

# A Blacklisted Film and the New Cold War

**Special Report:** As Congress still swoons over the anti-Kremlin Magnitsky narrative, Western political and media leaders refuse to let their people view a documentary that debunks the fable, reports Robert Parry.

By Robert Parry (Updated Aug. 4 with more on Magnitsky not a lawyer.)

Why is the U.S. mainstream media so frightened of a documentary that debunks the beloved story of how “lawyer” Sergei Magnitsky uncovered massive Russian government corruption and died as a result? If the documentary is as flawed as its critics claim, why won’t they let it be shown to the American public, then lay out its supposed errors, and use it as a case study of how such fakery works?

Instead we – in the land of the free, home of the brave – are protected from seeing this documentary produced by filmmaker Andrei Nekrasov who was known as a fierce critic of Russian President Vladimir Putin but who in this instance found the West’s widely accepted Magnitsky storyline to be a fraud.

Instead, last week, Senate Judiciary Committee members sat in rapt attention as hedge-fund operator William Browder wowed them with a reprise of his Magnitsky tale and suggested that people who have challenged the narrative and those who dared air the documentary one time at Washington’s Newseum last year should be prosecuted for violating the Foreign Agent Registration Act (FARA).

It appears that Official Washington’s anti-Russia hysteria has reached such proportions that old-time notions about hearing both sides of a story or testing out truth in the marketplace of ideas must be cast aside. The new political/media paradigm is to shield the American people from information that contradicts the prevailing narratives, all the better to get them to line up behind Those Who Know Best.

Nekrasov’s powerful deconstruction of the Magnitsky myth – and the film’s subsequent blacklisting throughout the “free world” – recall other instances in which the West’s propaganda lines don’t stand up to scrutiny, so censorship and ad hominem attacks become the weapons of choice to defend “perception management” narratives in geopolitical hot spots such as Iraq (2002-03), Libya (2011), Syria (2011 to the present), and Ukraine (2013 to the present).

But the Magnitsky myth has a special place as the seminal fabrication of the dangerous New Cold War between the nuclear-armed West and nuclear-armed Russia.

In the United States, Russia-bashing in The New York Times and other “liberal

media” also has merged with the visceral hatred of President Trump, causing all normal journalistic standards to be jettisoned.

### **A Call for Prosecutions**

Browder, the American-born co-founder of Hermitage Capital Management who is now a British citizen, raised the stakes even more when he testified that the people involved in arranging a one-time showing of Nekrasov’s documentary, “The Magnitsky Act: Behind the Scenes,” at the Newseum should be held accountable under FARA, which has penalties ranging up to five years in prison.

Browder testified: “As part of [Russian lawyer Natalie] Veselnitskaya’s lobbying, a former Wall Street Journal reporter, Chris Cooper of the Potomac Group, was hired to organize the Washington, D.C.-based premiere of a fake documentary about Sergei Magnitsky and myself. This was one the best examples of Putin’s propaganda.

“They hired Howard Schweitzer of Cozzen O’Connor Public Strategies and former Congressman Ronald Dellums to lobby members of Congress on Capitol Hill to repeal the Magnitsky Act and to remove Sergei’s name from the Global Magnitsky bill. On June 13, 2016, they funded a major event at the Newseum to show their fake documentary, inviting representatives of Congress and the State Department to attend.

“While they were conducting these operations in Washington, D.C., at no time did they indicate that they were acting on behalf of Russian government interests, nor did they file disclosures under the Foreign Agent Registration Act. United States law is very explicit that those acting on behalf of foreign governments and their interests must register under FARA so that there is transparency about their interests and their motives.

“Since none of these people registered, my firm wrote to the Department of Justice in July 2016 and presented the facts. I hope that my story will help you understand the methods of Russian operatives in Washington and how they use U.S. enablers to achieve major foreign policy goals without disclosing those interests.”

### **Browder’s Version**

While he loosely accused a number of Americans of felonies, Browder continued to claim that Magnitsky was a crusading “lawyer” who uncovered a \$230 million tax-fraud scheme carried out ostensibly by Browder’s companies but, which, according to Browder’s account, was really engineered by corrupt Russian police officers who then arrested Magnitsky and later were responsible for his death in a Russian jail.

Browder's narrative has received a credulous hearing by Western politicians and media already inclined to think the worst of Putin's Russia and willing to treat Browder's claims as true without serious examination. However, beyond the self-serving nature of Browder's tale, there are many holes in the story, including whether Magnitsky was really a principled lawyer or instead a complicit accountant.

According to Browder's own biographical description of Magnitsky, he received his education at the Plekhanov Institute in Moscow, a reference to Plekhanov Russian University of Economics, a school for finance and business, not a law school.

