# Obama Good DA (Magnitsky)

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### Magnitsky---1NC

#### **Won’t Pass Now**

The Hill 6-21 (Senators, Obama administration aim for compromise on Russia trade, p. http://thehill.com/blogs/on-the-money/1005-trade/234173-senators-obama-administration-aim-for-compromise-on-russia-trade)

Senators and the Obama administration remain at odds over how to proceed on making trade ties permanent with Russia although they are working together on a way forward. Senate Finance Committee members said Thursday are backing a plan to link legislation repealing Jackson-Vanik, which allow for grant normal permanent normal trade relations (PNTR) with Moscow, with a human rights bill that would punish Russian officials involved with the death of lawyer Sergei Magnitsky, who died in police custody. Obama administration officials, U.S. Trade Representative Ron Kirk and Deputy Secretary of State William Burns, told the Finance panel on Thursday that they prefer separate tracks for the two measures but will continue to work with lawmakers toward a compromise to pass a measure before the August recess. Regardless of current differences, lawmakers and Obama administration officials agree that PNTR needs to be granted before Russia joins the World Trade Organziation (WTO) in August. Burns acknowledged Thursday that there is a "constructive dialogue" continuing with lawmakers and that the administration's concerns are being considered. He opted to reserve a final opinion on how the administration will react until a bill emerges from the Senate. House Ways and Means Chairman Dave Camp (R-Mich.), who held a Wednesday hearing, is siding with the Obama administration in pressing for a "clean" PNTR bill.

#### INSERT LINK

#### Obama’s political capital is key to block the Magnitsky Rule of law accountability Act - collapses START and kills relations

Rogin 4-24 (Josh, Kerry delays action on Magnitsky bill, Foreign Policy, p. <http://thecable.foreignpolicy.com/posts/2012/04/24/kerry_delays_action_on_magnitsky_bill>)

Last month, Kerry indicated that the Sergei Magnitsky Rule of Law Accountability Act of 2011 would be brought up for a vote at the April 26 SFRC business meeting and he also endorsed the idea of combining the Magnitsky bill with a bill to grant Russia Permanent Normal Trade Relations (PNTR) status and repeal the 1974 Jackson-Vanik law. "In good faith, we will move as rapidly as we can, hopefully the minute we're back, but certainly shortly thereafter," Kerry said March 27, just before the last Senate recess. But after what several Senate aides described as intense lobbying from top Obama administration officials, including Deputy National Security Advisor Denis McDonough and Under Secretary of State for Political Affairs Wendy Sherman, Kerry decided not to put the bill on the agenda of the next business meeting, delaying consideration of the bill until May at the earliest, after the visit to the U.S. of Russian President-elect Vladimir Putin. In a statement to The Cable, Kerry said he still supports quick passage of the Magnitsky bill and its linkage to the repeal of Jackson-Vanik, but that he needed more time to iron out differences over the details of the legislation. "I support this effort and, as I said at the last business meeting, passing the Magnitsky legislation out of our committee is not a question of if, only when. I've been trying to get everyone on the same page because that's how you get the best legislative result, and everyone was explicitly very comfortable with where we were. My goal here is to get the best result," Kerry said. But several aides told The Cable that not everybody was comfortable with the delay. The Cable obtained an e-mail sent late last week from the staff of committee Republican Richard Lugar (R-IN) to several Democratic Senate offices including that of Sen. Ben Cardin (D-MD), the bill's main sponsor, in which Lugar protests the delay strongly. "We want to reiterate Senator Lugar's position, as he stated at the last business meeting, that he strongly supports having the Magnitsky Act taken up at the next business meeting (i.e. next week)," the e-mail reads. "As we understand the situation, the White House and State Department have been frantic over the last 24 hours in trying to head off consideration of the bill next week by contacting numerous Democratic offices," Lugar's staff wrote. "Thus, our position remains as it has been: Senator Lugar supports immediate consideration of the Magnitsky bill-next week. If Senators Kerry and/or Cardin do not wish to have it taken up then, that is prerogative of the SFRC Majority, but it is not the position of Senator Lugar." The Obama administration is on the record opposing the Magnitsky bill and believes that its passage could imperil U.S.-Russian cooperation on a range of issues. The Russian government has even threatened to scuttle the New START nuclear reductions treaty if the Magnitsky bill is passed, which would erase the signature accomplishment of the administration's U.S.-Russia reset policy. "Senior Russian government officials have warned us that they will respond asymmetrically if legislation passes," the administration said in its official comments on the bill last July. "Their argument is that we cannot expect them to be our partner in supporting sanctions against countries like Iran, North Korea, and Libya, and sanction them at the same time. Russian officials have said that other areas of bilateral cooperation, including on transit Afghanistan, could be jeopardized if this legislation passes." Russian Ambassador Sergey Kislyak said Monday at a lunch with reporters in Washington that passage of the Magnitsky bill would have a "significant negative impact" on the U.S.-Russia relationship and said it was unacceptable for the United States to interfere in the Magnitsky case, which he said was an internal Russian issue. "It's artificially attached to the whole issue of Jackson Vanik... It's politically motivated," he said. "We do not want to be told what to do within the limits of Russian law." Kislyak then said there were human rights violations in the United States that Russia could raise in the context of trade negotiations, but chooses not to. "I could bring up one example that is very much on our minds. Three years of long investigation of the killing of children adopted from Russia, with absolute immunity, but we do not bring that issue into the economic realm," he said. Cardin, meanwhile, has been working with administration behind the scenes to make changes to the Magnitsky bill, and even came up with a new draft version of the legislation last week, before the delay. The Cable obtained an internal document showing exactly what changed in the bill. For example, the new version makes it more difficult to add names to the list of human rights violators that the bill would create. In the previous version, any member of Congress could request to add the name of an alleged human rights violator to the bill. In the new version, both the chair and ranking member of a relevant committee must jointly request someone be added to the list, a high bar in a partisan Congress. Cardin is caught by between his desire to see his legislation passed without being gutted and his desire to work with the administration. In a brief interview with The Cable last week, he insisted he still wants the Magnitsky bill joined with the legislation that will repeal Jackson-Vanik and grant Russia PNTR. "There's a growing support in the Senate to make sure it's part of the PNTR debate," he said. "We'd like SFRC to mark it up and then take it to the Senate Finance Committee and make it part of the PNTR bill." The exact logistics for how the Magnitsky bill is moved in conjunction with the PNTR bill are up in the air. It could be joined in the Senate Finance Committee, or on the Senate floor, or just passed at the same time. But what's clear is that there are several senators ready to hold up PNTR for Russia if the Magnitsky bill isn't considered in conjunction. Among Capitol Hill staffers, there's also concern that the administration may be negotiating to water down the Magnitsky bill now, only to ultimately oppose it later. A similar dynamic played out over sanctions on the Central Bank of Iran last December. Then, it was Sen. Robert Menendez (D-NJ) who carried water for the administration before discovering they would ultimately oppose the bill no matter what. Menendez was livid. That bill passed the Senate 100-0.

#### extinction

Collins and Rojansky 10 (James – director of the Russia and Eurasia Program at the Carnegie Endowment for International Peace, ex-US ambassador to the Russian Federation, and Matthew – deputy director of the Russia and Eurasia Program, Why Russia Matters, Foreign Policy, p. http://www.foreignpolicy.com/articles/2010/08/18/why\_Russia\_matters)

Russia's nukes are still an existential threat. Twenty years after the fall of the Berlin Wall, Russia has thousands of nuclear weapons in stockpile and hundreds still on hair-trigger alert aimed at U.S. cities. This threat will not go away on its own; cutting down the arsenal will require direct, bilateral arms control talks between Russia and the United States. New START, the strategic nuclear weapons treaty now up for debate in the Senate, is the latest in a long line of bilateral arms control agreements between the countries dating back to the height of the Cold War. To this day, it remains the only mechanism granting U.S. inspectors access to secret Russian nuclear sites. The original START agreement was essential for reining in the runaway Cold War nuclear buildup, and New START promises to cut deployed strategic arsenals by a further 30 percent from a current limit of 2,200 to 1,550 on each side. Even more, President Obama and his Russian counterpart, Dmitry Medvedev, have agreed to a long-term goal of eliminating nuclear weapons entirely. But they can only do that by working together.

## Uniqueness

**Won’t pass – Obama is stopping it**

**Ivanov 12** (Eugene, Massachusetts-based political commentator who blogs at The Ivanov Report, 6/21/12, “Will the Magnitsky bill “replace” the Jackson-Vanik amendment?” <http://rbth.ru/articles/2012/06/21/will_the_magnitsky_bill_replace_the_jackson-vanik_amendment_15927.html>)

**From the very beginning, the Obama administration has been opposed to the Magnitsky bill, arguing that it would negatively affect U.S.-Russia relations.** In a preventive measure of sorts, the State Department composed its own list of 60 individuals related to the Magnitsky case whose entry in the U.S. would be banned. With this list in place, **the White House claimed that the Magnitsky bill was “redundant**.” In a parallel track, the administration put pressure on the bill’s major sponsor, Sen. Cardin. **This has worked**: recently, Cardin came up with a modified version of the bill addressing some of the administration’s concerns. In particular, the updated version makes it more difficult to add names to the list of human right violators that the bill would create. The major contentious point is the identity of the people on the Magnitsky list: the State Department doesn’t want to disclose names of individuals it would ban from entering the U.S., while the Magnitsky bill would make the names of the “offenders” public. Now, the White House is actively pushing for a provision in the bill that would allow the State Department keep some names on the list confidential on the ground of “national security interests.”

#### Obama’s Capital is key to watering down the bill

Reuters 6-19 (US Senate’s ‘Magnitsky’ bill could keep names secret, p. <http://in.reuters.com/article/2012/06/19/usa-russia-rights-idINL1E8HIHLB20120619>)

A draft proposal to penalize Russian officials for human rights abuses has been rewritten in the Senate to let the U.S. government keep secret some names on the list of abusers, congressional aides said on Monday. The reworked Senate version, which could still change, upset some supporters of the legislation to create what is known as the "Magnitsky list." They said that keeping part of the proposed list secret would neuter the effect of the bill, which is aimed at exposing human rights violators in Russia. The House of Representatives Foreign Affairs Committee this month approved the "Sergei Magnitsky Rule of Law Accountability Act," named for a 37-year-old anti-corruption lawyer who worked for the equity fund Hermitage Capital. His 2009 death after a year in Russian jails spooked investors and blackened Russia's image abroad. The measure would require the United States to deny visas and freeze the U.S. assets of Russians linked to Magnitsky's death. The bill as originally written in both the House and Senate would make public the list of offenders and broaden it to include other abusers of human rights in Russia. A reworked draft circulating in the Senate and obtained by Reuters would allow the list to "contain a classified annex if the Secretary (of State) determines that it is necessary for the national security interests of the United States to do so." William Browder, CEO of Hermitage Capital, told Reuters he suspected the "classified annex" provision had been inserted at the request of the Obama administration to water down the bill and so avoid offending the Russian government, which opposes the measure. "The administration is trying to gut the bill, because they've been against it from the start. They are trying to make nice with the Russians," Browder said in a phone conversation from London.

