

Guardians of the Magnitsky Myth

FROM THE ARCHIVES: In pursuit of Russia-gate, U.S. mainstream media embraces any attack on Russia and works to ensure Americans don't hear the other side of the story, as with the Magnitsky myth, reported Robert Parry on Oct. 28, 2017.

By Robert Parry

Special to Consortium News



As Russia-gate becomes the go-to excuse to marginalize and suppress independent and dissident media in the United States, a warning of what the future holds is the blacklisting of a documentary that debunks the so-called Magnitsky case.

The emerging outlines of the broader suppression are now apparent in moves by major technology companies – under intense political pressure – to unleash algorithms that will hunt down what major media outlets and mainstream “fact-checkers” (with their own checkered histories of getting facts wrong) deem to be “false” and then stigmatize that information with pop-up “warnings” or simply make finding it difficult for readers using major search engines.

For those who believe in a meaningful democracy, those tactics may be troubling enough, but the Magnitsky case, an opening shot in the New Cold War with Russia, has demonstrated how aggressively the Western powers-that-be behave toward even well-reported investigative projects that unearth inconvenient truth.

Throughout the U.S. and Europe, there has been determined effort to prevent the American and European publics from seeing this detailed documentary that dissects the fraudulent claims at the heart of the Magnitsky story.

The documentary – “The Magnitsky Act: Behind the Scenes” – was produced by filmmaker Andrei Nekrasov, who is known as a fierce critic of Russian President Vladimir Putin but who in this instance found the West’s widely accepted, anti-Russian Magnitsky storyline to be a lie.

However, instead of welcoming Nekrasov’s discoveries as an important part of the debate over the West’s policies toward Russia, the European Parliament pulled the plug on a premiere in Brussels and – except for a one-time showing at the Newseum in Washington – very few Americans have been allowed to see the documentary.

Instead, we’re fed a steady diet of the frothy myth whipped up by hedge-fund investor William

Browder and sold to the U.S. and European governments as the basis for sanctioning Russian officials. For years now, Browder has been given a free hand to spin his dog-ate-my-homework explanation about how some of his firms got involved in a \$230 million tax fraud in Russia.

Browder insists that some “corrupt” Russian police officers stole his companies’ corporate seals and masterminded a convoluted conspiracy. But why anyone would trust a hedge-fund operator who got rich exploiting Russia’s loose business standards is hard to comprehend.

The answer is that Browder has used his money and political influence to scare off and silence anyone who dares point to the glaring contradictions and logical gaps in his elaborate confection.

So, the hedge-fund guy who renounced his U.S. citizenship in favor of a British passport gets the royal treatment whenever he runs to Congress. His narrative just fits so neatly into the demonization of Russia and the frenzy over stopping “Russian propaganda and disinformation” by whatever means necessary.

This summer, Browder testified before the Senate Judiciary Committee and argued that people involved in arranging the one-time showing of Nekrasov’s documentary should be prosecuted for violating the Foreign Agent Registration Act (FARA), which carries a five-year prison term.

Meanwhile, the U.S. mainstream media helps reinforce Browder’s dubious tale by smearing anyone who dares question it as a “Moscow stooge” or a “useful idiot.”

Magnitsky and Russia-gate

The Magnitsky controversy now has merged with the Russia-gate affair because Russian lawyer Natalia Veselnitskaya, who traveled to America to challenge Browder’s account, arranged a meeting with Donald Trump Jr. and other Trump campaign advisers in June 2016 to present this other side of the story.

Though nothing apparently came from that meeting, *The New York Times*, which always treats Browder’s account as flat fact, led its Saturday edition with a breathless story entitled, “A Kremlin Link to a Memo Taken to Trump Tower,” citing similarities between Veselnitskaya’s memo on the Magnitsky case and an account prepared by “one of Russia’s most powerful officials, the prosecutor general Yuri Y. Chaika.” Cue the spooky music as the *Times* challenges Veselnitskaya’s honesty.

Yet, the *Times* article bows to Browder as the ultimate truth-teller, including repetition of his assertion that Sergei Magnitsky was a whistleblowing “tax lawyer,” rather than one of Browder’s accountants implicated in the tax fraud.

