

Press Conference – April 12, 2005

**John Pappalardo, Robert Amsterdam, Karinna Moskalenko, Sanford Saunders,
Maria Logan
Members of Mikhail Khodorkovsky's and Platon Lebedev's International Legal
Team**

Moderator: My name is Charles Krause. I work with the Khodorkovsky communications team. Maria Ordzhonikidze is head of the press center here in Moscow. I know many of you, but some of you not. We are here and we will be here certainly through the verdict on the 27th. Today we'd like you to listen to and to also ask questions of the international legal team. These are gentlemen and ladies who have been involved with this case from even before Mr. Khodorkovsky's arrest in October of 2003. John Pappalardo is a former U.S. Attorney from Massachusetts. He will begin, followed by Robert Amsterdam, Karinna Moskalenko, Sandy Saunders, Maria Logan. The only other thing I'd like to say is that you have a press kit and, unlike some press kits, I think that you'll find some interesting information in this one. I hope that you'll take a look at it. John.

John Pappalardo: Thanks Charles. Well, good morning and welcome. I hope you find the setting here a little bit better than Meshchansky Court. Just by way of introductions, starting to my far right is Sandy Saunders, who is a criminal law expert, a partner of mine in Greenberg Traurig, and also is an energy lawyer. He is going to speak today concerning the charges of the recently completed trial. Immediately to my right is Maria Logan, who is a native of Russia and not only is trained as a Russian attorney, but also trained in the United States as an attorney and is also a colleague of mine in Greenberg Traurig. And Maria brings a very interesting perspective to this case because she was in Russia and lived through many of the times that are described by the indictment. To my left, of course, is Bob Amsterdam, who most of you know to be a human rights expert and obviously is part of the team. Bob will talk today concerning human rights and certain political aspects of the case and to my far left is Karinna Moskalenko that you all know to be an international human rights expert and is of course part of the Russian team.

I should begin by saying that in the summer of 2003, shortly after the arrest of Platon Lebedev on July 2nd, we were asked to convene and provide advice to Mr. Khodorkovsky, who is our client, as well as Mr. Lebedev, and we were hired by Group Menatep. From the summer of 2003 to the present, we have reviewed reams and reams of documents in order to provide an analysis prior to Khodorkovsky's arrest. We've interviewed many, many witnesses. We've spoken not only to substantive witnesses, but to expert witnesses who provided a backdrop to aid us in whether or not this activity was appropriate, whether or not the crimes were the prospective charges then of Lebedev, and ultimately of Khodorkovsky, had any merit. Obviously our efforts brought us into close collaboration with our Russian colleagues and ultimately with the Russian legal team that defended Mr. Khodorkovsky and Mr. Lebedev. And I should just comment that they were all extremely skillful and I know I speak for my Canadian and American colleagues in saying that they're also very courageous.

We have engaged and collaborated in efforts in Britain, in Switzerland, in Lichtenstein, among others. We were involved with the recent Bow Street opinion which I believe Mr. Amsterdam will probably touch upon. We were involved in and provided the legal analysis for what amounted to the unfreezing of the \$6 million of assets that were frozen for a short time by the Swiss Government last year at the request of the Russian Federation. We've been involved, of course, with the Council of Europe and the special rapporteur, who independently concluded that this was a political prosecution. I think it's fair to say that from the beginning, while there were those who were skeptical, from the time the trial began it became self evident that this was a political prosecution to the point where now I think this is conventional wisdom. And a political prosecution is a situation where the law is used as an instrumentality to achieve political, and in this case, economic ends. And it's punctuated by the usual indicia of selective prosecution: what's a crime, what's charged as a crime in one case isn't even considered in another case. It's punctuated obviously by intellectual dishonesty, employing the wrong law, not abiding by the statute of limitations, and in this case it is punctuated particularly by extremely powerful and substantive types of allegations, but absolutely no evidence to support those allegations. In this case, the activity and the indictment either did not occur or what did occur was not a crime and most importantly there was no connection to Mr. Khodorkovsky or Mr. Lebedev. Of course, in order for there to be a political prosecution, you by definition require a judiciary that is not independent and that is exactly what you have here. And lastly, and perhaps most importantly, as in every political prosecution, this will be a guilty verdict because it is not being considered on the merits. It's being considered on the basis of the objectives of those in power.

Now, I will spend a few moments to comment on something that is particularly troubling, and I bring a perspective having been a prosecutor for 20 years in the United States. And it's an aspect of prosecutorial discretion which permeates this entire case. We can cut this case up into a lot of little pieces, but this is an aspect that transcends the entire case. What I'm going to talk about very briefly, and I should mention of course, we will all give a presentation and then of course we welcome any questions that you might have on anything we say, or anything relating to the trial. What I am going to talk about is the organized group piece and we've discussed this amongst the team and concluded that basically this falls under the heading that if you tell a big enough lie and keep repeating it, you hopefully will get people to believe it. That is what the procuracy has done in this case with respect to an organized group.

In the trial that was recently completed, both Mr. Khodorkovsky and Mr. Lebedev were charged under Article 33.3 as organizers of an "organized group". An organized group is defined as committed by this group if it was committed by a stable group of persons who combined beforehand to commit one of several crimes. What is the big lie? The big lie is that this is a conscious and calculated effort to recast two of Russia's foremost business and economic reformers as nothing but nefarious criminals. And of course, it is not supported. The trial that just ended resulted in nine months of evidence, nine months of documents, nine months of argument in the past week and at the conclusion of the trial there is absolutely no evidence whatsoever to support the charge that either Mr. Lebedev

or Mr. Khodorkovsky were organizers of a criminal group, much less that Menatep was a criminal group. There is not a shred, not a scintilla, not a miniscule piece of evidence that goes to the heart of an organized group which is criminal intent, scienter, the knowledge requirement. There is absolutely nothing in the trial in nine months.

What is clear and it is shown by the government's own evidence is that both Mr. Lebedev and Mr. Khodorkovsky as well as Group Menatep were associated for the lawful purpose of engaging in legitimate business activities on the government's own evidence. The ultimate irony here is that the procuracy is charging business leaders who espoused openness and transparent business practices and trying to charge them as organized criminals. Their entire existence at Menatep was punctuated by Western transparency. They brought in accounting firms, Ernst & Young, PricewaterhouseCoopers. They published their financial documents on a website. And I ask you for those of you who've covered fraud cases before, I ask you what fraud case can you remember where an individual engaged in fraud didn't try to conceal something. This case is not punctuated by concealment, but rather by openness, by transparency. You do not have a fraud case here. You do not have an organized group.

