

UK government inquiry purports to link Putin to Litvinenko assassination

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The establishment media in the United States and much of Europe loudly announced over the past week that Russian President Vladimir Putin “probably” ordered the murder of former KGB officer Alexander Litvinenko in London in 2006. These headlines are based on the dubious January 21 report of a British government inquiry chaired by Sir Robert Owen, which in turn relied on the key “expert” testimony of Oxford professor Robert Service.

While headlines around the world have proclaimed Putin’s guilt, the Litvinenko inquiry report actually proves no such thing. It is nothing more than a string of speculative inferences, opinions, accusations, and hunches drawn from unsubstantiated hypotheses. One reads the 329-page report from beginning to end in search of some evidence of Putin’s guilt, and having reached the end one comes up empty-handed.

It turns out that the evidentiary foundation for the much-ballyhooed case against Putin consists almost entirely of the “expert witness testimony” of Robert Service. Service is the author of a discredited and factually inaccurate biography of Leon Trotsky, which has been addressed in detail by the *World Socialist Web Site*.

In the summary of his conclusions, Owen makes the revealing admission that much of what constitutes the factual basis for the report would not be admissible as evidence in a court of law. However, “I am not bound by the strict procedural rules that apply in court proceedings,” Owen adds. This is rather an understatement, since the report does not appear to have been bound by any rules or principled considerations of any kind. The result is not anything that would pass muster in any modern legal system.

It is the sort of empty case, puffed up with inflammatory allegations but lacking any solid evidentiary foundation, which judges around the world are obligated to toss out as a routine matter. Despite the hundreds of pages of text generated by the inquiry, Owen’s case against Putin would prove nothing in a court of law.

But the purpose of the inquiry was never to establish the objective facts, separate the guilty from the innocent, or discover the deeper causes and motives behind events. As far as 21st century imperialist propagandists are concerned, these are quaint and even amusing concepts. The point is to catapult a lie into as many headlines as possible, so that by the time the truth emerges the damage has already been done.

Litvinenko, a former officer in Russia’s Federal Security Service (FSB, the successor to the KGB), died on November 23, 2006, after having been granted asylum in Britain in 2000. Traces of radioactive polonium-210 were allegedly discovered in hotels and airplanes that Litvinenko had used, suggesting that he had been poisoned. Before his death, Litvinenko accused the Russian state of murdering him.

The United States and Britain maintain that he was poisoned by two former Russian KGB agents—Andrey Lugovoi and Dmitry Kovtun—when he drank tea with them at London’s Millennium Hotel on November 1, 2006. Lugovoi, a politician and deputy of the Liberal Democratic Party in Russia’s Duma, denies the accusation and claims that he passed a lie

detector test regarding his involvement. Meanwhile, Russia has accused British intelligence of being involved in the assassination. It emerged after Litvinenko’s death that he was in the employ of MI6, and that he was receiving payments of about £2,000 per month for his services.

The original coroner’s inquest into Litvinenko’s death was delayed and frustrated due to fears in the British government that a public proceeding could reveal sensitive intelligence material. Doubtless there were also concerns about the diplomatic consequences, as well as about the implications for the multitude of Russian oligarchs whose cash fuels London’s real estate and stock markets.

The public inquiry was finally opened, with strict limitations imposed by the government, in January of last year. The inquiry opened against the backdrop of the Western-backed, fascist-led coup in the Ukraine in February 2014, the media furor over the downing of Malaysian passenger flight MH17 over eastern Ukraine in July 2014, and a general crescendo of imperialist saber-rattling directed against Russia.

In response to the publication of the inquiry’s report last week, *Time* magazine carried an essay titled, “The Russian Dissident Whose Poisoning Was Linked to Putin.” The *New York Times Magazine* headline read, “Alexander Litvinenko and the Banality of Evil in Putin’s Russia.”

NBC: “Vladimir Putin Likely Approved Murder of Alexander Litvinenko.” CNN: “Litvinenko case: UK inquiry says Putin probably approved ex-spy’s killing.” The *Los Angeles Times*: “British inquiry finds Putin probably OKd ex-spy Litvinenko’s poisoning.” The *Economist*: “Litvinenko’s murder was ‘probably’ approved by Putin.” The *Financial Times*: “Putin ‘probably’ approved Litvinenko murder, inquiry finds.”

