

## Garry Kasparov

# A test for the west

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**T**he law passed in the USA in defence of human rights – the Sergei Magnitsky Rule of Law Accountability Act — has already proven its effectiveness, exposing the Achilles heel of the Putin regime and hastening its conversion into a fully-fledged fascist state.

The frantic, inappropriate reaction of the Russian leadership to the Magnitsky Act clearly demonstrates that President Vladimir Putin, the guarantor of privilege and immunity for the ruling class, views the Act's defeat as a matter of political survival. The embezzlement of treasury funds under the pretext of a tax refund is sadly a run of the mill episode amid the monstrous lawlessness perpetrated in Russia, and has led to the murder of innocents and the spread of Mafioso activity throughout the entire power hierarchy.

At first glance, it would be simple for Putin to punish a bunch of crooks and robbers. However, to all appearances, the lines from these criminals reach upwards and operate according to the primary rule of the Putin regime - the code of the Omertà - a conspiracy of silence. The “godfather” doesn't give up his own; he is obligated to defend every member of the Mafia, as long as they remain loyal. As long as the Mafioso remain loyal, they can do whatever they like to people who aren't in the Mafia.

In April 2013, the US government released the names of 18 Russian citizens who would be subject to sanctions in accordance with the Magnitsky Act.

In response, Russia's Minister of Justice, Aleksander Kononov, and Minister of Internal Affairs, Vladimir Kolokoltsev, held a special meeting with their subordinates who were on the US "black list" to express their support:

*"The fact that you are on this sanctions list released by a foreign government is legally insignificant for us. There are no challenges regarding your work at the present time. Continue your work, rest assured that nobody intends to take any measures or press charges against you in connection with a notification by a foreign state that considers you guilty," Kononov said.*

Kolokoltsev held similar meetings. In addition, he noted possible violations of the law by the initiators of the Magnitsky list (!), and declared that the Ministry of Internal Affairs was prepared to investigate this "information attack" (!) on the employees of law enforcement agencies.

The Moscow Judicial Council was not left out; their members also appeared on the "black list". The deputy chairman of the Moscow city court, Galina Agafonova, observed: "We, like any united judiciary, support our colleagues and believe that they are absolutely right and we are all right. We have worked, and we will continue to work in accordance with the requirements of the law and to administer justice in the name of the Russian Federation."

So the Kremlin didn't just quietly maintain the criminals in power, but publicly supported them. Crimes like those exposed in the Magnitsky case are not just permitted - they have become a method of career advancement! Putin is proving to the Russian bureaucrats that they need him just like before; that he's a "man of action" and is ready to stand up for their interests.

To protect the criminal group and enforce their right to pillage and kill, the Kremlin mobilised all the resources of the state at its disposal. Opposition to the Magnitsky Act became the chief priority of Russian foreign policy.

In response to the sanctions imposed upon these unscrupulous Russian government bureaucrats, a law was adopted on 1 January 2013 preventing US citizens from adopting Russian orphans. This is how the Kremlin is trying to frighten Europe too: promising to extend this law to the citizens of any country that follow the example of the USA. Innocent orphans have become

the pawns and victims of a criminal state. Aware of the miserable, if not catastrophic condition of orphans in Russia, many Russians call this law “anti-orphan”, “cannibalistic” and the “scoundrel’s law”.

Sacrificing the life and well-being of tens of thousands of Russian orphans, Putin has shown his ruthlessness to the world and his willingness to resort to any measure, both at home and abroad, to protect his power base. Any remaining illusions about the Russian regime have been totally dashed. Putin’s current political modus operandi is on a par with Assad, only more terrifying: he can press the nuclear button!

The tactics of the Putin regime have been radically simplified: repression in Russia, and blackmail and bribery in the international arena.

It’s clear that the Kremlin’s current occupant is prepared to do whatever he can to prevent the expansion of the Magnitsky Act’s application in the US and the adoption of similar legislation in Europe. Western governments are waiting to see how big a piece of the pie Moscow will offer them.

But so far Putin prefers to use sticks rather than carrots. In March 2013, the Russian ambassador to Ireland, Maksim Peshkov, sent the Irish Parliament a note threatening to pass an Irish version of the “anti-orphan” law as adopted against the USA and other sanctions if an Irish version of the Magnitsky Act were to be introduced. As a result, Ireland’s Parliamentary Committee for International Relations set aside plans to impose visa and financial sanctions against individuals implicated in the death of Sergei Magnitsky.

This outraged many members of the European Parliament, who called on Brussels to issue a severe response to this act of blatant intimidation. “The external politics of Russia once again display all their horror,” said Belgian MEP Guy Verhofstadt. “The blackmail perpetrated by the Russian regime with regard to Ireland is unacceptable, and the European Union must adopt a strict and unified position in response.”

This episode demonstrates the crucial need for Western citizens not to permit their governments to yield to fear or smoke-and-mirror proposals from Putin.

I am often asked what kind of help the opposition needs and what the West can do to help advance democracy in Russia. I always answer: don't support anybody in Russia, don't interfere in its internal affairs; just observe elementary political hygiene in your own countries. When it is a matter of sanctions against criminals, all mercantile or other "strategic" interests must be set aside.

Adopting the type of sanctions featured in the Magnitsky Act deprives the Russian ruling elite of the total impunity they have cultivated, and will ultimately knock Putin off his throne. Today, he maintains power by keeping the ruling elite in fear - but he will become unnecessary to his accomplices as soon as they lose their ability to keep their money in the West, or to buy properties and educate their children abroad. Fear will give way to the instinct for self-preservation. The Magnitsky Act is a lethal blow to the criminal Russian power monopoly.

Stopping the maniac with the nuclear button is only possible through joint efforts. We don't need wars or extraordinary events - all we need is to observe basic standards of morals and political decency.

Moreover, the punishment of criminals abroad by the civilised world will bring us closer to punishing them in Russia as well.

Today, the West faces the most important test of its opposition to totalitarianism. We must learn from the mistakes of the past and stop this despot before he can create even more tragedies such as that of Sergei Magnitsky.