#### Obama’s capital weakens the bill even if passage is invitable

Rogin 6-12 (Josh – reports on national security and foreign policy for the Cable at Foreign Policy, Magnitsky Act will be linked with Russian trade bill in Senate, Foreign Policy, p. <http://thecable.foreignpolicy.com/posts/2012/06/12/magnitsky_act_will_be_linked_with_russian_trade_bill_in_senate>)

The Obama administration has opposed the Magnitsky Act in public while working quietly with Cardin to make changes to the bill just in case its passage can't be avoided. The latest draft version of the bill, circulated by Cardin and obtained by The Cable, seeks to make it more difficult to add names to the list of human rights violators that the bill creates and adds ways for the administration to waive penalties against those violators.

**Changes will be made to bill – Obama is pushing to weaken the bill**

**Rogin 6/26**/12 – staff writer for Foreign Policy (Josh, Foreign Policy Magazine, “Senate panel approves Magnitsky bill unanimously”, http://thecable.foreignpolicy.com/posts/2012/06/26/senate\_panel\_approves\_magnitsky\_bill\_unanimously)

SFRC Chairman John Kerry (D-MA) was the lone vote against the Cardin amendment and unsuccessfully tried to get Cardin to withdraw the amendment during the hearing. He is working to preserve more administration flexibility in administrating the classified list of human rights violators and said that there would be more changes in the bill before it reaches the Senate floor.

"We need to be very mindful of the need for the United States not to always be pointing fingers ... in some ways we could be doing better ourselves on a number of things," Kerry said. "Nevertheless, human rights are in our DNA and we will always be a nation that stands up for and fights for human rights."

Sen. Bob Corker (R-TN) was set to offer an amendment that would sunset the penalties in the bill, meaning that they would expire after five years. Ultimately he decided not to offer the amendment because it was sure to fail, according to multiple Senate aides, but he might offer it at a later stage of the process.

The perception among Hill aides in both parties is that the administration is working hard behind the scenes to weaken the penalties in the Magnitsky bill and provide the State Department greater leeway to keep the names of the violators from becoming public. Kerry and Cardin tried to dispel that idea after the meeting.

#### GOP and administrative support increase chance of separate passage

The Hill 6-20 (Top Republican, trade official press for clean Russia trade bill, p. <http://thehill.com/blogs/on-the-money/1005-trade/233785-top-republican-trade-official-press-for-clean-russia-trade-bill->)

A top House Republican and the Obama administration's leading trade official are pressing for Congress to pass a bill normalizing trade relations with Russia without tacking on human rights legislation. House Ways and Means Committee Chairman Dave Camp (R-Mich.) and U.S. Trade Representative Ron Kirk said Wednesday they prefer a clean bill that repeals the obsolete Jackson-Vanik provision and grants Moscow permanent normal trade relations (PNTR). "I think that legislation granting Russia PNTR should be clean and targeted, or else the legislation could be unduly complicated and delayed," Camp said during a hearing. Camp said while he shares the view of his colleagues that "Russia poses significant problems relating to foreign policy and human rights," he emphasized that "holding up PNTR because of non-trade concerns does not increase our leverage to address them and does not delay Russia’s WTO [World Trade Organization] accession." "No matter what, Russia will join the WTO in a couple of months," he said. "To obtain the benefits of the concessions Russia made to join the WTO, we must grant Russia PNTR." Meanwhile, the committee's ranking member Sandy Levin (D-Mich.) suggested that the human rights bill named for Sergei Magnitsky, a Russian lawyer who died while in police custody, could be attached to the legislation. There is a growing push from House and Senate lawmakers to attach the Magnitsky legislation to the Jackson-Vanik repeal, which would pave the way for PNTR. Levin wants the House to wait to take a final vote on the trade measure until Russia shows a willingness to address the violence in Syria. "It makes it difficult to move a trade bill when seeing slaughter in Syria," he said. "This Congress needs to find a way to express itself to move Russia to not look the other way as killing of innocent people in Syria continues," he said. Kirk acknowledged "for some the timing could not be worse in the case of human rights," as Russia continues its involvement in the deteriorating situation in Syria. Still, Kirk and Deputy Secretary of State William Burns argued that providing Russia with PNTR gives the United States better leverage beyond issues of trade, which include ramped-up enforcement of trade rules violations, as well as the issues surrounding the Syrian conflict. The State Department has taken actions to deny entry for Russian officials involved with the Magnitsky case, Burns said. Burns, who also suggested that the trade and human rights issues be handled on separate tracks, said improved trade relations should help Russia diversify its economy and bring "positive reinforcement" with the emergence of the middle class there. "It's very smart, long-term investment, granting PNTR, and WTO accession and playing by the rules," Burns said. "All of those steps help contribute not just to a better partnership but open and honest political system," he said. "It's not a magic or overnight cure but it is very important." Kirk said Congress could pass a clean bill that addresses Jackson-Vanik while the White House continues work with Congress to address the human rights concerns.

#### Obama’s political capital can stop Magnitsky

Mandel 6-19 (Seth – assistant editor of Commentary magazine, Obama remains obstacle to sanctions, Commentary, p. <http://www.commentarymagazine.com/topic/human-rights/>)

Senate Democrats corralling bipartisan support for commonsense sanctions legislation are experiencing a bit of déjà vu. In late 2011, the Senate agreed to new Iran sanctions by the widest possible margin: 100-0. Yet the Obama administration sought to delay the sanctions, and then worked to water them down. New Jersey Democrat Bob Menendez finally went public with his frustration toward President Obama for working so hard to protect Iran from the sanctions everyone had agreed to. Now Senate Democrats are facing the same obstacle–President Obama–in trying to levy penalties on major human rights violators in Russia. Called the Sergei Magnitsky Rule of Law Accountability Act, named after one prominent victim of those rights violators, the bill was sponsored by Ben Cardin and immediately obtained broad support. But on behalf of the Obama administration, John Kerry kept the bill bogged down in committee. So the House Foreign Affairs Committee passed its own version of the bill, and the White House finally dropped its open opposition to the bill. Now, as Reuters reports, Obama is trying to work changes into the bill that would essentially render it useless: The measure would require the United States to deny visas and freeze the U.S. assets of Russians linked to Magnitsky’s death. The bill as originally written in both the House and Senate would make public the list of offenders and broaden it to include other abusers of human rights in Russia. A reworked draft circulating in the Senate and obtained by Reuters would allow the list to “contain a classified annex if the Secretary (of State) determines that it is necessary for the national security interests of the United States to do so.”

#### Obama is spending capital to gut the Magnitsky bill

The Hill 6-19 (Vote on Russia human-rights bill postponed, p. <http://thehill.com/blogs/global-affairs/trade/233531-senate-delays-consideration-of-trade-related-russia-human-rights-bill>)

“We've been working very closely with the Obama administration. They've been very much engaged in what we're doing.” The legislation under discussion, named after Sergei Magnitsky, a whistle-blowing lawyer who died in police custody, would hit Russian human-rights violators with financial and travel sanctions. Some proponents of the bill have made it a precondition for their support of establishing permanent normal trade relations with Russia when it joins the World Trade Organization next month. A draft of the bill released Monday would allow the administration to keep secret some names on the list of abusers, prompting concerns from the equity firm Hermitage Capital where Magnitsky worked when he died. "The administration is trying to gut the bill, because they've been against it from the start,” Hermitage Capital CEO William Browder told Reuters. “They are trying to make nice with the Russians.” Cardin told reporters on Tuesday there was nothing unusual about allowing national security waivers to avoid hamstringing the executive branch. “This is consistent with the original draft of the bill,” Cardin said. “I just don't think (Browder) has read the language or the intent of what we've done here. The intent is for public listing. If there's a national security interest that requires a classified annex, the administration has to justify that.” The Obama administration has pressed Congress to keep the two issues separate, saying that a trade deal with Russia would help U.S. exporters and boost the nation's economy.

#### Obama pushing Magnitsky blockage

Washington Post 5-29 (Russia warns of retaliation for U.S. Magnitsky bill, p. <http://www.washingtonpost.com/world/europe/russia-threatens-retaliation-over-us-magnitsky-bill/2012/05/29/gJQAMWjIzU_story.html>)

Russia is prepared to retaliate if the U.S. Congress passes the Magnitsky bill, which would freeze assets of and deny U.S. visas to Russian officials linked to human rights abuses, President Vladimir Putin’s top foreign adviser said Tuesday. “We would very much like to avoid it,” Yuri Ushakov said. “But if this new anti-Russian law is adopted, then of course that demands measures in response.” Ushakov’s comments came in an otherwise upbeat briefing on a meeting between Putin and President Obama set for June in Mexico. The Obama administration has been resisting the legislation, introduced by Sen. Benjamin L. Cardin (D-Md.), viewing it as too provocative, even as the State Department has acted on its own to refuse entry to Russian officials associated with the Magnitsky case.

**Obama’s making it his goal not to pass Magnitsky – views it as a threat**

**Cohen ‘12** (Ariel, Writes for The Foundry and brings firsthand knowledge of the former Soviet Union and the Middle East through a wide range of studies, covering issues such as economic development and political reform in the former Soviet republics, U.S. energy security, the global War on Terrorism and the continuing conflict in the Middle East, 6/29/12, “Magnitsky Act: Congress Should Uphold America’s Commitment to Human Rights,” <http://blog.heritage.org/2012/06/29/magnitsky-act-congress-should-uphold-americas-commitment-to-human-rights/>)

The Russian government’s inability, procrastination, or unwillingness to prosecute human rights abusers has prompted the U.S. Congress to take action. It doesn’t really matter that the individuals responsible for Magnitsky’s death might not even think of visiting the U.S. or keeping their money in U.S. banks. The Magnitsky bill is aimed at human rights abusers not only in the Magnitsky case, and not only in Russia, but around the globe. The bill is also meant to signal that the U.S. will always support those who value the rule of law and freedom worldwide. The **Obama** Administration **has viewed the Magnitsky bill as a threat to its “reset” policy toward Russia**. **The Administration wants to extend** permanent normal trade relations (**PNTR**) to Russia **without passing the Magnitsky legislation** as Russia prepares to join the World Trade Organization (WTO) in August. Last week, the Senate and House held hearings on Russia’s looming WTO entry. Senator Max Baucus (D–MT), who chaired the Senate Finance Committee hearing, rightly said in his statement that the U.S. should not disregard human rights and democracy and pledged to include the Magnitsky bill in the PNTR legislation.

