



A prisoner in Russia

From his prison cell, Mikhail Khodorkovsky replies to questions sent from the West.

Mikhail Khodorkovsky

Last month, Mikhail Khodorkovsky, once the wealthiest man in Russia as head of the Yukos oil company, was found guilty of embezzlement and money laundering and sentenced to 14 years in prison.

Mr. Khodorkovsky, first arrested in October 2003, was already serving an eight-year sentence on charges of fraud. The new sentence includes the earlier one, so Mr. Khodorkovsky could remain in prison until 2017.

Both trials have been denounced as political in the West, where Mr. Khodorkovsky is widely seen as a victim of Vladimir Putin's authoritarian rule. In Russia, many people still chafe at the vast wealth that a handful of "oligarchs" amassed after the collapse of the Soviet Union, and view the prosecution of Mr. Khodorkovsky as deserved.

Mr. Khodorkovsky's lawyers invited four newspapers, including the IHT, to submit written questions to him after the second trial. The questions were given to him on Dec. 31, and the replies were delivered this week. Following are excerpts from the questions and answers.

Question: *What would you do if you were released from prison? Would you be involved in business? In politics?*

Answer: I have a hard time even imagining myself free when Vladimir Putin directly indicates to the court that I "must sit in jail." However, whether in jail or at liberty, I am going to continue my civic work. Business is a thing of the past; but if my country needs my professional skills, and even my life, it will get them. I am a Russian. That is the way with us.

I believe that Russia will be a democratic country, free from the arbitrariness of corrupt officials, that we too will have independent courts, a parliament and honest elections; that the enforcement agencies will protect the people, and not the corrupt bureaucracy. But the road will not be simple and easy. The verdict on me has shown where we

find ourselves today.

Whether your trial was fair or not is one issue. Another is whether the concentration of power and wealth in a handful of "oligarchs," many of whom have fled abroad with their wealth, was wise or just. Was it?

If the current authorities were truly concerned with the unfair distribution of property, they could have accepted the proposal that I formulated back in 2003 on behalf of a number of my colleagues about a compensation tax. And yet, in the years since, the billionaires who are close to power have only increased their wealth.

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"Forbes faces" — and indeed a significant part of small business as well — have agreed to pay tribute to the bureaucracy in one form or another. And some of them are being prosecuted. I'm far from the only one, unfortunately.

Many people believe you were arrested because you were seeking political power. Is that so? If not, why were you arrested, and why are they keeping you in prison?

I have never concealed the fact that I am an opponent of authoritarian trends in politics, and have always supported the opposition. Boris Yeltsin considered this normal. For Vladimir Putin and the regime he has built, this turned out to be unacceptable. At the same time, I have never aspired to political power, as I have other interests.

Perhaps Putin understands better than outside observers just how weak his power really is, and what will constitute enough of a push to topple it. Or perhaps it's simply that officials who have lined their pockets on the plundering of Yukos are really good at manipulating him.

Putin clearly showed that he considers me his personal opponent. I agree with that. But a dependent court is in no way better than a bandit's club. Both tools are equally unacceptable for settling grievances in a civilized society. President Medvedev, evidently, is in agreement with this, and carries full personal responsibility for such failures

of judicial reform.

You have always pinned your hopes on President Dmitri Medvedev, a jurist. Are you disappointed in him?

I am genuinely disappointed that President Medvedev has so far not managed to fulfill his promise about the rule of law.

For me, President Medvedev is much more understandable [than Putin]. He is a political pragmatist who has certain ideals that are compatible with democracy. I understand his situation well, and therefore rarely criticize him. But we do have a right to expect action. Can we believe him? His desires, no; his promises, yes. It is important to make a clear distinction between the two.

If you compare the conduct of your first and second trials, what were the differences?

I will admit that in appearance, the second trial was closer to normal than the first. We were given our say and the press was given access. However, as in the first trial, the defense was more than restricted in the right to call witnesses and to present evidence, while the prosecution openly intimidated those who came forward. It got to the point where the investigation directly refused to hand over material evidence to the court. All this, of course, was in direct contravention of Russian legislation.

In the opinion of the Russian press, you were made to answer for all oligarchs, which means that they all operated in a gray area. Can you comment on this?

I don't want to talk about what I don't know for certain. It is a fact that they charged me in the first trial with using tax computing practices that are universally accepted (even to this day). I.e., they convicted me by a selective application of the law.

The second charge was just plain absurd. According to the verdict, it wasn't Yukos that was the purchaser of oil from its subsidiary units, but me personally "as an individual." The court found me guilty of having personally stolen 350 million tons of oil from Yukos. That's 20 million tons more than Yukos produced. And if that was the case, why were \$30 billion in taxes demanded from Yukos? And where did Yukos get \$15 billion in profits? The court could not explain this.