A *Washington Post* editorial read, “A highly anticipated British inquiry into the 2006 killing of Russian Alexander Litvinenko has reached a remarkable conclusion: Russian President Vladimir Putin likely approved the poisoning of the former KGB operative, who died after radioactive polonium slipped into his cup of green tea at London’s Millennium Hotel.”

The media was unanimous that Putin “probably” ordered Litvinenko’s murder. But for thinking people, the first clue that something was amiss was that, beyond reporting the findings of the inquiry, very little was reported of the supposed factual basis for that finding.

A good case does not necessarily have to consist of direct evidence. Under the right circumstances, circumstantial evidence can constitute the strongest case. As a great American trial lawyer, Abraham Lincoln, once said of circumstantial evidence, “We better know there is fire whence we see much smoke rising than could know it by one or two witnesses swearing to it. The witnesses may commit perjury, but the smoke cannot.”

The Litvinenko inquiry discovered nothing resembling either direct or circumstantial evidence for Putin’s involvement. The report proclaims that it makes a “circumstantial case,” but there are neither witnesses (direct evidence) nor is there any smoke (circumstantial evidence). There is no physical or forensic evidence linking Putin to the murder, no eyewitness testimony, and no video, audio, decrypted diplomatic cables,

emails, or other documentary evidence. Instead, one encounters merely baseless speculations, the kind of non-evidence that would be excluded by courts of law around the world as irrelevant, hearsay, argumentative, lacking in foundation, begging the question, improper opinion testimony, or downright misleading.

The first 240 of the 329 pages of the Litvinenko inquiry report concern the background of Litvinenko's career and the circumstances of his death, together with a general history of the Putin administration. The main "proof" of Putin's involvement begins on roughly page 240 and ends on page 245. It consists of the following key evidence:

"Since 2006 President Putin has supported and protected Mr. Lugovoy, notwithstanding the fact that Mr. Lugovoy has been publicly accused of killing Mr. Litvinenko. During the course of the Inquiry hearings, President Putin awarded Mr. Lugovoy an honour for services to the fatherland. Whilst it does not follow that Mr. Lugovoy must have been acting on behalf of the Russian State when he killed Mr. Litvinenko, the way in which President Putin has treated Mr. Lugovoy is certainly consistent with that hypothesis. Moreover, President Putin's conduct towards Mr. Lugovoy suggests a level of approval for the killing of Mr. Litvinenko."

"In my judgement, these matters amount to strong circumstantial evidence of Russian State responsibility for the killing of Mr. Litvinenko."

The report also cites Professor Robert Service's testimony that "Putin generally endorsed what the agency got up to in the years through to 2006 and beyond and that [FSB director Nikolai] Patrushev as its Director knew that he had his President's support in its operations."

This is the "evidence" that provided the foundation for countless banner headlines around the world proclaiming Putin's guilt. In other words, the "proof" of Putin's complicity in the murder is that (1) he did not afterwards publicly accuse the alleged perpetrator, Lugovoy, of the murder, and (2) Robert Service's testimony that Putin "generally" approves of the actions of his subordinates. This is not evidence of anything at all, and it begs the question of Logovoy's involvement, as well as the question of whether he acted independently, on behalf of a faction within the Russian state, or on behalf of the Russian state itself (if he was the perpetrator at all).

Saying Putin "could have been involved" is nothing more than a rhetorical trick, since it is logically the same thing as saying Putin "could have been not involved." Based on the evidence that has been revealed so far, it is perhaps true that Putin's involvement cannot be ruled out, but neither can the involvement of British or American intelligence.

The totally dishonest method used to convict Putin is easily demonstrated if the tables are turned. For example, it might be postulated that the American and British governments have benefited from the Litvinenko assassination, since they have used it to increase diplomatic and media pressure on Russia, as part of their strategy of advancing their interests in Eastern Europe and the Middle East. Therefore, using Owen's logic, it follows that the CIA and MI6 would have had a motive to frame visiting figures connected with the Russian state for the murder. Further, it is well known that Cameron and Obama "generally" approve of the conduct of MI6 and the CIA. Therefore, using Owen's logic, Cameron and Obama "likely" and "probably" ordered the Litvinenko assassination personally ... Q.E.D.!