While Magnitsky's profession may seem like a small detail, it gets to the heart of the mainstream media's acceptance of Browder's depiction of Magnitsky – as a crusading lawyer who died of medical neglect in a Russian prison – despite overwhelming evidence that Magnitsky was really a clever accountant caught up in the scheme.

The “lawyer” falsehood – so eagerly swallowed by the *Times* and other mainstream outlets – also bears on Browder's overall credibility: If he is lying about Magnitsky's profession, why should anyone believe his other self-serving claims?

As investigative reporter Lucy Komisar noted in [a recent article](#) on the case, Browder offered a different description when he testified under oath in a New York court deposition in a related federal civil case.

In that adversarial setting, when Browder was asked if Magnitsky had a law degree, Browder said, “I'm not aware that he did.” When asked if Magnitsky had gone to law school, Browder answered: “No.”

Yet, the *Times* and the rest of the mainstream media accept that Magnitsky was a “lawyer,” all the better to mislead the American public regarding his alleged role as a whistleblower.

The rest of Browder's story stretches credulity even more as he offers a convoluted explanation of how he wasn't responsible for bogus claims made by his companies to fraudulently sneak away with \$230 million in refunded taxes.

Rather than show any skepticism toward this smarmy hedge-fund operator and his claims of victimhood, the U.S. Congress and mainstream media just take him at his word because, of course, his story fits the ever-present “Russia bad” narrative.

Plus, these influential people have repeated the falsehoods so often and suppressed contrary evidence with such arrogance that they apparently feel that they get to define reality, which – in many ways – is what they want to do in the future by exploiting the Russia-gate hysteria to restore their undisputed role as the “gatekeepers” on “approved” information.

Which is why Americans and Europeans should demand the right to see the Nekrasov documentary and make their own judgments, possibly with Browder given a chance after the show to rebut the overwhelming evidence of his deceptions.

Instead, Browder has used his wealth and connections to make sure that almost no one gets to see the deconstruction of his fable. And *The New York Times* is okay with that.

[For details on the Nekrasov documentary, see Consortiumnews.com's "[A Blacklisted Film and the New Cold War.](#)"]

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

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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 Cozen 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 woolly 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](#)).

WPost’s ‘Agit-Prop’ for the New Cold War

Exclusive: The Washington Post, the neocons’ media flagship, has fired a broadside at a new documentary after it blasted a hole in the side of the anti-Russian Magnitsky narrative, which helped launch the new Cold War, writes Robert Parry.

By Robert Parry

A danger in today’s Western journalism is that the people in charge of the mainstream media are either neocon ideologues or craven careerists who will accept any official attack on geopolitical “enemies” without checking out the facts, such as with the Iraq War’s WMD myth or the curious case of Sergei Magnitsky.

Magnitsky’s 2009 death in a Russian jail became a Western cause célèbre with the accountant for hedge-fund executive William Browder hailed as a martyr in the

cause of whistleblowing against a profoundly corrupt Russian government. After Magnitsky's death from a heart attack, Browder claimed his "lawyer" had been tortured and murdered to cover up official complicity in a \$230 million tax-fraud scheme involving companies ostensibly under Browder's control.

Because of Browder's wealth and political influence, he succeeded in getting the European Parliament and the U.S. Congress to buy into his narrative and move to punish the presumed villains in the tax fraud and in Magnitsky's death. The U.S.-enacted Magnitsky Act in 2012 was an opening salvo in what has become a new Cold War between Washington and Moscow.

The Magnitsky narrative has now become so engrained in Western geopolitical mythology that the storyline apparently can no longer be questioned or challenged, which brings us to the current controversy about a new documentary that turns the case upside-down and again reveals the superficiality, bias and hypocrisy of the West's politicians and news media.

The West's reaction has been to block the public airing of the documentary – to any significant audience – while simultaneously branding it Russian "agit-prop," the attack line used by The Washington Post in [a Monday editorial](#). In other words, the treatment of the film is reminiscent of a totalitarian society where the public only hears about dissent when the Official Organs of the State denounce some almost unknown person.

In this case, the Post's editorial writers under the direction of neocon editor Fred Hiatt note the film's showing in a rented room at Washington's Newseum and then seek to discredit the filmmaker, Andrei Nekrasov, without addressing his avalanche of documented examples of Browder's misrepresenting both big and small facts in the case.