Why are they doing this? Well, they are doing it for two reasons. They are doing it first and foremost to manipulate the criminal code in this country, and secondly, to try to generate a feeling of public opinion and turn the tide against Mr. Lebedev and Mr. Khodorkovsky, again for political and economic reasons. Specifically, what the structuring as an organized group allows the procuracy to do is create a longer statute of limitations. You can go back 10 years in this case if you allege and establish the existence of an organized group, as opposed to two years or six years. You also have the potential for much greater penalties. If you are an organizer, you can be charged up to 10 years.

In addition, the heart of every organized group is a conspiracy. Conspiracies consist of two things. One, an agreement. An agreement to do something illegal followed by some act in furtherance of that meeting of the minds and act in furtherance of that agreement. What you have is neither of those things in this case. But what it gives the Russian procuracy the ability to do, if they could prove it, is attribute the acts of one individual to another. So if you are the leader of an organized group, then all of the people in that group who are engaged in an effort to pursue the illegal agreement, all of the acts attributed to every person in the group are attributed, or by every person of the group, are attributed to the organizers and the leaders. That is the pretext for this case.

The second is again to manipulate public opinion. They want to defame these two businessmen, Mr. Khodorkovsky and Mr. Lebedev as some sort of Enron, as some sort of Russian style Mafia and try to conjure up the categorical judgments that people who do not think about this or analyze the evidence in this case might conclude. And they also want to influence foreign countries to try to get them to sign on to this idea. Of course, the Russian Federation has lost in every single effort outside of Russia. They lost in Liechtenstein when they tried to get a mutual legal assistance treaty to turn over documents. In fact the Liechtenstein court said that the documents that were supplied by

the Russian Federation were misleading and were inaccurate. They were perpetrating a fraud in the Liechtenstein court. In Switzerland, I referred to the matter last April 1st where they froze the \$6 million or so dollars or what they cast is \$6 million. The money was unfrozen in June in record time. Why? Because the underlying basis for the freezing of the assets didn't exist. And then, of course, you had the various opinions in the UK, including the one several weeks ago at Bow Street which not only labeled this as a political prosecution, but one without merit.

In order to support charges of an organized group there must be prior collusion under the Russian law; there must be a stability of organization, none of which exist. In this case, not only isn't there prior collusion, there's no criminal intent even alleged. There is no basis for alleging that the joint efforts to commit crimes that are seen in the indictment even occurred. The prosecution utterly fails to introduce any evidence which supports these charges. What they do, what they rely on is an indictment. What is the indictment relying on? The organizational chart of Group Menatep. That would be like handing you the organizational chart of a company in the West which is on their website by the way. No effort to conceal and saying that this is the organized group. That is how they define the organized group with no evidence to support it. There is no wrongdoing. Group Menatep is a legally recognized company, established for the purpose of profitability and established for the purpose of diversification. That's the crime. That is what the Russian government is alleging is a crime. The companies that were involved they suggest were shell companies, were companies that are still operating today, companies that are still operating with licenses provided by the Russian government. If these were illegal companies or if they didn't exist, why do they have licenses to operate? Why are they still operating? Why are they still making a profit? This is one of the most utterly specious and unsupportable charges that exist. It's one of many. Bob.

Robert Amsterdam: Thank you, John. I want to first, in the presence of Karinna and on behalf of all my colleagues, salute the Russian lawyers who participated in this case. I have never been more proud to be an attorney than to be in a group of people who have the courage and heroism to fight for a man that has already been condemned, to fight for an individual knowing that the cost will be personal, knowing that the cost will be borne not just by yourself, but by your family, knowing the social stigma that will attach to you because this is a situation where there is an organized group, as John said, absolutely, except it's not with respect to the defendants, it's with respect to the prosecution.

We take the position that if there is any organized group that is engaged in the commission of illegal acts, an investigation needs to be conducted of the procuracy of this country, absolutely. We have to look at the basic essentials of the rule of law and there is nothing more important than the right of a defense and that right to a defense has been trampled. It has been desecrated. It has been defiled. There is no lawyer anywhere that could stand the smell and stench that comes out of the courtrooms of Russia when there is a determination to fry a political opponent. This is something none of us ever want to see again. This is something whose time has long passed and yet it is occurring today and truly heroic people, our Russian colleagues, like Karinna Moskalenko, Yuri

Schmidt and others, are fighting this battle, fighting harassment, fighting disbarment, as is Artyukhova, fighting a government that has decided it will take hostages.

This is a government that has decided that as a matter of prosecutorial policy to engage in hostage taking, and you don't have to take my word for it, you can read the independent report published by the Council of Europe. How do you defend against a government that takes Svetlana Bakhmina in front of her children, imprisons her on a tax-related economic crime and won't release her? Who are these people? Are they people without hearts or emotions that can allow these types of crimes to be committed in the name of what they call the law? And who are those in the West who allow this type of gross injustice? Who allow individuals to be tortured and injected with psychotropic drugs and who determined as a matter of state policy in their own countries that they will remain silent while these activities go on because the thirst for oil is greater than the thirst for justice in many countries in the West.

It is important to note that there is evidence. You don't just have to rely on lawyers. There is independent evidence. Sabine Leutheusser-Schnarrenberger, independent rapporteur of the Council of Europe at paragraph 57 of her momentous report, a report that was issued before the trial ended, a report that states in that paragraph: "I have come to my own conclusion, namely that the presence of an interest in the state that exceeds its normal interests in criminal justice being done and includes such elements as to weaken an outspoken political opponent, to intimidate other wealthy individuals and to regain control over strategic economic assets, can hardly be denied". Bow Street Magistrates Court, on listening to the evidence of experts, said that: "The political prosecution appears to have occurred at the behest of President Putin; individuals connected to this case cannot anticipate a fair trial".

What we have to tell you is very simple. When a judgment is rendered in this case, that term "judgment" is a very important term. There is not a trial lawyer in the world that doesn't understand that that term is charged with superhuman emotion, that that term relates to the Biblical judgment, that people when they stand before judges expect a fair and independent tribunal as is guaranteed to them under the European Convention and under the Russian Constitution because they know the tremendous stigma that is associated with the finding of guilt.

We are here to defend the last thing Khodorkovsky has which is his reputation and his past because he is being deprived of his future. Russia is depriving its greatest businessman of its future and we are here determined to protect his past, and that is a past he has every reason to be proud of, as does his family, and it is a past we are all determined to protect. And there is nothing more important than demonstrating that the resolution that will be signed by those three judges inherently lacks legitimacy. They cannot take away his reputation. They may take away years of his life. They may burden his family with absolutely intolerable circumstances, but we, all of us, cannot allow them to take away what he has built in his life which is an incredible and massive reputation for good works and tremendously positive economic development for this country.