(In response to my queries about Magnitsky's professional standing, Leonid N. Dobrokhoto, a professor at Lomonosov Moscow State University, wrote to me on Aug. 4 that Magnitsky had graduated from Plekhanov in 1993 with a specialty in "Finance and Credit" and later worked as an auditor or certified public accountant in a tax consulting firm. "He had never been a lawyer in his life time," Dobrokhoto wrote.)

Nevertheless, the West's mainstream media – relying on the word of Browder – has accepted Magnitsky's standing as a "lawyer," which apparently fits better in the narrative of Magnitsky as a crusading corruption fighter rather than a potential co-conspirator with Browder in a complex fraud, as the Russian government has alleged.

Magnitsky's mother also has described her son as an accountant, although telling Nekrasov in the documentary "he wasn't just an accountant; he was interested in lots of things." In the film, the "lawyer" claim is also disputed by a female co-worker who knew Magnitsky well. "He wasn't a lawyer," she said.

In other words, on this high-profile claim repeated by Browder again and again, it appears that presenting Magnitsky as a "lawyer" is a convenient falsehood that buttresses the Magnitsky myth, which Browder constructed after Magnitsky's death from heart failure while in pre-trial detention.

But the Magnitsky myth took off in 2012 when Browder sold his tale to neocon Senators Ben Cardin, D-Maryland, and John McCain, R-Arizona, who threw their political weight behind a bipartisan drive in Congress leading to the passage of the Magnitsky sanctions act, the opening shot in the New Cold War.

## **A Planned Docudrama**

Browder's dramatic story also attracted the attention of Russian filmmaker Andrei Nekrasov, a well-known critic of Putin from previous films. Nekrasov set out to produce a docudrama that would share Browder's good-vs.-evil narrative to

a wider public.

Nekrasov devotes the first half hour of the film to allowing Browder to give his Magnitsky account illustrated by scenes from Nekrasov's planned docudrama. In other words, the viewer gets to see a highly sympathetic portrayal of Browder and Magnitsky as supposedly corrupt Russian authorities bring charges of tax fraud against them.

However, Nekrasov's documentary project takes an unexpected turn when his research turns up numerous contradictions to Browder's storyline, which begins to look more and more like a corporate cover story. For instance, Magnitsky's mother blames the negligence of prison doctors for her son's death rather than a beating by prison guards as Browder had pitched to Western audiences.

Nekrasov also discovered that a woman who had worked in Browder's company blew the whistle before Magnitsky talked to police and that Magnitsky's original interview with authorities was as a suspect, not a whistleblower. Also contradicting Browder's claims, Nekrasov notes that Magnitsky doesn't even mention the names of the police officers in a key statement to authorities.

When one of the Browder-accused police officers, Pavel Karpov, filed a libel suit against Browder in London, the case was dismissed on technical grounds because Karpov had no reputation in Great Britain to slander. But the judge seemed sympathetic to the substance of Karpov's complaint.

Browder claimed vindication before adding an ironic protest given his successful campaign to prevent Americans and Europeans from seeing Nekrasov's documentary.

"These people tried to shut us up; they tried to stifle our freedom of expression," Browder complained. "[Karpov] had the audacity to come here and sue us, paying high-priced libel lawyers to come and terrorize us in the U.K."

### **The 'Kremlin Stooge' Slur**

A pro-Browder account published at the Daily Beast on July 25 – attacking Nekrasov and his documentary – is entitled "How an Anti-Putin Filmmaker Became a Kremlin Stooge," a common slur used in the West to discredit and silence anyone who dares question today's Russia-hating groupthink.

The article by Katie Zavadski accuses Nekrasov of being in the tank for the Kremlin and declares that "The movie is so flattering to the Russian narrative that Pavel Karpov – one of the police officers accused of being responsible for Magnitsky's death – plays himself."

But that's not true. In fact, there is a scene in the documentary in which

Nekrasov invites the actor who plays Karpov in the docudrama segment to sit in on an interview with the real Karpov. There's even a clumsy moment when the actor and police officer bump into a microphone as they shake hands, but Zavadski's falsehood would not be apparent unless you had somehow gotten access to the documentary, which has been effectively banned in the West.

In the documentary, Karpov, the police officer, accuses Browder of lying about him and specifically contests the claim that he (Karpov) used his supposedly ill-gotten gains to buy an expensive apartment in Moscow. Karpov came to the interview with documents showing that the flat was pre-paid in 2004-05, well before the alleged hijacking of Browder's firms.

Karpov added wistfully that he had to sell the apartment to pay for his failed legal challenge in London, which he said he undertook in an effort to clear his name. "Honor costs a lot sometimes," the police officer said.

Karpov also explained that the investigations of Browder's tax fraud started well before the Magnitsky controversy, with an examination of a Browder company in 2004.

