Hearing on "The Long Arm of Injustice: Did a UN Commission Founded to Fight Corruption Help the Kremlin Destroy A Russian Family?"

Friday, April 27, 2018

Statement of Senator Roger Wicker, Chairman

Thank you, Co-Chairman Smith, for convening this emergency hearing today. As our longest-serving commissioner, your doggedness to defend human dignity over the years has advanced the cause of freedom and saved countless lives around the world.

As members of Congress, we have a particular obligation to ensure the causes and institutions funded by the United States remain consistent with our values and our interests.

Today, the Commission will examine the harrowing experience of a Russian family who fell victim to an all-too-common corporate raider scheme in Russia. Facing violent extortion, financial ruin, and imprisonment, the Bitkovs sought refuge abroad. Using the services of what they believed to be a legitimate immigration firm, they received new identities from the Government of Guatemala and began a new life in Central America. A few years later, Kremlin agents tracked them down and colluded with the UN's International Commission against Impunity in Guatemala (CICIG) to sentence them to nearly twenty years in prison.

We know the lengths Russia's kleptocracy will go to intimidate those who challenge its crimes. We remember the stories of Mikhail Khodorkovsky, whose successful company was expropriated and who spent 10 years in the Siberian gulag, and Sergei Magnitsky, who exposed corruption at the top of Russia's government and was tortured and killed for doing so. In the case of the Bitkov family, the Kremlin agents persecuting the Bitkovs are sanctioned by the United States. In addition, the CICIG, a powerful and active participant in this gross miscarriage of justice, is funded in large part by the United States.

We are right to ask: Why would agents from one of the world's most ruthless kleptocracies join forces with an agency set up to combat corruption and impunity? Why would a UN institution receiving significant U.S. funding be so blind as to work with Vladimir Putin's cronies when its mission is to help Guatemala move beyond the corruption and impunity that plague its society? In this whole tragic affair, did the Kremlin exert any undue influence on CICIG?

Yesterday's decision by Guatemala's Constitutional Court in favor of the Bitkovs is a welcome step, but this family remains in jail. They should be freed immediately. And yet, unless they receive asylum in Guatemala or another county, the Bitkovs will remain in grave jeopardy of being returned to Russia, where their long nightmare will surely continue.

I would like to note the role of one of our witnesses in bringing this case to our attention and to the attention of the American people. In 2009, Mr. Browder brought a similar case to the Helsinki Commission involving his lawyer Sergei Magnitsky. At the time, Sergei was in pretrial detention in Moscow and being subjected to increasingly torturous conditions. My good friend Senator Ben Cardin chaired a hearing on Sergei's case, and we worked to bring attention to his plight.

However, Sergei died suddenly, having been locked in an isolation cell and beaten by prison guards when he needed urgent medical care. We must learn from this tragedy and not allow it to happen to the Bitkovs.

I will be working closely with the White House, National Security Council, and State Department to ensure the safety of this family, and I am prepared to use all available policy options to help resolve this injustice.

The case of the Bitkovs illustrates the Kremlin's pattern of abuse involving the world's courts and legal institutions. Russia should be called out for the mafia state it is and the illegitimate and politically influenced decisions that come out of Russian courts not given the time of day. We must find a way to protect our institutions from malign outsider influence and avoid becoming unwitting participants in Kremlin vendettas.