What they are also working to take away is any concept of the presumption of innocence, as is guaranteed by the Russian Constitution. What they are attempting to do is use the Tax and Criminal Code in a way where it's become an instrumentality of evil, not of justice. Where search and seizure powers are being used not to obtain information to determine guilt, but rather to break down the neural systems of corporations and effect the greatest hostile takeover in modern history.

It is of tremendous importance to understand that beyond the Parliamentary Assembly, beyond Bow Street, it is necessary for us to ensure that whatever bankrupt judgment is rendered in this case, we all understand it is not a true judgment. There is no reality behind these findings. And this is a man, and an individual, who will be able to hold his head up high after such a finding because all of us engaged in this trial, and again unfortunately, we all need to understand that the language itself has been perverted. This is not a trial. You don't take 10 months of evidence and decide that you're going to determine it in 10 days. No, or 15 days. No, what this is once again is a political act.

What the power in this country is determined is they're going to sentence Khodorkovsky and then they're going to have the Western leaders stand here on May 9th and sanction this illegal court and sanction these illegal findings. And that's why it's hurried, because as in every other aspect of this case, there is a political motivation. And there is an abuse of the law that is unparalleled in its cynicism.

How many times has John spoken of his work in respect to unfreezing of assets? Those assets were frozen two days before the presidential elections. If you look at the timing, and you look at the language, and the perversions of both, it certainly helps to demonstrate the completely political nature of the adventure on which we are engaged here, which they have called a trial.

There will be appeals. There will be appeals to every court available. There will be Russian appeals within 10 days. There will also be, and this will not wait, we don't have to wait a day to take the ramifications of what we learned here to every capital in Europe, because surely there must be some place on this massive earth of ours where the rule of law still matters, where energy dominance does not determine what is legal and where there is still some basis to hope and expect that the same conditionality that was exercised by the EU with respect to its growth and enlargement might continue to be expected to be exercised in determining its relationship with a strategic partner such as Russia. These are appeals that we will make continuously and immediately.

And we should not forget those who are political exiles in far off lands. We should not forget the fact that the entire defense was prejudiced because of the activity of the procuracy, intimidating and harassing witnesses that the defense intended to call and having many of those flee to England and other countries to avoid persecution for their willingness to testify as to the truth. So now I am going to turn it over to Karinna Moskalenko, one of those heroic Russian lawyers, to speak of what you feel.

Karinna Moskalenko: Thank you Bob. I am very much privileged to feel myself a member of such a fantastic international team of lawyers. I know that one day we will say our word, a very important word, about the sense of the trial, about the compliance with the requirements of a fair trial.

I think my role in this trial was very modest. My task was to register all the violations of a fair trial and wait for the moment when I will use all this data. One case already has been registered with the European Court of Human Rights concerning the pre-trial detention, all the violations which took place in this situation when the person has been arrested without enough grounds, enough reasons and some judgments were absolutely not reasoned and this itself is a violation not only of the international law, but also of the violation of domestic law.

But the most important part of the case is not now with the Strasbourg Court because only after the final decision of the cassational court decision, we can apply this international mechanism to file the eventual case with the European Court. Here all of us know that the Strasbourg Court does not know anything dealing with the fair judgment, or unfair judgment. This fairness of the decision of judges. They cannot review the fairness of the decision to find somebody guilty or not guilty. But what they certainly can do and what they always do, they listen to our arguments why the trial seemed to be unfair and in this case we, unfortunately, or fortunately for Strasbourg procedure have many, many indications of the unfair trial as a whole.

So our work will happen, or will not happen after the judgment, we will see. I am not going to predict the judgment, but of course, I agree with my colleagues that this case has been conducted as a political case. People were treated as political opponents. I don't have any doubts and I would be very surprised if we are wrong in predicting unfair judgment, and we will see and we will work.

We all – the Russian team, and I am happy to belong to the Russian team and I am happy to belong to the international team, all the teams, all who know, who are acquainted with this person, with all his business, with all his well-minded, all his views, his character, his personality – everyone of us, we want to assist this person. But plus to that, we want to help this country to expel such a phenomenon when people can be prosecuted on political grounds. It's absolutely unacceptable for a democratic country which Russia pretends to be. Thank you.

Sandy Saunders: I'm Sandy Saunders from the Greenberg Traurig firm, and as Mr. Pappalardo said I'll focus on some of the details of the evidence of the trial and of the specific charges in an effort to give you a flavor of one of the two things that I can sit here today and tell you I am absolutely certain of.

The first thing is that I can tell you that I am absolutely certain that it's an honor, as others have said, to be part of this international team and to help defend Mikhail Khodorkovsky and Platon Lebedev. Second thing I'm absolutely certain of is that what you read on April 27th, or April 28th, when the verdict is finally issued is going to

convict Mikhail Khodorkovsky and Platon Lebedev of most, if not all of the charges leveled against them. They will probably throw one or two of them out for appearance purposes, and I am absolutely certain that there will be no connection between the evidence introduced at the trial and the conclusions reached in the verdict. Some people say you cannot get there from here. Having read and sat through the proceedings, and having read the testimony of the witnesses, and having listened to the closing arguments by the defense lawyers, it is incredible how just two men, over 10 months, two men were tried for a laundry list of crimes and other than the prosecution using their names, two of the names that were least spoken by any of the witnesses were Mikhail Khodorkovsky and Platon Lebedev. Witness after witness after witness were asked about whether they knew or dealt with these men and they said no. They knew they had titles. I know Mikhail Friedman has a title at TNK-BP as I read the article this morning. That does not make them a leader. That doesn't make them a criminal. That does not mean that they ordered someone to make an investment or for somebody to drill for oil. You don't find it here.

If you go back, and I urge everybody to go read the closing arguments which were masterful and taking apart these allegations, episode by episode, piece by piece. And if you are really interested, then go back and try to read the summaries of the witness testimony that are available because they will back up what the defense lawyers laid out for you and then try to match it to what will come out on the 27th. It won't work. There is a concept in the trial called the burden of proof. The government cannot satisfy it based on what was heard in that courtroom over the last 10 months.