"Once we opened the investigation, a campaign in defense of an investor started," Karpov said. "Having made billions here, Browder forgot to tell how he did it. So it suits him to pose as a victim. ... Browder and company are lying blatantly and constantly."

However, since virtually no one in the West has seen this interview, you can't make your own judgment as to whether Karpov is credible or not.

### **A Painful Recognition**

Yet, in reviewing the case documents and noting Browder's inaccurate claims about the chronology, Nekrasov finds his own doubts growing. He discovers that European officials simply accepted Browder's translations of Russian documents, rather than checking them independently. A similar lack of skepticism prevailed in the United States.

In other words, a kind of trans-Atlantic groupthink took hold with clear political benefits for those who went along and almost no one willing to risk the accusation of being a "Kremlin stooge" by showing doubt.

As the documentary proceeds, Browder starts avoiding Nekrasov and his more pointed questions. Finally, Nekrasov hesitantly confronts the hedge-fund executive at a party for Browder's book, *Red Notice*, about the Magnitsky case.

The easygoing Browder of the early part of the documentary – as he lays out his

seamless narrative without challenge – is gone; instead, a defensive and angry Browder appears.

“It’s bullshit,” Browder says when told that his presentations of the documents are false.

But Nekrasov continues to find more contradictions and discrepancies. He discovers evidence that Browder’s web site eliminated an earlier chronology that showed that in April 2008, a 70-year-old woman named Rimma Starova, who had served as a figurehead executive for Browder’s companies, reported the theft of state funds.

Nekrasov then shows how Browder’s narrative was changed to introduce Magnitsky as the whistleblower months later, although he was then described as an “analyst,” not yet a “lawyer.”

As Browder’s story continues to unravel, the evidence suggests that Magnitsky was an accountant implicated in manipulating the books, not a crusading lawyer risking everything for the truth.

### **A Heated Confrontation**

In the documentary, Nekrasov struggles with what to do next, given Browder’s financial and political clout. Finally securing another interview, Nekrasov confronts Browder with the core contradictions of his story. Incensed, the hedge-fund executive rises up and threatens the filmmaker.

“I’d be very careful going out and trying to do a whole sort of thing about Sergei [Magnitsky] not being the whistleblower, it won’t do well for your credibility on this show,” Browder said. “This is sort of the subtle FSB version,” suggesting that Nekrasov was just fronting for the Russian intelligence service.

In the pro-Browder account published at the Daily Beast on July 25, Browder described how he put down Nekrasov by telling him, “it sounds like you’re part of the FSB. ... Those are FSB questions.”

But that phrasing is not what he actually says in the documentary, raising further questions about whether the Daily Beast reporter actually watched the film or simply accepted Browder’s account of it. (I posed that question to the Daily Beast’s Katie Zavadski by email, but have not gotten a reply.)

The documentary also includes devastating scenes from depositions of a sullen and uncooperative Browder and a U.S. government investigator, who acknowledges relying on Browder’s narrative and documents in a related case against Russian

businesses.

In an April 15, 2015 deposition of Browder, he, in turn, describes relying on reports from journalists to “connect the dots,” including the Organized Crime and Corruption Reporting Project (OCCRP), which is funded by the U.S. government and financial speculator George Soros. Browder said the reporters “worked with our team.”

While taking money from the U.S. Agency for International Development and Soros, the OCCRP also targeted Ukraine’s elected President Viktor Yanukovich with accusations of corruption prior to the Feb. 22, 2014 coup that ousted Yanukovich, an overthrow that was supported by the U.S. State Department and escalated the New Cold War with Russia.

OCCRP played a key role, too, in the so-called Panama Papers, purloined documents from a Panamanian law firm that were used to develop attack lines against Russian President Vladimir Putin although his name never appeared in the documents.

After examining the money-movement charts published by OCCRP about the Magnitsky case, Nekrasov notes that the figures don’t add up and wonders how journalists could “peddle these wooly maths.” He also observed that OCCRP’s Panama Papers linkage of Magnitsky’s \$230 million fraud and payments to an ally of Putin made no sense because the dates of the Panama Papers transactions preceded the dates of the alleged Magnitsky fraud.

### **The Power of Myth**

Nekrasov suggests that the power of Browder’s convoluted story rested, in part, on a Hollywood perception of Moscow as a place where evil Russians lurk around every corner and any allegation against “corrupt” officials is believed. The Magnitsky tale “was like a film script about Russia written for the Western audience,” Nekrasov says.

But the Browder’s narrative also served a strong geopolitical interest to demonize Russia at the dawn of the New Cold War.