Litvinenko's brother Maksim, who lives in Rimini, Italy, called the report "ridiculous." According to Maksim Litvinenko, the British security services had a greater motive than the Russian state. "My father and I are sure that the Russian authorities are not involved. It's all a set-up to put pressure on the Russian government," he told reporters.

In any event, it is well known that the American president routinely orders the assassination of his enemies around the world without charges or trial. If the newspapers can report with so much indignation that the

Russian president was "probably" involved in one assassination, then where are their reports that the American president was "definitely" involved in thousands of illegal murders?

There is every indication that the Owen inquiry's report, together with the extensive media campaign regarding its "probable" conclusions, is part of the general propaganda effort isolate, provoke, and demonize the Russian government. Aleksandr V. Yakovenko, Russian ambassador to Britain, commented, "We view it as an attempt to put additional pressure on Russia, in connection with existing differences over a number of international issues."

The Litvinenko inquiry's "findings" regarding Putin belong in the same category as the baseless media claims around the downing of Malaysian passenger flight MH17 over eastern Ukraine. They also recall similar efforts to demonize other foreign leaders whose countries are targeted for imperialist aggression and provocation: Saddam Hussein in Iraq, Bashar al-Assad in Syria, Muammar Gaddafi in Libya, and so on.

Whenever finance capital sees an opportunity for plunder, the imperialist media dutifully discovers that the leader of the targeted country is an evil man. Meanwhile, the blood-soaked dictators and monarchs more closely aligned with imperialism—such as Egyptian military dictator Abdel Fattah el-Sisi and the Saudi aristocracy—get a free pass.

All of these considerations weigh strongly against crediting the purported "findings" of the inquiry, but the involvement of Robert Service weighs the heaviest of all.

"Professor Service was instructed by the Inquiry to provide expert evidence on Russian history and politics," Sir Robert Owen writes in the report. "He produced two reports, both of which I adduced in evidence. He also gave oral evidence at the Inquiry hearings."

"I say at once," the report continues, "that I found Professor Service to be a most impressive and helpful witness. His mastery of the subject was apparent, but just as notable—and of great assistance to me—was the conspicuous care that he took in highlighting the issues where the limited nature of the source material available to him meant that he was unable to express a decided view one way or the other."

Indeed, Service's reports include very little actual evidence of anything, notwithstanding pages and pages of sentences like the following: "The Putin administration has always been demonstrably secretive, manipulative and authoritarian with a ruthless commitment to protecting its interests at home and abroad."

Characteristically, Service explains events using his own speculative psychological diagnoses of the individuals involved: "Putin reacted furiously;" "This provoked anger;" Putin "is a Chekist at the level of instincts;" and so forth.

The report of the Litvinenko inquiry purports to resemble the outcome of a legal proceeding, and legal terminology is used. Service is designated as an "expert witness," and so on. But beyond these superficial appearances, there is little about the inquiry that could be described as "legal." The proceedings are best described as a rigged show-trial of Putin *in absentia*, with only one side permitted to make its case, and with the outcome determined in advance.

From a legal standpoint, it is well settled that a witness cannot testify as to matters about which he or she has no personal knowledge, and expert witnesses can only testify with the appropriate factual and scientific foundation. An "expert" who proposes to spout inflammatory accusations on behalf of one side of the dispute, without any facts to back up his or her allegations, is not permitted to take the stand.

In the US, for example, Rule 702 of the Federal Rules of Evidence only permits an expert witnesses to testify if "(a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue; (b) the testimony is based on sufficient facts or data; (c) the testimony is the product of

reliable principles and methods; and (d) the expert has reliably applied the principles and methods to the facts of the case.” All four factors must be satisfied for the evidence to be admissible, and it is doubtful whether Service’s testimony would satisfy any of them.

In his reports, Service appears sensitive about the absence of any facts to back up his speculations, but in the end he attempts to shift the blame onto the Russian state for not being more transparent.

The fact that the Litvinenko inquiry was compelled to call as its key “expert witness” a right-wing hack like Service is all the more reason to disbelieve the allegations against Putin. If there was a strong case for Putin’s involvement, why would it be necessary to call as a key witness someone who has made a career out of falsifying history?

On the other hand, if the allegations against Putin are simply the lowest grade of reactionary propaganda, designed to pollute public consciousness for the benefit of definite political interests, then Professor Service would seem like just the man for the job.



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