

## Germany considering EU visa ban on Russian officials

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HELSINKI - The German government is considering the merits of an EU visa ban on Russian officials implicated in the murder of lawyer Sergei Magnitsky.

Markus Loning, the German foreign ministry's commissioner for human rights, told EUobserver on the margins of a conference on Russia in Helsinki on Thursday (10 November): "We're discussing it. It is an option that my office is bringing to the table, into the debate. I can't say I have completely convinced the rest of the government, but it is something I am putting on the table again and again."

One option is to seek agreement by all 27 EU countries to blacklist the officials. Germany could also unilaterally red-flag the names in the passport-free Schengen system, forcing all 25 Schengen members to keep them out.

Loning said: "It's a lot more effective if we do it at EU level because it makes little sense to ban someone from getting a German visa if he then goes to the Italian consulate, gets a visa and travels to Germany anyway."

He noted it would be against Schengen rules to bypass a German ban, but added: "People do it. In reality, they do."

Justifying the potential move, he explained: "From the outside it's very hard to really know the chain of command [in Russia]. But I think there's a lot to be said for the argument: 'Let's list the guys we know are doing it, the judge, the prosecutor. Let's list them and let's make sure other judges see the risk they are taking, see that they should be more independent than they are.'"

Loning said anybody put under a ban should enjoy right of appeal at the EU court in Luxembourg: "We should make one thing very clear - the rule of law also applies to us. If we list people we must give them judicial remedy."

Sergei Magnitsky was in 2009 jailed and murdered after he exposed a tax fraud involving senior officials such as Viktor Voronin, the head of the economic espionage unit at the Russian secret service, the FSB. Russia in November indicted two staff at the Butyrka prison over medical negligence. But the move is widely seen as an attempt to scapegoat little people while letting big suspects off the hook.

Dutch foreign minister Uri Rosenthal in September also promised his parliament to "raise the possibility of further EU-level steps" if the Russian investigation is a whitewash.

UK immigration minister, Damian Green, in October said Britain - not a Schengen country - has already imposed a ban. The UK embassy in Moscow declined to confirm the move, citing confidentiality rules. But Hermitage is confident the UK sanctions are in force.

The EU debate comes after the US blacklisted around 60 Magnitsky-linked Russian officials in July.

Other speakers at the Russia symposium in Helsinki endorsed an EU ban.

David Kramer, the head of the US-based NGO Freedom House, said: "It is a privilege, not a right to travel in the US and the EU, to put your money into US and EU banks, to let your

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