In your closing statement, as well as in interviews, articles and correspondence, you, like many other political prisoners or exiles, from the Decembrists to Sakharov, outlined your vision of a "dif-



ferent Russia.” Do you see yourself as continuing their tradition?

Any rational person who enters into a direct dispute with the existing power presumably has his own vision of the future of his country. I am no exception. To what extent my views and my fate can be put in the same rank with the fates of these remarkable people from Russian history, only time will tell. In any case, they are my model of commendable behavior.

Making an example of me is important for the authoritarian power as a way of intimidating various opponents. Like a public execution. However, the public settling of accounts has another side — it turns an ordinary person into a symbol of the struggle with arbitrariness. This is what is happening in my case.

If the clock could be turned back, would you have done things differently?

My civic position would have been even more active and open. And I would have been able to better protect the interests of Yukos investors. I never imagined that the company would be totally destroyed and dismantled. Taken away from me, yes; completely

destroyed, no. That was a clear mistake on the part of the ruling powers — though many well-known personages made out quite well.

You have said that “stagnation” has begun once again in Russia, the stagnation of the Putin era. In your opinion, what is the main enemy of Russia’s development? What has to be done to awaken the people?

There is no question that the main enemy of Russian development is our apathy. Putin and his elite are nothing but the consequence of the absence of a civil society. However, it cannot be denied that they did much to eliminate the young shoots of civic self-organization and to destroy democratic institutions such as an independent judiciary or the electoral system, replacing them with fictional ones. People can be awakened by telling them the truth and showing an example.

Did you expect more support from Western countries and the international community?

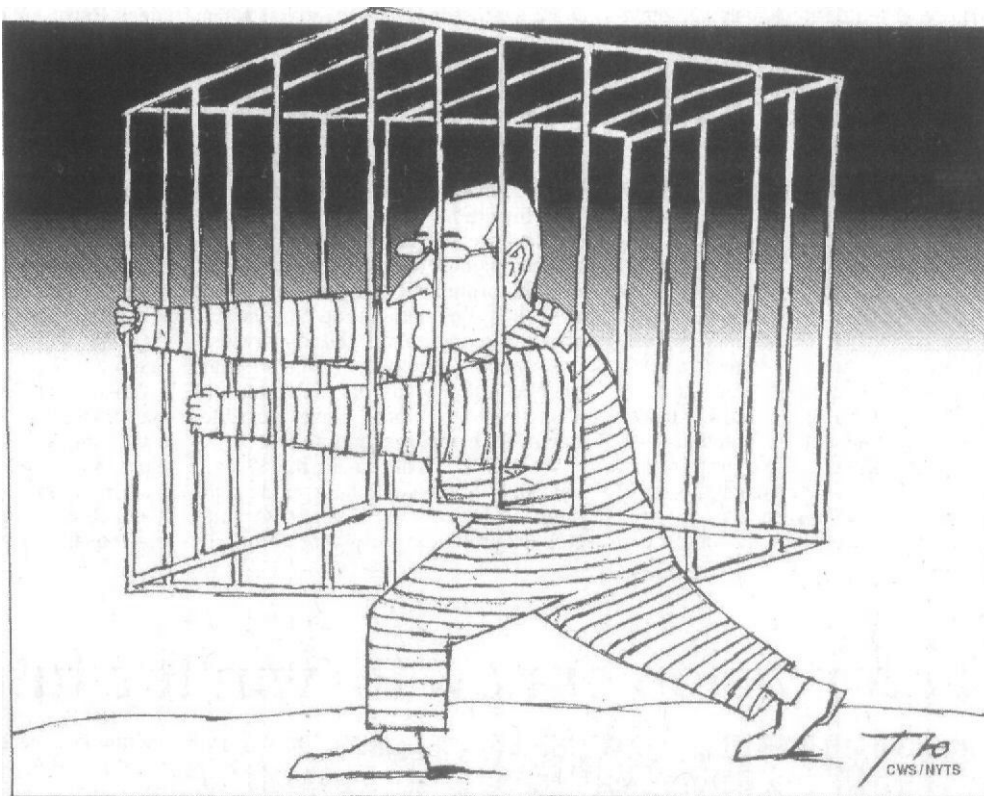
Western public opinion plays a huge role in our country. References to the

West are a common technique that the authorities use to legitimize their actions. I welcome the fact that many respected people both in Russia and in the West have cast aside illusion and political correctness and are directly calling what is taking place barbarism and savagery.

Russia is a sovereign state, but to support deception, to demonstrate respect for its corrupt officials, is amoral.

I expect that the international community will realize how much its recognition is important for the domestic legitimacy of the regime in Russia. I expect that Western countries will realize that Russia’s democratic prospects are not empty words that can be sacrificed for the sake of present-day interests.

People are living for a long time these days. The current generation of Western politicians is going hear the gratitude or the damnation of its own descendants in its lifetime. And to those who are supporting me, my colleagues and other victims of arbitrariness, I am grateful.



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