## Political Capital Key

#### Obama’s political capital key to preventing passage – Russia will retaliate

Astrasheuskaya 6-28 (Nastassia, graduate of UNC journalism school who hails from Belarus, Reuters, Russia "outraged" at U.S. Magnitsky bill, <http://www.reuters.com/article/2012/06/27/us-usa-russia-rights-idUSBRE85P1AR20120627>)

The Senate Foreign Relations Committee passed the "Sergei Magnitsky Rule of Law Accountability Act," named after a Russian anti-corruption lawyer whose death in 2009 while in pre-trial detention drew widespread condemnation. Despite broad support in Congress, the bill's future remains uncertain, partly because the Obama administration is unenthusiastic about a measure that Russia says would be an unwarranted intrusion into its internal affairs. "The effect on our relations will be extremely negative," Deputy Foreign Minister Sergei Ryabkov was quoted by state news agency Itar-Tass as saying. "We are not only deeply sorry but outraged that - despite common sense and all signals Moscow has sent and keeps sending about the counterproductive nature of such steps - work on the 'Magnitsky law' continues." Ryabkov said adoption of the bill could undo improved ties between Moscow and Washington, part of a policy initiative by President Barack Obama to "reset" relations that were strained under his predecessor George W. Bush. "It appears American lawmakers want to break the positive trend in our relationship with such serious irritants," Ryabkov told Vesti-24 state television. "There is still time for the initiators of the Magnitsky law to again weigh the situation and ponder the consequences." EXPRESS CONCERNS, MAINTAIN RELATIONS U.S. Secretary of State Hillary Clinton downplayed the risk to relations with Moscow. "We made it very clear that we do have concerns about human rights in Russia, and we have concerns in particular about this (Magnitsky) case," Clinton told reporters in Helsinki. "We think there is a way of expressing those concerns without derailing the relationship and that is what we are working with our Congress to do and we have every reason to believe we can accomplish that." The death in police custody of Magnitsky, a 37-year-old equity fund lawyer for Hermitage Capital in Moscow, scared investors and blackened Russia's image abroad. The Kremlin's own human rights council says he was probably beaten to death. The bill would deny visas and freeze the assets of Russians suspected of involvement in his death. Ryabkov reiterated Russia's threat to retaliate with "tough measures" if the bill is passed, in part by passing a tit-for-tat measure denying entry to U.S. citizens it believes are linked to human rights violations. "There will be a response," Ryabkov said. "There will be a symmetrical response, but there will also be a number of additional measures." President Vladimir Putin this month called Magnitsky's death a tragedy, but said Moscow would retaliate if the Magnitsky bill were passed. Mikhail Margelov, chairman of the Russian parliament's upper chamber's international relations committee, said a delegation of Russian lawmakers planned to travel to Washington to discuss the bill with their U.S. counterparts. "The U.S. political establishment still has a chance to turn around the situation if they do not support the bill at the plenary sessions of the House of Representatives and the Senate," Margelov told RIA news agency. "SOVIET-STYLE REACTION" Mikhail Kasyanov, a prime minister during Putin's first term who is now an opposition activist, said Moscow was over-reacting. "All those harsh reactions, that is some kind of Soviet-style reaction, not understanding how nations interact in the 21st century," Kasyanov said at a forum on the Magnitsky legislation in Washington. "That's why just, I'm a little bit disappointed that the government of my country behaves so unresponsibly and inappropriately," he said, speaking in English. Magnitsky was jailed in Russia in 2008 and was awaiting trial on charges of tax evasion and fraud. His colleagues say the charges were fabricated by police investigators whom he had accused of stealing $230 million from the state through fraudulent tax returns. Obama's administration says it understands concerns over rights abuses but that the bill is redundant as Washington has already imposed visa restrictions on some Russians thought to have been involved in Magnitsky's death. However, it has not disclosed their names. (Additional reporting by [Gleb Bryanski](http://blogs.reuters.com/search/journalist.php?edition=us&n=gleb.bryanski&) and by Ritsuko Ando and Eero Vassinen in Helsinki and [Susan Cornwell](http://blogs.reuters.com/search/journalist.php?edition=us&n=susan.cornwell&) in Washington; Writing by Alissa de Carbonnel; Editing by [Robin Pomeroy](http://blogs.reuters.com/search/journalist.php?edition=us&n=robin.pomeroy&))

#### **Russian Retaliation would be bad**

Radio Liberty 7-1 (Russia Warns U.S. Over Magnitsky Bill, <http://www.rferl.org/content/us-russia-magnitsky-bill/24627583.html>)

Russia has warned the United States that Moscow will retaliate if U.S. lawmakers pass a law blacklisting Russian officials connected to the death in prison of lawyer Sergei Magnitsky. Deputy Foreign Minister Sergei Ryabkov said the Russian government not only regretted but was "astonished" by the June 26 approval by a key U.S. Senate panel of a bill that would deny visas and freeze assets of Russian officials who have been linked to Magnitsky's death. Ryabkov warned that if U.S. lawmakers passed the bill and it became law, Moscow would respond with even harsher measures targeting the United States. Magnitsky died in 2009 after spending 11 months in pretrial detention. He was arrested after implicating top Russian officials in a corruption scheme. Magnitsky was denied medical care and beaten during his incarceration. Just one low-level prison doctor has been charged in Russia in connection with the case, while some senior officials connected to the case have been promoted. His death has come to be seen as a symbol of Russia's rights failings, particularly by members of the U.S. Congress

## Impacts

### Start + Iran

#### **Magnitsky kills Relations, START and Cooperation in Iran and Afghanistan**

Coll 6-28 (Steve, staff writer for The New Yorker, he shared a Pulitzer Prize, Coll is president of The New America Foundation, a public-policy institute in Washington, the new Yorker, THE MAGNITSKY CASE, http://www.newyorker.com/online/blogs/comment/2012/06/the-magnitsky-case.html)

On Tuesday, the Senate Foreign Relations Committee unanimously passed the Sergei Magnitsky Rule of Law Accountability Act. William Browder is among those who have been lobbying for the bill; Magnitsky’s supporters yesterday posted an eighteen-minute video presenting new evidence in the case. The Magnitsky Act would require the State Department to identify and sanction Russian individuals that it judges responsible for Magnitsky’s death, as well as other Russians “responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights.” Those listed by State would be denied visas to the United States and could be subjected to asset freezes and banking bans in the West. The Obama Administration has lobbied against the bill, arguing that it already tracks and denies visas to the Russians it judges responsible for Magnitsky’s death. The State Department does this without publicity or transparency, however. The current approach also does not impose any financial sanctions; there is evidence that some of those accused have purchased expensive real estate and cars and opened fat bank accounts in Dubai, Cyprus, Switzerland, and Moscow. There are other, unspoken, reasons for the Administration’s reluctance: it needs Russian coöperation on pressing problems—Syria’s civil war, Iran’s nuclear program, and U.S. supply lines to Afghanistan. If Obama is reëlected, the President may also push for a new nuclear-arms treaty to enact cuts well beyond those already agreed to in the New START treaty. The Administration’s effort to hold the bill off seems likely to fail, for complicated reasons. Next week, Russia’s parliament will approve the country’s entry into the World Trade Organization, marking its arrival within the rule-bound global free-trade regime. For American businesses to benefit through greater trade in Russia, however, Congress must repeal an outdated Cold War-era sanctions law, known as Jackson-Vanik. But the congressional coalition that has come together around the Magnitsky Act (first introduced by Senator Benjamin Cardin of Maryland, a Democrat, but now supported by many Republicans) wants Obama to accept passage of that bill in exchange for Jackson-Vanik’s repeal. The naïveté about Putin prevalent within the Bush Administration during its first term is long gone. Yet the question is whether the benefits of the Magnitsky Act--emotional satisfaction, a modicum of justice for some of Magnitsky’s persecutors, and other limited sanctions against Triple-A-level bad guys--justify the costs, including certain Russian retaliation of some type and a possible break in coöperation on Iran or Afghanistan.

### Iran Co-0p

#### Human Rights Legislation prevents us from cooperation on Iran

The voice of Russia 6-7 (US trade representative urges repeal of Russia trade law, <http://english.ruvr.ru/2012_06_07/77421117/>)

Some U.S. lawmakers are hoping to attach the Magnitsky bill to a proposal to grant "permanent normal trade relations" between the United States and Russia that the Obama administration is expected to ask Congress to approve this year. U.S. business groups oppose that step, and the White House says it prefers a "clean" trade bill. Commenting on the impact Magnitsky blacklist will have on Russian-U.S. relations, U.S. Ambassador to Russia Michael McFaul on Thursday said: “We think it would be a mistake to say that [the Magnitsky list] would prevent us from doing business deals or from cooperating on Syria or Iran. That's the principle we are trying to prevent.” “We don't want to talk about it publicly, it's our policy not to publish the list, we think this infringes the rights of those on the list because this list doesn't say you've committed a crime, this list says you don't get to our country. It's a different standard,” McFaul added. “So we think it's not right to publish the list.”

### Relations

#### Kills Relations

Stratfor 7-1 (The Manila Times, Another low in US-Russian relations, <http://www.manilatimes.net/index.php/opinion/columnist1/25933-another-low-in-us-russian-relations>)

Russia’s Foreign Ministry came out strongly Wednesday against a move in the U.S. Congress to approve a controversial human rights bill against Russia. Russian Deputy Foreign Minister Sergei Ryabkov cautioned the United States to weigh the consequences of passing such a bill, and warned that Russia would take active measures in response if it did. The US Senate Foreign Relations Committee unanimously passed the “Sergei Magnitsky Rule of Law Accountability Act” on Tuesday. The act would impose a travel ban and asset freeze on Russian officials linked to the jailing and death of Russian lawyer Sergei Magnitsky in 2009. The Magnitsky bill will now head to the Senate, where it will probably come up for vote within months. Republican Senator John McCain and Democratic Senator Benjamin L. Cardin, who have long held hawkish views on Russia, have supported the bill. Though the bill received little attention this past year, worsening relations between Moscow and Washington over issues like Syria have given the bill’s backers more fuel to try passing the proposed law in the future. Senators McCain and Cardin want to extend the bill’s scope. Rather than simply banning travel and freezing assets, they would like the bill to bolster the Soviet-era Jackson-Vanik Amendment, which bars trade relations with certain countries guilty of human rights violations. Linking the Magnitsky bill to Jackson-Vanik would further strengthen trade bans on Russia, but it could also prevent the United States from recognizing Russia’s membership in the World Trade Organization, thus dealing relations a symbolic blow. McCain and Cardin also are said to be working with other governments—including Canada, the Netherlands, the United Kingdom and Poland—to help them adopt their own versions of the Magnitsky bill. US President Barack Obama, who would rather not further strain relations between Washington and Moscow, opposes the Magnitsky bill and could veto it if it passes the Senate. However, doing so would create further tension with the Senate (including with members of his own party). Russia is now working on its response to the Magnitsky bill —a response that could include bans on US officials and trade. The Magnitsky bill symbolizes the current poor state of US-Russian relations. A series of issues over the past few months have impaired ties between Washington and Moscow. In May, the Russia-NATO Summit was cancelled due to Russia’s disagreement with Washington’s plans for ballistic missile defense in Europe. The United States has spoken out against Russia’s support for the Syrian regime, including a recent shipment of attack helicopters sent to Syria in a Russian cargo ship. And in recent weeks, US Secretary of State Hillary Clinton toured states Moscow views as being within Russia’s strategic sphere of influence. Despite their embittered relations, neither Moscow nor Washington is seeking a break at this time. The United States wants Russia to continue to support logistical efforts in Afghanistan and does not want Moscow to push its support for Syria too far. Russia, on the other hand, does not want poor relations with the United States to force its key European partners — particularly France and Germany— to turn their backs on Moscow. Each of these issues adds friction to the fight between Moscow and Washington over a redefined balance of power in the world, particularly in Eurasia. While the Magnitsky bill is largely a symbolic move by increasingly Russia-wary forces in the United States, the potential exists for an escalation that could lead to more serious moves against Russia.

