



UNITED STATES COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
(U.S. HELSINKI COMMISSION)

**“The Magnitsky Act at Five Years:  
Assessing Accomplishments and Challenges”  
Rep. Chris Smith, Co-Chairman  
December 14, 2017**

Mr. Chairman, I would like to take the opportunity to thank our distinguished guests for being with us today to mark the 5<sup>th</sup> anniversary of the Sergei Magnitsky Rule of Law Accountability Act.

This all began with Sergei Magnitsky’s investigation into the brazen theft of \$230 million from the Russian people by officers of FSB Unit K and the Interior Ministry. Sergei continued to expose Colonel Artem Kuznetsov and Major Pavel Karpov’s plunder from foreign investors and documented how they lavishly spent it, while millions of Russians struggled to get by. For that, Kuznetsov and Karpov illegally detained Sergei, repeatedly tortured him, and denied him medical attention -- all in the hope that they could force Sergei to confess and absolve themselves of their crimes. Sergei was murdered because he would never confess to trumped-up charges, and never gave into to Kuznetsov and Karpov’s brutality. Kuznetsov and Karpov were only two out of 60 Russians we determined were involved in this horrific crime and its coverup.

Congress passed the Sergei Magnitsky Act five years ago to ensure that Sergei and his family got the justice they deserved and to send a message to Russia: “This shall not stand.” The identification and sanction of those involved in all aspects of Sergei’s illegal detention, torture, and murder, struck right at the heart of the Kremlin elite. It sent an unmistakable signal that the United States of America is prepared to sanction all those involved in human rights abuses in Russia.

In response, Russian President Putin took his wrath out on innocent Russian orphans who had been destined to be adopted by American families. These children, many of whom were in need of serious medical attention, had their hopes

of a loving family and a happier life dashed – all because the cynical Kremlin elite saw harming vulnerable children as the best means to retaliate against the United States.

Furthermore, Putin, still reeling from the impact of the Magnitsky Act, lashed out at the United States government, and those he saw as responsible for the law, including myself and others in this room.

I have been to Russia many times, including under Communism. My first overseas trip as a member of Congress was in 1982 to meet with Jewish refuseniks, their family members, and Soviet leaders to fight for the release of and emigration visas for the refuseniks. In 1987, Congressman Frank Wolf and I went to the notorious Perm Camp 35 to meet with prisoners and Soviet officials at the camp.

Yet the Russian government denied me a visa in 2013. I had planned a trip to discuss the impact of the Magnitsky Act inside Russia, but my application was denied. The Russian Ambassador gave no explanation for my denial, but I think we all know why it happened.

More than 40 years after the signing of the Helsinki Final Act, the human rights situation in Russia continues to deteriorate. But the Magnitsky Act wounded President Putin and his close circle. It took away that, which was most dear to the Kremlin elite -- their freedom to travel to the U.S. and to safeguard their money in our nation. The law set the standard around the world for other legislation that would freeze the assets and travel of Russian human rights abusers.

I would once again like to thank the witnesses for attending this hearing, and their dedication to exposing the malicious and insidious nature of President Putin's regime.