In the documentary’s conclusion, Nekrasov sums up what he had discovered: “A murdered hero as an alibi for living suspects.” He then ponders the danger to democracy: “So do we allow graft and greed to hide behind a political sermon? Will democracy survive if human rights – its moral high ground – is used to protect selfish interests?”

But Americans and Europeans are being spared the discomfort of having to answer that question or to question their representatives about the failure to

skeptically examine this case that has pushed the planet on a course toward a possible nuclear war.

Instead, the mainstream Western media has hurled insults at Nekrasov even as his documentary is blocked from any significant public viewing.

Despite Browder's professed concern about the London libel case that he claimed was an attempt "to stifle our freedom of expression," he has sicced his lawyers on anyone who might be thinking about showing Nekrasov's documentary to the public.

The documentary was set for a premiere at the European Parliament in Brussels in April 2016, but at the last moment – faced with Browder's legal threats – the parliamentarians pulled the plug. Nekrasov encountered similar resistance in the United States. There were hopes to show the documentary to members of Congress but the offer was rebuffed. Instead a room was rented at the Newseum near Capitol Hill.

Browder's lawyers then tried to strong arm the Newseum, but its officials responded that they were only renting out a room and that they had allowed other controversial presentations in the past.

"We're not going to allow them not to show the film," said Scott Williams, the Newseum's chief operating officer. "We often have people renting for events that other people would love not to have happen."

In an article about the controversy in June 2016, The New York Times added that "A screening at the Newseum is especially controversial because it could attract lawmakers or their aides."

### **One-Time Showing**

So, Nekrasov's documentary got a one-time showing with a follow-up discussion moderated by journalist Seymour Hersh. However, except for that audience, the public of the United States and Europe has been essentially shielded from the documentary's discoveries, all the better for the Magnitsky myth to retain its power as a seminal propaganda moment of the New Cold War.

After the Newseum presentation, a Washington Post editorial branded Nekrasov's documentary Russian "agit-prop" and sought to discredit Nekrasov without addressing his many documented examples of Browder's misrepresenting both big and small facts in the case.

Instead, the Post accused Nekrasov of using "facts highly selectively" and insinuated that he was merely a pawn in the Kremlin's "campaign to discredit



Mr. Browder and the Magnitsky Act.”

Like the recent Daily Beast story, which falsely claimed that Nekrasov let the Russian police officer Karpov play himself, the Post misrepresented the structure of the film by noting that it mixed fictional scenes with real-life interviews and action, a point that was technically true but willfully misleading because the fictional scenes were from Nekrasov’s original idea for a docudrama that he shows as part of explaining his evolution from a believer in Browder’s self-exculpatory story to a skeptic.

But the Post’s deception – like the Daily Beast’s falsehood – is something that almost no American would realize because almost no one has gotten to see the film.

The Post’s editorial gloated: “The film won’t grab a wide audience, but it offers yet another example of the Kremlin’s increasingly sophisticated efforts to spread its illiberal values and mind-set abroad. In the European Parliament and on French and German television networks, showings were put off recently after questions were raised about the accuracy of the film, including by Magnitsky’s family.

“We don’t worry that Mr. Nekrasov’s film was screened here, in an open society. But it is important that such slick spin be fully exposed for its twisted story and sly deceptions.”

The Post’s arrogant editorial had the feel of something you might read in a totalitarian society where the public only hears about dissent when the Official Organs of the State denounce some almost unknown person for saying something that almost no one heard.

It is also unlikely that Americans and Europeans will get a chance to view this blacklisted documentary in the future. In an email exchange, the film’s Norwegian producer Torstein Grude told me that “We have been unsuccessful in releasing the film to TV so far. ZDF/Arte [a major European network] pulled it from transmission a few days before it was supposed to be aired and the other broadcasters seem scared as a result. Netflix has declined to take it. ...

“The film has no other release at the moment. Distributors are scared by Browder’s legal threats. All involved financiers, distributors, producers received thick stacks of legal documents (300+ pages) threatening lawsuits should the film be released.” [Grude sent me a special password so I could view the documentary on Vimeo.]

The blackout continues even though the Magnitsky issue and Nekrasov’s documentary have become elements in the recent controversy over a meeting

between a Russian lawyer and Donald Trump Jr. [See Consortiumnews.com's "[How Russia-gate Met the Magnitsky Myth.](#)"]

So much for the West's vaunted belief in freedom of expression and the democratic goal of encouraging freewheeling debates about issues of great public importance. And, so much for the Post's empty rhetoric about our "open society."

**Investigative reporter Robert Parry broke many of the Iran-Contra stories for The Associated Press and Newsweek in the 1980s. You can buy his latest book, *America's Stolen Narrative*, either in [print here](#) or as an e-book (from [Amazon](#) and [barnesandnoble.com](#)).**

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