

Dr. Marek Migalski, MEP

Sergei Magnitsky, or a new Dreyfus Case?

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Every politician in Europe has heard about the murder of Sergei Magnitsky. This fact alone means that his killers failed because his death was meant to be quiet and without witnesses. Thanks to the efforts of people of goodwill, this did not happen. The very fact that virtually everyone interested in the politics of Central and Eastern Europe knows exactly how Magnitsky died, means that his killers failed in their objective.

Undoubtedly, the Magnitsky case is a test for the European Union. It is true that the European Parliament voted in favour of a recommendation that called for sanctions against Russian officials responsible for Magnitsky's detention and subsequent death in prison, and presented William Browder with an opportunity to testify about his case and the death of Magnitsky. Continuous efforts are being made to publicise this case. This, however, is still not enough.

The European Parliament should be more resolute and firm. We cannot let this matter drop under the pressure of the Russian lobby in Brussels, or because of the lack of interest that Western European countries show towards the East and "the irregularities of Russian democracy". I dare say that without solving this affair, the EU-Russia relationship will forever remain one based

on lies. It must be emphasised that the Magnitsky case is uncomfortable for the EU countries, who want to maintain good political and economic relations with Russia. The EU, however, cannot turn a blind eye to a perfidious plot of the Russian authorities against a man who uncovered state corruption scandals. After all, are not human dignity and the respect for human rights among the EU's core values?

Meanwhile, at the borders of the EU, not only in Russia but in Belarus as well, opposition activists, independent journalists, and human rights defenders are being arrested. But for the EU, Belarus, with whom it is not tied economically or politically, is not as important as Russia. For the main EU players – France, Germany and Great Britain – Belarus is like Zimbabwe. On the other hand, an apparent indolence results in the policy of not meddling in the “internal affairs of Russia”.

Belarus is important to me because I am a deputy member of the European Parliament's Delegation for Relations with Belarus. This means that I engage in activities destined to aid the process of democratisation in this “last dictatorship in Europe”. On the one hand, these include actions on the international level: I prepare speeches, interpellations and motions addressed to Belarusian authorities and governors of penal colonies. I also engage in directly helping Belarusian opposition activists and their families.

During a campaign organised by Libereco - Partnership for Human Rights, I was the ‘godfather’ to two political prisoners: Dzmitry Bandarenka, head of the 2010 election campaign of Belarusian presidential candidate Andrei Sannikov, and Sergei Kavalenka, who was arrested for hanging an oppositional Belarusian flag on a 40-metre-high Christmas tree in Vitebsk on Orthodox Christmas Eve. Both of them are now free and reunited with their families. At the moment, I am directing my efforts to helping two Belarusian opposition activists: Mikola Statkevich, a presidential candidate in 2010, and Dzmitry Dashkevich, leader of the opposition movement Young Front, who are both still being detained in Belarusian prisons. What is more, together with international human rights organisations, I have been campaigning against the organisation of the 2014 Ice Hockey World Championships in Belarus. I think it is scandalous that an event intended to celebrate solidarity and the rules of fair play could be held in a country known as the “last

dictatorship in Europe” and become a propaganda tool for the incumbent Belarusian President Alexander Lukashenko.

It seems that among the European countries, the perception is that it is in Belarus where human rights are respected the least. It turns out, however, that Russia has taken the lead. Human rights defenders and opposition activists are alarmed at the state of civil society in Russia after Putin’s re-election. It has never been worse in the country’s entire post-Soviet history. In spite of that, the EU does not take any concrete actions. There are double standards: visa bans were imposed on several hundred Belarusian officials responsible for election frauds and political repressions, but Russia receives less severe treatment.

We should remember that it is out of common duty that we should continue Magnitsky’s work. A major step would be to introduce to as many European countries as possible the so-called Magnitsky list that contains names of high-level Russian officials implicated in the lawyer’s detention and subsequent death in prison. In this way, the EU will join the US, which was the first country to impose financial sanctions and visa bans on the said officials.

We cannot ignore what is happening today in Russia. Four years after the death of Magnitsky, we witnessed the absurd, posthumous trial of this lawyer. At the same time, Hermitage’s CEO Bill Browder is also being targeted by the Russian justice system for alleged tax evasion and Gazprom stock theft.

The Magnitsky case is no longer exceptional. For a long time numerous similar affairs have taken place. Those who want to criticise Russian authorities and uncover irregularities of Russian democracy are being eliminated. This is what happened to Alexander Litvinenko and Anna Politkovskaya. At the time of writing, Alexei Navalny was also awaiting a court verdict, while at the same time being faced with ever new accusations.

Nevertheless, the Magnitsky case is more important for understanding today’s Russia and is analogous to the Dreyfus affair that dominated French politics from 1894-1906. The case of a French officer of Jewish descent fundamentally changed the way the French thought about themselves and more

importantly, the way others thought about France. It showed France at its worst. The Magnitsky case plays the same role, allowing Russians to see what Putin and his people do to those who are inconvenient to them.

Nevertheless, complete victory is yet to come. We cannot bring Magnitsky back to life. No politician, journalist, or social activist can do this. We should make sure, however, that those implicated in his death are put in prison, and that the system of which they are part and which protects them finally breaks down.