

Press Releases: Briefing Previewing the Annual Report on the Implementation of the Sergei Magnitsky Rule of Law Accountability Act

Special Briefing
Office of the Spokesperson

Senior State Department Officials
Via Teleconference
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MODERATOR: Hi. Good afternoon, everybody, and thank you so much for joining today's call. We're pleased to have three senior State Department officials here to talk about the Annual Report on the Implementation of the Magnitsky Rule of Law Accountability Act. This is also known as the Russian Magnitsky (inaudible). For your reference purposes only, we are – excuse me, I'll welcome them, but this is just on background for senior State Department officials.

We have [Senior State Department Official One]. He can be identified as Senior State Department Official One. [Senior State Department Official Two], he is known as Senior State Department Official Two. And finally, we have [Senior State Department Official Three]. He is Senior State Department Official Three. Again, this will be on background. This will be embargoed until the end of the call. They have some remarks to read off at the top and then after that, we'll take your questions.

[Senior State Department Official One], would you like to start?

SENIOR STATE DEPARTMENT OFFICIAL ONE: Thank you, [Moderator], and thank you all for the opportunity to talk about this. Let me just outline what's happened. Most of you know by now the Secretary today delivered to Congress the fifth annual Russia Magnitsky report. As most of you know, this is required under the 2012 Magnitsky Act and is distinct from the Global Magnitsky report. The 2017 list for Russia Magnitsky includes five new names. These are Ramzan Kadyrov, Ayub Kataev, Andrei Pavlov, Yulia Mayorova, and Alexei Sheshenya.

Altogether, this brings to 49 names the list of individuals who have been

designated across six rounds since 2012. Of the five that were listed today, two were listed under the gross violation of human rights provision and three were listed under the provision for involvement in the Magnitsky conspiracy itself. All the names are now public. Each is subject to both visa and financial sanctions. All of these designations require multiple credible sources of information to meet the criteria from the legislation. The individuals on the list have to meet statutory criteria that has to be given in annual reporting – a reporting requirement to Congress.

I would just underscore how important this step is. I think it underscores the United States continuing commitment to take seriously rule of law and human rights abuses inside the Russian Federation. Thank you.

MODERATOR: And –

SENIOR STATE DEPARTMENT OFFICIAL TWO: I have nothing to add.

MODERATOR: [Senior State Department Official Three], do you have any comments? Okay. We'll go ahead and take our questions, please. And the first question is from Bloomberg, Nick Wadhams.

QUESTION: I just had two questions. One, there was an expectation from several people that the Global Magnitsky sanctions would be announced today as well. We haven't seen those yet. Do you expect those to come at any point soon? And also, several of the people I had spoken with had said they thought these were going to come out sooner and that there had been some delays. There was an event at the Council on Foreign Relations, for example, that was canceled, also a Senate staff briefing that was canceled. Can you tell us why these announcements were delayed, if so? Thanks.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Sure. Nick, thank you for the question. So first of all, that's a very important issue that you raised on Global Magnitsky. And just to be clear on the distinction, Global Magnitsky is the statute authorizing discretionary financial or visa sanctions for individuals who commit gross human rights violations or significant corruption anywhere in the world. So it's a much broader prism. Global Magnitsky is a commitment that we take very seriously. It's been in the works. We don't have anything to announce at this time, but stay tuned in coming days.

On the second question you are raising, I don't think there was anything unusual or untimely about this announcement. I would just underscore that we take seriously the act of putting these names forward. I think it's not only the names themselves that will inevitably attract a lot of scrutiny, but it's showing the thoroughness and rectitude of the process by which we reach those designations. It is very important to us in complying with the requirements of the legislation.

MODERATOR: And Nick, if I can just jump in here – it's [Moderator] – that'll be announced out of the White House and we will follow on, so you can certainly touch base with the White House for any questions about what – any potential delays or perceived delays on that part. And do we have the next question?

OPERATOR: The next question is from Josh Lederman from AP. Please, go ahead.