Instead, the Post accuses Nekrasov of using "facts highly selectively" and insinuates that he is merely a pawn in the Kremlin's "campaign to discredit Mr. Browder and the Magnitsky Act." The Post concludes smugly:

"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."

Watching the Film

After reading the Post's editorial, I managed to get a password for viewing the

documentary, "The Magnitsky Act. Behind the Scenes," on the Internet and I was struck by how thoroughly dishonest and "highly selective" the Post's editors had been in their attack on the film.

For instance, the Post writes, "The film is a piece of agitprop that mixes fact and fiction to blame Magnitsky for the fraud and absolve Russians of blame for his death." While it is correct that Nekrasov "mixes fact and fiction," that is because the documentary is, in part, the story of his planned docu-drama which was intended to embrace and dramatize Browder's narrative. Nekrasov begins the project as Browder's friend and ally.

It was during the docu-drama's production that Nekrasov begins to detect inconsistencies and contradictions in Browder's storyline, including how a woman executive in one of Browder's shell companies alerted police to the tax-fraud scam, not Magnitsky, and that Magnitsky as an accountant in the business was called in for questioning by police. In other words, Magnitsky comes across as a criminal suspect, not a noble whistleblower.

As the documentary proceeds, Nekrasov struggles with the dilemma as his scripted docu-drama portraying Magnitsky as a martyr falls apart. When Nekrasov's questions become more pointed, his friendship with Browder also painfully unravels.

One of the powerful aspects of the film is that it shows Browder grow petulant and evasive as his well-received narrative begins to come undone, both in interviews with Nekrasov and in a videotaped deposition from a related civil case.

Key points of the deception are revealed not by Kremlin officials but by Magnitsky's supporters who challenge pieces of Browder's embroidered story, such as elevating Magnitsky from an accountant to a "lawyer."

Another key piece of Browder's tale – that corrupt police raided his offices to seize original corporate records and seals to set up shell companies to perpetrate the tax fraud – crumbles when Nekrasov shows Russian laws that don't require such records and discovers that the registrations were accomplished by straw men apparently controlled by Browder and operating under powers of attorney.

Though I am no expert on the Magnitsky case – and there surely may be flaws in the documentary – what is clear is that the widely accepted version of the Magnitsky case, portraying him and his boss as noble do-gooders who become victims of a convoluted police conspiracy, is no longer tenable or at least deserves a serious reexamination.

But preventing the Western public from seeing this important film – and then demonizing it in a Washington Post editorial on the assumption that almost no one will see it – amount to the behavior of a totalitarian society where “agit-prop” does rule, except in this case it is anti-Russian agit-prop that escapes any serious scrutiny.

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](#)).

Destroying the Magnitsky Myth

A new documentary blows apart the West’s Russia-bashing narrative about the 2009 death of Sergei Magnitsky, so the response has been to stop the public from seeing the film while calling it Russian “agit-prop,” as Gilbert Doctorow explains.

By Gilbert Doctorow

Despite all the threats of lawsuits and physical intimidation which hedge fund executive William Browder brought to bear over the past couple of months to ensure that a remarkable investigative film about the so-called Magnitsky case would not be screened anywhere, it was shown privately in a museum of journalism in Washington, D.C., last week.

The failure of the intimidation may give heart to others. There is talk that the film may be shown publicly in Norway, where its production company is located, but where an attempt several weeks ago to enter it into a local festival for documentaries was rejected by the hosts for fear of lawsuits. Moreover, a Norwegian court has in the past week declined to hear the libel charges which Browder’s attorneys were seeking to bring against the film’s director and producers.

Browder was more successful [in intimidating the European Parliament](#) where a screening of the film was cancelled in late April while I was in the audience. But I have now seen the banned documentary privately and “The Magnitsky Act. Behind the Scenes” is truly an amazing film that takes the viewer through the thought processes of well-known independent film maker Andrei Nekrasov as he sorts through the evidence.

At the outset of his project, Nekrasov planned to produce a docu-drama that

would be one more public confirmation of the narrative that Browder has sold to the U.S. Congress and to the American and European political elites, that a 36-year-old whistleblower “attorney” (actually an accountant) named Sergei Magnitsky was arrested, tortured and murdered by Russian authorities for exposing a \$230 million tax fraud scheme.

This shocking tale of alleged Russian official corruption and brutality drove legislation that was a major landmark in the descent of U.S.-Russian relations under President Barack Obama to a level rivaling the worst days of the Cold War.

