

2 Prison Doctors Charged in Death of Lawyer

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The Investigative Committee has filed the first charges in connection with the pretrial detention death of lawyer Sergei Magnitsky, 20 months after he died and two weeks after the United States blacklisted dozens of Russian officials implicated in the case.

But the charges, announced Friday, are limited to two minor officials in the saga, prison doctors who Magnitsky's supporters and human rights activists say are scapegoats.

Larisa Litvinova, the doctor for the Butyrskaya prison responsible for supervising Magnitsky's health, was charged with causing death by negligence and faces a maximum of five years in prison if convicted.

Dmitry Kratov, the deputy director of the prison whose responsibility includes health care, was charged with carelessness and, if found guilty, could be imprisoned for up to three years.

The Investigative Committee said in a statement that it had established a "direct link" between the doctors' conduct and Magnitsky's death.

"In the course of the inquiry, a direct cause-and-effect link was determined between Magnitsky's death and the actions of the doctors at the detention center where he was held," the Investigative Committee said.

Investigators opened a criminal case into Litvinova and Kratov last month around the time that the Kremlin's human rights council released an independent report into Magnitsky's death that concluded that both doctors and law enforcement officials were to blame.

The Investigative Committee [statement](#) made no comment about the report's finding that Magnitsky had been severely beaten by prison guards in the Matrosskaya Tishina detention center, where he had been moved for medical treatment, shortly before his death.

Valery Borshchyov, the human rights activist who oversaw the independent inquiry on behalf of the human rights council, said Sunday that Kratov and Litvinova share a minor part of the responsibility for Magnitsky's death.

"But he died at Matrosskaya Tishina, not the Butyrskaya prison," Borshchyov said by telephone.

He said Interior Ministry investigator Oleg Silchenko, who helped oversee the arrest of Magnitsky and later denied him medical treatment, and Matrosskaya Tishina chief doctor Alexandra Gauss should be charged "before anyone else."

In an indication that more people could be charged, the Investigative Committee said in its statement that the inquiry was ongoing. But it gave no hint about who might be charged.

Borshchyov said the two doctors could provide investigators with helpful information. "I hope Litvinova and Kratov won't keep quiet," he said.

Litvinova and Kratov, who have not been taken into custody, could not be reached to comment Sunday.

A member of the human rights council, Lyudmila Alexeyeva, head of the Moscow Helsinki Group, criticized the charges as a "half-measure," Interfax reported.

The council's report, which was presented to President Dmitry Medvedev late last month, also found that Magnitsky was denied treatment for existing health problems partly in an effort to make him testify against London-based Hermitage Capital Management, once the biggest foreign investment fund in Russia, whom he represented through the Firestone Duncan law firm.

Hermitage Capital questioned the credibility of Friday's charges, saying the two doctors were "scapegoats who followed the orders of their seniors."

"The authorities are trying to create the impression they are doing something with these indictments of doctors for negligence, but all they are doing is protecting killers and thieves in uniforms," Magnitsky's former boss, Jamison Firestone, told The Moscow Times.

Magnitsky, 37, accused Interior Ministry officers Artyom Kuznetsov and Pavel Karpov of participating in a \$230 million tax refund fraud and was subsequently arrested by those same officers on charges of organizing tax evasion in 2008.

Magnitsky died of health problems in November 2009, after 11 months in jail, at which point the Interior Ministry accused him of organizing the \$230 million theft that he reported and closed the case without bringing charges against any of the officers or recovering the stolen money.

The charges against the doctors came amid escalating international pressure that has resulted in the U.S. State Department blacklisting dozens of Russian officials connected to the case.

"Their names — Kratov and Litvinova — were familiar to investigators more than 20 months ago, but the charges have been pressed only now, when the West has introduced sanctions against officials on the list," Hermitage Capital said in an e-mailed statement.

Litvinova and Kratov are both on a list of 60 Russian officials that Magnitsky's supporters have asked Western governments to sanction with travel restrictions and asset freezes. The United States has not said which officials are on its blacklist.

But the measure has angered Medvedev, and the Foreign Ministry is drafting its own blacklist of U.S. officials that apparently will include U.S. agents involved in the arrest of suspected arms dealer Viktor Bout and a Russian pilot on drug charges.

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