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Russia blames doctors, not police, in death of lawyer Sergei Magnitsky

By [Kathy Lally](#), Published: July 5

MOSCOW — Russian authorities, under [persistent international pressure](#) to charge police officials in the pretrial detention death of a 37-year-old lawyer, on Monday blamed prison doctors instead.

Human rights activists, colleagues of Sergei Magnitsky and even U.S. senators have urged Russia to call Interior Ministry officials to account for arresting, prosecuting and then denying medical treatment to Magnitsky, who died in custody in November 2009.

But on Monday, Vladimir Markin, a spokesman for the Russian Investigative Committee, told the Interfax news agency that doctors would be prosecuted because of “flaws” in treatment that caused Magnitsky’s death.

The decision brought an angry reply from Valery Borshchev, who has been leading an independent inquiry into Magnitsky’s death for a human rights panel that reports to President Dmitry Medvedev.

“We believe the person who orchestrated this whole thing is the person in charge of the investigation,” Borshchev said, “and it’s not right that the Investigative Committee has not implicated him.”

Magnitsky, who worked for an American-run law firm in Moscow, was charged with tax evasion after he filed a complaint accusing Russian officials [of stealing \\$230 million](#) in an elaborate scheme that involved a falsified claim for a tax refund filed on behalf of a company connected to [Hermitage Capital Management](#), where he was outside counsel.

Once in prison, he was subjected to brutal treatment, which he blamed on his refusal to falsely accuse Hermitage and its founder William Browder of wrongdoing. Though Magnitsky grew ill and apparently developed pancreatitis, the investigator in charge of his case had him moved to a prison without medical facilities, where he died an agonizing death in his cell.

Tax officials involved in the case have been described as having great wealth on small salaries. Oleg Silchenko, the investigator who supervised the case, received a promotion. Last November, on the anniversary of Magnitsky’s death, [officials blamed the theft on Magnitsky](#).

“I believe high-ranking people support Silchenko,” Borshchev said. If Silchenko were charged, he said, the blame would travel too far up the chain of command.

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In May, Sen. John McCain (R-Ariz.) [called Magnitsky's death torture and murder](#) as he joined Sen. Benjamin L. Cardin (D-Md.) in introducing the Sergei Magnitsky Rule of Law Accountability Act of 2011, calling for visa and other sanctions against any Russians involved with Magnitsky's arrest, detention and death.

“My [legislation](#) simply says if you commit gross violations of human rights,” Cardin said, “don't expect to visit Disneyland, Aspen or South Beach.”

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