The Apatit charge started out with the allegation of the illegal acquisition of the shares and then the allegation that the investment wasn't fulfilled and concluded with the failure to return the shares and the allegation under Article 165 of harm to someone over the failure to make these investments and harm shifted between the indictment and Mr. Schechin's closing arguments as to whether it was harm to the state, which I believe it was supposed to be, or harm to Apatit. But he raised both of them. But the problem is the witnesses who testified, the first witness the procuracy called was Mr. Pozdnyakov, who was the Director General of Apatit at the time of the privatization. He starts out by upending the procuracy's case by saying that he knew full well that Menatep was involved because they put up the guarantees. He also noted a little detail, not critical, but he remembered the procuracy made a big point when they announced the arrest and the charges against Khodorkovsky and Lebedev that the scheme to rig the election where they created bogus companies and then put in bids and withdrew bids said that the evidence of the fact that they were cheating was that Volna was the lowest bidder.

The first witness out of the box came up and said that Volna wasn't the lowest bidder. There were three bidders and Volna happened to come in in the middle. So on the first day of the trial, the procuracy's witnesses were contradicting them. But more importantly, Mr. Pozdnyakov testified that Apatit, that Volna saved Apatit. Money that was invested took Apatit from bankruptcy, not the breakup. Apatit was bankrupt. Apatit was barely functioning. The workers were on strike. They hadn't been paid.

The third witness in the trial was the governor of the Murmansk Region, Mr. Kamarov, who testified that Volna averted a disaster in the region because the company was going under and he was trying to think how he was going to relocate 12,000 people. And Volna came in and to the extent that there was some delay in making the investment, contacts were made to Volna, contacts were made to Menatep and money was put in. Debts were paid. The company was turned around. The procuracy stood up at the end and said, "Oh wait a minute, the statute of limitations has run, but we still think they're guilty".

Put aside for a second, how do you try somebody for 10 months and then all of a sudden at the end say, oh, we didn't mean it because the statute of limitations has run, but they couldn't use this evidence, but they tried to paint these individuals. And go back and read the witnesses' testimony and these folks, they contradict it. They tell a very different story.

Now the procuracy tried to use the governor to say that the investment program wasn't completely fulfilled. Nobody denies that there were changes and attempts made because it didn't make any sense and the procuracy listed in the testimony: "Well, they didn't fulfill some of the social programs". There was an issue of an airport; there was an issue of a childcare facility. On cross examination, the defense attorneys asked him where is that in the investment plan. Are you certain it was in the investment plan, that this was the obligation that Volna supposedly took on? And the answer to that was no. Actually, it wasn't really in there.

You can't convict people based on this type of evidence despite what the procuracy said. Moving on, and they brought in someone else from the Murmansk Property Fund on the allegation of the failure to return the shares, who said couldn't expect Volna to return the shares. They've only gotten a court order that said that they had title to the shares. They had free title to sell them as they want. So again, the procuracy's own witness contradicts them.

There was an allegation of transfer pricing from Apatit, the setting up of trading companies, that this was some ingenious scheme to steal money from Apatit. And forget about the logic behind that since if you believe the procuracy, and Menatep, Khodorkovsky and Lebedev controlled and had some majority interest as they worked their way up in Apatit, you have to believe that they were stealing from themselves, which makes absolutely no sense. But what the witnesses testified about the Russian procuracy brought in two gentlemen from the Fertilizer Ministry, Mr. Galitsky and Mr. Kalitin, and they testified that the structure set up in these trading companies was perfectly reasonable, was absolutely legal and was quite common in the industry. When asked the question would they have liked to pay less for the fertilizer if they could have bought it directly from Apatit, they said, of course, we'd like to pay less, but they said Apatit Trade on behalf of, acting as the trading arm of Apatit, always met its obligations to sell to the Fertilizer Ministry at a separate price. And that was all they could legitimately ask them to do. So, this whole scheme that the procuracy creates, distorts – their own witnesses contradict it.

Go on to the corporate tax charges. They created this myth that it was illegal, that there was something wrong with paying with the promissory notes. Well, that was news to the tax officials, to the regions, and the cities and the oblasts outside of Moscow because numerous representatives came, there were eight representatives, I might be off on that, only one raised the question and she raised the question as to the year 2002. Her testimony was back to 1998-1999. It was much later, after the law had changed, and we've said it before. You don't need to change the law to say that you have to pay with cash if it was legal before to pay with promissory notes.

Representatives came in from the regions and there was Mr. Kustov, who was in charge of tax enforcement in one of the oblasts, came in and testified the promissory notes as did numerous people, these trading companies paid with promissory notes, the notes were redeemed, the notes were redeemed with interest, and the region benefited, they were paid – and he specifically testified about how these notes were used to fund the construction of gas stations which still operate, which still employ people and still generate revenue.

This is quite a different story from what the procuracy would like you to believe. Listen to the witnesses, and they lay it out for you. They contradict down the line the procuracy's allegations. And one of the most stunning turnarounds for a witness was the fact that as the procuracy painted the picture and alleged that the promissory notes were used to pay the taxes, they overpaid the taxes, and then there were these mysterious refunds whereby they want you to believe that they were staffed by virtue of this plan. And the regional officials come in and say, no, the refunds were paid out of cash, cash generated by the promissory notes. Again, the procuracy case doesn't hold together.

And the defense team went beyond what it needed to do. It didn't have the burden of proof. God knows, after listening to the procuracy's case in America you might have sat back and asked for a directed verdict. You might not have put on a defense because it was so clear that the government had not met its burden, that the defense knew that they didn't have that luxury because of the court system here. So the defense tried to put on experts, and they introduced eight experts to talk about taxes, they were all unanimous on the fact that the use of promissory notes was legal. Mr. Shchekin in particular, Mr. Bochko testified. Of course, when they tried to introduce reports there, the procuracy objected. And in many cases the court kept the reports out for a variety of odd reasons. But there is enough in that record to make very clear by Russian tax experts that the payment and the use of the promissory notes, which underlies this entire corporate tax charge, was legitimate.

And then you have the personal tax charges which again the procuracy has a terrible time with its story. They want to say that it was illegal for them to register as entrepreneurs and that they were hiding and disguising income at one point. As Mr. Padva highlighted and Mr. Rivkin highlighted at one point in the story, it is salaries from Rosprom and YUKOS. That doesn't quite work very well because the companies would have had the obligations to pay the taxes and with all the reams and reams and reams of documents they have seized from these companies, they can't find any corresponding obligation to

support the fact that Khodorkovsky and Lebedev owed salaries that they tried to run offshore. There is no evidence to support it.