QUESTION: Hi, thank you. Thanks for doing this. I was wondering if you could confirm that – I don't have his name handy, but that the head of the Republic – the Chechen Republic that you publicly announced is on the designations list today had been previously already under Magnitsky sanctions on a classified list. Thanks.

SENIOR STATE DEPARTMENT OFFICIAL ONE: So thank you for the question, Josh. I can confirm that Ramzan Kadyrov, who is head of the Chechen Republic, is on the list that was put out today. You may know that this is an individual who was – who has been involved in disappearances and extrajudicial killings. One or more of Kadyrov's political opponents have been murdered at his direction. And you may also know that he played a significant role in the torture that was carried out against the LGBTI community in Chechnya. So I want to underscore how important it was that we make sure, in light of that, that he was on this list.

To the broader question on whether he was included on a classified annex prior to his designation today, if I understand your question correctly, the Magnitsky Act provides for a classified annex of persons, but we do not comment on the existence of such an annex. Kadyrov was designated for the reasons that were specified in a press release today.

MODERATOR: Okay. Next question, please.

OPERATOR: Ladies and gentlemen, for additional questions, please press * followed by 1, * and then 1 on your touchtone phone. Okay, and the next question is from Josh Lederman from the AP. Please, go ahead.

MODERATOR: (Laughter.)

QUESTION: Sorry, since there weren't – didn't seem to be any others in the –

MODERATOR: Josh, are you – are you – only two people on the phone?
(Laughter.)

QUESTION: I think so. There didn't seem to be any others, so I thought I would jump in again.

MODERATOR: (Inaudible.)

QUESTION: Yeah. I thought I would ask – and obviously, when this – when the Magnitsky Act first took effect, it caused some tensions with the Russian Government, and there was that adoptions law that Putin signed into place. So would the addition of these additional names, including at least one person who is part of Putin's government by way of running one of the Russian republics – are you anticipating a negative reaction from the Kremlin? And are you taking any steps to try to mitigate this leading to a further deterioration of relations with Russia?

SENIOR STATE DEPARTMENT OFFICIAL ONE: Josh, thanks for the question. I think it's an important question you're raising. I mean, ultimately I would direct

you to the Russian embassy, and I mean, the Russians can speak for themselves. I think at this point we've been at it long enough on Magnitsky that the Russians understand the nature of our concerns. I think they understand the rationale for the legislation, why it was put forward. This is a transparent process; it came through a transparent legislative process, and a process by which we make the designations comply with what's in the law.

How they respond to this – what we hope they will do is use this as an impetus to take seriously not only the circumstances involving Mr. Magnitsky's death, but that they will look in a more comprehensive way at some of the human rights abuses inside their own country. Beyond that, whatever they do that is punitive in nature – obviously, this administration is committed to seeing a stable and productive relationship with the Russian Federation. We believe that we have strategic interests in common in a lot of parts of the world; we want to pursue those interests. And we continue to believe that a Russia that takes seriously the well-being and human rights of its own citizens will be an even more effective global partner.

MODERATOR: Okay. Next question, please. CBS, Kylie, are you there?

QUESTION: Here, thank you. Sorry, I hopped on a minute late, but – maybe I missed this, but in regard to the transparent process that you are referring to here, was the Russian Government informed of this list before you put it out publicly? And have there been any conversations between the U.S. and the Russian Government since it's been established? Thanks.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Yes. Kylie, thank you for the question. The Russian Government has been notified and they're aware of it.

MODERATOR: Okay. Next question, please.

OPERATOR: Next question is from Conor Finnegan, ABC News. Please, go ahead.

QUESTION: Hey, thank you all for doing the call tonight. I just have two quick questions for you. Picking up on what [Senior State Department Official One] just said to Josh's second question, if the goal is to push for a more transparent, more free and open Russian society, and this is now the sixth round of Magnitsky sanctions, has this tool not worked, then, given that the situation in Russia has gotten worse?

And then my second question, just – this is the first report under the Trump administration. So can we take it as a commitment that you'll continue to use this tool going down the line? Thank you.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Yeah. So Conor, thanks for the questions, and it was good to see you recently on the trip. So on your first question, has it worked, I mean, look, the first thing I would say is this is the right thing to do. And it's been – the purpose of this legislation from the beginning through multiple rounds has been to provide a mechanism by which justice can be arrived at when that mechanism does not exist inside the Russian Federation.

