

**Question for written answer E-000400/2012  
to the Commission (Vice-President / High Representative)**

Rule 117

**Kristiina Ojuland (ALDE), Leonidas Donskis (ALDE), Sir Graham Watson (ALDE) and Sonia Alfano (ALDE)**

Subject: VP/HR - Sergei Magnitsky case

The EU-Russia Human Rights Dialogue took place on 29 November 2011. In the two years since Sergei Magnitsky died in Russian custody, the Russian Government has avoided answering some of the most important questions regarding the Magnitsky case and his death.

1. President Medvedev's Human Rights Council published its report into the death of Sergei Magnitsky in August 2011. Has the Vice-President of the Commission/High Representative asked the Russian Government why no criminal investigation has been opened into the crimes committed by government officials against Magnitsky and subsequently named in the Human Rights Council Report?
2. Sergei Magnitsky's mother filed a petition which named high level officials, prosecutors and judges as complicit in the false arrest, torture and death of Sergei Magnitsky. Has the Vice-President of the Commission/High Representative asked the Russian Government why the Russian Investigative Committee is refusing to open an inquiry into the allegations?
3. Nearly two years after his death, Sergei Magnitsky's family is still not being granted access to his tissue samples and medical records. Has the Vice-President of the Commission/High Representative asked the Russian Government why the Russian Investigative Committee is refusing to do so?
4. Has the Vice-President of the Commission/High Representative asked the Russian Government why none of the government officials named by Sergei Magnitsky as being responsible for the theft of USD 230 million of taxes as well as their criminal conduct, have been prosecuted?
5. Has the Vice-President of the Commission/High Representative asked the Russian Government why the case against Magnitsky has been reopened two years after his death? The investigators looking into this case are the same officials named by Magnitsky as guilty of committing the tax theft and of crimes against him. Has the VP/HR asked the Russian Government how it is possible that this is allowed given the massive conflict of interest?