But what the film shows is how Nekrasov, as he detected loose ends to the official story, begins to unravel Browder’s fabrication which was designed to conceal his own corporate responsibility for the criminal theft of the money. As Browder’s widely accepted story collapses, Magnitsky is revealed not to be a whistleblower but a likely abettor to the fraud who died in prison not from an official assassination but from banal neglect of his medical condition.

The cinematic qualities of the film are evident. Nekrasov is highly experienced as a maker of documentaries enjoying a Europe-wide reputation. What sets this work apart from the “trade” is the honesty and the integrity of the filmmaker as he discovers midway into his project that key assumptions of his script are faulty and begins an independent investigation to get at the truth.

An Inconvenient Truth

It is an inconvenient truth that he stumbles upon, because it takes him out of his familiar milieu of “creative people” who are instinctively critical of the Putin regime and of its widely assumed violation of human rights and civil liberties.

We see how well-known names in the European Parliament, in the Parliamentary Assembly of the Council of Europe and in NGOs that are reputed to be watchdogs have taken on faith the arguments and documentation (largely in Russian and inaccessible to them) which they received from William Browder and then rubber-stamped his story as validated without making any attempt to weigh the evidence.

Their intellectual laziness and complacency is captured fully on film and requires no commentary by the director. One of those especially skewered by her own words is German Bundestag deputy (Greens) Marieluise Beck. It is understandable to me now that I have viewed the film why she was one of the two individuals whose objections to its showing scuttled the screening in the European Parliament in April.

By the end of the documentary, Nekrasov finds that he has become a dissident in his own subculture within Russia and in European liberal circles.

Another exceptional and striking characteristic of the filmmaker is his energetic pursuit of all imaginable leads in his investigative reporting. Some leads end in “no comment” while others result in exposing whole new areas of lies and deception in the Browder narrative.

Nekrasov’s diligence is exemplary even as he takes us into the more arcane aspects of the case such as the money flow from the alleged tax fraud. These bits and pieces are essential to his methodology and justify the length of the movie, which approaches two hours.

Nekrasov largely allows William Browder to self-destruct under the weight of his own lies and the contradictions in his story-telling at various times. Nekrasov’s camera is always running, even if his subjects are not thinking about the consequences of being taped. The film also shows a videotaped deposition of Browder fumbling during an interrogation in a related civil case that is devastating to those politicians and commentators who fully swallowed Browder’s Magnitsky line.

Browder’s supposed lapses of memory, set in the context of involuntary facial expressions of stress and nervousness, would be compelling to jurors if this matter ever got into an open court of law in an adversarial proceeding.

At the end of the twists and turns in this expose, the viewer is ready to see Browder sink through the floor on a direct transfer to hell like Don Giovanni in the closing scene of Mozart’s opera. Nothing so colorful occurs, but it is hard to see how Browder can survive the onslaught of this film if and when it gets wide public viewing.

But the goal of many powerful people, including members of the U.S. Congress, the European Parliament and the Western news media who gullibly accepted Browder’s tale, will be to ensure that the public never gets to see this devastatingly frank deconstruction of a geopolitically useful anti-Russian propaganda theme.

Gilbert Doctorow is the European Coordinator of The American Committee for East West Accord. His most recent book, *Does Russia Have a Future?* was published in August 2015. © Gilbert Doctorow, 2016

No Dissent from Anti-Russian Propaganda

The European Union prides itself on its commitment to free expression, except apparently when a documentarian diverges from the official line bashing Russia.

Then silencing dissent becomes the “responsible” response, as Gilbert Doctorow explains.

By Gilbert Doctorow

The West’s propaganda campaign against Russia took an unusual turn this week as a new documentary challenging the Western narrative of how Kremlin critic Sergei Magnitsky died in 2009 was blocked from being shown at the European Parliament in Brussels, Belgium.

The last-minute shutting down of the documentary, “The Magnitsky Act: Behind the Scenes,” was engineered by lawyers for William Browder, the influential chairman of the investment fund Hermitage Capital and an associate of Magnitsky.

Based in London, Browder has been an unrelenting crusader for imposing sanctions on Russian officials allegedly connected to Magnitsky’s death in prison. Browder successfully pushed for the U.S. Congress to approve the 2012 Magnitsky Act and has lobbied the European Parliament to pass a similarly punitive measure.