Related to that, I would say I think there is a deterrent effect that every

time we put this out, it's clear that this is something that is not going to go away, that we're serious about it, we're going to continue to be serious about it. And I think on that basis, do the Russians take seriously Magnitsky? Absolutely they do. They watch it very closely. I think there's both a practical and a symbolic value.

As for the question on the – this administration, the President, the commitment to human rights, I think the President and the Secretary have been crystal clear about that from the very beginning. And President Trump said in his speech in Warsaw that Russia is a power that undermines our confidence and tests our will. The President and Secretary both want a constructive relationship with Russia. I think that's a healthy and desirable view, and something we continue to work towards. So this, to me, just – it confirms the position that the administration has had from the beginning that it's central to who we are as America to promote these principles, and we'll continue to promote them.

MODERATOR: Next question, please.

OPERATOR: Next question comes from Joel Schectman from Reuters. Please, go ahead.

QUESTION: I just wanted to clarify one point. I mean, when you talk about it being a deterrent effect, on the names that get added to the lists because of their involvement with the tax fraud scheme, I mean, that's something that happened in the past, right? So how does that form as a deterrent against future misconduct?

SENIOR STATE DEPARTMENT OFFICIAL ONE: Joel, thanks for that question. So two of the individuals of the five who were put forth this year were listed under the provision of gross violation of human rights. I would say particularly on that provision, but more broadly, the point of Russia Magnitsky and also Global Magnitsky is to create an atmosphere and a set of precedents by which the United States has publicly named and – and many of these individuals who are on the list up to this point – have gone after in financial and in visa terms for human rights abuses inside their own country.

So I think that the Russian Government takes note. I think that others who would ponder gross human rights violations take note. It's a tool that didn't exist before and we're using that tool, and I would argue that both of the provisions under Russia Magnitsky, I think they have that effect.

MODERATOR: Okay, next question, please.

OPERATOR: Next question comes from Dmitry Kirsanov from TAS – TASS. Please, go ahead.

QUESTION: Hi, this is Dmitry Kirsanov from TASS. I have several quick points. First off, when were the Russians notified about this new decision exactly? Secondly, how many – are you saying publicly at this point how many people is there on a classified annex? And lastly, have you actually frozen any assets under those sanctions here in the United States?

SENIOR STATE DEPARTMENT OFFICIAL ONE: Thanks for those questions, Dmitry. I do not know the exact sequencing. I do know that the Russian embassy was notified and that the Russian Government is aware of it.

To your second question on the annex, we don't comment on anything related to the annex for national security reasons. On – and then what was your final question?

OPERATOR: One moment, we'll get Mr. Dmitry back.

SENIOR STATE DEPARTMENT OFFICIAL ONE: Oh, the question of assets frozen. I mean, look, at this stage, what this is about is publicizing those individuals who have been identified under the terms of the legislation. So it's putting up the names of people on a list. The question of whether and what types of action are taken, we don't speculate on that at this point. This is just putting forward a list of this – the individuals who this year were assessed as being on the list.

MODERATOR: Okay. And I think we have one final question.

OPERATOR: Okay, and that question comes from Nick Wadhams from Bloomberg News. Please, go ahead.

QUESTION: Hi. Sorry, [Senior State Department Official One], while we have you on the phone, would you be able to comment on this Washington Post report that the administration has approved commercial sale of lethal defensive weapons to Ukraine, including sniper rifles? Is that true?

SENIOR STATE DEPARTMENT OFFICIAL ONE: Nick, thank you for that question. The United States Government has neither directly sold nor granted defensive weapons to Ukraine. We also haven't ruled out the option of doing so, and at this point, we don't have anything to announce.

MODERATOR: Okay. Everyone, thank you. Thank you so much for joining us, and gentlemen as well. The embargo under the call has now been lifted, and we will talk to you again real soon. Thank you.

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