ponzi scheme in history, received for what Putin called "similar crimes."

But far worse than these absurd attempts to turn the tables on the West is the false patriotism and simulated deep concern for "abused Russians" that cut to the core of the blacklist bill. There is one disturbing irony in this distasteful attempt to gain political points in an election year. The bill, which officially claims to protect Russians who end up in "difficult situations abroad," is supposed to be a "symmetrical answer" to the Magnitsky bill. But it ignores the fact that it was precisely Magnitsky who ended up in a far more "difficult situation" — not abroad, mind you, but in Moscow's own notorious Butyrskaya pretrial prison.

While Russia has developed its latest "answer to Chamberlain" in the form of a blacklist for foreigners, clearly a better answer would be to blacklist and prosecute its own criminals. If Russia's lawmakers showed as much concern for all of the Sergei Magnitskys languishing in Russia's own prisons today as they did for Viktor Bout, there wouldn't have been a need for U.S. lawmakers to propose the Magnitsky bill in the first place.

Michael Bohm is opinion page editor of The Moscow Times.

The views expressed in opinion pieces do not necessarily reflect the position of The Moscow Times.

Original url: https://www.themoscowtimes.com/2011/07/03/our-answer-to-magnitsky-a8018