

TLHRC Briefing

Magnitsky 101

Tuesday, April 28, 2015

2:00 PM – 3:00 PM

2200 Rayburn House Office Building

Opening Remarks

Good afternoon, and welcome to the Tom Lantos Human Rights Commission's *Magnitsky 101* briefing. Our purpose today is to bring all of you up to date on the origins of the Sergei Magnitsky Rule of Law Accountability Act of 2012 that is currently in effect for Russia, what it does, and why it's necessary to broaden its reach to the rest of the world – which is what the H.R. 624, introduced by Chris Smith and myself in January, would do.

It gives me great pleasure to welcome our panelists:

- my friend Bill Browder, founder and CEO of Hermitage Capital Management, who has worked tirelessly to bring corrupt officials and human rights violators to justice in Russia and around the world;
- Kyle Parker, currently Senior Professional Staff on House Foreign Affairs, who formerly worked at the U.S. Helsinki Commission where he was Sen. Ben Cardin's policy lead on the 2012 Magnitsky Act; and
- Daniel Calingaert of Freedom House, which has made H.R. 624, the Global Magnitsky Act, one of its advocacy priorities for this Congress.

As you will hear today, this all started when Bill Browder began to expose corruption in the Russian economy, which led to him being declared a threat to Russia's national security, and got his company raided and fraudulently transferred to state control. Bill hired a Russian lawyer, Sergei Magnitsky, to investigate what was going on. Sergei did his job, until he got arrested himself. He was held for 358 days, tortured, and eventually beaten to death in 2009. He was 37 years old.

This terrible experience led Bill to start a global campaign to expose endemic corruption and human rights abuses in Russia. He brought this cause to us during the 111th Congress, when Sen. Cardin and I introduced the Justice for Sergei Magnitsky Act. We reintroduced in the 112th, and the Magnitsky Act passed by a vote of 363-45 in December 2012.

The Act directs the President to identify individuals responsible for the detention, abuse or death of Sergei, or of other Russians seeking to expose illegal activity by Russian officials, or otherwise defend human rights. The people on the list then become ineligible for U.S. visas, any

current visas are revoked, their U.S. assets are frozen and any transactions involving U.S. property are prohibited. As of today, 22 people are sanctioned by this law.

The thing is, corruption and human rights violations do not only occur in Russia. At least once a week, someone brings new cases of human rights violations or corruption to my attention, from places all over the world – Tibet, Burma, Colombia, Sudan, Bahrain, Guatemala, just to name a few. When we started working on the Sergei Magnitsky Act, we wanted it to have global reach. That didn't happen in 2012, but it can happen in this 114th Congress.

The bill that is currently under review by Foreign Affairs and Judiciary says that the President shall impose sanctions on any foreign person determined to be responsible for, complicit in or to have materially assisted extrajudicial killings, torture or other gross violations of human rights committed against individuals who try to expose illegal activity by government authorities, or who are otherwise exercising, defending or promoting internationally recognized human rights and freedoms. These people will not be able to enter the United States, nor engage in property transactions here.

This legislation is not a substitute for strengthening rule of law in the countries where these kinds of abuses are occurring. But it would allow us to ensure that people responsible for abuses do not benefit from being able to come to our country and do business here. It is the least we can do on behalf of victims like Sergei – in his memory, and to help prevent others from suffering a similar fate.

Thank you, and I look forward to hearing our panelists.