

Good News For Dmitry Firtash In December In Washington D.C. And Austria

"The Hill" newspaper reports that 23 human rights organizations withdrew their request for investigation of Firtash under Magnitsky Act "pending further review"; Austrian Supreme Court stays U.S. request to extradite Firtash; Austrian Court of Appeals "finally" denies Spanish extradition request

WASHINGTON, Dec. 26, 2017 /PRNewswire- USNewswire/ -- The following is a statement by Lanny J. Davis, Davis Goldberg Galper, PLLC, Washington D.C., defense attorney for Dmitry Firtash: Three events occurring on December 21, December 19, and December 12, 2017 provided good news for Dmitry Firtash. They prove once again the important lesson for media as well as political and legal commentators: Don't jump to conclusions, using innuendo and guilt by association, but wait for a determination of the facts and law.

1. December 21, 2017: "The Hill" newspaper (thehill.com) published the following headline: "Human Rights groups withdraw government complaint against Ukrainian oligarch after its accuracy is challenged"

See <http://thehill.com/365943-human-rights-groups-withdraw-government-complaint-against-russian-oligarch-after-its-accuracy>

The story reported that "a coalition of [23] human rights groups has recalled a complaint asking the United States to sanction Ukrainian oligarch Dmitry Firtash after questions surfaced about the accuracy of the allegations against the businessman.... Rob Berschinski, the senior vice president for policy at Human Rights First, confirmed to The Hill that the coalition of groups pulled back their letter late last month [November].... 'What we decided to do was pull the letter down,' Berschinski said."

As attorney for Mr. Firtash, I issued a public statement expressing my appreciation of "the decision of [the human rights] NGOs to suspend, pending further review, their recommendation that Dmitry Firtash be investigated under the Magnitsky Act."

2. December 19, 2017: Austrian Court of Appeals rejects Spanish request to extradite Firtash based on U.S. allegations

The Austrian Court of Appeals "finally" rejected a request by Spanish prosecutors to extradite Mr. Firtash. The request was reportedly based on allegations similar to the ones raised against Mr. Firtash by U.S. prosecutors and relied on information provided to them by U.S. investigators.

This Spanish extradition request of Firtash has been widely reported by U.S. media as related to pending U.S. charges against Mr. Firtash. Yet the Austrian Court of Appeals rejected the Spanish extradition request, stating that it is insufficient to merely allege that somebody (i.e., Firtash) is close to people allegedly forming an – unproven – criminal organization, and also, the Spanish allegations of money laundering didn't hold up.

While the Austrian Court of Appeals repeatedly asked Spanish authorities to provide specificity and facts to support their extradition request and provided them several opportunities to do so, they nevertheless failed.

3. December 12, 2017: Austrian Supreme Court grants Firtash a stay of U.S. authorities requested extradition

The Austrian Supreme Court's decision held that Mr. Firtash's appeal, asking for a retrial and arguing that the Austrian Court of Appeals erred when it allowed extradition to the United States (thereby overturning the Austrian trial court's decision denying extradition), was not without merit. The Supreme Court thus ordered a stay of Mr. Firtash's extradition pending its review. Additionally, the Supreme Court stayed its own review until a preliminary ruling is reached by the Court of Justice of the European Union on the applicability of the EU Charter on Human Rights to Mr. Firtash's extradition appeal.

In conclusion, and regardless of what people read about Dmitry Firtash in the media, please remember that the charges against him allege *no actions, conduct, or commercial effects in the United States by Mr. Firtash; indeed, the fact is, Mr. Firtash has never been to the United States.* Mr. Firtash is innocent until proven guilty and false and unsubstantiated news reports repeated one million times on the Internet are still false.

I only ask U.S. and international media, and political and legal pundits to do one thing with respect to writing or talking about Mr. Firtash: The rule should be facts first, conclusions second – not the reverse. That rule is enshrined in the concept of due process of law – in the U.S. Constitution as well as the European Union Charter on Human Rights.

DISSEMINATED BY DAVIS GOLDBERG GALPER ON BEHALF OF DMITRYO FIRTASH. ADDITIONAL INFORMATION IS AVAILABLE AT THE US DEPT OF JUSTICE, WASHINGTON, D.C.

Contact: Lanny J. Davis, 202-460-1451