On Wednesday, Browder pulled off a stunning show of force by arranging the cancellation of “The Magnitsky Act” documentary just minutes before invitees entered the auditorium at the parliament building for the showing.

Instead of watching and then discussing the film, the few of us who attended were drawn precisely to the power of the absent puppet master, Bill Browder, as Andrei Nekrasov, the film’s director, explained the reasons for his rare dissent against the Magnitsky narrative that Browder has peddled for years.

St. Petersburg-based film director Nekrasov said he had originally intended to produce a documentary largely supportive of Browder’s narrative but a *eureka* moment led him to change the message of his film midway through production into what ultimately became a scathing critique of Browder and a serious critique of the entire concept of applying personal sanctions against alleged human rights abusers without due process, as was the case in the compilation of the so-called “Magnitsky List” of Russians blamed for Magnitsky’s death.

A Praised Filmmaker

Nekrasov is an internationally recognized artist who has won prizes for dramas, documentaries and arts programs in Germany and France with his work presented at festivals around the world. Fluent in German, French and English in addition to his native Russian, Nekrasov took parts of his professional education in France and the U.K.

In his home country, Nekrasov has a reputation as a nonconformist and his

reporting has taken on Russian authorities in the past, including a film arguing that the 1999 Moscow apartment bombings were organized by the KGB successor organization (FSB) to justify the second war in Chechnya that brought Vladimir Putin to power.

In other words, Nekrasov has not been a friend of the Kremlin, let alone a “stooge” of the Putin regime. Indeed, he said that before taking the assignment to do a film about Magnitsky for the ARTE television channel, he had friendly relations with Browder, whom he had met a number of times in different settings. Nekrasov said he fully believed in Browder’s narrative of the murder of Magnitsky as a way to silence his investigation into the theft of Hermitage Capital’s assets by crooked Russian Ministry of Internal Affairs officials.

Nekrasov said his change of heart came in the middle of shooting the film when Browder’s people handed him a copy of the affidavit signed by Magnitsky that was said to have led to his murder in detention. The introduction to the document laid out precisely that argument of Russian wrongdoing, but the content, the actual text signed by Magnitsky, said nothing whatever about his investigating the theft of \$230 million and made no charges whatsoever against Ministry of Internal Affairs officers.

That glaring discrepancy prompted Nekrasov to gather more and more evidence, leading ultimately to his conclusion that the Magnitsky case was a sham fabricated by Browder, that there was no murder, that Magnitsky’s death was a case of negligence and nothing more sinister, the sort of thing that happens quite routinely in U.S. and other prisons around the world, however sad that may be.

Moreover, this discovery set Nekrasov’s mind to thinking about how and why what was now obvious to him was hidden to all others through whose hands the facts, factoids and allegations of the Magnitsky affair had passed over the past seven years. His inescapable conclusion was the explanation was to be found only in blind anti-Russian prejudice, the denigration not only of the country’s leader but of its entire political establishment if not the nation as a whole.

Nekrasov began to wonder how anyone could accept as reasonable the assumption that in that country of 146 million people there was not a single honest or professionally competent judge, not a single policeman who was not a crook.

Dangerous Thought

Nekrasov expressed concern for his own future welfare after the negative publicity arising from his discovery of unpleasant truths about the Magnitsky affair, especially in Russia where he fears that pro-Browder people will

consider his documentary a betrayal.

Regarding why the film's screening was canceled on Wednesday night, Finnish parliamentarian Heidi Hautala, the sponsor of the event (and reportedly Nekrasov's girlfriend), said it was not an action imposed by the President of the European Parliament, though he surely took a dim view of allowing this dissenting viewpoint to be shown in an auditorium at the parliament.

Nekrasov cited two last-minute objections. One was from a German politician whom he interviewed for the film, MEP Marieluise Beck, a leading member of the Greens in the Bundestag, the party allied to the European Parliament bloc from which Hautala, the organizer of the screening, comes.

In the interview segment which Beck now demanded be excised, she demonstrated, in Nekrasov's view, exactly what was wrong with the position held by Browder's defenders in Europe.

When he confronted her with the discrepancies, with the reasons he had changed his view of the Magnitsky affair, Beck insouciantly replied that "this is just details" about which she did not care and that the overriding fact remained the same: that Magnitsky died in prison.

