

Polonium and Politics

Investigation into death of Alexander Litvinenko

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The investigation into the death of Alexander Litvinenko, a former Russian special services agent poisoned in London by radioactive isotope polonium-210, has run into a deadlock.

Russia and Britain squared off over the murder case after Britain's Crown Prosecution Service (CPS) announced that Russian businessman Andrei Lugovoi should be charged with Litvinenko's death, but failed to provide anything more specific than suspicions and assumptions. British law says the charges must be presented to the suspect in the United Kingdom, so the CPS requested Lugovoi's extradition from Russia.

The Russian Constitution and Criminal Code, however, do not allow Russian nationals to be extradited. This provision is not anything uniquely Russian, as similar laws exist in many other countries. Still, officials in Moscow agree that the legal aspect of the issue is complex indeed. The Russian Constitution also stipulates the precedence of international agreements over domestic laws and even the country's Constitution, which is the supreme law of the land.

"Russia is a signatory to a number of international extradition conventions, including the Council of Europe Convention our British partners will certainly refer us to," says Konstantin Kosachev, head of Russia's parliamentary committee on international affairs, adding that the Convention is non-binding. "In any case, Russia is under no obligations in this matter," he reiterated, "and it will be up to Russia to make its own decision."

Kosachev said that Russian officials must first of all understand the content of the claims, while "all we hear today is a political statement by the head of Britain's CPS that he personally considers the police's arguments sufficient."

I also think what we are witnessing is a political paradox because we are dealing with several different political statements by the British side. U.K. Foreign Secretary Margaret Beckett spoke out in the wake of the CPS head's news conference, saying that she expected "full cooperation" from Russia in extraditing Lugovoi. Prime Minister Tony Blair was quick to echo her statement, saying that Britain "would not in any way shy away from trying to ensure justice prevails."

Legal issues have sparked controversy between Moscow and London on several occasions lately, as the Russian Prosecutor's Office has been trying unsuccessfully to extradite Russian citizens who are hiding from justice in Britain. These include Russian tycoon Boris Berezovsky, charged with embezzlement and sedition in Russia; Chechen militant Akhmed Zakayev, charged with terrorism, organizing gangs, abducting and torturing people; and

around two dozen other Russian fugitives and wanted criminals who are receiving shelter in the United Kingdom. They freely buy real estate, engage in profitable business, and send their children to prestigious schools.

British officials consistently declined each extradition request. They have refused to extradite Zakayev eight times running; Berezovsky, also securely shielded by British justice, has been issued a passport under a different name.

Russian lawyers were told that Britain, as Europe's oldest democracy, has a legal system totally independent from other branches of power. Neither the prime minister, nor God Almighty, nor anyone else can tell the CPS or London's High Court how to handle a case.

And now Britain's top officials, including the prime minister and the foreign minister, are trying to exert political pressure in the Lugovoi extradition case - an inexplicable move because Russia has repeatedly shown interest in carrying out a thorough investigation into Litvinenko's death, eagerly cooperated with the British police, and opened a criminal case.

As of now, Lugovoi has not been officially charged; Litvinenko's autopsy results are being kept secret, as is all other evidence, if any. However, The Times of London was quick to label Russia a rogue country in an editorial, clearly unafraid of sounding Russophobic.

The political aspects of the charges against Andrei Lugovoi are glaringly obvious. They came as Tony Blair was handing power over to Gordon Brown, his successor as the Labor Party's head. It is very likely that the prime minister deliberately put his political heir in a situation where the latter would have to formulate his policy towards Russia under the strain of the current tensions between the two countries.

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