



United States Mission to the OSCE

Statement on the Rule of Law in the Russian Federation in Light of Magnitsky and Navalny Convictions

As delivered by Charge d'Affaires Gary Robbins
to the Permanent Council, Vienna
July 25, 2013

The United States is disappointed and saddened by the posthumous conviction of Sergey Magnitsky on July 11 and by the July 18 conviction and sentence of Alexei Navalny to five years in prison. In both cases we have deep concerns about the apparent political motivation behind these trials. We remain troubled by the failure to respect the rule of law or to ensure the fair trial guarantees required by international law and OSCE commitments.

Sergey Magnitsky's conviction in a tax evasion case was an insult to the efforts of those who continue to seek justice with respect to the circumstances of his death. The Kremlin's own human rights council has said there was evidence suggesting Magnitsky was beaten to death while in custody. We continue to call for full accountability for all those responsible for Magnitsky's death, and will continue to support the efforts of those in Russia who seek to hold these individuals accountable.

The conviction of Alexei Navalny, who was sentenced to five years in prison on charges of embezzlement, is another troubling case. For the past several years Navalny has been a leading member of the political opposition, campaigning against corruption. The case had been dismissed twice for lack of evidence. We understand Mr. Navalny is appealing his case while continuing his bid to be the next mayor of Moscow.

Notwithstanding Navalny's interim release on bail, both his and Magnitsky's convictions raise serious questions about respect for the rule of law in the Russian Federation. We call on Russian authorities to cease any campaign of pressure against individuals seeking to expose corruption and to guarantee that individuals can freely exercise their human rights and fundamental freedoms, including freedoms of expression and assembly. We call on Russia to embrace serious efforts, like Mr. Navalny's and Mr. Magnitsky's before him, to improve government accountability and combat corruption in order to nurture a modern economy.

Mr. Chairman, on the same day as the Magnitsky conviction, July 11, we noted at the Supplemental Human Dimension Meeting with civil society that respect for the rule of law, human rights and fundamental freedoms is at the very heart of the OSCE's concept of security. We are troubled by the trend of participating States not fulfilling their commitments to the rule of law and thereby undermining their commitment to comprehensive security. We recall that after signing the Helsinki Accords in 1975, President Ford said "History will judge [us] . . . not by the promises we make, but by the promises we keep."

Thank you, Mr. Chairman.