Magnisky act destroys relations

Radio Liberty 5-12 (Lavrov Warns Magnitsky Bill Would Hurt U.S.-Russia Relations, <http://www.rferl.org/content/us_russia_magnitsky/24545755.html>)

Russian Foreign Minister Sergei Lavrov says legislation proposed by U.S. senators on the death in prison of lawyer Sergei Magnitsky would hurt bilateral relations. Magnitsky, 37, died in pretrial detention in 2009 after implicating top Russian officials in a scheme to defraud the government. He was routinely denied medical help in prison. This week, Russia dropped charges against one of two prison doctors accused of causing Magnitsky's death through negligence. The proposed U.S. legislation envisages sanctions against Russian officials deemed to have committed human rights violations. It would replace the 1974 Jackson-Vanik Amendment limiting trade with the Soviet Union, which has not been formally repealed. Lavrov, speaking at a news conference after a Group of Eight (G8) meeting in Washington on April 11, slammed the bill as "anti-Russian" and an attempt at "meddling" in Russia's internal affairs. He said that would be "categorically unacceptable" for Russia. "The American side knows our position on attempts to replace Jackson-Vanik with something new," he said, "and transform an anti-Soviet amendment into anti-Russian legislation. Such attempts are categorically unacceptable for us. This will hurt our relations rather seriously because the Magnitsky case is, first and foremost, a Russian issue." Jackson-Vanik has long been a thorn in U.S.-Russian relations. Introduced during the Cold War to pressure the Soviet Union to allow Jews to emigrate, it has repeatedly been waived by the United States over the past two decades but remains on the books. The Obama administration has said that unless Jackson-Vanik is repealed, the United States will miss out on trade opportunities after Russia joins the World Trade Organization (WTO) this year. A group of influential U.S. lawmakers, including Senator John McCain, have said they would oppose repealing Jackson-Vanik unless it is replaced by a measure imposing sanctions against Russian officials linked to human rights abuses. The Magnitsky bill -- called the Sergei Magnistky Rule of Law Accountability Act -- would deny visas to and block the U.S. assets of some 60 Russian officials implicated in Magnitsky's prosecution and pretrial detention.

Tanks Relations – blocks NATO shipping point

Russia Times 6-28 (Communists target NATO in response to Magnitsky bill, <http://rt.com/politics/communists-target-response-magnitsky-849/>)

Communists have called on the authorities to reconsider its principles of cooperation with NATO if the US approves the Magnitsky bill. “We consider it unacceptable to turn the Magnitsky case into an anti-Russian campaign. And this is exactly what the United States is doing now,” stated Ivan Melnikov, one of the Communist Party leaders. He added that in response to this law Russia should its change its decision on the establishment of a NATO shipping point in the Russian city of Ulyanovsk, which “directly concerns the US”. Melnikov accused Washington of double standards. Five Cuban citizens have been “kept in prison for political reasons”, he said, but the authorities present this as “fight against terrorism”. “If we have a closer look at the Magnitsky bill, we’ll see that they are now creating a tool for extrajudicial prosecution of Russian citizens who for some reasons may become pariahs of the American authorities,” Melnikov went on to say. On Tuesday, the US Senate’s Foreign Relations Committee voted a bill imposing travel and economic sanctions against Russian officials allegedly linked to the death in custody of the lawyer Sergey Magnitsky. Earlier this month, a similar bill was passed by a House of Representatives committee. The act has yet to be voted on in the full House and signed by President Barack Obama. Moscow has urged Washington to weigh all the consequences if the bill is adopted, which will have an “extremely negative effect” on bilateral relations, the Russian Foreign Ministry stated on Wednesday.

### Russian Retaliation

#### There will be blood

Russia Times 6-28 ('Barbaric' Magnitsky bill will harm the whole world – Russia, <http://rt.com/politics/magnitsky-bill-whole-russia-951/>)

The head of Russia’s Federation Council has said that the so called Magnitsky Bill would cause a rift in the Russia-US relations that could damage the whole world. Valentina Matviyenko blasted the Magnitsky Bill as a “barbaric” move and an open interference with another nation’s affairs and warned of retaliation from Russia. “No state that has self respect can swallow such an unfriendly gesture. The Foreign Ministry has a large arsenal of ideas and options that can answer such a step,” the top parliamentarian told the RIA Novosti news agency. She also said that “Russia is not going to turn the other cheek” after such a step. She added that the bill had no real foundation, but a hidden interest of certain forces. “It is obvious that the forces that are interested in adopting the bill are the forces that oppose the arrangement of constructive cooperation between Russia and the USA, and there are such forces in the USA,” the politician said, adding that the USA were interested in positive cooperation not less with Russia. “Russia and the US are serious players on the international politics and economics and the situation in the world as a whole depends on our normal relations,” Matviyenko told the agency. The Magnitsky Bill, was approved by the Foreign Relations Committee earlier this week, would impose visa bans and asset freezes on Russians the US accuses of human rights violations. Specifically it targets those linked to the death of the Hermitage Capital lawyer Sergey Magnitsky, who died following mistreatment in custody in 2009. The act has yet to be voted on in the full House and signed by President Barack Obama. The Russian Foreign Ministry has blasted the move as an attempt to pressure justice and interference in another state’s internal affairs. The ministry also warned of dire consequences if the bill comes into force. "They have an opportunity to weigh the consequences, so we urge our U.S. partners and U.S. lawmakers to do just that," Deputy Foreign Minister Sergei Ryabkov said. The official added it was "too early" to describe what action Russia will take in response.

#### Obama blocking trying to block magnitzky – avoiding Russian trade retaliation

Meyer 6-22 (Henrey, Senior Consultant at TeraThink Corporation, U.S. Warns Russia Not to Retaliate Over Human-Rights Sanctions, <http://www.businessweek.com/news/2012-06-22/u-dot-s-dot-warns-russia-not-to-retaliate-over-human-rights-sanctions>)

The U.S. urged Russia not to retaliate over legislation targeting Russian officials who violate human rights after a senior lawmaker in Moscow said American firms could face reprisals. “I’ve heard from several Russian counterparts their concern about the Magnitsky legislation,” Miriam Sapiro, Deputy U.S. Trade Representative, said in an interview today in St. Petersburg. “I certainly hope that if Magnitsky were to pass, that there would not be such measures.” The Russian government could adopt a harsher stance toward U.S. investment projects, the Moscow-based newspaper Kommersant reported June 16, citing Alexei Pushkov, foreign-affairs committee head in the lower house of parliament. Russia’s Foreign Ministry has warned of unspecified retaliation if the so-called Magnitsky bill becomes law. The House Foreign Affairs Committee on June 7 approved legislation that would impose U.S. travel and financial curbs on any official abusing human rights in Russia, including 60 people suspected of involvement in the death of anti-corruption lawyer Sergei Magnitsky in a Moscow jail in 2009. Congress will vote on the measure at a later date. Repealing Restrictions The U.S. administration will no longer seek to prevent Congress from passing the bill, U.S. Trade Representative Ron Kirk said June 7 in Moscow. The Obama administration is seeking to repeal trade restrictions with Russia to prevent U.S. companies from forfeiting tariff reductions once Russian membership of the World Trade Organization takes effect later this year. A bipartisan group of senators has made a repeal of the 1974 Jackson-Vanik amendment conditional on imposing sanctions on Russian officials for human-rights violations. Sapiro, who met Russian First Deputy Prime Minister Igor Shuvalov while attending the St. Petersburg international economic forum today, said it’s urgent that the Jackson-Vanik amendment is removed. “Otherwise, when Russia is set to join the World Trade Organization in just a few weeks, U.S. companies and workers will be at a significant disadvantage compared to their competitors in Asia, Europe, Latin America and elsewhere,” she said. Russia barred 11 serving and former U.S. administration officials for human rights abuses at facilities including Guantanamo Bay and the Abu Ghraib prison in Iraq in retaliation for the American move to bar an identical number of Russian officials last year over the Magnitsky case. The Kremlin said earlier this month that any additional U.S. visa bans would meet with a symmetrical response.

## AT: Veto

#### He won’t veto it – Jackson vanik

Solash 6-26 (Richard, Correspondent at Radio Free Europe/Radio Liberty, Magnitsky Bill Clears Key U.S. Senate Panel, <http://www.rferl.org/content/us-senate-vote-magnitsky-bill-russia-trade/24627033.html>)

From there, analysts say Obama is not expected to veto the bill. Passage of the Magnitsky legislation has become tied in Congress to repealing the Cold War-era Jackson-Vanik Amendment, a step needed to grant Russia permanent normalized trade relations with the United States. The Obama administration has pushed for the move, without which Washington will be at a disadvantage upon Russia's upcoming entry into the World Trade Organization. "To some extent [the advancement of the Magnitsky bill] is a blow to the Obama administration," said Andrew Kuchins of the Center for Strategic and International Studies in Washington. "They had certainly opposed the Magnitsky legislation earlier this year, but the writing on the wall in the spring seemed very, very clear -- that there was no way that permanent normal trade relations status for Russia was going to go through without some version of the Magnitsky legislation going forward as well. So I think they have simply had to accept reality." Kerry, meanwhile, said he "does not view [the Magnitsky bill] as a completely finished product," suggesting that provisions of the bill could change before the full Congress considers it, expected later this summer. Should the legislation become codified as U.S. law, it is expected to act as a precedent for other Western parliaments to adopt similar measures.