Then separately they argue: "Well, this was the scheme to bring back in illegal gains from Apatit Trade". So they've never found that either. And if you think about this: if they were stealing, why report? It doesn't make any sense. And of course the ultimate thing that doesn't make any sense is look at the amount. There are lots of people have talked about this. They are talking about individuals who were earning significant sums of money, millions and millions and millions, and they have been charged with trying to evade a million dollars in taxes? The logic doesn't work. But more importantly, let's focus on the evidence. There's no evidence to tie together the facts as Russia tried desperately to make their case, and they issued their mutual assistance requests, but Liechtenstein and Switzerland found that there was no connection. They couldn't even make the most basic link to warrant mutual assistance from those companies. And as late as, I believe, it was in September of this past year or later, maybe it was October of this past year, and the Russian Government sent an updated request to Switzerland trying to revive these mutual assistance requests and stated in there that they really needed documents because they were trying to prove allegations against Khodorkovsky and Lebedev regarding running money through Switzerland, illegal revenues.

That is an expressed admission that in the trial that had been going on for months they didn't have any proof. They wouldn't have to ask Switzerland. And in fact, under any other system, Mr. Pappalardo can tell you he would have fired any prosecutor who brought a case and didn't have the proof, that six months into a trial was still searching for evidence to support his case. And he would have been fired if he ever condoned such an activity.

And finally you have this allegation that they stole money through buying promissory notes from Media MOST. And their evidence was quite simple, that the notes, in fact, that YUKOS recovered on the notes and there's no evidence to the contrary. And in reality and if you want to look at problems created for Media MOST, don't question the wisdom of buying promissory notes in what was in a way the most prosperous media company in the country. Look at what happened to it. The European Court of Human Rights told the world that the Russian government tried to drive it into the ground so they could take it from Mr. Gusinsky. So, there might have been a financial problem with recovery of notes. It's not because Khodorkovsky and Lebedev whose names are never linked to any of these were stealing. It was because the Russian Government turned on them first.

.....To read the closings, there were citations to specific witnesses and very specific references to testimony. And it will show the evidence that will not support the verdict that, unfortunately, we know we will hear.

Maria Logan: Just briefly, I will go back to what Karinna said and just name a few of due process violations that happened during this trial. While Karinna basically lived through these nine months or over nine months of trial, I also live through hearing all the

audiotapes of trial and read some of the transcripts of trial, even though I have to say those transcripts are not part of the official record of the case to it, to some of the rules that exist in the Criminal Procedure Code.

However, I mean you all know, yes, the trial was open, it was open to public. However, that was the result of a lot of efforts that we also worked hard to make sure that the government will make their decision and open the trial to the public. And due to that, I mean, some of you, maybe all of you had a chance to participate and see yourself as to what happened during the hearings in Meshchansky Court. Yes, you know, there was an appearance that the trial was conducted quite fairly and the lawyers, probably defense lawyers will tell you. Yes, the judge was very respectful; the judge was, you know, tried to appear reasonable in making her decisions during the hearings. However, if you analyze the transcripts, if you analyze, if you listen to the audiotapes and you know, hopefully, at some point, you know, the transcripts will make into the final record, official record of trial, you can see with your own eyes what happened there.

There were serious violations of due process during the trial itself. A lot has been said about due process violations during the preliminary investigation conducted by the office of the General Procurator. We know about violations related to the illegal detention of Mikhail Khodorkovsky and Platon Lebedev; we've heard about the refusal by the judge and the investigators to allow independent medical examination of Platon Lebedev. We've heard about these violations. However, it is important to note that those violations that happened during the trial and how the court reacted to certain motions of the defense team during the trial, by listening to the tapes, it seems that the presumption of innocence just doesn't exist in our court system, in our criminal justice system in Russia.

A lot has been said already and mentioned by the defense lawyers that the prosecution and the court, they are allies during the proceedings in court, they worked together. And this comes from the old system and, unfortunately, has not disappeared yet. The court supports the prosecution. Wherever prosecution makes mistakes, and in this case a lot of big mistakes, and one of the defense lawyers said this full case is a big mistake, but the court supports the prosecution, fills in the gaps, helps the prosecution. When you see the transcripts, a lot of time the court was asking questions, steps into the shoes of the prosecution, asked questions, and you know despite that it's clear to all of us that there's no substance whatsoever to the charges, nevertheless the court intervenes into the process and helps the prosecution to clear the situation or at least have an appearance that there is something wrong there.

There's a lot of inadmissible evidence that was introduced during the court. As you know, the prosecution, when they start the case, they bring to the court the indictment. It's a 400-page document where the prosecution, you know, explains what was done wrong and relies on certain documents. This is as default introduced in the court. The prosecution relies on those documents. Then you probably witnessed the stage during the trial when the prosecution was reading documents into the records. Those documents became part of the record. However, while as default those documents are in. Yes, the defense has a chance to say: "those documents are inadmissible because...", and there are

different reasons because they were illegal searches with no warrants, there were documents and documents, volumes of documents obtained from the legal offices of those lawyers who were defending Mikhail Khodorkovsky during the trial. It's Anton Drel, if you know the story about how the prosecution made several searches and seized documents from his office. He is the defendant. What about attorney client privilege? Nothing here.

However, you know, Sandy explained that documents that they got from the Zhukovka offices, at Zhukovka, there's nothing wrong with those documents, but still, still there should be due process there. And you can't use the documents that were illegally obtained, and they were illegally obtained because they didn't have warrants; they used the warrants that were, you know, dated two months, you know, backdated, etc. So, inadmissible documents. There were a lot of documents that were not authenticated. There were a lot of documents that were not related to any charges whatsoever that were presented at trial.

Witnesses. I have already mentioned to you that the witnesses, the judge basically interrogated and participated in questioning the witnesses, which is illegal. She can't do it. However, if you look at the transcript, sometimes the questions that the prosecution was asking witnesses were specifically asked to harass those witnesses. Those witnesses were interrogated a day before their testimony during trial. It's unacceptable under the Criminal Procedure Code. You can't conduct parallel investigation when the trial is pending and the hearings are pending. You can't do it. That's illegal, because what the prosecution was doing, they were influencing the witnesses, while the prosecution during the trial when the defense was asking questions, they were saying with their questions they were influencing the witnesses. I mean, you have to read yourself and, hopefully, those transcripts will be available at some point, and you can read those transcripts.

So this is just a few, but important due process violations that I'm sure the defense will raise in their appeal to Strasbourg Court because, as Karinna mentioned, this is the basis of the appeal to Strasbourg. So, I am sure you will hear about it more, and I'll just leave more time for your questions.

