



# FOREIGN POLICY RESEARCH INSTITUTE

## E-NOTES

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## RUSSIA AND THE WEST

By David Satter



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The ban on U.S. adoptions of Russian children that was signed into law December 28 by Russian president Vladimir Putin is a clear sign that Russia is moving toward an explicit moral and psychological break with the West.

The ban is part of a law enacted in response to the passage in the U.S. of the “Magnitsky Act,” a law that imposes a visa ban and asset freezes on Russian officials involved in the murder of Sergei Magnitsky, an anticorruption lawyer. The Russian foreign ministry called the Magnitsky Act a “performance in the theater of the absurd” and attributed its passage to a “vindictive desire to get even” for Russia’s “principled” line in world affairs.

The first part of the law provides for the suspension of the activities and freezing of the accounts of Russian NGOs that receive U.S. funding and whose activities pose a “threat to the interests” of Russia. The vagueness of the wording makes it possible to close down NGOs that receive U.S. funding at will. Almost all of these NGOs work on behalf of democracy and the rule of law.

But it is the adoption ban, a second measure in the same bill, that demonstrates the collision course on which Russia and the West are now set. It bans the adoption of Russian children by U.S. citizens, cancelling the provisions of the U.S.—Russia agreement on cooperation in adoptions signed in July 2011. Forty-six adoptions that are already in process will be halted.

The majority of Russians react negatively to the adoption of Russian children by foreigners but the problem of parentless children in Russia is severe. In 2011 alone, there were 82,117 children without parents in Russia, of which only 10,816 were adopted or 13 per cent. Of these children, 3,400 were adopted by non-Russians and 978 by Americans. Among the Russian children adopted by Americans were children with disabilities who have a very difficult time being adopted in Russia.

The adoption ban is dedicated to Dima Yakovlev, a Russian child who suffocated when his American adoptive parents left him in a sealed car. According to State Department figures, from 1999 to the present, 45,112 Russian children were adopted by American citizens. Of these, six died as a result of cruel treatment by their parents and another 15 died as a result of accidents and various illnesses. In Russia, it is estimated that 1,200 children have died in Russian adoptive families between 1991 and 2006.

In fact, Russian deputies made no particular effort to hide their lack of concern for Russia's orphans. Ekaterina Lakhova, one of the bill's sponsors, said, these children "will stay in Russia, in their motherland, and that's that." Vladimir Zhirinovskiy, another supporter of the bill, said, "millions of children dream of living in an orphanage."

The confrontation with the U.S. was a product of the desire of the Russian ruling oligarchy to steal in Russia and enjoy the benefits in the West. It was inevitable that Western society and Western parliaments would sooner or later learn the details of a particularly horrifying case like the torture and murder of Magnitsky for fighting the theft of state resources by Russian officials and act to cut off access for these officials to the West. To do otherwise would increasingly resemble complicity.

In a press conference, December 20, Putin made clear that he is not interested in prosecuting those responsible for the death of Magnitsky. Soviet propaganda for decades answered every charge of human rights abuse with a denunciation of human rights abuses in the West and true to this tradition, the focus of Putin's remarks was human rights abuses in the U.S. "They have their own problems," he said, "Abu Ghraib, Guantanamo—where they hold people for years without presenting any accusations. This is unimaginable. People move around in shackles as in the Middle Ages. Inside the country, they legalized torture." He said he considered the reaction of the Duma to the Magnitsky Act to be "emotional" but "reasonable."

The Russian authorities chose to treat the Magnitsky Act, which is directed against a small number of officials, as an attack on the entire Putin regime because it is a fundamental rule in Russia that criminals enjoy the protection of government. Russian foreign minister Sergei Lavrov, in another response to the Magnitsky Act, promised to ban entry into Russia of Americans implicated in the "kidnapping" of the arms dealer, Victor Bout, who was arrested in a sting operation in Thailand, where he was seeking to sell arms to terrorists from the Revolutionary Armed Forces of Columbia (FARC).

Despite the vehemence of the Russian response to the Magnitsky Act, Western countries are unlikely to be persuaded to overlook Russian human rights abuses in the future. Russia is a signer of international human rights conventions and a member of the Council of Europe and the West cannot forever ignore Russia's violations without treating these undertakings as meaningless.

For their part, Russia's leaders are making clear that if Russia's place in Europe is not vouchsafed uncritically, they are prepared to invent a new, anti-Western identity of their own.

In his annual address to the Federal Assembly, December 12, Putin attempted to sketch out the principles of this alternative identity. He said that Russians should be proud of their history, including the communist period. Putin said that it was necessary to link historical eras and understand that Russia "did not begin in 1917 or even in 1991 but rather has a continuous history spanning over one thousand years." He called for reviving the names of the most renowned military units from Soviet times and earlier eras, such as the Preobrazhensky and Semenovskiy regiments. He said that Russia should preserve its geopolitical relevance and "multiply it," increasing its military might. This will supposedly demonstrate its "relevance" to neighbors and partners alike.

In an article in the journal, *Ogonyok*, October 15, 2012, Fyodr Lukyanov, the chief editor of the journal, "Russia in Global Politics" said that in the past, Russia faced with criticism over its human rights record from the Council of Europe always emphasized its desire to work with the Council of Europe to find diplomatic solutions and acceptable formulations. But this may no longer be the case. He cited the example of Dmitri Peskov, the press secretary of Putin, who reacted to official recommendations from the Parliamentary Assembly of the Council of Europe (PACE) on Russia's failure to honor its obligations by saying "We don't consider these formulas and calls to be proper and without a doubt we won't listen to them."

Lukyanov wrote that Russia contributes 12 per cent of the budget of the Council of Europe and is more self-confident as a result. In addition, according to Lukyanov, Russia is seeking new values after the post-Soviet crisis. "Against the background of Europe which sees the guarantee of its stability in the rejection of familiar dogmas and greater moral and cultural flexibility, the movement of Russia in the direction of "morality and spirituality," a strengthened demonstrative piety to the church and clearly expressed homophobia looks like a call to an alternative model.

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