## Look At

<http://www.forbes.com/sites/markadomanis/2012/06/29/criticism-of-the-obamas-reset-with-russia-first-as-tragedy-then-as-farce/>

The reset has, by this point in time, attracted media attention out of all proportion to its observable real-world impact. A modest policy that modestly improved relations between Russia and the United States has become, particularly for people of a hawkish persuasion, evidence that Russia has comprehensively outmaneuvered the United States to some sort of dastardly and wicked end (though precisely what the end is is never specified). Adding to the growing canon of pieces arguing that “the reset is the worst thing in the world” Michael Weiss recently penned a story “Putin has America right where he wants it” that might very well be the single most ludicrous thing that anyone has said about the issue. Weiss deep confusion about the reset, and his tendency to make totally irrelevant and marginal issues key parts of the American-Russian bilateral relationship, is nicely demonstrated by the following paragraph: But the two countries’ fundamental disagreement about what to do about Assad, the dictator whose bloody attempts to suppress a popular revolt has resulted in the deaths of 14,000 Syrians, was only the last straw for a policy that has been on life support since its inception. On a vast array of issues — ranging from human rights to Iran to the territorial integrity of the post-Soviet states — Russian behavior has consistently been a thorn in the side of the United States and its allies. The reset only provided Obama with a justification to cover his retreat in the face of Russia’s advance. Underlying this paragraph are several unproven assumptions: that the United States has an interest in Syria, that the United States faces a significant threat from Iran, that the United States has a genuine interest in promoting human rights, and that the Russian attempts to project power throughout the post-Soviet space are dangerous for the United States. But why should the United States suddenly become interested in Syria’s internal political arrangements when it hasn’t had any notable influence in the country for the past 50 years? Is the United States really threatened by a third-rate economic backwater like Iran, a country that is surrounded not only by American military installations but by close American allies? If the United States genuinely cares about promoting human rights, why does it continue to closely cooperate (on Syria, among other things) with Saudi Arabia, one of the world’s most violently authoritarian, repressive, and backwards societies?\* Is the United States actually in any danger from Russian attempts to strong-arm Georgia and other post-Soviet republics, or does it merely find these things distasteful? Reasonable people can disagree on any of the issues I’ve just outlined, and many people I respect disagree sharply with my own views. But Weiss’ positions, regardless of how correct he thinks they are, are not intuitively obvious: they can be advanced through argument and debate but one cannot simply wave ones hands and airily assume that the United States needs to intervene everywhere and that occasional Russian opposition to this interventionism is proof of their base hostility and of the failure of the reset. Indeed, if you look at the issues that Weiss blames for the reset’s failure they are impossible to square with his contention that: “The hard truth is that the reset was doomed from the beginning by Russia’s increasingly autocratic political system.” Why would a more democratic Russia support a US effort to overthrow Assad? Why would a more democratic Russia support a US war with Iran? Why would a more democratic Russia stop trying to influence the “near abroad?” Weiss’ contentions on the likely course of a “democratic” Russian foreign policy could be true. Authoritarian governments can and have distorted their foreign policies in fundamentally anti-democratic ways (e.g. Egypt). There could be polls demonstrating that most Russians strongly dislike the Kremlin’s foreign policy and that they would welcome increased American involvement in the former Soviet space and American armed interventions throughout the Middle East with open arms. I, however, have never seen nor heard of any such polls because I strongly suspect that they do not exist. Indeed, in contrast to Weiss’ airy assumptions that a more democratic Russian government would automatically be a more pliant and accommodating one, Turkey’s experience as it democratized over the past 12 odd years would strongly suggest that the relationship between “democracy” and “a foreign policy in line with American needs” is not a straightforward one. Even more strange than the magical thinking about “democracy” is Weiss’ habit of saying things that would appear to simply not be true. For example: The men and women who have paid the price for Obama’s gullibility on these points are the beaten-down Russian dissidents, whose fate used to matter to the United States. Even as they have begun the hard work of constructing a domestic opposition movement, they have been denied even token support by the White House. Russian dissidents have been fighting against Putin since he first came to power. In what possible sense can they be said to be “beginning” the construction of an opposition movement? They’ve been doing this for over a decade and they’ve failed at doing so. That doesn’t mean they’ll always fail, or that their failure is fated, but pretending that the Russian opposition came into existence sometime since Barack Obama‘s election is the kind of carelessness and sloppiness the calls into question all of the articles other points. Lastly, while arguing in favor of the Sergei Magnitsky Rule of Law Accountability Act, Weiss demonstrates why using opinion polls to argue for a preffered policy outcome can be very dangerous: This legislation would not only impose travel bans and asset freezes against the 60 Russian officials implicated in Magnitsky case, but carries a universal clause that applies to gross human rights violators in any foreign country. This is why an ever-growing number of Russians supports the bill and Putin wholeheartedly opposes it. Is it actually true that an “ever-growing growing number of Russians” supports the passage of the bill? Well, no. In August of 2011, 44% of Russians were in favor of efforts in the West “to ban from entry into European countries and the United States figures from the Magnitsky case (i.e. those against whom he gave testimony and those who were involved in his death).” Just the other day Levada released another poll asking Russians how they related to “the proposals being discussed in the US and in a number of other Western countries to ban entry to Russian officials who participated in the death of Sergei Magnitsky.” 36% of respondents related positively or very positively, which would seem to suggest precisely the opposite of what Weiss is alleging: that momentum for the passage of the act is not growing, but slipping. Is the act still a good idea? I have my doubts. But what is quite clear, what is not a matter of debate, is that there is no “growing” consensus among Russians that it is necessary: polls show that the number has decreased over the past year precisely during the time when discussion of the act has grown more frequent. The reset is a modest policy that has yielded modest results and a modest improvement in Russian-American ties that, under the confrontational policies of George W. Bush, had decayed to their worst levels since before the end of the Cold War. Weiss argument that the rest is a titanic and crippling failure, and that it should immediately be replaced, strongly suggests that his goal is not regime change in Syria or the isolation of Iran (two things that are going to happen regardless of the Kremlin’s wishes) but confrontation with Russia itself. Why anyone would want a comprehensive confrontation with Russia is utterly beyond me. On some issues even I will agree that it makes perfect sense to “confront” (or “oppose” or “disagree with” or whatever you want to say”) the Russians: once they’re in the WTO I hope and expect that the White House will play hard ball defending American commercial interests. But on other issues, I would argue a much larger number of issues, it makes perfect sense to work with the Russians because while their interests are in many respects different from ours they are not diametrically opposed. In short, Weiss prescription is a prescription for the return of policies that have already been tried and have already failed spectacularly.

<http://www.foreignpolicy.com/articles/2012/06/28/putin_has_america_right_where_he_wants_it?print=yes&hidecomments=yes&page=full>

