

Putin's Law

By [Andrei Malgin](#)

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President Vladimir Putin is showing increasing disdain for international law — a stance that is perhaps nowhere clearer than in his government's continuing military support for Syrian President Bashar Assad's regime. But in view of Putin's authoritarian rule at home, his perception of international law as little more than an instrument of foreign policy should come as no surprise.

When Putin's regime wants to stamp out the opposition, it typically deploys exotic and improbable provisions of the Criminal Code. For example, the young female performers in the punk band Pussy Riot, who dared to sing derogatory songs about Putin in an Orthodox church, were charged with "hooliganism motivated by religious hatred" and received two years in prison.

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Similarly, opposition politician and lawyer Alexei Navalny was convicted for having given poor legal advice to a provincial timber company that caused the company to lose money, a "crime" that carried a five-year prison sentence. Fortunately, the authorities suspended the sentence following mass protests in Moscow by Navalny's supporters. But the conviction remains on the books and has hampered further political activism.

Politically motivated trials started to increase 10 years ago with the imprisonment of Mikhail Khodorkovsky, who was head of Yukos, Russia's largest privately owned oil company, after he ignored warnings not to support Putin's opponents. Since then, there have been hundreds of politically motivated arrests and excessive sentences. Most recently, the authorities declared a peaceful anti-government protest by a score of young Muscovites a riot, despite a live Internet broadcast showing no unrest and no reports by witnesses of any disorder. But several protesters are now in prison or in psychiatric hospitals.

Putin's intolerance of dissent is becoming ever more sinister. He was deeply offended by the negative reaction on the streets and in the media following his controversial election in 2012 to a third presidential term, accusing the opposition and the West of trying to undermine him. Whether this response reflects personal pettiness or the uncompromising outlook of a former KGB officer, his hostility toward the U.S. and the West in general is disturbing.

At the beginning of this year, Putin demonstrated the depths to which he will sink to punish perceived opponents. After the U.S. adopted a law aimed at sanctioning Russian officials responsible for alleged human rights violations, Putin's government banned U.S. families from adopting Russian orphans, thousands of whom find happy homes in the U.S. every year. Hundreds of children, many disabled, had already met their prospective parents and were preparing for a new life when the ban was imposed. They were told that their would-be parents had changed their minds. Families from other countries whose governments hold unfavorable views of Russian policies have also been banned. Meanwhile, 75,000 Russian children fester in squalid orphanages.

Every year, the European Court of Human Rights receives about 12,000 complaints from Russia, the highest number in Europe. Some result in annulment of unfair sentences and compensation for victims.

Until now, Moscow has generally respected the European court's rulings. But on Oct. 23, the Supreme Court for the first time officially rejected a European Court of Human Rights decision in a case concerning Alexei Pichugin, a former deputy to Khodorkovsky and head of Yukos' security service who had been sentenced to life imprisonment for fraud. The European court called for Pichugin's sentence to be reduced and for Russia's government to compensate him for "moral damage."

But this was not the only case of Russia turning its back on its international commitments.

The foreign ministry has announced that Russia will not comply with the decision of the International Tribunal for the Law of the Sea in a lawsuit brought by the owners of a ship used by the environmental group Greenpeace.

The lawsuit stemmed from an incident in September, when Greenpeace activists, as part of the group's global "Save the Arctic" campaign, tried to place a protest poster on the Prirazlomnaya oil platform, which belonged to state-controlled Gazprom. They were arrested by Russian border guards and imprisoned in Murmansk. Their ship, the Dutch-owned Arctic Sunrise, was also seized. Its U.S. captain, Peter Willcox, and his international crew were searched and charged with piracy, a crime that carries a sentence of up to 15 years imprisonment and confiscation of property.

The Foreign Ministry's explanation for ignoring the tribunal's ruling was as ominous as it was perplexing: Russia, the ministry declared, does not recognize the tribunal. But the tribunal was established under the United Nations Convention on the Law of the Sea, to which 166 countries, including Russia, are party. Indeed, Russia has appealed to the tribunal, and won cases, in disputes involving its own ships.

It would appear that it is Russia that is at sea. The Putin government's increasing tendency to exempt itself from the international rule of law is dangerous for the world, but it is likely to prove more dangerous for Russia.

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