Q & A

Moderator: Let me just point out that in the press kit is a summary of the arguments that you've heard, prepared for the U.S. Senate Foreign Relations Committee by Sandy and John and Maria in the last month or so. So, it might be helpful if you, as you get closer to the trial to refer to that document.

Q1: I think it's a question to Mr. Amsterdam. How would you comment the role which the German government plays, especially our Chancellor who said has no problems with this case?

Robert Amsterdam: There are no words that I can use to express my disappointment in the conduct of the Chancellor of Germany towards this case. Opportunism does not even approximate his conduct. Sanctioning of this type of behavior is shameful. Calling

President Putin, and I quote from his speech, a “dyed in the wool democrat” is something that no Russian politician would get away with in Moscow.

How a German Chancellor, whose basic function is guided by the basic law of Germany and who was bound to protect Article 14, the rights to private property in Germany, how a German Chancellor could allow himself to be so involved in not only the destruction of YUKOS, but in the destruction of Khodorkovsky and allowing, for instance, his ambassador on the day after the illegal auction of Yuganskneftegaz to join with no other leader but that of this country in saying that the auction had accorded with correct process? How that can occur is the subject of a trip I am taking to Germany this week, and I will certainly be meeting with many members of the Bundestag and urging an investigation by the German government into the conduct of the Chancellor. I think it is absolutely outrageous. I think it is something that is, to be frank, the role of German banks as the only ones chosen, DKW was the bank chosen to assess the value of Yugansk and then Deutsche Bank took a leading role after what has been reported in the German press as secret meetings which took place in the Avalon Hotel. I think there’s tremendous amount to discuss. I am not going to try to discuss all of it today. I am going to Berlin. I believe Berlin is perhaps at this point a more important capital than Moscow in which to discuss issues relating to this case.

But today we are talking about the trial, we are talking about Mr. Khodorkovsky and unfortunately, as you know, the German Chancellor did directly intervene in a case to the benefit of human rights in Chechnya in 2001. So the transition of the position of the German Chancellor between that intervention, as reported by Politkovskaya in her book on “Putin’s Russia,” and his conduct today is completely incomprehensible, and there really is a requirement for the democracy in Germany to come to the aid of the ailing democracy of this country and investigate the conduct of its Chancellor.

Q2: You have mentioned the silence of the international leaders. Do you think that they are somehow involved with the political trial, that you...?

Robert Amsterdam: Let's be very clear. I would adopt Sakharov's view which is that the denial of justice in the domestic forum is a direct correlation with the behaviors of countries internationally. That was Sakharov's view. It is encapsulated in Natan Shcharansky's recent book which was quoted by President Bush in his state of the union. And I think it is a terrible lesson for the West not to learn.

I think it is a terrible lesson for us to teach our own populace, the duplicity with which political leaders operate in agreeing to common spaces with a country that takes hostages. Surely, there must be some predicate somewhere that basic human rights need to be preserved. When people like Pichugin are jailed, are forced to lose 70 pounds, are injected with psychotropic drugs. And then all of this, as a guinea pig, to attempt to get someone else, again a sort of transition on the hostage theme. I mean, these outrages for them not to be commented on, by governments, for them to be glossed over. For there to have been a meeting in Paris a number of weeks ago, and I would say that that meeting in Paris that was held with Zapatero and Putin and Schroeder, I think that meeting was very

important. And they had a lot of the elements that we see here. The Spanish announced an investigation that tied to YUKOS just a few days before that meeting. What a coincidence! The Spanish press being used as a political signaling device. The last president that did that lost the election in Spain. But with Russia, everything's fair game. There are different rules that the West is using to gain chips with this country. The Western leaders understand that without the transparency and without the rule of law you gain chips by sanctioning the legitimacy of that which is illegal. That is how you pick up points. That is why Schroeder says "X" and DKW gets "Y". That is why Schroeder says "X" and Gazprom and Ruhrgas decide to split up half of the gas supplies of Central Europe. This is *realpolitik*. And the issue about *realpolitik* is be honest with your own populace, because what you do when you say to your own people that Mr. Putin is a dyed in the wool democrat and when you say to your own people that what happened with YUKOS is okay, and Russian ministers in the Kremlin openly admit that it's a political process.

Russian ministers in the Kremlin stand up and say: the theft of YUKOS was the scam of the year. What have you done to your own credibility in your own capital? These issues, the poisoning of the rule of law is viral, it travels, the fear is viral. Many of us know that in many capitals, particularly in Berlin, if I want to meet with certain people, they will only meet me at night in secret locations for fear that the FSB will record the meeting and then their future trips will be jeopardized. This country exports fear in equal measure to oil.

Q3: The only leaders you have mentioned are European, and I am wondering what your assessment is of President Bush's stance on this issue?

Robert Amsterdam: Well, I would say quite honestly that my sense is that there has been a transition in the United States. A transition that has taken far too long, but a transition nonetheless. I honestly believe that that evolution could lead, potentially, to democratic values entering the agenda. I haven't seen any evidence yet. I think it is very important for the work of my friends in the United States to continue to push at every direction for Mr. Bush to understand forcefully and to make known to the Kremlin, forcefully, what's going on. But the State Department did condemn the auction, publicly, a month before it was held. The State Department has made statements, in counter distinction to many governments. So, to be very frank about it, the State Department, while I still believe there's far more that can be done, is unfortunately in the lead in this issue.

Q4: Agence France Press - You've all made very powerful, convincing points about the rule of law and how it exists or does not exist in Russia today, affecting this case. But as you all know, there is still a very widespread feeling in this country that what happened in the 1990s in a lot of ways, business practices, privatization in particular, and in particular with YUKOS and your clients here, that there was a widespread and profound injustice done in this country. I would like to ask you, is any of you prepared to acknowledge that there is the feeling among many Russians that what happened in Russia in the 1990s, and in particular with YUKOS, and in particular with practices that enabled

businessmen like Mikhail Khodorkovsky to amass astronomical wealth in a very short period of time, is regarded by many people in Russia as unfair, fundamentally unjust? And if so, how would you propose to address that?

Maria Logan: I think if you had a chance to look at the last word of Mikhail Khodorkovsky delivered yesterday, he addressed this issue briefly because his speech was, as you know, 39 minutes, 40 minutes, but he briefly addressed this issue, and what he said when he was going through the charges related to the charges of illegal privatization and Apatit and the institute NIUIF [Scientific Institute of Fertilizers and Fungicides], research institute, basically said this: he says, yes, this is true, the public knows that -- it was addressed, I think, primarily to the public rather than to the court -- that there was a lot of unfairness during the privatization process, but we didn't set up the rules of the process, we didn't -- all we did is we complied with the process that existed at that time.