Last week's G-20 summit was the first time U.S. President Barack Obama had seen his Russian counterpart, Vladimir Putin, since 2009. An account of their long, loveless meeting on the sidelines of the conference, along with photographs of their unhappy tête-a-tête, was splashed on the front page of the New York Times. The real story belonged in the obituary section: The "reset," Obama's attempt to mend relations with Putin's Russia, is dead. Syrian President Bashar al-Assad killed it. But the two countries' fundamental disagreement about what to do about Assad, the dictator whose bloody attempts to suppress a popular revolt has resulted in the deaths of 14,000 Syrians, was only the last straw for a policy that has been on life support since its inception. On a vast array of issues -- ranging from human rights to Iran to the territorial integrity of the post-Soviet states -- Russian behavior has consistently been a thorn in the side of the United States and its allies. The reset only provided Obama with a justification to cover his retreat in the face of Russia's advance. Let's start with Syria, where Moscow has vetoed two attempts to pass a U.N. Security Council resolution condemning the Assad regime. In the case of the May 25 Houla massacre, where over 100 civilians were murdered in cold blood, Russian Foreign Minister Sergei Lavrov claimed that "both sides evidently had a hand in the deaths of innocent people." This injected moral equivalence where none existed, since U.N. peacekeeping chief Herve Ladsous said that pro-regime shabbiha militias were likely responsible. And yet, the Obama administration continues to try to woo the Kremlin. The White House's latest dead-letter hope is that a "Yemen model" of political transition in Syria, referring to the negotiated departure of former Yemeni dictator Ali Abdullah Saleh, might find favor in the Kremlin. It will not. The Kremlin is joined at the hip with the Assad regime: Lavrov, for instance, told Ekho Moskvy radio last week that asking Assad to step down is "infeasible" because the latter simply will not do so. Perversely, while Putin blames foreign actors for undermining special envoy Kofi Annan's peace plan by facilitating the Syrian opposition, his state-owned arms dealer Rosoboronexport has continued to run weaponry to Assad. Most recently, it attempted to ship MiG-25 attack helicopters to Syria -- the transport vessel was turned around in the North Sea only after London, acting at Washington's request, got the vessel's British insurer to revoke its insurance. Instead of expressing embarrassment, Lavrov blamed the "unreliability of the British insurance system." Meanwhile, the Moscow-based think tank CAST anticipates that, in addition to those repaired copters, Russia will also eventually deliver MiG-29 fighter jets and even more advanced air-defense systems to Syria. The hard truth is that the reset was doomed from the beginning by Russia's increasingly autocratic political system. The White House's outreach was founded on two phantom premises -- first, that former President Dmitry Medvedev was actually running the country rather than keeping the seat warm for Putin; and second, that Medvedev was the liberal modernizer that he claimed to be. The men and women who have paid the price for Obama's gullibility on these points are the beaten-down Russian dissidents, whose fate used to matter to the United States. Even as they have begun the hard work of constructing a domestic opposition movement, they have been denied even token support by the White House. "I can't name any real changes in [U.S.] policy that were good for democracy and human rights in Russia over the past several years," Oleg Kozlovsky, a veteran activist with the anti-Kremlin Solidarity movement, told me. "We have been hit heavily in the last couple of months with brutal detentions during protests, arrests, and searches and would have liked a firm reaction from the U.S.," said anti-corruption activist Natalia Pelevine. "We have not seen it. This is especially humorous in view of the much-promoted idea in Russia that the opposition is paid by the U.S. State Department." Even the architect of the reset policy has learned the hard way how the Kremlin deals with the mildest criticism. U.S. Ambassador to Russia Michael McFaul, in a recent interview with Foreign Policy, expressed shock at how badly he's been harangued since his arrival in Moscow. "What I did not anticipate, honestly was the ... relentless anti-Americanism that we're seeing right now," he said. McFaul seemed confused by the personal attacks: State television labeled him an agent provocateur set on fomenting a revolution in Russia, while a pro-Kremlin youth group compared him to a convicted child molester. He shouldn't have been. His predecessor, John Beyrle, vividly documented the scale and the intensity of state-directed anti-Americanism that he experienced as America's man in Moscow in a WikiLeaked cable written in November 2009, only a few months after the reset took hold. Although bilateral relations had improved, Beyrle wrote, a "cold war mentality" persisted in the minds of Russia's siloviki, the heads of the elite security and intelligence establishments. They are "ideologically and materially" threatened by the reset and have convinced themselves that the West is guilty of fomenting democratic regime change in Russia's neighbors. In this atmosphere, is it really possible to pursue a genuine rapprochement? Beyrle warned of what McFaul now professes to find so remarkable: The FSB, the successor agency to the KGB, harasses U.S. Embassy personnel, the ex-ambassador wrote, slanders them in state-controlled media outlets and -- more insidiously -- traumatizes their spouses by suggesting that they have met with accidental deaths. U.S. government employees' homes were also routinely invaded and searched. It might have been possible to justify a Faustian deal with Putin if the Russian leader had delivered on one of the most important international efforts of the day -- orchestrating international pressure on Iran to convince the mullahs to abandon their nuclear weapons program. In fact, Russia used its American-dealt hand on this issue to play a clever game of offering minimal concessions in exchange for maximum benefit. Although Putin has helped build Iran's nuclear reactor at Bushehr and offered repeatedly to enrich its uranium in Russia, reset champions will say that securing his backing of U.N. Security Council Resolution 1929, which imposed new sanctions on the Islamic Republic and banned the sale of certain weaponry to it, was an indicator of his sincere commitment to ensure that the mullahs never get the bomb. Yet the price of getting Russia and China on board meant that the resolution was watered down and never included a full arms embargo. The expert panel set up to keep track of the sanctions, moreover, is not allowed to publish its reports, a precondition Moscow negotiated that effectively hobbles the U.N. enforcement mechanism. Russian obstructionism should come as little surprise, as the status quo of minimal sanctions and persistent international tensions over the Iranian nuclear problem keeps oil prices high -- an economic boon for Moscow. And as European banks end their dealings with Tehran, little-known institutions such as the First Czech-Russian Bank have done a brisk trade, charging more than six percent per transaction. Moscow has also served as Iran's arms dealer -- selling more than $5 billion in military equipment to Tehran in the past decade. Reset advocates declared victory in 2010 when the Kremlin cancelled its sale of S-300 anti-aircraft system to Tehran, which could be used to shoot down American or Israeli jets. By why would Putin ever would agree to sell such sophisticated missiles to the world's leading state sponsor of terrorism in the first place? Because his preferred style is to create a minor problem, then solve it and take a disproportionately long bow. This is even true when it comes to the Northern Distribution Network (NDN) in Afghanistan. Since September 2009, NATO has been able to transport non-lethal supplies and equipment to Afghanistan through Russia. And since November 2011, when Pakistan closed the supply routes that ran through its territory -- payback for a U.S. drone strike that killed 24 Pakistani soldiers that year -- the NDN has grown even more crucial to the international war effort in Afghanistan. But even Russia's professed support for the NATO mission -- a product of the Kremlin's own self-interest -- hasn't stopped it from making life difficult for the United States. Key Central Asian states' commitment to allowing the traffic to continue is in doubt -- largely because of Russian pressure. One cause for the latest bout of Russian attacks on McFaul is that the put-upon ambassador made the mistake of telling the truth during a recent lecture: Russia, he said, had "bribed" the Kyrgyz government in an attempt to close the U.S. military base at Manas, through which critical materiel is flown into Afghanistan. Kyrgyzstan's pro-Russian president has furthermore demanded that the United States leave Manas when its lease expires in 2014. If the Kremlin's policies toward Syria, Iran, and Afghanistan suggest that it hasn't abandoned its Cold War aspirations of competing for global influence with the West, its attempts to exert influence in what it considers its "near abroad" should shatter any doubts. Russia has treated with contempt its 2008 ceasefire agreement with Georgia, which was meant to conclude the summer war between the two countries. Despite a clear demand that Russian forces withdraw from Georgian territory, Russia has actually upped its military presence in the breakaway territories of South Ossetia and Abkhazia. Nevertheless, the United States pressured Tiblisi not to block Russia's accession to the World Trade Organization. Such accommodation hasn't helped rid Putin of the idea that Georgia belongs within Russia's imperial demesne. As the Economist's Edward Lucas notes in his new book Deception: The Untold Story of East-West Espionage Today, the GRU, Russian military intelligence, is tasked with waging destabilization operations in South Ossetia, Abkhazia and the rest of Georgia -- not the SVR, Russia's foreign intelligence service. For Putin, this is a domestic dispute, and the objectives are to weaken Georgia's defenses, keep it out of NATO, counteract its pro-European tilt, and establish a Russian "fifth column" inside the country. According to Lucas, the GRU has been credibly linked by U.S. and Georgian intelligence to at least a dozen successful or abortive terrorist attacks in Georgia, including one near the U.S. Embassy and NATO liaison office in Tiblisi. Even though Georgia's accession to NATO is a remote prospect, that hasn't stopped Russian officials from suggesting it would be willing to spark a global war to prevent such an eventuality. Just last month, Gen. Nikolai Makarov, Russia's military chief of staff, said that Moscow might well resort to launching a "pre-emptive strike" on any NATO installation at Russia's doorstep. Talk like that hasn't been heard since before glasnost. The Obama administration's response to these provocations has been rank appeasement, framed as adherence to the reset. The White House's campaign against the Sergei Magnitsky Rule of Law Accountability Act is the best-documented example of its ham-handed attempts at realpolitik. The act is named for a Russian attorney who was framed, arrested, and tortured to death -- during the reset -- for uncovering a $230 million tax fraud perpetrated by officials with ties to the Kremlin. This legislation would not only impose travel bans and asset freezes against the 60 Russian officials implicated in Magnitsky case, but carries a universal clause that applies to gross human rights violators in any foreign country. This is why an ever-growing number of Russians supports the bill and Putin wholeheartedly opposes it. Remarkably, the White House sided with Putin. The real letdown for Russians is that the attempt to quash the Magnitsky Act has revealed the true motivation of the reset. It wasn't about improving bilateral relations -- it was about flattering a mafia state into some measure of compromise, then kidding ourselves into thinking that the mafia state had changed its ways. "The biggest problem of this administration's policy was their attempt to separate different issues," Kozlovsky, the opposition activist, put it to me. "They said that you could cooperate on, say, nonproliferation and disagree on human rights, and it's OK. It didn't work because Moscow doesn't think or act this way -- and also because all these things are connected." But perhaps this assessment of the reset is too harsh. It has, after all, resulted in one undisputed achievement -- the disillusionment of the liberal intelligentsia, the one Russian group traditionally a stalwart American ally. Lilia Shevtsova, a senior fellow at the Carnegie Moscow Center argued in a recent essay in the American Interest that today's equivalent of the Soviet dissident isn't looking to Washington for moral or intellectual support anymore. Shevtsova expanded on her thesis to me via email. The new orientation, she wrote, "is not anti-Americanism in its traditional form. This is criticism of connivance regarding the Kremlin and rejection of the normative dimension in dealing with Putin. This attitude is becoming very popular among the liberals." In other words, the reset has achieved the worst of all possible outcomes: It has made a renewed enemy of Putin, and it's alienated the best and brightest of our would-be allies too.

# Aff

### Uniqueness

#### Will pass – overwhelming support and Obama’s PC is ineffective

LAUREN Fox ’12 (US News, 6/26/12, “New Bill With Bipartisan Support Would Blacklist Group of Russian Abusers,” http://www.usnews.com/news/articles/2012/06/26/new-bill-with-bipartisan-support-would-blacklist-group-of-russian-abusers)

"This clears the major hurdle into making the Magnitsky Act into a law," Browder said, "The Obama administration has been using Senator Kerry, the chairman of the foreign relations committee as their proxy to block the progress of the bill. Now that it is through his committee, the probability of the law passing a full senate vote has increased dramatically." While the legislation has had overwhelming support in both the House and the Senate, the Obama administration has discouraged Congress from making such a strong statement against Russian officials as it tries to forge a stronger relationship with Russian President Vladimir Putin. "The administration as an institution didn't want it to happen," Browder said. "I wouldn't blame the administration as being specifically immoral. Every executive body of every country in the world doesn't want to pick a fight with the Russians. Putin has been going around threatening everybody on this." To secure the passage of the Magnitsky bill, leaders in Congress have become a thorn in the administration's side, threatening not to pass permanent normal trade relations with Russia unless the administration promises to pass the human rights bill at the same time. Arizona Republican Sen. John McCain, a steadfast supporter of the bill, said the administration has tried repeatedly to water down the legislation, but said it had an "excellent" chance of passing the Senate despite the administration's aversion to it. Now with the Magnitsky Act expected to pass in the Senate and already cleared in the House committee, Browder is steps away from seeing justice for his friend and colleague he never could secure in Russia.

#### Bipartisan support means Magnitsky will pass

Brenda Soder ’12 (Human Rights First new, 6/26/12, “Unanimous Committee Support for Magnitsky Bill Praised,” http://www.humanrightsfirst.org/2012/06/26/unanimous-committee-support-for-magnitsky-bill-praised/)

Washington, DC – Human Rights First welcomes action today by the Senate Foreign Relations Committee on the Sergei Magnitsky Rule of Law Accountability Act of 2012. The bill, which has strong bi-partisan support and passed out of committee by unanimous vote, is part of a three-year campaign led by Senator Ben Cardin (D-MD) to promote accountability from the Russian government in the case of Sergei Magnitsky, a Russian whistleblower who exposed a case of fraud involving some $230 million and implicating members of the Russian police, judiciary, and tax officials, among others. Magnitsky was arrested in November 2008, held for nearly a year without due process, denied medical care for a serious condition, and eventually died in custody. Specifically, the bill would establish visa bans and asset freezes on Russian authorities who are found to have participated in gross human rights violations, including, but not limited to those perpetrated against Magnitsky. The vote comes as Congress prepares to repeal the Jackson-Vanik Amendment of the Trade Act of 1974, which linked freedom of emigration to Most Favored Nation trade status during the Soviet era.

#### Magnitsky will pass – bipartisan support and stubborn senators

Susan Cornwell ’12 (Reporter for Reuters, 6/26/12, “Senate panel approves "Magnitsky" sanctions on Russia,” http://www.reuters.com/article/2012/06/26/us-usa-russia-rights-idUSBRE85P1AR20120626?feedType=RSS&feedName=everything&virtualBrandChannel=11563)

WASHINGTON, June 26, 2012 (Reuters) — A U.S. Senate panel on Tuesday unanimously approved a bill that would penalize Russian officials for human rights abuses, a measure with broad support in Congress that Russia protests would be an unwarranted intrusion into its internal affairs. The Senate Foreign Relations Committee passed the "Sergei Magnitsky Rule of Law Accountability Act" named after an anti-corruption lawyer who died in 2009 after a year in Russian jails. It is sponsored by Democratic Senator Ben Cardin. The bill would require the United States to deny visas and freeze the assets of Russians linked to Magnitsky's death, as well as those of other human rights abusers. A similar version passed a House of Representatives committee earlier this month but has yet to come to a vote in the full House. Despite bipartisan support in Congress, the measure's future prospects remain uncertain, in part because the Obama administration is unenthusiastic about it. The administration's position has prompted some supporters of the Magnitsky bill to threaten not to vote for a White House priority this year - establishing permanent normal trade relations with Russia - unless the Magnitsky bill is attached. Democratic Senator Max Baucus, chairman of the Senate Finance Committee, has promised to add the Magnitsky measure to the legislation on trade relations with Russia when his committee votes on the trade bill later this summer.