However, Nekrasov said the decisive objection that led to the cancellation was from the director of the German national public broadcaster ZDF, a major sponsor of the film who claimed that Browder's lawyers threatened to sue for libel if the film were shown and would "ruin the broadcaster financially." Given the public standing of ZDF, that threat appears to have been no more than bluster, however it sufficed for the ZDF management to cave in.

Nekrasov expressed his surprise and alarm that Browder had the money and the contacts to so intimidate the backers of the film. But Nekrasov's own position vis-à-vis Browder is now inescapably one of self-defense rather than slinking away. Browder has publicly claimed that the film is flawed by inadmissible fabrications and falsifications. It is Nekrasov's stated intent to take Browder to court for defamation.

But it's now unclear whether "The Magnitsky Case: Behind the Scenes" will be aired on ARTE, the European cultural channel, as scheduled on May 3 given the vast resources Browder has mobilized to prevent its showing.

Political Courage

Faced with objections from the Green bloc, Hautala showed political courage in sponsoring the documentary. She is known for her strong interest in defending human rights globally, including in Russia, and mentioned in her opening remarks

that she was the first MEP to call for sanctions against Russia over the death in detention of Sergei Magnitsky and to this day she favors targeted sanctions against human rights violators.

But she has set four operating principles for sanctions to be workable, all of which come down to adhering to the rule of law: the charges must be verifiable, proving the connection of the persons to the violation; they must be transparent, so that everyone can judge the grounds; they must provide access to remedy for the targeted persons; and they must contain a sunset clause or duration period for possible reevaluation of the grounds.

Hautala also mentioned that she is one of 17 MEPs on Russia's retaliatory "black list" of 89 European politicians and influential persons, though she complains that she has never received from Russian authorities the individual justifications on why she is on the list and has no access to a remedy to appeal that arbitrary decision.

Hautala displayed even more courage by admitting to the auditorium several prominent critics of the Browder/Magnitsky story, including Pavel Karpov, one of the two Ministry of Interior officers who were accused by Browder of overseeing the torture and murder of Magnitsky and of doing so to cover up their theft of \$230 million in assets from his Hermitage Capital operation in Moscow which Magnitsky was said to have been investigating.

Karpov used the opportunity to explain his challenge to these allegations as unsubstantiated and how his bringing of defamation charges against Browder in London courts never was heard.

Also, Natalya Veselnitskaya, a Moscow lawyer, was given the floor to issue a lengthy denunciation of Browder for his crimes of egregious tax evasion that were the apparent motive for his creating the Magnitsky controversy. Veselnitskaya is the attorney of Denis Katsyv, the son of a Vice President of Russian Railways whose assets in the U.S. were frozen under the Magnitsky Act because of allegations that he had somehow enjoyed a share of the purloined Hermitage Capital money.

Hautala also allowed in Russian electronic and print media journalists, including, most significantly, Yevgeni Popov, the *Vesti* television presenter and director of a hard-hitting and controversial documentary entitled *The Browder Effect*, which was aired on the flagship Pervy kanal state channel on April 13.

Popov flew in for the European Parliament event and later his interview with Nekrasov on the streets of Brussels was part of a featured news item on the cancellation of the film's screening.

Still, the lengths to which Browder seems prepared to go suggests that the dominant Western narrative of the Magnitsky affair is coming under pressure and that there is growing skepticism even in the West over whether the case is as simple as evil Russian agents murdering a noble investigator.

There finally is some suspicion that perhaps the controversy was manufactured, in part, to cover up possible criminal activity by Browder and to fend off Russian demands for his extradition to face pending prosecution.

Another open question is whether a second allegation against Browder in Popov's documentary can be made to stick: namely that William Browder was a contractor working with/for British intelligence (MI6) and the CIA from 1996 and that since 2006 has been controlling Russia's non-systemic opposition leader Alexei Navalny on a mission to destabilize the Russian government and prepare the way for regime change.

Serious questions, however, have been raised about the authenticity of some of Popov's documents and whether the accusations against Navalny have any merit.

Gilbert Doctorow is the European Coordinator of The American Committee for East West Accord. His most recent book, *Does Russia Have a Future?* was published in August 2015. © Gilbert Doctorow, 2016
