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U.S. Magnitsky List Near-Finalized

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The U.S. government is expected this week to finalize the list of Russian officials to be punished for suspected human rights abuses under the Magnitsky Act. But the final version of the list, due to be released by Saturday, may become a sticking point between Congress and the State Department.

Congress is apprehensive about the White House's decision to release only 15 names so as not to fuel tensions with the Kremlin, Kommersant reported, citing a source in Congress who did not specify why the number was 15. Representative James McGovern, a Massachusetts Democrat who was one of the authors of the law, sent to Obama's administration on Friday his own list of 280 names.

McGovern said a shortlist such as the one by the White House might produce a conflict between the State Department and Congress, and the latter would insist on gradually updating the list. "If the final version is short, we will have to pass a new, tougher amendment," he told Kommersant in an interview published Monday.

The law is aimed to punish Russian officials implicated in whistle-blowing lawyer Sergei Magnitsky's death in jail in 2009, a year after he had accused officials of embezzling $230 million in state funds. Officials placed on the list would be banned from entering the U.S., and their assets there would be frozen.

According to the Magnitsky Act, signed into law in December, the list of officials must be sent to Congress by April 13. U.S. President Barack Obama said in a memorandum Friday that he had delegated functions for creating the list to the U.S. Treasury and State Departments.

McGovern's list included Prosecutor General Yury Chaika, his deputy Viktor Grin, Investigative Committee head Alexander Bastrykin, as well as the Interior Ministry and Federal Tax Service officials and judges who made decisions on the Magnitsky case before and after his death, including the head of the Moscow City Court, Olga Yegorova.

McGovern's list is an advisory opinion, and its final version is likely to contain less names, although Congress members believe there will be an additional secret list that will not be published.

According to a report Friday in the Foreign Policy magazine, the State Department is using a narrow interpretation of the law, arguing that a higher standard of evidence is required for legal reasons, in what lawmakers and NGOs working on the list have seen as an attempt to appease the Kremlin by not publishing names of high-ranking officials.

Media reports have said on numerous occasions that supporters of the broad list insist on including the head of Chechnya, Ramzan Kadyrov, who was allegedly involved in the killing of journalist Anna Politkovskaya in 2006.

NGOs also insist on including Duma and Federation Council members who voted for the law that banned U.S. adoptions of Russian children and placed tight restrictions on nongovernmental organizations funded by the U.S., which was considered a reaction to the Magnitsky Act.

Meanwhile, Russian Deputy Foreign Minister Sergei Ryabkov said negative consequences for U.S.-Russian relations as well as a tit-for-tat reaction from Russia were inevitable no matter what size the list will be. "Of course, we have prepared our own list. We'll make it possible for the people of Russia and the U.S. to see it after Washington does something to fulfill the so-called Magnitsky law," he told RIA-Novosti on Friday.

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