#### Will pass – perfect timing

Josh Rogin ’12 (Foreign Policy, Reports on national security and foreign policy from the Pentagon to Foggy Bottom, the White House to Embassy Row, for The Cable, 6/26/12, “Senate panel approves Magnitsky bill unanimously,” http://thecable.foreignpolicy.com/posts/2012/06/26/senate\_panel\_approves\_magnitsky\_bill\_unanimously)

The Cable has obtained the latest draft of the Senate version of the Sergei Magnitsky Rule of Law Act of 2012, which passed the committee unanimously Tuesday afternoon by a voice vote after a short debate. The bill imposes restrictions on the financial activities and travel of foreign officials found to have been connected to various human rights violations in any country. The House version of the bill, approved by the House Foreign Affairs Committee earlier this month, targets only Russian human rights violators. That difference that will have to be worked out between the two chambers before the bill can become law. "This bill is absolutely motivated by the circumstances of Sergei Magnitsky, but it is universal in its application," said Sen. Ben Cardin (D-MD), the main sponsor of the bill, after the vote. "The sponsors of the House bill have encouraged me to keep it universal, so I think it will not be difficult to get the House to go along with the universality." The de-emphasis of Russia in the bill is ostensibly meant to tamp down Russian anger over the legislation. The Russian government has promised widespread retaliation, saying that passage of the Magnitsky Act could negatively affect Russian cooperation with Washington on issues ranging from Afghanistan and Iran to nuclear weapons. Cardin said the bill will now be joined with legislation introduced earlier this month to grant Russia Permanent Normal Trade Relations (PNTR) status, needed so that U.S. businesses can take advantage of Russia's pending accession to the World Trade Organization (WTO). The PNTR bill introduced by Senate Finance Committee Chairman Max Baucus (D-MT) earlier this month and co-sponsored by Sen. John McCain (R-AZ) would also repeal the 1974 Jackson-Vanik law that sanctioned the Soviet Union for denying Jews the right to emigrate. "When PNTR comes to the floor, that's the driving force behind the timing [of passing the Magnitsky bill in the full Senate]," Cardin said. He added that if it was done in July that would also coincide with pending action by the Russian Duma to formally join the WTO. Whether Baucus would join the two bills in his committee or on the Senate floor is still unclear.

#### Non-unique – Magnitsky will pass now

**Pifer 12** (Steven, a retired Foreign Service officer, is a senior fellow at the Brookings Institution, The Hill, 06/29/12 “Brookings fellow Steven Pifer: Burying the Magnitsky bill’s message,” http://thehill.com/blogs/global-affairs/guest-commentary/235549-brookings-fellow-steven-pifer-burying-the-magnitsky-bills-message)

**Congress appears ready to take** long-overdue **action** to graduate Russia from the provisions of the Jackson-Vanik amendment. At the same time**, both the Senate and House seem intent on coupling** that **with passage of the Magnitsky** human-rights **bill**, which would sanction Russian officials involved in the 2009 death of Sergei Magnitsky in a Moscow prison. Unfortunately, by linking these measures, Congress will obscure the message that it seeks to send the Russian government. The two measures should be decoupled. Congress passed the Jackson-Vanik amendment in 1974, denying permanent normal trade relations status to the Soviet Union and other countries that restricted emigration of religious minorities. Congress adopted the legislation primarily to press the Soviet government to allow Soviet Jews the freedom to emigrate, something that the Moscow authorities routinely denied. This changed after the collapse of the Soviet Union. Russia opened the gates in the early 1990s, and Moscow allowed virtually any Russian Jew to depart. Hundreds of thousands did, mainly for Israel and the United States. While Russia has slid badly backwards on democracy issues since Vladimir Putin first became president in 2000, emigration remains unrestricted. The Clinton administration found Russia to be in compliance with the Jackson-Vanik amendment in 1994. By the end of the 1990s, Russia merited full graduation. The George W. Bush administration made half-hearted efforts to push Congress to adopt the appropriate legislation in 2002 and 2003, but an ill-timed Russian ban on chicken imports and White House reluctance to engage the president directly with the congressional leadership undercut those attempts. Congress now has little choice but to act. When Russia enters the World Trade Organization this summer, continued application of Jackson-Vanik would mean that the United States is not according permanent normal trade relations status to Russia. As a result, U.S. companies exporting to Russia would not be able to benefit from World Trade Organization tariffs or dispute-resolution mechanisms. Essentially, Jackson-Vanik would then become a sanction on American business. **Congress should now finally pass the legislation needed to graduate Russia from Jackson-Vanik. However, many in both houses propose to do this only in conjunction with passage of the Magnitsky bill.**

### AT: START Impact

#### New START won’t solve for long

Wittner, 2011 (Lawrence, Professor of History at SUNY Albany, Where Does Nuclear Disarmament Go From Here?, Huffington Post, http://www.huffingtonpost.com/lawrence-wittner/after-new-start-where-doe\_b\_803679.html)

Nevertheless, the difficult battle to secure Senate ratification indicates that making further progress on nuclear disarmament will not be easy. Treaty ratification requires a positive vote by two-thirds of the Senate and, to secure the necessary Republican support, Obama promised nearly $185 billion over the next decade for "modernizing" the U.S. nuclear weapons production complex and nuclear weapons delivery vehicles. Even with this enormous concession to nuclear enthusiasts -- a hefty "bribe," in the view of unhappy arms control and disarmament organizations -- Senator Jon Kyl, the Republican point man on the issue, continued to oppose New START and ultimately voted against it. So did most other Republican Senators, including Mitch McConnell (Senate Republican leader) and John McCain (the latest Republican presidential candidate). Leading candidates for the GOP presidential nomination in 2012, including Mitt Romney and Sarah Palin, also opposed the treaty. As a result, New START squeaked through the Senate by a narrow margin. With six additional Republicans entering the Senate in January, treaty ratification will become much harder. So where do the possibilities for progress on nuclear disarmament lie in the future?

#### Alt cause to START failure – US nukes in Europe

RIA Novosti 6-30 (U.S. Missile Defense Plans Hinder New Arms Cuts – Russia, 2012, <http://rianovosti.com/russia/20120630/174322372.html>)

Russia will not start a new round of talks on further arms reductions until Washington changes its stance on the global deployment of U.S. missile defenses, especially in Europe, a senior Russian diplomat said. U.S. officials have repeatedly urged Russia to continue discussions on arms cuts, including in conventional weapons, following the ratification of a new strategic arms reduction treaty (New START) in 2011. “Our position is that in order to move forward [in nuclear and conventional arms cuts] we should implement the existing agreements [especially in the framework of the New START treaty],” Grigory Berdennikov, the Russian envoy to the International Atomic Energy Agency, said on Friday. “But how are we supposed to move forward if the United States refuses to curb its missile defenses?” he said. The missile defense issue has become a major stumbling block in the announced “reset” of relations between Moscow and Washington. Russia retains staunch opposition to the planned deployment of U.S. missile defense systems near its borders, claiming they would be a security threat. The United States and NATO insist that the so-called “missile shield” would defend NATO members against missiles from North Korea and Iran and would not be directed at Russia. Moscow insists it should receive legal guarantees from Washington that its European missile defense shield will not target Russia's strategic nuclear forces. “We are certainly hoping that they [the Americans] will change their stance on missile defense, because at this point there is no progress [in missile defense talks] whatsoever,” Berdennikov said. “We cannot do anything else while there is no clarity on missile defense issues.” The five Nuclear Nonproliferation Treaty (NPT) nuclear-weapon states, or “P5,” met in Washington on June 27-29 to continue discussions on issues related to nonproliferation, the peaceful uses of nuclear energy and disarmament, including confidence-building, transparency, and verification experiences.

### AT: Relations/Trade Impact

#### The Bill doesn’t affect trade or relations

RAPSI 7-2 (Russian Legal Information Agency, US Senate's "Magnitsky" bill won’t affect Russian business – Mordashov, 2012, <http://rapsinews.com/legislation_news/20120619/263491989.html>)

LOS-KABOS, JUNE 18 - RAPSI. If the"Magnitsky" bill is passed by the United States, it will not affect Russian business, Severstal head Alexei Mordashov says. The growing level of cooperation between our two countries strengthens political relations, Mordashov says. “The more mutual investments and economic links we have, the more sustainable political relations between the two countries will be. I don’t think we shall see any problems for Russian business,” Mordashov adds. "There is no any prejudice or negative attitude toward Russia in the United States," he stressed. Sergey Magnitsky, an attorney for the Hermitage Capital Management Fund, was charged with masterminding large-scale corporate tax evasion. He died in a Moscow pretrial detention center in November 2009 after spending a year behind bars. His death sparked a public outcry and triggered amendments to the Criminal Code and a reshuffling of officials in the penal system. Several parliaments, including the U.S. Senate, are considering visa sanctions against Russian officials accused of orchestrating Magnistky's prosecution. On Tuesday, the international committee of the U.S. Senate is expected to vote on a draft bill stipulating sanctions against those Russians allegedly involved in human rights violations in Russia.

### Human Rights Turn

**Magnitsky bill sets a firm American stance against human-rights violations**

**Cohen 6/22**/12 – a former consultant to the executive branch on policy toward Russia (Ariel, “Congressional Hearing Highlights the Need to Pass Magnitsky, PNTR to Russia”, http://blog.heritage.org/2012/06/22/congressional-hearing-highlights-the-need-to-pass-magnitsky-pntr-to-russia/)

While the commercial benefits are clear, one important issue remains on the table: Russia’s poor human rights record. Lawmakers need to address it.

Many Senators are demanding that a modern human rights bill—the Sergei Magnitsky Rule of Law and Accountability Act, introduced by Senators John McCain (R–AZ) and Ben Cardin (D–MD)—be passed before Russia graduates from Jackson–Vanik.

The Magnitsky bill is named after a whistleblower Russian lawyer and accountant, Sergei Magnitsky, who in 2009 was jailed and beaten to death after he had accused Russian police and tax officials of embezzling $230 million from the Russian treasury. Despite an international outcry, the Russian investigation exonerated police officers who were involved in the crime and gave some of them medals and even promotions.

Amidst this injustice and continuous inaction on the part of Russian authorities, the Magnitsky bill aims to punish the individuals linked to Magnitsky’s tragic death. The bill is also meant to set an example by showing that the U.S. does not neglect human rights over commercial interests.

The Magnitsky case is not the only one. Mikhail Khodorkovsky, former CEO of the YUKOS oil company seized by the Russian government in 2004–2005, is serving a nine-year prison term. He was sentenced twice by Russian courts on what appears to be contrived charges of tax evasion and fraud.

Amnesty International has recognized Khodorkovsky as a political prisoner. The Russian government expropriated YUKOS assets, paying no compensation to American shareholders, including pension funds, which suffered around $8 billion in losses.

Today, police brutality continues unabated: On May 6, hundreds of people were beaten by police SWAT teams in central Moscow, while in June the Russian police raided the apartments of several opposition leaders on the eve of a large rally in Moscow. To prevent the opposition leaders from participating in demonstrations, the police interrogated them.

