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Report claims cover up in Russian lawyer's death

By SOFIA JAVED, Associated Press – Nov 28, 2011

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MOSCOW (AP) — A private investigation into the death of a Russian lawyer who had reported official corruption in his country concluded Monday that he was severely beaten and denied medical treatment in prison, and accused the government of failing to prosecute those responsible.

The lawyer, Sergei Magnitsky, was arrested after accusing Interior Ministry officials of corruption. He died in custody in November 2009 and while also suffering from untreated pancreatitis, government officials have said. Two prison doctors have been charged with negligence.

Magnitsky, 37, had accused the Interior Ministry officials of using false tax documents to steal \$230 million from the state, and it was those same officials who had the lawyer arrested.

"The Russian government knows exactly who tortured and killed Sergei Magnitsky, as well as who stole \$230 million, but has refused to investigate and prosecute them," the report concluded.

It was compiled by William Browder, a U.S.-born investor who owned and ran Hermitage Capital Management, the investment fund Magnitsky had worked for before his arrest.

The report chronicled the developments in Magnitsky's case, starting from the alleged tax fraud he had exposed to his prison torment and death following a brutal beating by prison guards.

It also contained evidence of what it describes as an official cover up of Magnitsky's death, complete with pictures of dozens of Russian officials it claims were responsible. The report showed photos of luxury houses, expensive cars and other assets allegedly obtained by officials Magnitsky had accused of wrongdoing.

"All government bodies systematically denied Sergei Magnitsky any form of medical attention," the investigation said.

Browder, who has been barred from Russia by the government as a security risk, released his report on a website and by e-mailing it to journalists.

His report follows an investigation by members of the human rights council under Russian President Dmitry Medvedev. It concluded in July that Magnitsky's arrest and detention were unlawful, that he was beaten before his death, and that his prosecution by officers earlier implicated by him in corruption violated Russian law.

But Russia's Interior Ministry later denied any official wrongdoing, and the official probe into Magnitsky's death only led to the negligence charges against the two doctors.

At a news conference on Monday, prominent rights activist Valery Borshchev said he believes the beating of the inmate, not the untreated pancreatitis, led to his death.

Borshchev said a video recorded a few hours before Magnitsky died suggests that he wasn't then on the verge of death.

"He was in pain, but nevertheless he was moving on his own and he was carrying two heavy bags," Borshchev said. "Why he was dead after two hours is very hard to explain."

He accused officials of failing to fully investigate what happened.

"For two years, this has been kept silent," Borshchev he said.

The U.S. State Department reacted by deciding in July to ban entry to some 60 Russian officials, reportedly including senior figures in the Russian Interior Ministry, as well as judges, prosecutors and prison officials whom Magnitsky's colleagues had held responsible for his death.

Angered by the U.S. move, Russia last month banned entry to unidentified U.S. officials it claimed had been involved in killings and abductions.

On Monday, Russia's top investigative agency, the Investigative Committee, refused to comment on Browder's report.

The Prosecutor General's office, which in August reopened a criminal investigation against Magnitsky 20 months after his death, also denied comment.

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On the web:

<http://russian-untouchables.com/rus/docs/P01E.pdf>

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