The government set up the price. We paid the price. That's what he said. We paid the price. Why is the prosecution is talking about theft? We paid the price that was set by the government and we complied with all the rules, and we, in fact, complied with all the rules. So, if the public wants to put on trial the entire government and the government that existed at the time, let's do it. But as you know, the President said, you know, in his speech to the business community in Russia, that let's forget about the privatization process. So, there is a little unfair game here, let's prosecute two guys that complied with the rules and paid the full price that was set by the government at the time, and at the same time let's put them to jail for 10 years because that's the maximum sentence that is provided in the code for privatization, for the theft of the shares that they acquired during privatization. At the same time, let's forgive this and let's tell the public that the government is no longer interested in the privatization process or de-privatization process. So, there's just an unfair game here.

Sandy Saunders: This is part, and it's become convenient for the government to perpetrate sort of the story and the perception regarding the privatization period. It's not to say that it was perfect, but for purposes of the two men on trial, as they said repeatedly and as the witnesses said repeatedly, the condition in which the country found itself with industry, and it's not necessarily anybody's fault, these businesses were never designed and weren't set up to be profitable, they never existed in a market economy before, and in the immediate years after the collapse of the Soviet Union these businesses were imploding, workers weren't getting paid, taxes weren't being paid. This country was in terrible shape.

And at least as to Apatit and as to YUKOS, these companies became prosperous and profitable. That was one of the problems that they had with YUKOS. As Khodorkovsky said in his speech, it became so successful that people decided they wanted it. And they built these businesses up in other countries. People were rewarded for that. Here they're prosecuted. And it's convenient to say it all stems from this terrible period of privatization. And there were companies that were privatized and pillaged and driven into the ground.

Have those people been prosecuted? No. You took two companies and particularly YUKOS that prospered, that became transparent and took off. After them, not one charge has ever been leveled concerning the acquisition of YUKOS. The government has not said anything about the legality of how the original shares were acquired. So, it's not for the government to then turn around and say that the gains were improper. But again, they built these companies. They took them off their knees. One of the first people paid after the privatization of Apatit, the tender and then the privatization of YUKOS, was the Tax Ministry. That was the first step they took. So, it is now really duplicitous for the government to come and complain, based on the prosperity of those companies.

John Pappalardo: Let me just add to your question. I mean this is a very good example of playing to the fears of the general population and dealing with categorical judgments. To say that privatization, you know, resulted in a lot of money going to Khodorkovsky and it is rough justice to now try him for crimes, put him in jail when no one else is being tried for doing exactly the same things and being unsuccessful at it, engaging in active fraud, is a bit absurd.

What you have to understand, and I think that the record is crystal clear on this, is that this criminal case that we've just witnessed for 10 months unfold, or the lack of a criminal case, in the Meshchansky Court, was nothing more than the product of trying to recreate a bunch of civil settlements that were already adjudicated.

This whole idea of Apatit was already handled in a civil court. There was a payment made. Why? Because there was a civil dispute. There was not only a payment made, it was signed off by the Procurator General, Mr. Ustinov, who then a couple of months later decides, "Well, man, this is now a criminal case because it's politically expedient to be something like that." It doesn't work. If you're going to put privatization on trial, then put it on trial. But it's a civil matter. And if you're going to put it on trial, do it fairly, do it across the board, go to those individuals who made vast sums and left Russia with it after raping the companies to the exclusion of the Tax Ministry, to the exclusion of the Russian population, to the exclusion of the workers. You don't pick on Mikhail Khodorkovsky who -- yes, he was very successful, and he was very good at what he did. But he also gave back. He also set up for the first time a pension fund for YUKOS employees who were working in Siberia. He gives away, you know, a billion dollars with a stroke of the pen to say okay, these people should participate in the revitalization of this company. And so we'll sign off these shares and they'll become their pension fund. Of course, that was emasculated by this case. That was taken away by the Russian government as they drove the shares down to nothing so that they can expropriate the oil company.

It's intellectually dishonest to suggest, in my view, that Khodorkovsky should be singled out or Lebedev or anybody affiliated with Menatep for the perceived abuses that took place during the transitional period of the early 1990s and the mid-1990s in Russia.

Q5: Bloomberg News - I want you to confirm which charges have been dropped because of this time limitation with regard to Apatit.

Sandy Saunders: Technically they haven't been dropped. The government believes -- they technically said that they were not seeking a sentence for the illegal acquisition of the shares because the time had run.

Maria Logan: It was the recommendation of the prosecution. It doesn't mean that the court will follow that recommendation, but that's how the prosecution addressed it. They say that they recommend 10 years for all the crimes except for 159, which is theft by fraud. And they said that because of the statute of limitations.

John Pappalardo: They also said at the beginning of the trial that they would introduce evidence of how it conformed to the statute of limitations. They said that at the beginning of the trial when they read the indictment, they promised it during various times during the trial when it was raised by the defense. And at the end, when no evidence was presented on that point, they said we will not seek a sentence on that. I mean, this is another example where if a rule of law were followed, a motion to dismiss before the trial would have prevented this from even being raised during the trial. But again it wasn't followed.

Q6: One more question. What exactly will happen on April 27th? Will they announce the verdict and give a sentence? Or will the sentence be given on a separate day?

Karina Moskalenko: No, let me answer. It's normally for Russia that the full judgment has to be announced, including all the explanation on each crime which should be, which the court finds has been committed. After that the judgment will include all the evidence which the court finds available and acceptable, and after that the last part of the judgment will be a sentence.

Moderator: But Karinna, doesn't the judge in fact have to read all of this in court?

Karina Moskalenko: Yes, according to the Russian Criminal Procedural Code, they have to announce all the judgment before the public.

It normally goes when all the room stands, but when we have a long judgment, probably the judge will decide that everybody will sit, but during the reading of the judgment normally everybody stands.

Moderator: But this could take more than one day. Is that correct?

Karina Moskalenko: It could take more than one day. It apparently will take more than one day.

Moderator: It's important for people to understand that the actual verdict may not come for a second day or even a third day.