The Obama Administration is not doing enough to address the Russian crackdown. That is where Congress should step in. Senator Max Baucus (D–MT) who chaired the Senate Finance Committee hearing today, rightly said in his statement that the U.S. should not disregard human rights and democracy, and he pledged to include the Magnitsky bill in the PNTR legislation. The House Foreign Affairs Committee already unanimously passed the legislation earlier this month, and its corresponding committee in the Senate is expected to approve it next week.

This is not the time to yield to the Kremlin. Demonstrating weakness on human rights and corruption would only make the Russian government less accountable, which is bad for the U.S. Congress should uphold America’s commitment to human rights by passing the Magnitsky bill before lawmakers grant Russia a PNTR status.

As we wrote earlier, passing the Magnitsky Bill along with PNTR would provide a solution that pinpoints and punishes gross violators of human rights while allowing U.S. firms to compete equally for business in Russia and elsewhere.

Russia’s membership in the WTO will greatly benefit Russia and the entire world economy. However, Congress should take action against those who systematically violate the natural rights of people not just in Russia but around the globe.

**Negative human rights reputation undermines American influence**

**Schultz 8** – Former Fellow at the Carr Center for Human Rights Policy at Harvard’s School of Government and serves as Presidential Fellow at Simmons College (William, “The Future of Human Rights: Restoring America’s Leadership”, http://www.policyarchive.org/handle/10207/bitstreams/10918.pdf)

The consequences have been devastating for the reputations both of the U.S., which has seen its favorability ratings drop precipitously around the world, 5 and, paradoxically, of human rights themselves.

The U.S. has long prided itself on being a champion of human rights and with much good reason. We would have had no Universal Declaration of Human Rights had it not been for Eleanor and Franklin Roosevelt; the U.S. pushed hard for the civil rights provisions of the Helsinki Accords, thereby contributing to the eventual liberation of Eastern Europe; the U.S. judicial system with its wide array of due process protections has been a model emulated by newly emerging countries around the world; U.S. diplomats have frequently intervened on behalf of political dissidents; the Kosovo War was spearheaded by an American commitment to prevent ethnic cleansing; and the annual State Department human rights reports have long been an invaluable resource to the cause of human rights.

The current U.S. administration’s commitment to battling HIV/AIDS in Africa and its outspokenness on Darfur are consistent with this tradition. But for the most powerful nation in the world, long looked to as a model of human rights virtue, to undermine the international system itself—the very framework upon which human rights are predicated—is to cause immeasurable damage to the struggle for liberty.

A Reputation in Peril

Backtracking on our commitments to international treaties and norms in the name of defending human rights is not just ironic. One of the consequences of the Iraq War with its latter-day human rights rationale and of the “War on Terror” with its oft-stated goals of defending freedom and the rule of law is that human rights themselves have come to be identified with America’s worldwide ambitions. For human rights to be conflated with, fairly or not, in the words of the critic David Rieff, “the official ideology of American empire,” 6 only exacerbates the customary suspicion in which human rights have been held by some in the developing world who see them as a guise for the imposition of Western values.

The truth is that if human rights and the U.S.’s pursuit of them are discredited, American interests are put in peril. Reserving the option to torture prisoners, denying them habeas corpus, sending them into “black site” prisons—all this makes it harder to defend America against the charge of hypocrisy; the claim that we are carrying out a war in defense of the rule of law by abandoning that very rule. Such a charge hands fodder for recruitment to our adversaries and makes the world less safe for Americans. No country can claim protection for its own citizens overseas (be they soldiers taken as prisoners, nationals charged with crimes, or corporations faced with extortion) if it fails to respect international norms at home. Global relations are based in good part on reciprocity.

Nor can the U.S. offer effective objection to the human rights violations of others if it is guilty of those same violations itself or has shunned cooperation with international allies. No nation, no matter how powerful, can successfully pursue improvements in human rights around the world independent of the international community. Unilateral sanctions imposed upon a country to protest human rights abuses will inevitably fail if they lack the support of others.

**Strong human rights key to American global reputation**

**Schultz 8** – Former Fellow at the Carr Center for Human Rights Policy at Harvard’s School of Government and serves as Presidential Fellow at Simmons College (William, “The Future of Human Rights: Restoring America’s Leadership”, http://www.policyarchive.org/handle/10207/bitstreams/10918.pdf)

What has been especially damaging to human rights over the past seven years is that policies inimical to human rights have been carried out in the name of human rights. This includes the Iraq War of course (since human rights were at least a latter-day rationale for that conflict), but also encompasses the larger war on terror that has been pursued in the name of defending freedom and the rule of law. The result has been an unfortunate identification of human rights with America’s worldly ambitions—an identification that has only exacerbated the customary suspicion in which human rights have been held by some in the developing world who see them as a guise for imposition of Western values.

All of this has contributed markedly to the decline in the U.S.’s global reputation.

Human rights allows American leadership

Griffey 11 – human rights consultant who has worked for the United Nations (Brian, 3/18/11, “U.S. leadership on human rights essential to strengthen democracy abroad”, http://thehill.com/blogs/congress-blog/foreign-policy/150667-us-leadership-on-human-rights-essential-to-strengthen-democracy-abroad)

In the midst of what many are calling the Arab world’s 1989, the United States has a chance to revisit that effort, and reaffirm President Carter’s declaration: “Human rights is the soul of our foreign policy, because human rights is the soul of our sense of nationhood.”

Since helping to establish the United Nations, U.S. participation in international human rights treaties and mechanisms has been fraught with debate over the merits of involvement and perceived threats to U.S. policymaking prerogative, topics still contentious on Capitol Hill.

Nonetheless, U.S. leadership on human rights offers clear opportunities to advance not only international peace and security – a fundamental purpose of the U.N. – but also conjoined US political and economic interests at home and abroad.

The U.S. is presently demonstrating exactly how crucial such involvement is as an elected member of the Human Rights Council, participating in vital negotiations on how best to mitigate widespread abuses responding to ongoing unrest in the Middle East and North Africa, including by strategic US allies in global security and trade.

As Secretary Clinton expressed en route to Geneva to participate in recent talks on human rights violations in Libya, joining the Council has “proven to be a good decision, because we’ve been able to influence a number of actions that we otherwise would have been on the outside looking in.”

In its first submission to the body, the U.S. likewise recognized that participation in the Council’s peer-review system allows the U.S. not only to lead by example and “encourage others to strengthen their commitments to human rights,” but also to address domestic human rights shortcomings.

By leading international discourse on human rights, the U.S. will be in a better position both to advance observation of human rights abroad, and to take on new treaty commitments that demonstrate adherence of our own system to the vaulting principles we identify with our democracy.

While the U.S. is party to more than 12,000 treaties, it has dodged most human rights treaties drafted since World War II through the U.N., and has ratified only a dozen.

Upon transmission of four core human rights treaties to the Senate in 1978, President Carter observed: “Our failure to become a party increasingly reflects upon our attainments, and prejudices United States participation in the development of the international law of human rights.”

The Senate ratified two of those treaties 15 years later. The others continue to languish in the Senate Foreign Relations Committee, still awaiting ratification after 32 years. It likewise took the Senate almost 40 years to approve a treaty punishing genocide, after signing it in 1948 following the Holocaust.

Other human rights treaties U.S. presidents have signed – but the Senate has yet to agree to – include U.N. conventions protecting the rights of women, children, and persons with disabilities.

The U.S. is the only nation in the world that hasn’t ratified the Convention on the Rights of the Child, with the exception of war-torn Somalia, which lacks a functioning government and control over much of its territory.

As we watch the contours and nature of power being reshaped in the Middle East and North Africa, the U.S. must have a singular message on human rights – both at home and abroad:

Human rights go hand-in-hand with a healthy democracy, and demand a concerted and collective effort to be upheld, especially in times of crisis.

#### Human Rights are important – the US cannot brush violations aside

Cohen 6-29 (Ariel, Ph.D. is a Senior Research Fellow for Russian and Eurasian Studies and International Energy Policy, Magnitsky Act: Congress Should Uphold America’s Commitment to Human Rights, 2012, <http://blog.heritage.org/2012/06/29/magnitsky-act-congress-should-uphold-americas-commitment-to-human-rights/>)

On Tuesday, the Senate Foreign Relation Committee unanimously passed the Sergei Magnitsky Rule of Law Accountability Act, which would ban Russian officials involved in Magnitsky’s death from entering the U.S. and using U.S. financial institutions. The bill was cleared earlier this month by a House committee. Russian deputy foreign minister Sergei Ryabkov called the Senate committee’s decision “counterproductive” and threatened “harsh” retaliation, including banning certain U.S. officials from visiting Russia. This past May, the Russian ambassador also threatened to retaliate if the Magnitsky act becomes law. Be that as it may, the Obama Administration and Congress should not yield to Russian threats but should uphold America’s commitment to human rights. Russian officials should have thanked American lawmakers for stepping in where Russian law enforcement failed abysmally. Magnitsky’s in a Russian prison is a demonstration of rampant corruption in the Russian state’s highest echelons. Magnitsky was a 37-year-old attorney and accountant who worked for Hermitage, then the largest Western private equity fund in Russia. In the course of his work, he uncovered a giant alleged corruption scheme that involved embezzlements of $230 million from the Russian treasury by law enforcement and tax officials. After making accusations, he was placed in prison, where he was beaten mercilessly by guards and denied medical care, which led to his tragic death. An investigation by the Russian Presidential Council on Human Rights has confirmed as much. However, this has not resulted in the punishment of those involved. On the contrary, some of the culprits were even promoted and decorated. The Russian government’s inability, procrastination, or unwillingness to prosecute human rights abusers has prompted the U.S. Congress to take action. It doesn’t really matter that the individuals responsible for Magnitsky’s death might not even think of visiting the U.S. or keeping their money in U.S. banks. The Magnitsky bill is aimed at human rights abusers not only in the Magnitsky case, and not only in Russia, but around the globe. The bill is also meant to signal that the U.S. will always support those who value the rule of law and freedom worldwide. The Obama Administration has viewed the Magnitsky bill as a threat to its “reset” policy toward Russia. The Administration wants to extend permanent normal trade relations (PNTR) to Russia without passing the Magnitsky legislation as Russia prepares to join the World Trade Organization (WTO) in August. Last week, the Senate and House held hearings on Russia’s looming WTO entry. Senator Max Baucus (D–MT), who chaired the Senate Finance Committee hearing, rightly said in his statement that the U.S. should not disregard human rights and democracy and pledged to include the Magnitsky bill in the PNTR legislation. As we wrote recently, the U.S. needs to take new measures to protect human rights in Russia and elsewhere before moving on to normalizing trade relations with Moscow. Targeted legislation like the Magnitsky Act would be an effective way to encourage Russia to respect the rights of its citizens—despite the empty threats of the Duma.