

# Dutch minister pledges EU action on murdered Russian lawyer

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Dutch foreign minister Uri Rosenthal has promised to "raise the possibility" of EU sanctions against Russian officials suspected of murdering lawyer Sergei Magnitsky.

Rosenthal in [a formal letter to parliament](#) dated 12 September said: "The investigation into the Magnitsky case is ongoing and Russian judicial procedure must be followed. I want to wait for the outcome of the procedure. But if there is good reason in light of the outcome, then I intend to raise the possibility of further EU-level steps."

The letter comes in response to a Dutch parliament resolution in July calling for The Hague to penalise the officials.

Asked by EUobserver what the minister means by "EU-level steps," his spokesman Job Frieszo on 23 September said in a written statement: "The Dutch government has concerns about Magnitsky's death. The investigation by the Russian criminal justice authorities must be continued and the perpetrators brought to justice. The Russian General Investigative Office of the Investigative Committee has extended the term of the criminal investigation into Magnitsky's death until 24 November 2011."

Magnitsky two years ago exposed a massive tax scam by Russian officials, including senior officers in the secret police, the FSB and was later tortured and killed in prison.

Most outside observers, including the US state department, see the current investigation as a fake designed to scapegoat two junior doctors while letting 60-or-so mid- and high-level suspects go free. The US in July put the group of 60 on a visa blacklist.

Barring a drastic change in Russia's approach, Rosenthal will have two options come the November deadline.

He can propose in Brussels that fellow member states impose an EU visa ban and asset freeze on the group. But this would amount to a fob-off to Dutch MPs because, in the words of one senior EU diplomat, he "would never get the consensus" he needs to trigger an EU ban.

Or he can unilaterally blacklist the group in Schengen, the passport-free zone covering most EU countries plus Iceland, Norway and Switzerland. Under Schengen rules if one member country blacklists a name, all 25 are obliged to keep them out.

The Dutch MP who drafted the Magnitsky resolution, Coskun Coruz, from the centre-right junior coalition party, the CDA, told this website he will hold Rosenthal to account: "It is up to them to decide how to translate our political message into concrete action. But if nothing happens, I will take steps in the Dutch parliament to say this is not right."

He noted that "several" foreign ministry staff aim to watch a screening of [the film 'Justice for Sergei'](#) in parliament in October as a sign of momentum. "Other countries, the German

parliament, are looking at the Netherlands and at their foreign ministers and saying 'What can we do here?'," he added.

For his part, Magnitsky's former employer, the UK-based venture capitalist Bill Browder, said Russian President Dmitry Medvedev's decision to give up power in 2012 is an act of bad faith in EU-Russia relations.

Medvedev had promised to restore rule of law. But on Saturday he said he will back Russian Prime Minister Vladimir Putin to be president next year, meaning the ex-FSB hardman is set to run the country until 2024.

"The Russians did a good job of convincing Western policy makers that they should wait for 'Medvedev's reforms' when in fact it was just empty rhetoric designed to keep the West off of Russia's back," Browder said.

"We long ago gave up hopes of getting justice inside Russia because senior people working in the Russian justice system were the ones who murdered Magnitsky and covered up the crime. It certainly will not improve with Putin as president. That is why we are working so hard to get justice outside of Russia."