Sandy Saunders: And let's look at the fact that the verdict is coming down on the 27th,

which is approximately in two weeks, to analyze what is supposed to be in the trial, the judges are supposedly taking on the task of doing an independent and judicious analysis of approximately 10 months of evidence in more than a dozen charges in, possibly, the most complex trial in history of Russia. And now they're going to be able to issue a decision, a reasoned, presumably detailed verdict in that short period of time. And that it begs the question of whether they have been working on this from day one, or day fifty or whenever. But this is an amazing timeframe unless, which we know won't happen, you can say the government hasn't proved its case - that's painstakingly obvious - but since we know that's an impossibility. We really shouldn't spend our time talking about impossibilities. It tells you something else about what's going on in that court, for what are really only ten working days, to write the most complex verdict in the history of the Russian system.

John Pappalardo: And just to add to that. Again we urge you, when the decision is handed down, when the verdict is handed down along with the sentence, read it. And as you read it, ask yourself: are the conclusions in that decision supported by the evidence? Is it internally consistent? Is it intellectually honest? Does it make sense? Does it conform at all to the evidence that was introduced over a ten-month period? And just point to the topic I spoke about today. Look at the treatment that organized group will be given in that verdict. I suggest to you it won't be given much treatment at all other than to suggest that it exists.

Q7: It's frequently been written that this was a politically motivated case and Mr. Khodorkovsky was being punished for having political ambition. But there are some analysts and indeed some government officials who say that actually Mr. Khodorkovsky was going far beyond merely funding political parties and that actually he was trying to buy members of the Duma in order to vote against legislation he opposed, including increases in the oil tax rate. That clearly is not what is on trial, but I would be interested just in getting a reaction from you to those kind of comments which are sometimes being made.

Sandy Saunders: You can look at his statement and what he said yesterday about the absence of political ambitions and how this was a myth. Beyond that, tackling Khodorkovsky, it definitely goes beyond this myth of political ambitions, but I think it's a gross oversimplification to talk about it being in connection with some lobbying in the Duma over oil taxes. What made him a threat was that he challenged the inter-governmental infrastructure of this country, because what he was doing, he was demonstrating and building an independent entity that was compliant with the law, which was putting it in his mind and what he hoped, outside of the reach of the government. And he was demonstrating a whole new way of conducting business and which would translate into the rest of Russian society. And he was using that success to open up the country with reforms, encouraging education and the orphanages and opening up with access to the Internet. He was using the success, the commercial success to drive this reform and further these ideas, and this was going to be the first time possibly in the history of this country when you had an independent, free thinking, free speaking businessman, who was going to function outside of the restrictions of the state. That's

what made them a threat.

And on top of it, don't underestimate the economic element of it which took a little longer to play out. The government waited six weeks from when they arrested him to launch the ludicrous tax charges against YUKOS and then a couple more months to start putting in place the dismantling of the company, and then the auction which I mean the world knows it was a joke. And it was one of the biggest farces the world has ever seen.

So, the government likes that explanation because it makes it sound like Khodorkovsky was up to something that was improper, that he was politically ambitious and they want to paint the picture that well, first he took the businesses and now he's trying to take the government. But it doesn't hold together.

John Pappalardo: My comment on that is that it's a complete load of hogwash. Khodorkovsky's crimes, if you will, his offenses were economic, they weren't political. He wasn't running for office. That is a story that was put out there to try to legitimize what was going on. What he was doing was espousing an open society. He was trying to promote the free exchange of ideas. He was trying to promote business transparency. And that is exactly what the Russian leadership and the Kremlin did not want. They wanted to centralize power, they wanted it secret, they wanted to be in control, they wanted to make decisions that weren't transparent, and they wanted to -- just like they manipulated the press, and they took that over almost immediately upon getting into power. They wanted to control. Khodorkovsky was a threat to that, and that's why he was made the object of this political prosecution.

Robert Amsterdam: I think that we do always have to understand, there is, if you will, a disinformation service that's ongoing here. And there is a financial press in this country, populated by many non-Russians who doggedly hold to any particularly nefarious role they can dig up for Khodorkovsky because that gets them chips in the internal community. And we have active disinformation. When I listen to some of these commentators, and that is a common refrain, I understand what they are trying to do. They are trying to increase their domestic capital because you don't have the rule of law here. What other country would -- think about your question. In what other country would a statement be made -- well, you know, look at the assumptions in your question. Well, we know it's political, we know it's this, but didn't he also, isn't this also a threat? I mean, we are three steps removed from the rule of law. And what we're saying is, as lawyers, we have to try to work within this construct. And it is critical, and privatization had problems, and the issues in the Duma had problems, and there's no question about it. And if you want to revise it, and you want to legislate changes and you want to behave in a democratic fashion -- all of that is of the piece.

But as John said, rough justice has no place in a civilized and free society. And that is a critical issue to understand and it doesn't seem to be perceived by many of those inside Russia who continue to put out literature and information that says: "All right, these charges may be bogus, but let me tell you what else he did." We don't accept that. As lawyers, we can't accept it. And as people who advocate for human rights, we can't

understand the lack of revulsion at that as a method of trying to incarcerate and incinerate someone's reputation and livelihood. It just doesn't wash. And when people are allowed to gee up [as heard] those types of ideas, it is in and of itself a danger to a society.

Moderator: Okay, so one more question.

Q8: A question about the political case because Khodorkovsky didn't stress any political aspect of his case yesterday. So, will that weaken your position in the European court?

Robert Amsterdam: Absolutely. Let me be very clear. I was there. I listened to Khodorkovsky. He called his wife the wife of a Decembrist. I am sorry, if you know anything about Russian history, there is a bit of a political connotation to that. You don't need to say much more if you call your wife the wife of a Decembrist. That means that you see yourself in a very political role. And that means that you see yourself – it's a compliment to your wife because it means she will follow you to the ends of the Earth, but it is also a very political statement about your own activity. And look at the political context here. He said that this was engineered by essentially bureaucrats conducting themselves criminally to steal his assets. That is a very political statement.

His entire statement was political. He spoke of hostages being taken. It was a very political statement. This is an entirely political case. And I will tell you. This is one of the few areas where I think the entire world agrees: You cannot read an article about Khodorkovsky outside of this city that doesn't have within the body of the article the political component of the case. So, there is an issue in terms of what Khodorkovsky said, that he did not openly denounce the people he knew that would write the judgment against him. Some people might say that was smart. That doesn't mean that it wasn't a political statement. And when he called his wife the wife of a Decembrist, to anyone who knows Russian history, that said it all in very few words in terms of what that brings up to a Russian. That's a very, very potent icon to raise.

Moderator: Alright, if I just may. The international legal team will be back in Moscow on the 26th of April, but will be available for comment. We have included telephone numbers for them, for Maria and for myself. Anyone who wants to get hold of anyone, please, feel free to call. Thank you.