

## US and European politicians complain to Swiss over legal chief's Russia links



Swiss Attorney General Michael Lauber is also facing impeachment proceedings over his handling of a FIFA corruption probe. Keystone / Peter Schneider

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Sam Jones in Zurich

Senior US and European politicians have written to the Swiss government to express concerns over the independence of Switzerland's federal prosecutor, Michael Lauber, and his connections to Russia.

Senator Roger Wicker, co-chairman of the US Helsinki Commission — the joint congressional and executive body that officially monitors European post-cold war security affairs — complained to the Swiss ambassador in Washington last week over the independence of senior figures in the Swiss legal system.

Boriss Cilevics, chairman of the Council of Europe's committee on legal affairs and human rights, wrote to Switzerland's representatives in Strasbourg to formally raise similar concerns earlier this month.

Copies of the correspondence were seen by the Financial Times.

Mr Lauber is fighting for his job after Swiss parliamentarians instigated impeachment proceedings against him in May.

The prosecutor, who has overseen all criminal prosecutions and investigations in Switzerland since 2012, has become entangled in a series of scandals which have sapped his authority in recent months, and raised questions about his judgment.

At the centre of the political proceedings against him is his handling of Switzerland's high-profile investigation into corruption at Fifa, the governing body of world football, which has its headquarters in Zurich.

More recently, however, disquiet has grown over Mr Lauber's oversight of other white-collar criminal cases, particularly those with links to Moscow.

Last month, Switzerland's top criminal court confirmed a sentence for an offence of minor bribery imposed on the prosecutor's former top adviser on Russian affairs. The hearings revealed the extent to which Mr Lauber had used backchannels to maintain close informal relationships with senior Russian officials, including many sanctioned by the US and Europe.

In particular, testimony indicated Mr Lauber's officials were sympathetic to Russian efforts to discredit champions of the Magnitsky case — the corruption scandal linked to the death of lawyer Sergei Magnitsky in 2009, which has become an international cause célèbre and formed the basis of widespread legislation against Russian officialdom in the US and Europe.

The Financial Times revealed in May that Swiss officials intended to comply with Russian requests to turn over sensitive information related to the case.

"I was troubled to learn that the most senior Russia specialist in Swiss law enforcement with responsibility for investigating the Magnitsky case was caught accepting gifts from Russian officials," Senator Wicker wrote to the Swiss ambassador on Thursday last week.

### **Close personal ties**

Swiss investigation of the Magnitsky case had "lingered for years", he added, comparing Swiss inaction with sanctions and criminal sentences passed against Russians in the US. "I hope to hear from you as to what steps your government has taken and will take in the future to restore confidence in the integrity of this investigation," he wrote.

In an equally strongly-worded intervention, Mr Cilevics said he was worried by the "close personal relations between the federal prosecutor, Mr Lauber, and his 'Russia expert' . . . and the Russian Prosecutor General and his close collaborators".

"I would appreciate it if you could inquire . . . why Mr Lauber seems to have a preference for co-operating with Russian officials," he wrote.

A spokesperson for Mr Lauber said: “The Federal Prosecutor's Office . . . conducts its criminal and legal assistance proceedings exclusively on the basis of the relevant legal foundations. Thus proceedings are neither conducted with a political focus nor on suggested ‘too close’ connections [with] the people involved.”

The prosecutor “deals with increasingly complex and extensive proceedings in a globally networked environment,” they added, stressing the need for Swiss authorities to work closely with all of their foreign counterparts in compliance with its existing international legal obligations.

Impeachment proceedings against Mr Lauber are unlikely to be resolved at any point soon. Swiss parliamentarians have indicated they will wait for the outcome of a civil suit Mr Lauber has brought against the supervisory authority which oversees his conduct. A judgment is not expected until the end of the summer at the earliest.

Mr Lauber, meanwhile, still commands significant respect among many Swiss lawmakers. Despite a flurry of negative headlines over his role in the Fifa investigation last year, he was comfortably re-elected to serve another four-years in his role last September.

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