

British Court Throws Out Magnitsky Libel Case

By [The Moscow Times](#)

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LONDON — London's High Court on Monday threw out a libel suit brought against British investment fund manager William Browder by a Russian former police officer who denies allegations that he played a part in the death of the lawyer Sergei Magnitsky.

Pavel Karpov, a former Russian Interior Ministry investigator who is on the "Magnitsky list" of people barred from the U.S. over the lawyer's death, was suing Browder over four videos and two articles linking Karpov to the case.

Magnitsky, who was acting for Browder and his Hermitage Capital fund at the time, was arrested after accusing Russian officials of a \$230 million fraud and died in prison in 2009.

In Monday's High Court judgement, Justice Peregrine Simon said: "I have concluded that these proceedings should be struck out as abuse of the [court] process."

The judge also found that there was "a degree of artificiality" about Karpov trying to protect his reputation in Britain.

He added that any judgement in a British court "would be unlikely to assist [let alone achieve] the most important of the claimant's stated objectives: his removal from the Magnitsky list."

Browder called the judgment a victory against so-called libel tourism — the practice of litigants taking cases to court in Britain, even when there is no strong link to the country, because the British legal system is perceived as friendly to their claims.

"I think this is a precedent-setting case," Browder said. "If you are a dubious foreign chancer, this precedent makes it much less likely you will succeed in the libel courts."

Magnitsky was posthumously found guilty of tax evasion by a Moscow court in July this year, and Browder was convicted in absentia and sentenced to nine years in jail in the same trial, which was criticized by both the U.S. and the European Union.

At a High Court hearing earlier this year, Browder's lawyers had argued that Karpov had brought the libel suit to attack his inclusion on the U.S. Magnitsky list.

They alleged that Karpov did not have the means to fund the litigation himself and that "this court cannot be satisfied that the Russian state is not behind the claims in some way."

Karpov, they added, had no connection with Britain and thus no reason to bring his suit in a British court.

Karpov's lawyers wrote in their own submissions that the suggestion that he was acting at the behest of the Russian state was "groundless," noting that his earlier efforts to bring claims against Browder in Russia had been unsuccessful.

Material from The Associated Press and The Moscow Times is included in this report.

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