

# RA in the Toronto Star: A Vote that Insults Democracy



*A by-lined opinion article by Robert Amsterdam was published in today's Toronto Star.*

## **A vote that insults democracy**

***Canada has an interest in resisting dangerous anti-democratic trends afflicting Putin's Russia***

**Robert Amsterdam**

President Vladimir Putin is looking to Canada for legitimacy and approval of his administration's conduct in today's elections in Russia, and we should all think twice about whether or not he deserves it.

There are several emerging trends in Russia in terms of security, business relations and the rule of law that pose significant risk to Canadian interests - and now is the time for us to make our position clear.

Today Russians will go to the polls to vote for parliament in a contest that can hardly be called free or fair or remotely democratic.

The results are widely recognized to be an irrelevant foregone conclusion, while the real "election" occurs out among the international community, including the policy circles of Ottawa and the corporate boardrooms of Toronto.

Why should Canadians care about these elections in Russia? After all, aren't these authoritarian trends a small price to pay for the country's relative prosperity and stability?

Such logic, widely available from the Kremlin's numerous business partners, is tragically flawed, and serves to perpetuate our country's costly disinterest in Russia.

At the top of the agenda, of course, is the Kremlin's surprise flag-planting stunt in international waters on the seabed under the North Pole, an audacious gesture that served as a wake-up call, alerting us to exactly what kind of leader we are dealing with.

As Rob Heubert of the Centre for Military and Strategic Studies in Calgary said in a recent interview with the Star, "If we're going to be serious players in the Arctic, we've got to get out of this minor-league mentality ... the Russians aren't just playing around."

To begin with, Canada should not expect this administration to respect the UN Convention on the Law of the Sea if it ignores its own constitution.

The Kremlin's actions in the Arctic are part of a broad overall effort to reassert its influence as a global power in every direction, exacerbating security problems from Kosovo to the Middle East, causing energy supply panic in Europe, and obstructing democracy building and human rights efforts of the international community in places such as the former Soviet republics and Burma.

Whether we realize it or not, Canada is seen by Russia's current leaders as an opponent to its interests, which include building a close alliance with other authoritarian, resource-rich states such as Iran and Venezuela.

In terms of business relations with the Russian government, Canada is a reasonably new player, and has yet to truly experience the state's abuses.

For several years I have represented Mikhail Khodorkovsky, the former owner of the Yukos oil company, who became Russia's most famous political prisoner after he was imprisoned on trumped up charges while the state illegally transferred the assets of his \$100 billion firm to friends of the Kremlin in what many consider to be the largest theft by a government in history.

The Yukos experience became the blueprint for the Kremlin to extract greater and greater concessions from private businesses. The clearest examples relate to bullying by the state-owned energy giant Gazprom, which used regulatory authorities to intimidate Royal Dutch Shell and BP into giving up controlling stakes in large production projects.

But this resource nationalist trend also has had an impact on Canadian interests, as demonstrated by the Russian government's move to renegotiate uranium contracts with Cameco Corp., the result of which was a drop in the firm's share price by about 8 per cent in just one day.

Gazprom is also aggressively courting Petro-Canada to help penetrate the Canadian market, including potential liquified natural gas projects and asset swaps.

According to a few knowledgeable sources I have spoken with, Petro-Canada is already pressuring Ottawa behind closed doors to take a softer line on Russia in order to help close a deal.

Russia's ability to use powerful foreign energy executives to exert pressure on foreign governments is detailed in a new report by the European Council on Foreign Relations. Look no further than Paolo Scaroni of Italy's ENI or Wulf Bernotat of Germany's E.ON to see these advocates for Russia in action.

Canadians should also be extremely concerned about Magna's partnership with the multi-billionaire Kremlin loyalist Oleg Deripaska, who has publicly said that he would give up ownership of his company to the Russian government at a moment's notice if simply asked.

Even the notice to shareholders before the vote on the Russian arrangement warned that the deal could lead to an indirect nationalization, a move that caused an outcry from groups such as the Ontario Teachers' Pension Plan.

Every time a company like Magna invests in Russia under the Kremlin's terms, it becomes hostage to the authorities' ability to exert extraordinary political pressure.

Lastly, Russia's drift toward heavy-handed authoritarianism, as demonstrated by the recent obstruction of the election monitoring mission and the mass arrests of protesters, including former chess grandmaster and political activist Garry Kasparov, is in fundamental contradiction of Canadian principles of liberty and human rights.

Canadian lawyers thankfully are demonstrating in record numbers on behalf of their brethren in Pakistan who are leading the fight for the rule of law.

By inviting the Dalai Lama to visit Canada, the government of Canada has shown that it will stand up to the authoritarian regime in China.

It must do the same in the face of electoral abuse and illegal imprisonment of political activists by today's Kremlin.

It is clear that the result of today's elections in Russia is predetermined - not by the will of the public but by repression and violation of the rights of those who oppose Vladimir Putin.

The electoral process was seen in this light by the murdered journalist Anna Politkovskaya, who I was fortunate to have known not as an icon but rather as a reporter, and the world can still learn a lot about today's Russia from her writings.

Canadians must stand on guard for democracy and the rule of law throughout the world and must protest this sham election in Russia in no uncertain terms.

When it comes to denying fundamental human rights, Russian politics are everyone's business.

*Robert Amsterdam is a founding partner of the international law firm Amsterdam & Peroff with offices in Toronto and London. He maintains a blog on Russian politics and business issues at [www.robertamsterdam.com](http://www.robertamsterdam.com).*